



Interstate Commission for Juveniles
South Region Meeting Minutes
October 5, 2021 (Annual Business Meeting)
10:00 a.m. ET
Via Zoom

Voting Members in Attendance:

1. Daryl Liedecke (TX), Commissioner, South Region Representative
2. Sherry Jones (MD), Commissioner, Alternate Region Representative
3. Patrick Pendergast (AL), Designee
4. Judy Miller (AR), Designee
5. Jefferson Regis (DC), Commissioner
6. Agnes Denson (FL), Commissioner
7. Victor Roberts (GA), Designee
8. Amy Welch (KY), Commissioner
9. Juanita Anderson-Hilton (LA), Commissioner
10. Maxine Baggett (MS), Designee
11. Julie Hawkins (MO), Commissioner
12. Stephen Horton (NC), Commissioner
13. Robert Hendryx (OK), Designee
14. Felicia Dauway (SC), Designee
15. Corrie Copeland (TN), Commissioner
16. Natalie Dalton (VA), Commissioner
17. Stephanie Bond (WV), Commissioner

Voting Members Not in Attendance:

1. Tyrone Oliver (GA), Commissioner
2. Robert Anderson (MS), Commissioner
3. Rachel Holt (OK), Commissioner

Non-voting Compact Staff in Attendance:

1. Latosha Mallory (AL)
2. Debra Devine (AR)
3. Terrance Clayton (FL)
4. Tracy Howard (FL)
5. Natasha Holmes (FL)
6. Tracy Cassell (GA)
7. Anna Butler (KY)
8. Kimberly Dickerson (LA)
9. Yolonda Latimer (LA)
10. Abbye Tyler (MD)
11. Latoya Oliver (MD)
12. Rachel Johnson (NC)
13. Mason Harrington (SC)
14. Bridget Webb (SC)
15. Quincy Hughes (TN)
16. Lynn Fielder (WV)

Guests in Attendance:

1. Allison Armstrong
2. Nataki Brown
3. Heather Campbell
4. Jessica Dreux
5. Robert Forrest
6. Melina Hampton
7. Ronald Quiros
8. Courtney Rondo
9. Barno Saturday
10. Benjamin Turner
11. Stephen Wintek

National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Joe Johnson, Project Manager

Call to Order

Representative Liedecke called the meeting to order at 10:00 a.m. ET.

Roll Call

- Director Underwood called the roll and a quorum was established.
- Representative Liedecke recognized newly appointed Commissioner, Juanita Anderson-Hilton for the State of Louisiana.

Agenda

S. Jones (MD) made a motion to approve the agenda as presented. A. Welch (KY) seconded. The motion carried.

Minutes

J. Miller (AR) made a motion to approve the July 22, 2021 meeting minutes. S. Horton (NC) seconded. The motion carried.

Discussion**Executive Committee Updates**

- Representative Liedecke provided the following updates from the Executive Committee's actions taken during the September 16, 2021 Executive Committee.

Advisory Opinion #03-2021

- A new Legal Advisory Opinion #03-2021 was approved and has now been posted. The new opinion addresses the question posed by the South Region:
 - Does the prohibition against communication between ICJ member states as provided in ICJ Rule 2-104 forbid all communication between a supervised juvenile and prior case workers in the sending state once supervision is accepted?

Rule 2-108 Emergency Suspension of Enforcement

- He reminded the membership that the suspension of the enforcement of rules (in accordance with Rule 2-108) will end on Friday, October 8, 2021.

FY 22 Leadership Series

- The ICJ Leadership Series lead by Hasan Davis will be conducted for a second year. Representative Liedecke encouraged Commissioners, Designees, and Compact staff to sign up this week via the link on the SpotMe application used for the meeting, as the first session will begin October 26.

