



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE MEETING

Minutes

Thursday, August 26, 2010

11:00 a.m. EST

Committee Members in Attendance:

1. Donna Bonner (TX) Commissioner, Chair
2. Dennis Casarona (KS) Commissioner, Treasurer
3. Judy Miller (AR) Designee
4. Summer Foxworth (CO) Commissioner
5. Jean Hall (FL) Commissioner
6. Clarence Powell (MS) Designee
7. Mike Reddish (NE) Commissioner
8. Dale Dodd (NM) Commissioner
9. Lisa Bjergaard (ND) Commissioner
10. Terry Clark (PA) Commissioner

Committee Members Not in Attendance:

1. Ray Wahl (UT) Commissioner, Vice Chair
2. Gary Hartman (WY) Commissioner
3. Mary McGhee, Victims Ex-Officio

Guests in Attendance

None

ICJ Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Jack Branum, Project Manager
 3. Emma Davis, Administrative and Logistics Coordinator
 4. Rick Masters, Legal Counsel
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Call to Order

Chair D. Bonner called the meeting to order at 11:00 a.m. EST.

Roll Call

A. Lippert called the roll; ten of the thirteen members were present. Ten of the twelve *voting* members were present. A quorum was established.

Agenda

Chair Bonner asked for a motion to approve the agenda.

J. Hall (FL) moved to approve the agenda. M. Reddish (NE) seconded. The agenda was approved as presented.

Minutes

Chair Bonner asked for a motion to approve the minutes from the previous meeting.

J. Miller (AR) moved to approve the minutes of July 22, 2010. J. Hall (FL) seconded. The minutes were approved as amended.

Executive Director Report (presented by Ashley Lippert)

A. Lippert, ICJ Executive Director, updated the Executive Committee on the following:

APPA Meeting – Washington DC

- A. Lippert made an ICJ presentation to the American Probation and Parole Association (APPA) during their Summer Institute in Washington DC.

OJJDP Meeting

- Ex-Officio, Carl Wicklund of APPA, assisted in arranging a meeting with R. Wahl (UT), Vice Chair, A. Lippert, and the acting director of OJJDP, Jeff Slowikowski, on August 17 to discuss the Commission's first two year progress, current initiatives, and future ventures.
- The discussion included funding a national system. Mr. Slowikowski proposed juvenile justice foundation funding programs (McArthur Foundation and Casey Foundation) in addition to application for discretionary funds from unspent grants.

BJA Meeting

- R. Wahl, Vice Chair and A. Lippert conducted a similar meeting with Patrick McCreary, Associate Deputy Director for the Bureau of Justice Assistance (BJA). Mr. McCreary agreed to update James Burch, BJA Director, of the ICJ progress and initiatives.
- A. Lippert agreed to update the Commission of follow-up activity.

Outreach Update

- A second letter was issued to the Governors, Attorneys General, Senate Presidents, Speakers of the House and Compact Administrators in the non-member states of Indiana, Georgia, New Hampshire, and New York.
- A. Lippert informed the Committee of the direct conversations with each of the four states and shared recommendations from Indiana and Georgia relative to the expiration date of the transition rule.
 - Georgia proposed in a letter to R. Masters, Legal Counsel that the transition rule be extended through April 2011 provided Georgia has signed commitments to introduce and support legislation.
 - Indiana proposed a six months extension provided legislation is introduced and assigned a bill number.
- The Committee discussed the two proposals and the impact of allowing an additional extension as it relates to logistics, continuity of juveniles, and public safety.
- R. Masters, Legal Counsel, advised should the Commission agree to grant an extension, conditions should apply to include a bill number and time line (maximum of 6 months). The proposal could then be presented to the floor of the Commission in September.
- A. Lippert shared comments submitted by R. Wahl (UT) in his absence in support of Georgia's proposal stipulated by the advice of legal counsel.

- **D. Dodd (NM) made the motion that the Executive Committee present a recommendation to the full Commission on September 15 during the 2010 Annual Business Meeting that non-member states who have presented ICJ with legislation and a bill number relative to enacting the Compact be awarded an extension of the transition rule not to exceed June 1, 2011, and further request that the proposed bill be handled as an emergency legislative process. S. Foxworth (CO) seconded. The motion passed.**
- A. Lippert and R. Masters, Legal Counsel, will share the intent of the Executive Committee with each non-member state.

Annual Report

- A. Lippert reported the final version of the 2010 Annual Report as submitted to the Executive Committee will soon go to print and will be available prior to the Annual Business Meeting as proposed.
- A. Lippert will initially mail each Commissioner/Designee five copies for distribution, a copy to all Ex-Officios and an electronic copy will be readily available on the website.

Bench Book Project

- A. Lippert reported the legal review, case law, and outline are complete. R. Masters, Legal Counsel, is currently drafting the document with the assistance of Mike Buenger. Mr. Buenger was involved in the writing of the ICAOS Bench Book.
- R. Masters, Legal Counsel, explained the juvenile bench book encompasses both probation/parole juveniles and non-adjudicated juveniles and is therefore more complicated and labor intensive than the ICAOS Bench Book. He expects the project to be completed by late September.
- A. Lippert reported the deadline extension allows for a professional, detailed quality product.
- The Committee agreed quality, not time, was of the essence.

Functional Requirements Document

- The Appriss functional requirements document is in its final review.

