



## **INTERSTATE COMMISSION FOR JUVENILES**

### **Midwest Region Meeting**

*Minutes*

November 20, 2018

2:00 p.m. ET

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#### **Commissioners/Designees in Attendance:**

1. Charles Frieberg (SD) Representative
2. Mary Lou Clefisch (IA) Designee
3. Mary Kay Hudson (IN) Commissioner
4. Jeff Cowger (KS) Commissioner
5. Roy Yaple (MI) Commissioner
6. Tracy Hudrlik (MN) Commissioner
7. Jessica Wald (ND) Designee
8. Nate Lawson (OH) Commissioner
9. Casey Gerber (WI) Commissioner

#### **Commissioners/Designees Not in Attendance:**

1. Tomiko Frierson (IL) Commissioner
2. Jayce Rader (NE) Commissioner

#### **Compact Office Staff in Attendance:**

1. Joy Swantz (WI)
2. Turran Blazier (IN)
3. Kathy Christianson (SD)
4. Abbie Christian (NE)
5. Liz Wilson (KS)
6. Michael Tymkew (MI)

#### **Guests in Attendance:**

None

#### **ICJ Staff in Attendance:**

1. Mary Lee Underwood, Executive Director
2. Jennifer Adkins, Project Manager
3. Emma Goode, Training and Administrative Specialist
4. Leslie Anderson, Logistics and Administrative Coordinator

#### **Call to Order**

Representative Frieberg called the meeting to order at 2:00 p.m. ET.

## Roll Call

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

## Agenda

- **T. Hudrlik (MN) made a motion to approve the agenda. Roy Yaple (MI) seconded. The motion carried.**

## Minutes

**N. Lawson (OH) made a motion to approve the minutes as amended dated September 11, 2018. J. Wald (ND) seconded. The motion carried.**

## Discussion

### Executive Committee Updates

- Executive Director Underwood updated the region on state Commissioner changes. Elizabeth Hill has been appointed the Commissioner of SC, there is a vacancy for the position in the states of MT and UT, Mary Kay Hudson has been appointed the Commissioner of IN and Maureen Clifton has been appointed the Commissioner of WY.
- There have been changes on the Executive Committee. J. Cowger (KS) is now the Rules Committee Chair and J. Pelander (WA) has taken the position of the Finance Committee Chair.
- The Request for Proposal (RFP) for a new data system to replace JIDS has been released. The proposals are due in January and the process is expected to take approximately one (1) year. A copy of the RFP is available for review on the ICJ website.
- There was also an approval on two (2) Legal Memoranda. One addresses the return of juveniles who have pending adult warrants in the Home State. The second addresses the definition of a “runaway”. Both are to be reformatted into Advisory Opinions that are to be released to all commission members. These are set for review at the next Executive Committee meeting.
- The Technology Committee is currently making some changes to the current workflows in JIDS regarding the calculation of days.
- The Compliance Committee reported that the SC Corrective Action Plan (CAP) has been completed. The committee is now working on the Performance Measurement Assessment (PMA) for 2019. Committee Chair Rader (NE) and J. Adkins will conduct a presentation on December 19, 2018 to discuss how the PMA process will be conducted and how various items will be assessed. Global Assignment Reviews will be assessed within the PMA process. Letters regarding Global Assignment Reviews were recently sent out to several states to provide an opportunity to review issues the PMA will address.
- The Finance Committee voted to approve an amendment to the internal policy regarding capitalization.
- The Training Committee reported several changes in how Webex trainings are provided. They have moved to a two-part training that allows for more flexibility in scheduling for participants. They also reported that updates have been completed on all the On-Demand Modules and are now available on the website. The committee is now working on training for the 2019 ABM.
- The Executive Committee invited Trudy Gregorie to serve as the Ex-officio Victims Representative on the committee this year. Carol Watson, Victims

Specialist of the Sacramento FBI, was invited to serve as an Ex-officio Victims Representative to the commission at large and the Human Trafficking Ad-hoc Committee.

### State Updates

- Indiana: T. Blazier (IN) reported that the state has been going through cases to ensure that they are up to date in preparation for the 2019 PMA.
- Iowa: M. Clefisch (IA) had nothing new to report at this time.
- Kansas: J. Cowger (KS) had nothing to report at this time.
- Michigan: R. Yapple (MI) had nothing new to report at this time.
- Minnesota: T. Hudrlick (MN) reported that they held a joint ICJ / ICAOS state council meeting. They will be participating in an hour long webinar with the Statewide County Attorneys Association on ICJ and its impact on County Attorneys next month.
- Nebraska: A. Christian (NE) reported they will hold their state council meeting next week. She provided an update on the Supreme Court ruling for the NE sex offender registry being required to add incoming juveniles to their state registry. There had been a federal injunction ordered in September 2018 restraining any incoming juveniles from being placed on the adult registry. The injunction has been lifted and there is an appeal process ongoing at this time. Currently incoming juveniles are not being placed on the NE adult sex offender registry at this time. However, this is subject to change at any time. NE will continue to keep the Commission apprised to any updates regarding this situation.
- North Dakota: J. Wald (ND) reported that the state council meeting was held yesterday. The council discussed the Advisory Opinion regarding the requirement for a state to return a juvenile that has been entered into NCIC. She reported that to date there has only been one human trafficking incident reported for the year. ND is also changing its age of culpability from seven (7) to ten (10) years old.
- Ohio: N. Lawson (OH) had nothing new to report at this time.
- South Dakota: Representative Frieberg reported that the state council will meet in January.
- Wisconsin: C. Gerber (WI) had nothing new to report at this time.

### Old Business

- The Legal Memorandum regarding the Rule Amendment Proposals submitted by IL on Rule 6-102 has been finalized. The conclusion includes two recommendations from Legal Counsel.
- The first recommendation is to amend Rule 1-101 "*Definitions*" regarding the definition of "accused delinquent" in Section 1 to include the language "including a juvenile who has been charged as an adult".
- The second recommendation is to amend the language in Rule 6-102 *Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders* to clarify the proper handling of cases where an out-of-state juvenile is being detained as a juvenile in a holding state however has outstanding adult warrants in the demanding state.
- Representative Frieberg opened the floor for discussion.
- The region discussed several possible amendments to the language surrounding the Rule Proposal to Rule 6-102.

- **R. Yaple (MI) made a motion to modify the Rule to include paragraph “8. When a juvenile is being detained on a warrant issued by an adult court in the home/demanding/sending state, the juvenile shall be returned to the home/demanding/sending state as a juvenile, when classified as a juvenile in the home/demanding/sending state, even if charged as an adult. The home/demanding/sending state shall accept the Form III Consent for Voluntary Return of Out-of-State Juveniles and assist in facilitating the juvenile’s return” and move it forward to the Rules Committee. The motion falls to the floor for lack of a second.**
- The region agreed to hold an additional meeting to further discuss Rule Proposal 6-102. A date is to be determined for December.

### **New Business**

- R. Yaple (MI) recommended looking into whom the cost of obtaining contractors for airport surveillance should rest upon and if there is a more equitable way to approach this cost. He will develop a proposal for airport surveillance financing issues to bring before the Midwest Region at the next meeting.

### **Adjourn**

- **R. Yaple (MI) made a motion to adjourn the meeting. T. Hudrlik (MN) seconded. The motion carried. The meeting was adjourned at 3:08 p.m. ET.**