

INTERSTATE COMMISSION FOR JUVENILES
Juvenile/Adult Issues Ad Hoc Committee



Minutes

April 28, 2020

2:00 p.m. ET

Teleconference

Commissioners/Designees in Attendance:

1. Julie Hawkins (MO), Chair
2. Cathy Gordon (MT), Commissioner
3. Caitlyn Bickford (NH), Commissioner
4. Nina Belli (OR), Designee
5. Daryl Liedecke (TX), Commissioner

Commissioners/Designees Not in Attendance:

1. Tomiko Frierson (IL), Commissioner
2. Jeff Cowger (KS), Commissioner

Non-Voting Committee Members in Attendance:

1. Tracy Bradley (FL)
2. Stephen Horton (NC)

ICJ Staff in Attendance:

1. Marylee Underwood, Executive Director
2. Jennifer Adkins, Operations and Policy Specialist
3. Leslie Anderson, Administrative and Logistics Coordinator

Call to Order

Chair J. Hawkins (MO) called the meeting to order at 2:02 p.m. ET.

Roll Call

Executive Director Underwood called the roll and a quorum was established.

Agenda

D. Liedecke (TX) made a motion to approve the agenda. N. Belli (OR) seconded. The motion carried.

Minutes

N. Belli (OR) made a motion to approve the March 24, 2020 meeting minutes as presented. D. Liedecke (TX) seconded. The motion carried.

Discussion

o Proposed Rule Amendments

- Chair J. Hawkins (MO) reported that revised Advisory Opinion 04-2018 that addresses whether a person should be returned as a juvenile when being detained as a juvenile in the holding state, but has an outstanding warrant from an adult court in the home state, was approved for publication by the Executive Committee.
- Chair Hawkins reported that she, N. Belli (OR), and D. Liedecke (TX) had met as a workgroup to develop proposals for the committee's consideration.
- **Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking**
 - Chair J. Hawkins (MO) presented the proposed rule amendment that addresses cases involving failed supervision of a juvenile who is living independently with no legal guardian in either state. The proposal incorporated language from the Eligibility Requirements listed in **Rule 4-101 (2)(f.)(ii.): Transfer of Supervision** to provide clarification that the home/sending/demanding state would be responsible for affecting the return of individuals residing independently.
 - **N. Belli (OR) made a motion to refer the proposed amendment of Rule 4-101 to the Rules Committee for review and consideration. D. Liedecke (TX) seconded. The motion carried.**
- **Rule 7-104: Warrants**
 - Chair J. Hawkins (MO) presented the proposed rule amendment reflecting proposed language for clarification to the committee.
 - **D. Liedecke (TX) made a motion to refer the proposed amendment of Rule 7-104 to the Rules Committee for review and consideration. C. Bickford (NH) seconded. The motion carried.**
- **Rule 7-105: Detention and Hearing on Failure to Return**
 - Chair J. Hawkins (MO) presented the proposed rule amendment to the committee.
 - **D. Liedecke (TX) made a motion to refer the proposed amendment of Rule 7-105 to the Rules Committee for review and consideration. N. Belli (OR) seconded. The motion carried.**
- **Rule 6-102: Voluntary Return of Runaways Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders**
 - Chair J. Hawkins (MO) noted that the committee previously voted to refer a proposed amendment for Rule 6-102 to the Rules Committee for Consideration. However, after the proposals was referred, the revision of Advisory Opinion 04-2018 was published. She asked the Committee to consider whether the proposal should be revisited with the Advisory Opinion in mind.
 - **D. Liedecke (TX) made a motion to revisit the previous action for further committee discussion. N. Belli (OR) seconded. The motion carried.**
 - The committee discussed the impact of the advisory opinion and agreed that it is no longer necessary to recommend amendment of Rule 6-102.
 - **N. Belli (OR) made a motion to withdraw the previous action to recommend the proposed amendment of Rule 6-102 to the Rules Committee. C. Bickford (NH) seconded. The motion carried.**

- Rule 6-103A: Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent
 - Chair J. Hawkins (MO) presented the proposed rule amendment to the committee
 - **D. Liedecke (TX) made a motion to refer the proposed amendment of Rule 6-103A to the Rules Committee for review and consideration. N. Belli (OR) seconded. The motion carried.**
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- **Annual Business Meeting Training Session**
 - Chair J. Hawkins (MO) announced that the ad hoc committee will provide training during the 2020 ICJ Annual Business Meeting. The floor was opened for committee discussion regarding topics for the training.
 - The committee discussed engaging members of the Interstate Commission for Adult Offender Supervision (ICAOS) and the National Association of Extradition Officials (NAEO) to hold a panel discussion addressing case scenarios that highlight the application of the extradition processes ICJ staff may encounter, including the Uniform Criminal Extradition Act (UCEA) and other state extradition laws that would impact juvenile returns. Cathy Gordon (MT) agreed to speak regarding ICAOS, as she also serves as an ICAOS Commissioner. Director Underwood agreed to reach out to NAEO official, Susan Meier.
- **Age Matrix**
 - Chair J. Hawkins (MO) encouraged members to review the current Age Matrix for discussion at the next meeting. Consideration should be taken regarding the consistency of the published data, if the four (4) categories are accurately being interpreted correctly, or if the matrix should be reformatted to provide more clarification

Old Business

- **Consequences of “No Bail/Bond” when Adult Charges Pending with an Active Out of State Juvenile Warrant**
 - Chair J. Hawkins (MO) provided an update regarding her work with S. Horton (NC) to develop a provision to Rule 7-104: Warrants that would allow a juvenile with pending adult warrants being held in adult facilities to post bail/bond and return to the state with the juvenile warrant upon mutual agreement by both states. This would address concerns regarding a juvenile being housed in an adult facility for extended periods of time while awaiting adult proceedings. The provision would mirror the language in other rules regarding mutual agreements by both states. After much discussion it was agreed that the development of a Best Practices document may be more beneficial in providing guidance for the numerous potential case scenarios.
 - Chair J. Hawkins (MO), S. Horton (NC), D. Liedecke (TX), and C. Gordon (MT) volunteered to form a workgroup to develop a draft Best Practices document to present to the committee at the next meeting.

New Business

There was no New Business to report

Adjourn

Chair J. Hawkins (MO) adjourned the meeting by unanimous consent at 3:07 p.m. ET.