



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE MEETING

Minutes

Monday, October 24, 2011

1:00 p.m. EDT

Committee Members in Attendance:

1. Terry Clark (PA) Chair
2. Summer Foxworth (CO) Vice Chair
3. Lisa Bjergaard (ND) Treasurer
4. Judy Miller (AR) Designee
5. Jean Hall (FL) Commissioner
6. Mark Boger (ME) Commissioner
7. Rose Ann Bisch (MN) Commissioner
8. Clarence Powell (MS) Designee
9. Dale Dodd (NM) Commissioner
10. Gary Hartman (WY) Commissioner
11. Donna Bonner (TX) Past Chair Ex Officio
12. Trudy Gregorie (DC) Victims Ex-Officio
13. Rick Masters, Legal Counsel

Committee Members Not in Attendance:

None

Guests in Attendance:

1. Pat Pendergast (AL)
2. Sharon Harrigfeld (ID)
3. Alicia Ehlers (ID)

Staff in Attendance:

1. Ashley Lippert, ICJ Executive Director
 2. Jack Branum, Project Manager
 3. Emma Goode, Administrative and Logistics Coordinator
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Call to Order

Chair Clark called the meeting to order at 1:00 p.m. EDT.

Roll Call

A. Lippert called the roll. Thirteen of the thirteen members were present, establishing a quorum.

Agenda

Chair Clark asked for a motion to approve the agenda. **M. Boger (ME) moved to approve the agenda. R. Bisch (MN) seconded. The motion passed to approve the agenda as presented.**

Minutes

Chair Clark asked for a motion to approve the minutes. **S. Foxworth (CO) moved to approve the minutes of the August 25, 2011 meeting. J. Hall (FL) seconded. The motion passed to approve the minutes as clerically amended.**

Executive Director Report (presented by Ashley Lippert)

Outreach Member States

A. Lippert updated that California passed legislation to reenact the Compact extending the Sunset Clause two years. The District of Columbia passed permanent legislation to join the Compact. Georgia remains the only non-member state.

Annual Reports

A. Lippert updated that copies of the fiscal year 2011 Annual Report were mailed to all Commissioners and Ex-Officios. An electronic version is available on the Commission's website for download.

Dues Update

A. Lippert informed the Committee that four states have not paid their dues for fiscal year 2012. Should payments not be received by November 1, 2011, two states operating on a July 1 – June 30 fiscal year will be referred to the Compliance Committee and two states operating on an October 1 – September 30 fiscal year will be issued a 30-day notice.

OJJDP Update

- A. Lippert asked OJJDP (Office of Juvenile Justice and Delinquency Prevention) to announce the 2011 Public Hearing for rule amendments. To date no comments have been received.
- A. Lippert recently attended the OJJDP National Conference. She reported the benefits of ICJ representation and recommended continued attendance in future meetings. Judge David Stucki was scheduled to present on the deinstitutionalization of status offenders. A. Lippert suggested the Training Committee approach Judge Stucki to present this topic at the 2012 Annual Business Meeting.
- J. Miller (AR) questioned the NCJFCJ resolution supporting OJJDP. R. Masters cautioned the Committee on the political implications of state officials making such an endorsement. The Executive Committee discussed and agreed not to pursue.

Advisory Opinion 04-2011

- A. Lippert presented Advisory Opinion 04-2011 which was modified by Legal Counsel to include deferred adjudication. The Executive Committee discussed and agreed with the amended language.
- **M. Boger (ME) made the motion to approve Advisory Opinion 04-2011 as submitted. S. Foxworth (CO) seconded. The motion passed.**

Commissioners

A. Lippert reported that state government turnover has delayed the New Hampshire Commissioner appointment. Recent Commissioner Appointments include the District of Columbia (Michael Umpierre) and New York (Gladys Carrion). The Committee discussed a time frame for Commissioner Appointments and agreed to defer further discussion to the next meeting.

2011 Annual Business Meeting

A. Lippert reported that RI, NY, and VT will not attend the 2011 Annual Business Meeting and that CA, MA, and OK will attend without voting authority. The Committee discussed the General Session and determined that CA, MA, and OK should be afforded the same opportunity as Ex-Officios to participate at the table without eligibility to vote.

Committee Reports

Executive Committee (presented by Terry Clark)

AJCA

- Chair Clark reported he was unsuccessful in his attempts to communicate with Ron Lefler, past AJCA President.
- R. Bisch (MN) updated that AJCA is pursuing the appropriate process to disband the organization before transferring the remaining funds to ICJ.

Ex-Officio Members

- Chair Clark reported on the status of the Ex-Officio membership.
- A. Lippert updated the Committee that in accordance with ICJ By-laws, a Victims Representative will serve one year as an Ex-Officio member to the Executive Committee.
- R. Masters advised that in accordance with the ICJ Statute the choice of a National Victims Organization is left to the discretion of the Commission.
- The Executive Committee endorsed Trudy Gregorie and the National Victims Organization - Justice Solutions. Ms. Gregorie agreed to serve a second term as the ICJ Victims Representative.
- **S. Foxworth (CO) made the motion to reappoint Trudy Gregorie Victims Representative and accept Justice Solutions as the National Victims Organization Ex-Officio Member. J. Hall (FL) seconded. The motion passed.**
- A. Lippert noted that the ICJ Statute references Ex-Officios Members from National Organizations for Governors and Chief Justices. She will follow-up with the National Governors Association and the Conference of Chief Justices regarding Ex-Officio membership.

