



INTERSTATE COMMISSION FOR JUVENILES

West Region Meeting

Minutes

May 16, 2017

3:00 p.m. EDT

Commissioners/Designees in Attendance:

1. Jessica Eldredge (UT) Designee, Representative
2. Summer Foxworth (CO) Commissioner
3. Nathan Foo (HI) Commissioner
4. Alicia Ehlers (ID) Designee
5. Cindy McKenzie (MT) Commissioner
6. Anne Connor (NV) Commissioner
7. Gloria Soja (OR) Designee
8. Jedd Pelander (WA) Commissioner

Commissioners/Designees Not in Attendance:

1. Barbara Murray (AK) Commissioner
2. John Crabtree (AZ) Designee
3. Michael Farmer (CA) Designee
4. Linda Kiyotoki (HI) Designee
5. Dale Dodd (NM) Commissioner
6. Philip Cox (OR) Commissioner
7. Gary Hartman (WY) Commissioner

Compact Office Staff in Attendance:

1. Daniel Horacek (AZ)
2. Tony DeJesus (CA)
3. Gladys Olivares (NV)
4. Peter Sprengelmeyer (OR)
5. Lillian Lopez (UT)
6. Dawn Bailey (WA)
7. Maureen Clifton (WY)
8. Brandon Schimelpfenig (WY)

National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Administrative and Logistics Coordinator
3. Jenny Adkins, Project Manager

Call to Order

Representative Eldredge called the meeting to order at 3:00 p.m. EDT and welcomed the new ICJ Executive Director, MaryLee Underwood, to the West Region meeting.

Roll Call

M. Underwood called the roll and a quorum was established.

Agenda

A. Connor (NV) made the motion to approve the meeting agenda. A. Ehlers (ID) seconded. The motion passed.

Minutes

**A. Ehlers (ID) made a motion to approve the January 11, 2017, meeting minutes.
A. Connor (NV) seconded. The motion passed.**

Discussion

Executive Committee Update

- Representative Eldredge reported that the ICJ Executive Committee met four times since the last West Region meeting and updated on the following actions:
 - The age and airline matrixes have been updated on the website.
 - The ICJ national office is in process of hiring a Training and Technology Coordinator.
 - Advisory Opinion #01-2017 Demanding/Sending State’s Authority to seek the return of a juvenile in cases where charges are pending in the Receiving/Holding State under ICJ Rule 7-103 was approved and posted to the website.
 - A new best practice on intrastate relocations was released.
 - The JIDS upgrade is active and the rolls out issues are being addressed. The upgrade JIDS training is available on the website.
 - The JJDPA is moving forward with the 15 day exception.
 - Twenty-one rules proposals are open for comment until June 5 and the Rules Committee will meet June 13 to review all comments.
 - The 2018 Annual Business Meeting will be September 10-12, 2018 at the Marriott New Orleans.

2017 Rule Amendment Proposals

- Representative Eldredge presented the 21 rule proposals for discussion.
- The West Region agreed to vote on each proposal and for those where there was no consensus, members would comment individually on the website prior to close of the 30-day comment period.
- The Rules Committee members present from the West Region provided answered questions. The West Region discussed each proposal and resulting in the following actions:

Rule 1-101: Definitions *Deferred Adjudication* by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 1-101: Definitions *Deferred Adjudication*. S. Foxworth (CO) seconded. The motion passed.**

Rule 1-101: Definitions *Non-Adjudicated Juveniles* by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 1-101: Definitions *Non-Adjudicated Juveniles*. A. Ehlers (ID) seconded. The motion passed.**

Rule 1-101: Definitions Runaway by the Rules Committee

- A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 1-101: Definitions Runaway. J. Pelander (WA) seconded. The motion passed.

Rule 2-103: Adoption of Rules and Amendments by the Rules Committee

- A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 2-103: Adoption of Rules and Amendments. N. Foo (HI) seconded. The motion passed.

Rule 2-104: Communication Requirements between States by the Rules Committee

- S. Foxworth (CO) made a motion that the West Region supports the proposed amendment to Rule 2-104: Communication Requirements between States. A. Connor (NV) seconded. The motion passed.

Rule 2-105: Victim Notification by the Rules Committee

- A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 2-105: Victim Notification. A. Ehlers (ID) seconded. The motion passed.

Rule 4-102: Sending and Receiving Referrals by the Rules Committee

- A. Connor (NV) noted that the rule proposal stemmed from discussion in the training committee regarding discord between the rule, a past advisory opinion and a best practice regarding the Form IA/VI. After the annual business meeting the training committee will review the documents to determine what modifications and recommendations should be made so that all documents are in sync.
- A. Ehlers (ID) commented that some states have expressed an interest in addressing the judge's signature on the Form IA/VI within the rule. G. Soja (OR) commented that sometimes juveniles are in the receiving state prior to all signatures being obtained and suggested removing the proposed word "additionally" in paragraph 3. The West Region discussed without reaching a consensus.
- The West Region agreed that states will post their comments individually.

