



INTERSTATE COMMISSION FOR JUVENILES
RULES COMMITTEE

Minutes
July 18, 2018
2:00 PM ET
Webex Teleconference

Commissioners/Designees in Attendance:

1. Gary Hartman (WY) Chair
2. Judy Miller (AR) Designee
3. Anne Connor (ID) Designee
4. Tracy Hudrlik (MN) Commissioner
5. Julie Hawkins (MO) Commissioner
6. Dale Dodd (NM) Commissioner
7. Mike Casey (DE) Designee
8. Kevin Brown (NJ) Commissioner

Members Not in Attendance:

1. Kevin Brown (NJ) Commissioner / Edwin Lee, Jr (NJ) Designee
2. Melanie Grimes (DE) / Christine Norris (DE) Designee

Non-Voting Committee Members Not in Attendance:

1. Steve Jett, Ex Officio (NPJS)

ICJ Staff in Attendance:

1. MaryLee Underwood, Executive Director
 2. Emma Goode, Training and Administrative Specialist
 3. Jennifer Adkins, Project Manager
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Call to Order

Chair Hartman called the meeting to order at 2:00 PM ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

- **A. Connor (ID) made a motion to approve the agenda. D. Dodd (NM) seconded. The motion passed.**

Minutes

- **J. Miller (AR) made a motion to approve the April 4, 2018 meeting minutes. A. Connor (ID) seconded. The motion passed.**

Discussion

- **Non-Adjudicated Minors and Non-Offenders**
 - Chair Hartman (WY) asked the Committee to consider whether some guidance should be provided related to “non-adjudicated minors” or non-offenders. He noted that the definition of “non-adjudicated minors” was removed from the Rules in 2018, but is used in 2 previous Advisory Opinions (03-2011 and 04-2011).
 - J. Hawkins referenced that in Article II of ICJ statute these categories are clearly defined in section (H), again in sections (A) and (C) of Article I, as well as in Rule 4-101 (2).
 - J. Miller (AR) and D. Dodd (NM) agreed that no further definition or additional categories were required.
 - A. Connor (ID) stated that, as long as the related Advisory Opinions had been updated to reflect the most current language, she agreed that no further action was required at this time.
 - **J. Hawkins (MO) made a motion that the Rules Committee would take no action on a proposal to include definitions for non-adjudicated minors and non-offenders. J. Miller (AR) seconded. The motion passed.**

- **Rules Amendment Proposals**
 - *Rule 4-104 (5) submitted by Compliance Committee*
 - Chair Hartman presented the proposal submitted by the Compliance Committee for the Committee’s consideration. No concerns were raised.
 - **D. Dodd (NM) made a motion that the Rules Committee submit a support the amendment of Rule 4-104 (5) to strike the language “within five (5) business days.” T. Hudrlik (MN) seconded. The motion passed.**

 - *Rule 7-104 (3) submitted by Subcommittee on Rule 7-104*
 - Chair Hartman (WY) stated that, in some cases, after the home/demanding/sending state has entered a warrant into NCIC and the juvenile has been detained, no action was taken to return the juvenile. In some cases, there is very little communication from the home state to the holding state. Law enforcement and court officials sometimes express concerns regarding liability, especially when the warrant has been withdrawn.
 - D. Dodd (NM), T. Hudrlik (MN), J. Hawkins (MO) and A. Connor (ID) provided several examples.
 - J. Hawkins (MO) suggested warrants should be withdrawn to avoid concerns of liability.
 - Chair Hartman (WY) stated that with the current language a state would be in violation of the Compact by not taking action or extraditing the juvenile back to the demanding state.
 - Committee determined that due to differing interpretations of the Rule and differing procedures in each state that this is a communication issue between states and a language issue within the current Rule.
 - J. Miller (AR) recommended this amendment proposal from the subcommittee not be recommended by the Rules Committee and that the Rules Committee propose their own recommendation for proposal with

amendments to the wording “or act upon the warrant and return the juvenile”.

- **J. Hawkins (MO) made a motion that the Rules Committee not recommend the proposed language suggested by the subcommittee and the Rules Committee recommend a proposal to Rule 7-104 (3) to change the language to “shall inform the holding state whether they intend to act upon the warrant and return the juvenile or withdraw the warrant.” J. Miller (AR) seconded. The motion passed.**
- Director Underwood indicated there was a second proposed recommendation to Rule 7-104 that needed to be discussed. Chair Hartman (WY) felt more research needed to be gathered and clarification made through NCIC regarding how cases should be entered into NCIC. He stated that, unless members objected, the discussion would be postponed until the next committee meeting. No objections were made.
- J. Hawkins (MO) also requested the issue of records retention procedure/policy and conflicts with JIDS retention be discussed at the next committee meeting.

Old Business

- There was no old business to discuss.

New Business

- There was no new business to discuss.

Adjourn

- **A. Connor (ID) made a motion to adjourn the meeting. D. Dodd (NM) seconded. The motion passed. Meeting adjourned at 3:02 p.m. ET.**