

INTERSTATE COMMISSION FOR JUVENILES
Ad Hoc Committee on Racial Justice
Meeting Minutes



March 23, 2021
3:00 p.m. ET
Via WebEx

Voting Members in Attendance:

1. Tasha Hunt (CT), Commissioner, Co-Chair
2. Becki Moore (MA), Designee, Co-Chair
3. Mike Casey (DE), Commissioner
4. Sherry Jones (MD), Commissioner
5. Roy Yaple (MI), Commissioner
6. Cathy Gordon (MT), Commissioner
7. Felicia Dauway (SC), Commissioner

Non-Voting Members in Attendance:

1. Edwin Lee, Jr. (NJ)
2. Maxine Baggett (MS)

Members Not in Attendance:

1. Agnes Denson (FL), Commissioner
2. Jacey Rader (NE), Commissioner
3. Corrie Copeland (TN), Commissioner
4. Eavey-Monique James (USVI), Commissioner
5. Terrance Clayton (FL)

National Office Staff & Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Jenny Adkins, Operations and Policy Specialist
4. Amanee Cabbagestalk, Training and Administrative Specialist

Call to Order

Co-Chair Moore (MA) called the meeting to order at 3:00 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

C. Gordon (MT) made a motion to approve the agenda as presented. The motion passed by acclamation.

Minutes

R. Yaple (MI) made a motion to approve the February 23, 2021 meeting minutes as presented. S. Jones (MD) seconded. The motion carried.

Discussion

Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking

- Co-Chair Moore acknowledged the work of Sherry Jones (MD) and Cathy Gordon (MT) drafting a proposed amendment on behalf of the Ad Hoc Committee for Racial Justice to ICJ Rule 5-103, paragraph 1 as follows:
 - f. graduated sanctions - in an effort to reduce recidivism, revictimization, and failed placement possibly resulting long-term and short-term out of home placement (i.e. Intrastate and Out of State), incarceration, and expose and transmission of COVID 19 Virus, including but not limited to verbal warning, youth parent meeting, increased supervision contacts, restrict activities, community service, special assignments, curfew, youth advocacy and mentor program, child and family centered intensive in-home services (virtual or in-person), trauma-informed mental health services, evidence-based community services, or other corrective actions, if any; and
- S. Jones (MD) shared about her research and intent of the proposed amendment. She reported that she contacted several state ICJOs for information about how they use evidence-based programs, proven to help reduce failed placement and focus on getting juveniles back on track for a successful future and includes examples of sanctions. Additional research is reflected in the “Justification” section of the proposal.
- C. Gordon (MT) added that incentives and rewards do not have to cost money. Examples include: certificates presented with others present; donated gifts or and gift cards; reduced frequency of drug testing; and longer leave times.
- R. Yapple (MI) commented that unless there is a court order, some states have limited options for sanctions. He recommended changing “*including but not limited*” to “*actions such as*.” He stated that Michigan interprets “including” to mean a requirement. Therefore, the draft amendment would contradict Rule 5-101(2), which states: “the receiving state **may** impose conditions on a juvenile transferred under the ICJ if that condition would have been imposed on a juvenile in the receiving state” (*emphasis added*).
- S. Jones (MD) noted that some of the graduated sanctions are also identified in court orders.
- E. Lee, Jr. (NJ) commented that states operate differently with varying terminology for incentives and rewards. Being too specific in the rule could create obstacles for some states.
- Co-Chair Moore (MA) supports use of graduated sanctions, but cautioned that terminology changes constantly. Therefore, she suggested using broad language in order to avoid the need to frequently update the rules. She also questioned whether graduated sanctions/responses could be added to the ICJ Form IX: Quarterly Progress Report or Violation Report. Director Underwood explained that a change in the rule would trigger a review of the form, and suggested that the justification section of the proposal be amended to include a suggestion related to the form change.
- C. Gordon (MT) replied that the Interstate Commission for Adult Offender Supervision (ICAOS) forms required states to list every corrective action and incentive. The information is shared via a built-in drop-down box on the violation report in their data system (ICOTS). Additionally, violation and/or intervention

grids are posted on the ICAOS website. The ICAOS Rule references the grids, rather than including specifics in the rule.

- Co-Chair Moore (MA) suggested approaching as a balance between sanctions and rewards, rather than including specifics. The Ad Hoc Committee discussed collecting supervision strategies from states.
- E. Lee, Jr. (NJ) concurred, and commented that the purpose is to encourage the receiving jurisdiction to use structured responses and sanctions to prevent the returns for failed supervision.
- Co-Chair Hunt (CT) advocated to incorporate specific examples in training similar to the scenario trainings, such as those provided in Annual Business Meetings. Director Underwood commented that the suggestion could be incorporated into the new On Demand Core Course for Violations.
- The Ad Hoc Committee brainstormed revised language and reached a consensus to amend Rule 5-103, paragraph 1 as follows:
 - e. ~~efforts or interventions~~ structured responses, including all incentives or graduated sanctions, or other corrective actions made to redirect the behavior, if any; and
 - f. ~~sanctions if they apply~~
 - f.g. receiving state recommendations.
- **S. Jones (MD) made a motion to recommend a proposed rule amendment to Rule 5-103 (1) (e-g) as shown above with the understanding the justification would also be edited by the national office and co-chairs to reflect the language and intent of the proposal. The motion passed by acclamation without objection.**

Mission / Vision / Values / Results Statements

- Co-Chair Moore updated that a recommendation for language to the ICJ Mission/Vision/Values and a Results Statement would need to be forward to the Executive Committee prior to April 15, 2021. Due to time, she requested members provide their suggestions in the chat box. The National Office captured the suggestions entered:
 - Reducing disparity outcomes for youth
 - The Commission and ICJ Office Staff can encourage supervising agents to act in a way that enhance/support a youth and family positive perception of fairness/equity
 - Advocate for equity and justice for historically marginalized, disenfranchised, and oppressed peoples.
Interrupt racism, bigotry, and prejudice whenever encountered.
Build awareness, solutions, and leadership for racial justice.
Generate transformative ideas, information, and experiences to address racial justice.
 - Promote equitable opportunities and outcomes for all.
 - Consider inclusion and diversity leading to well-being.
 - Respect for individual dignity, earnest dialogues and active listening are keys to addressing racial justice.
 - Challenging our assumptions and understanding those who are different from us.
 - Striving to achieve equity, racial justice, and positive transformational change.
 - Achieving vibrant world in which people of all races create, share and enjoy resources and relationships equitably.
- The Co-Chairs commended the members for the substantial racial equity recommendations. Since the Executive Committee meets April 15 prior to the

next ad hoc committee, the members agreed to authorize the co-chairs to tweak the suggestions and forward a recommendation to the Executive Committee.

- **F. Dauway (SC) made a motion to authorize Co-Chairs Moore and Hunt to draft a recommendation from the suggestions on behalf of the Ad Hoc Committee and forward to the Executive Committee. The motion passed by acclamation without objection.**

Old Business

There was no old business.

New Business

Research on Election Process

- Due to time, this topic will be included on next month's agenda.

2021 Annual Business Meeting Training

- Director Underwood updated that this week, the Training Committee will review a draft 2021 Annual Business Meeting (ABM) Agenda. The approved draft will be shared at the next ad hoc committee meeting for input.

Adjourn

Co-Chair Moore adjourned the meeting with objection at 3:57 p.m. ET.