Proposed Rule Amendments

- On October 7, the Commission will vote on the 15 proposed rule amendments presented by the Rules Committee during the October 4 training session.
- S. Jones (MD) questioned the impact to how juvenile sex offender cases are handled if the proposed amendment to Rule 4-103 passes. She also asked about the impact in UNITY. J. Hawkins (MO), a member of Rules Committee, responded that the process is the same and the travel permit is used when the parent or legal guardian resides in the other state which is known as the exception. S. Jones (MD) commented that in that situation the transfer is considered an expedited referral and asked how to input in UNITY. Representative Liedecke noted that there are two different ways to enter in UNITY to trigger the appropriate documents: (1) testing for placement and (2) relocation.

Officer Nominations

- Representative Liedecke noted that this will be the first year for use of the new nominations and elections process. Candidates were nominated in advance of the meeting, then submitted information that was shared with voting members. Candidates for the officer positions will no longer be nominated by the regions. Additional candidates may be nominated from the floor during the General Session.
- The Executive Committee decided to vote in order of Chair, Vice Chair, and Treasurer, given that one person was nominated as a candidate for two positions. He also noted that no one had been nominated for the position of Treasurer. With permission of the candidate, he announced that Sherry Jones (MD) will be nominated for Treasurer from the floor during the General Session.

State Updates/Concerns

- L. Mallory (AL) reported all was going well in Alabama.
- J. Miller (AR) reported that the Compact work was returning to normal in Arkansas.
- J. Regis (DC) reported staff were in the office 3 days and teleworking 2 days per week.
- A. Denson (FL) reported staff are back in the office full time. Effective Friday, there will be two staff vacancies in the Florida Compact office. The number of juvenile cases in Florida has increased. Juveniles enjoy going to sunny Florida.
- T. Cassell (GA) reported they continue to work a hybrid scheduled and juvenile cases have increased. Georgia continues to maintain their case load and assist states with airport surveillance.
- A. Welch (KY) reported their hybrid work schedule. Kentucky has a new State Juvenile Justice Commissioner (not to be confused with the ICJ Commissioner). This is the fifth new state Commissioner in five years.
- K. Dickerson (LA) again welcomed Louisiana's new ICJ Commissioner, Juanita Anderson-Hilton. Compact staff continue to work a hybrid schedule. Recently parts of Louisiana were hard hit by Hurricane Ida. The Compact office continues

to navigate through the disruptions to ensure supervision in those hard-hit areas. Staff retention is an issue in the state and Louisiana is diligently working to complete all ICJ home evaluations and quarterly progress reports.

- S. Jones (MD) reported Compact staff continue to work a hybrid schedule. The state has recently reorganized departments and divisions. The changes have been updated in the UNITY to reflect the new regions and zones. She acknowledged and appreciated the visit to the Maryland Compact office by Amanee Cabbagestalk, National Office staff. She reported Maryland's success in the recovery of human trafficking victims due to coordinated efforts with local and state law enforcement, homeland security, and the department of social services.
- J. Hawkins (MO) reported all staff were ordered by the Governor to return to work in their offices in May. The state now plans to pilot a hybrid work schedule for some staff, in which she will be a participant. The Missouri "raise the age" law passed last year is now fully funded and operational statewide.
- S. Horton (NC) reported that North Carolina raised the age of majority and the minimum age of delinquency. North Carolina is a UNITY Model 2 state. Informational meetings are conducted regularly for new UNITY users, building their user base. He expressed his gratitude to Rachel Johnson for her knowledge and work for the state with regards to UNITY. Staff are back full time in the office and juvenile returns have increased.
- R. Hendryx (OK) reported he and others continue to work remotely from home while maintaining the Compact work.
- F. Dauway (SC) reported staff are back full time working from the office. There is a new acting director. The newest Compact staff, Bridget Webb, has settled into her new position. Field staff are conducting face to face visits and there has been an increase in returns.
- C. Copeland (TN) reported staff continue to work hybrid schedules. There are several vacancies across the state causing working staff to be stretched. They are also having difficulty finding enough rooms for detention.
- D. Liedecke (TX) reported staff are permanently working from home. Runaway cases have increased. Texas recently and abruptly lost its DFW airport supervision supervisor and are searching for a new vendor.
- N. Dalton (VA) reported she continues to work from home. Virginia has seen an increase in transfers and acknowledged Georgia and North Carolina for their assistance with airport surveillance.
- S. Bond (WV) reported they continue to work a hybrid schedule and acknowledged the work of Lynn Fielder for her work for the West Virginia Compact office.

