

# INTERSTATE COMMISSION FOR JUVENILES

## West Region Meeting Minutes



May 13, 2021  
3:00 p.m. ET  
Via WebEx

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### **Voting Members in Attendance:**

1. Michael Farmer (CA), West Region Representative
2. Shannon Dilley (AK), Commissioner
3. Howard Wykes (AZ), Designee
4. Summer Foxworth (CO), Commissioner
5. Kristin Davidson (HI), Commissioner
6. Anne Connor (ID), Designee
7. Cathy Gordon (MT), Commissioner
8. Dale Dodd (NM), Commissioner
9. Nina Belli (OR), Designee
10. Raymundo Gallardo (UT), Designee
11. Jedd Pelander (WA), Commissioner
12. Maureen Clifton (WY), Commissioner

### **Voting Members not in Attendance:**

1. Jeff Hood (AZ), Commissioner
2. David Laity (NV), Commissioner
3. Neira Siaperas (UT), Commissioner

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

1. Nichel Saceda-Hurt (AK)
2. Gladys Olivares (NV)
3. Kelsey Hewitt (OR)
4. Dawn Bailey (WA)
5. Krysta Van Woert (WA)
6. Brandon Schimelpfenig (WY)

### **Guests in Attendance:**

None

### **National Office Staff in Attendance:**

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Amanee Cabbagestalk, Training and Administrative Specialist
4. Jenny Adkins, Policy and Operations Specialist
5. Joe Johnson, Systems Project Manager

### **Call to Order**

Representative Farmer called the meeting to order at 3:00 p.m. ET.

## Roll Call

Director Underwood called the roll and a quorum was established.

## Agenda

**M. Clifton (WY) made a motion to approve the agenda as presented.**

**D. Dodd (NM) seconded. The motion carried.**

## Minutes

**N. Belli (OR) made a motion to approve the January 19, 2021 meeting minutes as presented. S. Foxworth (CO) seconded. The motion carried.**

## Discussion

### Rule Proposals

#### Rule 1-101 Definitions: Proof of Entitlement

- A. Connor (ID) commented that the term “proof of entitlement” is a common legal term relative to requisitions and has not been an issue in her experience. She expressed concern that including, “*Evidence, including but not limited to testimony*” in the proposed definition of “proof of entitlement” may lead to unintended consequences. She questioned what the language means for ICJ. For example, Idaho issues an ICJ Form II to California for the return of a juvenile who refuses to return. She expressed concern that the new definition might be interpreted to allow California to subpoena her to testify in court. She stated that she could not appear in a court outside of her own state, nor would she be legally represented by counsel in another state. She noted that rules of evidence are different in each state.
- N. Belli (OR) agreed with Anne Connor’s comments. She added that defining the term and using the term “testimony” could open compact offices to multiple legal concerns and interpretations, which have not been an issue.
- R. Gallardo (UT), a member of the Rules Committee, reported that the Maine State Council suggested defining “proof of entitlement,” based on issues raised in their courts. The term “testimony” in the definition was not discussed by the Rules Committee and was presumed not to be a Compact staff testimony. However, the Rules Committee did question the need to have a definition because Rules 6-103 and 6-103A define what documents accompany a requisition which provide proof of entitlement.
- D. Dodd (NM) commented that he submits requisitions in his state; however, he is not necessarily the person initiating the request. Further, he does not support the rule proposal and believes a definition is not required.
- Representative Farmer commented after a closer review, he questions if the definition is intended for the holding or the demanding state. A lot of terms used by the Commission are not defined but rather explained in the rules.
- N. Belli (OR) added that developing a new definition for an issue that seldom occurs could result in more questions than answers like the concerns shared today.
- Representative Farmer encouraged members to enter their comments to this rule and any other by the deadline of June 4.

