



**INTERSTATE COMMISSION FOR JUVENILES
Compliance Committee Meeting**

Minutes

**Wednesday, July 17, 2013
2:00 p.m. EDT**

Committee Members in Attendance:

1. Summer Foxworth (CO) Commissioner, Chair
2. Mark Boger (ME) Commissioner
3. Anne Connor (NV) Commissioner
4. Dale Dodd (NM) Commissioner
5. Nancy Allard (SD) Commissioner
6. Randall Wagner (WV) Designee
7. Alicia Ehlers (ID) Ex-Officio
8. Jason McCrea (PA) Ex-Officio

Committee Members Not in Attendance:

1. Barbara Murray (AK) Commissioner
2. Jane Seigel (IN) Commissioner
3. Molli Davis (NV) Designee
4. Michael Lacy (WV) Commissioner
5. Gloria Soja (MT) Ex-Officio

Guests in Attendance:

None

National Office Staff and Legal Counsel in Attendance:

1. Ashley Lippert, Executive Director
 2. Jennifer Adkins, Training and Administrative Coordinator
 3. Emma Goode, Administrative and Logistics Coordinator
 4. Richard Masters, Legal Counsel
-

Call to Order

- Chair Foxworth called the meeting to order at 2:01 p.m. EDT.

Roll Call

- A. Lippert called the roll. Eight of the thirteen members were present. Six of the eight *voting* members were present, establishing a quorum.

Agenda

- The agenda was approved without objection.

Minutes

- **M. Boger (ME) made a motion to approve the minutes of the April 24, 2013 meeting as presented. A. Connor (NV) seconded. The motion passed.**

Discussion

State Councils

- Chair Foxworth presented the responses to the letter issued to eleven states for failure to appoint a state council. To date, nine of the eleven states provided a written notice that their respective state council appointments have been made. The Compliance Committee acknowledged the written responses and discussed the verbal replies from Illinois and California who have not appointed a state council.

Illinois

- R. Masters reported his conversation in May with an attorney from the Illinois Department of Juvenile Justice. Illinois reported to be actively pursuing appointments to the state council membership and would issue a written response. R. Masters confirmed that a written response was not received.
- The Compliance Committee determined Illinois to be non-compliant for failure to establish a state council as required by the Compact and agreed to recommend to the Executive Committee that legal counsel issue a follow-up letter informing Illinois that the Commission would pursue legal action within ten business days of receipt of the letter.
- **D. Dodd (NM) made a motion that the Compliance Committee finds the State of Illinois in default of the Compact for failure to establish a state council and recommends that the Executive Committee authorize legal counsel to issue a letter to Illinois defining the default and advising that ICJ will pursue legal action should the default not be addressed within 10 business days of receipt of the letter. M. Boger (ME) seconded. The motion passed.**

California

- The Compliance Committee discussed the lack of a written response from California to the April 30 letter and determined California to be non-compliant due to the failure to establish a state council. Further, the Compliance Committee agreed to recommend to the Executive Committee that legal counsel issue a follow-up letter allowing ten business days to comply before pursuing legal action.
- A. Connor (NV) shared her communications with Commissioner Hill and other California personnel regarding the appointment of a state council. She updated that the current focus in California is to re-enact the Sunset Clause, which is due to expire January 2014 and will result in the separation of California from the Compact, noting the formation of a state council to be secondary.
- The Compliance Committee discussed the ongoing assistance A. Connor (NV) provides to California in the day-to-day compact business. Chair Foxworth questioned the time frame her assistance would cease. A. Connor (NV) shared her concerns to the lack of a definitive answer from California.
- The Compliance Committee discussed the disarray in California and the requirements by member states to operate in accordance with the Compact Statute Article VII. R. Masters clarified that the state council and the compact office requirements are two separate issues; however, he advised incorporating the two issues into one letter to avoid confusion.

- The Compliance Committee conversed and agreed the appointment of a state council to be a segment of the greater issue. The Compliance Committee reached a consensus to recommend that one letter be written by legal counsel. The letter will define the state council default and request California to furnish a detailed plan of action regarding the status and staffing of their Compact office within 60 days to avoid further legal action.
- **A. Connor (NV) made a motion that the Compliance Committee finds the State of California in default of the Compact for failure to establish a state council and recommends that the Executive Committee authorize Legal Counsel to issue a corrective action letter to California defining the state council default; further, the letter will address the California Compact office requirement to effectuate the Compact's purpose and intent under ICJ Statute Article VII and to advise that ICJ will pursue legal action should an adequate action plan to resolve both issues not be submitted within 60 days of receipt of the letter. D. Dodd (NM) seconded. The motion passed.**

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- Chair Foxworth noted a meeting would be scheduled to review responses within an appropriate time frame in accordance with the above actions.
- **A. Connor (NV) made a motion to adjourn. N. Allard (SD) seconded. The motion passed. Chair Foxworth adjourned the meeting at 2:36 p.m. EDT.**