Finance Committee (presented by Lisa Bjergaard)

Chair Bjergaard reported that the Finance Committee last met September 20, 2011. The monthly budget update submitted by the Executive Director for the 2012 Budget continues to be on target with the year to date projections.

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

- Chair Hall reported that the Training Committee has not met since the last Executive Committee meeting.
- A. Lippert updated that upon passage of the proposed rule amendments, the National Office will work with the Training Committee to prepare rule amendment training.

Rules Committee (presented by Gary Hartman)

Chair Hartman reported that the Rules Committee met telephonically ten times and once face to face in Lexington, Kentucky to review comments and finalize proposed rule amendments. Thirty-three proposed rule amendments and ten proposed form amendments will be presented for vote at the 2011 Annual Business Meeting.

Compliance Committee (presented by Dale Dodd)

- Chair Dodd reported that since February 2011, no issues have come before Compliance Committee.
- R. Masters recommended that he and Chair Dodd approach the non-voting representatives from CA, MA, and OK to offer assistance with state appointments.
- Chair Clark questioned the number of infraction reports processed. A. Lippert advised that the National Office has received one infraction report since implementing the program.

Technology Committee (presented by Clarence Powell)

- Chair Powell reported that ten vendors submitted responses to the Request for Information.
- A. Lippert updated that of the ten responses received, five submitted viable solutions, and three are top contenders. The National Office will meet with those vendors for further clarification and present their findings to the Technology Committee in November.

Region Reports

Region Representatives (presented by Summer Foxworth)

Chair Foxworth reported the regional representatives have not met since the last Executive Committee meeting.

West Region (presented by Summer Foxworth)

Chair Foxworth reported the West Region has not met since the last Executive Committee meeting.

East Region (presented by Mark Boger)

Chair Boger reported the East Region has not met since the last Executive Committee meeting.

Midwest Region (presented by Rose Ann Bisch)

Chair Bisch reported the Midwest Region met September 28, 2011 to review the 2011 proposed rule amendments.

ICJ/AAICPC Work Group

- Co-Chair Bisch reported that the ICJ/AAICPC Workgroup met September 29, 2011 and finalized the proposed Memorandum of Understanding. The proposed MOU document is included in the 2011 Annual Business Meeting docket book. The MOU will be presented to the Commission for acceptance by Co-Chair Bisch as part of the MOU Workgroup Report approval.
- The Workgroup recommended continuation with a Phase II and III to develop guidelines and scenarios. A meeting is scheduled November 10, 2011.

South Region (presented by Judy Miller)

Chair Miller reported the South Region last met September 28, 2011. R. Masters attended the meeting and led discussions on Georgia. Other items discussed were state council development, the MOU, and the National System.

Victim's Representative (presented by Trudy Gregorie)

- T. Gregorie reported that she will attend the annual conference for the National Association of Victim Service Professionals in Corrections where she and Pat Tuthill (ICAOS Victims Representative) will lead a Victims Workshop.
- Continued outreach opportunities include requests to present at the ACA and APPA conferences.

Legal Counsel Report (presented by Rick Masters)

- R. Masters reported that Tina Piper is no longer with the Georgia Department of Juvenile Justice and therefore will not attend the panel session at the Annual Meeting as scheduled. He advised that the session continue as scheduled.
- R. Masters presented a Legal Memorandum dated October 18, 2011 regarding the Expiration of ICJ Transition Rules. He advised that ICJ has a duty under the Statute to oversee and monitor the movement of juveniles and resolve disputes between compacting and non-compacting states.
- **G. Hartman (WY) made a motion that the Legal Memorandum by R. Masters, Legal Counsel, dated October 18, 2011, regarding *The Expiration of ICJ Transition Rules – Guidance on Subsequent Transfers of Juveniles to and From Non-Member States* be posted to the ICJ Website. R. Bisch (MN) seconded. The motion passed.**

Old Business

There was no old business.

New Business

Resolutions

- J. Hall (FL) announced the passing of Beth Meng and Pat Burt. She recommended the Commission initiate resolutions to acknowledge their contributions to the Compact. The Executive Committee expressed their sympathy and agreed to craft resolutions and present to their families.
- **J. Hall (FL) made a motion that ICJ recognize the contributions of Beth Meng and Pat Burt by preparing and presenting resolutions to their families and announcing at the 2011 Annual Business Meeting General Session. C. Powell (MS) seconded. The motion passed.**
- D. Bonner (TX) will acknowledge Beth Meng and J. Hall (FL) will acknowledge Pat Burt under New Business at the General Session.
- The Committee discussed establishing a policy to address similar circumstances in the future and with recognition during the General Session each year for members who have passed.

Awards

D. Dodd (NM) mentioned the various awards presented at the ICAOS Annual Business Meeting. The Committee briefly discussed and agreed to table further discussions.

Adjourn

S. Foxworth (CO) made the motion to adjourn the meeting. J. Hall (FL) seconded. The meeting adjourned at 2:52 p.m. EDT.