## UNITY

- Representative Farmer commented that he hoped manual tracking of cases was going well.
- Director Underwood thanked the West Region for their due diligence in completing tasks in preparation for the transition to UNITY. She reminded members that training opportunities continue via the UNITY Training site and the on demand TalentLMS courses. One-to-one assistance is available from the Technical Assistance Work Team.
- Director Underwood paused to celebrate the Commission's accomplishment of replacing JIDS with a new data system and she looks forward to UNITY going live soon.
- Representative Farmer commented that he like the appearance of the new assignments page in UNITY.
- J. Pelander (WA) shared he likes the not being frequently locked out and the ability to search for a juvenile without knowing the exact spelling of the name.
- Director Underwood reminded members that they will be entering a completely new UNITY site on Monday, as the Training site and the "production" site operate completely separately. Users must reset their passwords and set up three security questions (in order to be able to reset their own password later if they forget it.)

### **State Updates/Concerns**

- D. Dodd (NM) updated on post-pandemic re-opening. State workers, including ICJ staff, continue working from home. JPOs and Courts continue to conduct meetings virtually. John Pacheco is retiring, effective May 14.
- N. Belli (OR) updated that the Oregon State Council will meet next week.
- R. Gallardo (UT) updated that Utah continues to be restricted for in-person contact due to COVID and the Compact office continues to work from home. Probation, Parole Offices and Courts continue to work virtually. There has been conversation on how to resume operations, which is a good sign that perhaps they will soon return to the new "normal."
- D. Bailey (WA) updated that Washington probation and parole officers continue to work hybrid schedules, and no direct contact with juveniles. The ICJ office staff will continue to work remotely, until Labor Day or possibly longer. D. Bailey (WA) updated that she will be out for six weeks, beginning Monday, May 17. Jedd Pelander and Krysta Van Woert will be handling the Washington ICJ cases.
- M. Clifton (WY) reported Wyoming continues with its hybrid work schedule between home and office.
- S. Dilley (AK) updated that Nichel Saceda-Hurt is the new Alaska DCA, replacing Ellen Hackenmueller. Alaska staff have returned to working in the office. The state mask mandate has been lifted in offices; however, masks must be worn when working with clients. Alaska is ready for UNITY.
- H. Wykes (AZ) updated the state is returning to normal. The Compact office has relocated and the new address will be updated on the website.
- M. Farmer (CA) updated that California is gradually re-opening and the mask mandate is anticipated to be entirely lifted in another month. Probation staff continue to work a hybrid home/office model and have established limited hours to see clients. California Compact staff, Norm Gary, will be out of the office May 21 through end of June. Another staff member will be temporarily assigned to ICJ soon. Legislation regarding the closure of the Division of Juvenile Justice has passed and awaits signature by the Governor. No final decision has been

made regarding where ICJ will be housed. The transition is expected to begin in 2022.

- S. Foxworth (CO) updated that Colorado is beginning to re-open and airport supervision is picking up. The Compact office and other state offices continue to work from home. JPOs are not conducting face-to-face meetings. Colorado is identifying state positions to work from home permanently; the ICJ office may be one of those.
- K. Davidson (HI) updated that Hawaii is operating under tier 3 of a 4-tier plan for reopening. JPOs meet clients in person and on a case-by-case basis. The Compact office continues to work remotely and anticipate they will not return to work in the office.
- A. Connor (ID) updated that Idaho continues a hybrid work schedule. The Governor has asked state employees to return to their offices. Telecommute agreements will expire at the end of June. The Compact office argues that they can successfully work a hybrid schedule and has requested continuation.

### **Round Table**

- A. Connor (ID) suggested future discussions of virtual hearings, especially subpoenas for testimony by ICJ staff. She is concerned about sending states requesting receiving state staff to testify in Court regarding violation and absconder reports.
- Representative Farmer agreed to place the topic on the agenda for a future meeting.

### **Old Business**

There was no old business.

### **New Business**

There was no new business.

### **Adjourn**

**S. Foxworth (CO) made a motion to adjourn. D. Dodd (NM) seconded. Representative Farmer adjourned the meeting by acclamation at 3:52 p.m. ET.**