2010 Annual Business Meeting Update

- Commissioners/Designees Registered: 44 of the 46 members have registered
 - AZ, TN not represented
- Awaiting appointment letters for 6 Designees
- Ex-Officios
 - AJCA, APPA, CJCA, ICAOS, ICPC, NCJFCJ
 - No scholarship applications submitted
 - OJJDP will be represented by Attorney Kathi Grasso, however, not in an Ex-Officio capacity
- Three non-member states registered to attend: DC, NH, and OH
- Total registered: 75 (44 Commissioner/Designees, 6 Ex-Officios, 20 attendees, and 5 staff members)

Committee Reports

Executive Committee (presented by Donna Bonner)

- Chair Bonner requested A. Lippert to update the Committee relative to the status of Mary McGhee, Victim's Representative Ex-Officio Member to the Executive Committee.

- A Lippert reported that Mary McGhee regretfully submitted her resignation of the position and offered to forward recommendations for her replacement.

Finance Committee (presented by Lisa Bjergaard)

- Chair Bjergaard reported the Finance Committee met on August 24 without a quorum to review the fiscal year end 2010 budget and fiscal year 2011 July actual figures.

Training, Education & Public Relations Committee (presented by Jean Hall)

- Chair Hall announced the Training Committee met on August 19 and approved the Commissioner Handbook. The Commissioner Handbook will be included in the ABM Commissioner Training Session and afterwards will become a valuable resource available on the website.
- Chair Hall detailed the proposed three training sessions scheduled for September 14 during the 2010 ABM: Commissioner, ICPC, and State Council. Approximately 68 attendees have registered for each session.
- The 2010 Annual Business Report reflects 1,500 persons completed training in FY 2010
 - ICJ Rules Training via WebEx will be held on August 25 – 26, 91 attendees are registered
- Five states conducted training sessions in August.
- Approved Training and Technical Assistance for Alabama.

Rules Committee (presented by Ashley Lippert)

- A. Lippert informed the Committee that G. Hartman (WY), Rules Committee Chair, may not be able to attend the Annual Business Meeting in San Antonio due to the illness of a close family member.
- Chair Hartman contacted T. Clark (PA), a member of the Rules Committee, to request he fulfill his duties as the Rules Committee Chair in the event he is unable to attend.

Compliance Committee (presented by Summer Foxworth)

- Chair Foxworth reported the Compliance Committee did not meet in August as there are currently no outstanding compliance issues.

Technology Committee (presented by Clarence Powell)

Appriss Functional Requirements Document and the National Data Base Project

- Chair Powell reported the Technology Committee approved a select list of qualified vendors to build a national system and proposed the National Office issue a Request for Proposal (RFP) to the list of vendors on or before August 30 with a 60 day response time. The Technology Committee will review all RFPs in November and request a face to face interview with interested vendors in February 2011.
- A. Lippert is in the process of notifying all qualified vendors to expect the RFP and confirm the correct contact information.

Region Reports

Regional Representatives (presented by Terry Clark)

- Chair Clark reported the region representatives met on August 3 and discussed the state council survey results which are now posted on the Commission's website.
- The Region Chairs also discussed the 2010 ABM election process for Commission Officers and Region Chairs. The National Office will prepare voting ballots and the script for the Regional Representative to present the slate of nominees during the General

Session. Each Region Chair should appoint a note taker to take notes during the meeting. The National Office staff will float between the four meetings and A. Lippert will meet with the Region Chairs shortly after all four meetings are complete.

East Region (presented by Terry Clark)

- Chair Clark had nothing new to report.

South Region (presented by Judy Miller)

- Chair Miller (AR) had nothing new to report.

Midwest Region / ICPC Ad Hoc Committee

Midwest Region

- Chair Reddish (NE) had nothing new to report since the last meeting.

ICPC Ad Hoc Committee

- Chair Reddish (NE) presented the revised ICPC Memorandum of Understanding (MOU). Last month, the Executive Committee requested additional time to review.
- **Chair Reddish (NE) made the motion to accept the revised ICJ and ICPC Memorandum of Understanding as presented. D. Dodd (NM) seconded. J. Miller (AR) opposed. The motion passed.**
- J. Miller (AR) stated she is not clear or comfortable to recommend as currently written.
- Chair Reddish (NE) clarified the MOU as presented is an initial step to develop a working relationship and understanding between ICPC and ICJ and not an attempt to stipulate guidelines or develop rules.
- The Committee vigorously discussed the MOU language and dual supervision.
- A. Lippert shared written comments by R. Wahl (UT) relative to dual supervision and ICJ supervision of probation/parole cases.
- Chair Reddish (NE) and A. Lippert explained this is the first step in the process. Once approved by the ICJ Executive Committee, the ICPC Executive Committee will review for approval.
- At the request of the Committee, A. Lippert will inform Carla Fults, ICPC, of the ICJ Executive Committee's decision and report back to the Committee.

West Region / Sex Offender Ad Hoc Committee (presented by Dale Dodd)

West Region

- Chair Dodd had nothing new to report since the last meeting.

Sex Offender Ad Hoc Committee

- Chair Dodd reported the Sex Offender Ad Hoc Committee's work is complete and awaits the Commission's decision to the proposed rule amendment to Rule 4-103.

Victims Representative Report

- M. McGhee resigned. No report was given.

Legal Counsel Report (presented by Rick Masters)

Rhode Island Litigation

- R. Masters, Legal Counsel, advised the Committee to go into Executive Session to discuss the Rhode Island Litigation.
- **M. Reddish (NE) made the motion to move into Executive Session. S. Foxworth (CO) seconded. Motion passed.**
- **M. Reddish (NE) made the motion to end the Executive Session. S. Foxworth (CO) seconded. Motion passed.**

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- The next meeting is scheduled September 13 at 1:00 p.m. MST in San Antonio, TX.
- Chair Bonner adjourned the meeting at 12:40 p.m. EST.