Rule Proposals submitted by the East Region

Rule 4-103: Transfer of Supervision Procedures for Juvenile Sex Offender

Rule 8-101: Travel Permits

Rule 1-101: Definitions Reporting Instructions

- The West Region discussed the three East Region rule proposals and the justifications noted without reaching a consensus and agreed that states will post their comments individually.

Rule 4-104: Authority to Accept/Deny Supervision by the Rules Committee

- A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 4-104: Authority to Accept/Deny Supervision. J. Pelander (WA) seconded. The motion passed.

Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking by the Rules Committee

- **G. Soja (OR) made a motion that the West Region supports the proposed amendment to Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking. A. Connor (NV) seconded. The motion passed.**

Rule 5-104: Closure of Cases by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 5-104: Closure of Cases. A. Ehlers (ID) seconded. The motion passed.**

Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders. G. Soja (OR) seconded. The motion passed.**

Rule 6-103A: Non-Voluntary Return of Runaways and/or Accused Status Offenders by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 6-103A: Non-Voluntary Return of Runaways and/or Accused Status Offenders. G. Soja (OR) seconded. The motion passed.**

Rule 7-101: Financial Responsibility by the Rules Committee

- **D. Bailey (WA) shared a recent issue in Washington wherein a local requesting reimbursement for medical expenses while detaining a youth from California. A. Ehlers (ID) commented that sometimes the juvenile has medical insurance with and the family may file a claim. The West Region discussed the financial burden of major medical expenditures for states. A. Connor (NV) commented that historically the medical expenses for any youth whether in-state or out-of- state, typically fall under the detention agency policies.**
- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 7-101: Financial Responsibility. S. Foxworth (CO) seconded. The motion passed.**

Rule 7-103: Charges Pending in Holding/Receiving State by the Rules Committee

- **Representative Eldredge explained the connection of the rule proposal and the advisory opinion that was issued as a bridge awaiting passage of the rule proposal. A. Connor (NV) added that the proposal is an effort to address past and potential issues when the holding/receiving state and the demanding/sending state need to collaborate regarding the return when there are pending charges.**
- **A. Ehlers (ID) commented that the justification was not clear noting that some states may interpret that the juvenile would not be returned if the demand state did not consent. S. Foxworth (CO) noted that the rule addresses the issue of resolution of charges. G. Soja (OR) commented to the length of time for detainment from the arrest to the adjudication and request for transfer. Additionally, often times the juvenile is released to parents in the sending state without the knowledge of the ICJ holding state.**
- **A. Connor (NV) made a motion that the West Region post comments individually for Rule 7-103. N. Foo (HI) seconded. The motion passed.**

Rule 7-104: Warrants by the Rules Committee

- S. Foxworth (CO) questioned the proposed language *with no geographical limitation* noting that a parole officer can make recommendations but the final decision left to the judge whether or not a warrant should be issued to NCIC.
- **A. Connor (NV) made a motion that the West Region post comments individually for Rule 7-104. G. Soja (OR) seconded. The motion passed.**

Rule 7-106: Transportation by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 7-106: Transportation. J. Pelander (WA) seconded. The motion passed.**

Rule 8-101: Travel Permits by the Rules Committee

- **A. Connor (NV) made a motion that the West Region supports the proposed amendment to Rule 8-101: Travel Permits. J. Pelander (WA) seconded. The motion passed.**

New Rule 2-106: Request for Juvenile Information by the Rules Committee

- A. Connor (NV) questioned the impact of the rule proposal to the Advisory Opinion 01-2016. A. Ehlers (ID) explained the advisory opinion demonstrates that the rules currently are silent on the matter of information sharing between ICJ Compact offices. The new rule proposal would address the practice in a rule that states “*may*” share information.
- **J. Pelander (WA) made a motion that the West Region supports the proposed amendment to new Rule 2-106: Request for Juvenile Information. S. Foxworth (CO) seconded. The motion passed.**

State Updates

- G. Soja (OR) updated that Peter Sprengelmeyer (OR) has been appointed the new ICJ Commissioner of Oregon effective July 1 replacing Commissioner Phil Cox (OR) who is retiring.
- T. DeJesus (CA) updated that California has a new Compact Specialist, Marci Tijerina.
- Representative Eldredge reported the Utah State Council met in April. Three ICJ scenarios (runaway, failed supervision, and requisition) were presented and the presentation was well received. The information sharing provided state council members a better understanding of the ICJ daily operations. Utah will continue the format and encouraged other states to conduct a similar presentation.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- The next meeting is September 26, 2017 during the Annual Business Meeting in San Diego, California.
- **Representative Eldredge adjourned the meeting without objection at 4:29 p.m. EDT.**