Old Business

Advisory Opinion #03-2021

- J. Hawkins (MO) apologized for not attending the South Region meeting when the request was initially discussed and brought forth her concerns to the Legal Advisory Opinion #03-2021 which addressed the question from the South Region:
 - *Does the prohibition against communication between ICJ member states as provided in ICJ Rule 2-104 forbid all communication between a supervised juvenile and prior case workers in the sending state once supervision is accepted?*
- J. Hawkins (MO) commented that there is a difference between supervision and communication across state lines and the buck stops with the state of jurisdiction (sending state). While supervision across state lines is advisable; communication

barriers across state lines should be not be prohibited (verbally or written) regarding the supervision of juveniles. K. Dickerson (LA) agreed.

- N. Dalton (VA) cautioned to potential over reach for the opinion noting that the rules for both communication and supervision are clear.
- Representative Liedecke questioned how to procedurally move forward. Director Underwood responded that an advisory opinion is a legal interpretation of the current rules and reflects how the rules should be read together. If the Advisory Opinion does not add the clarity needed, a good next step would be to propose a rule amendment from the South Region to the Rules Committee for the next rule promulgation cycle.
- J. Hawkins (MO) added that she reached out to ICAOS staff in her state, who agreed that communication does not interfere with the supervision and they did not interfere with the sending state officers contacting the offender when necessary.
- Director Underwood shared her screen and highlighted sections of the Advisory Opinion, noting that the opinion does not say that all communication with the juvenile and/or family is prohibited. She cited the Analysis and Conclusions section of the Advisory Opinion states:

Reading the above subsections of the ICJ rules together suggests that the intent of ICJ Rule 2-104, as a whole, is to prevent ICJ administrative personnel in sending states from interfering with the supervision of the juvenile who is transferred to a receiving state. However, it is equally clear from the remaining provisions of ICJ Rule 2-104 that it is not the purpose of the rule to prevent any communications whatsoever from occurring concerning the juvenile but simply to ensure that both states are aware of and approve of the communication. See ICJ Rule 2-104 2. Once supervision has been transferred, while agreed upon communications concerning the juvenile are not forbidden, communications with the family members by sending state officials are generally not warranted.

- Kentucky provided background on the case that originated the initial request, whereby the sending state continued efforts to supervise once the transfer of supervision had been completed.
- Representative Liedecke reiterated that the Advisory Opinion does not say all communications with the juvenile should be ceased, but rather both states should be made aware of the communications. R. Hendryx (OK) attested to the benefits of case workers continuing communications with the youth in some cases. He did not support prohibiting communication, but agreed that states should both be aware.
- J. Hawkins (MO) agreed there have been cases when the sending state attempts to supervise across state lines and that should be discouraged. Her concern is the fine line between communication and supervision. She wishes to avoid the receiving state being required to notify the youth of court hearings as that is the responsibility of the sending state. Her suggestion would be a Best Practice rather than an Advisory Opinion.
- S. Horton (NC) noted the concern was more about communication than supervision. He questioned the frequency of the issue to determine whether it warranted a proposed rule amendment. He suggested that if a rule amendment is warranted, Rule 5-101, paragraph 3, should be reviewed, as it states that both the sending state and the receiving state shall have authority regarding the juvenile.
- Representative Liedecke reviewed options to propose a rule amendment or Best Practice. The matter will be discussed further at a future meeting. He encouraged members to think about how they would like to address the topic and prepare

language for a rule proposal or a best practice for consideration at the next meeting.

New Business

There was no new business.

Adjourn

**S. Jones (MD) made a motion to adjourn, A. Welch (KY) seconded.
Representative Liedecke adjourned the meeting by acclamation at 11:59 a.m.
ET.**