



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE MEETING

Minutes

Tuesday, June 1, 2010

11:00 a.m. EST

Committee Members in Attendance:

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

Committee Members Not in Attendance:

1. Dale Dodd (NM) Commissioner
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. Tom Watters, MIS Project Manager
4. Emma Davis, Administrative and Logistics Coordinator
5. Rick Masters, Legal Counsel

Call to Order

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

Roll Call

A. Lippert (ICJ) 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. **S. Foxworth (CO) moved to approve the agenda. J. Hall (FL) seconded. The agenda was approved as presented.**

Minutes

Chair Bonner asked for a motion to approve the minutes from the last meeting. **J. Miller (AR) moved to approve the minutes of April 22, 2010. T. Clark (PA) seconded. The minutes were approved as amended.**

Executive Director Report (presented by Ashley Lippert)

Outreach Update

- A. Lippert reported four new member states have joined the Compact: Iowa, Virgin Islands, Minnesota, and Vermont. A. Lippert noted that Minnesota will have prorated dues based on eleven months as the legislation becomes effective on August 1, 2010. The added revenue for FY2011 amounts to \$56,583.
- Massachusetts – The Bill has passed the Senate and is currently in the House Ways and Means Committee.
- New York –A. Lippert and R. Masters, Legal Counsel, continue to communicate with New York officials and attorney, Laura Etlinger, regarding the legislation and answering questions.
- Ohio has introduced the legislation and the District of Columbia intends to introduce this session.
- Indiana, Georgia, New Hampshire, Guam, and Puerto Rico continue to move slowly. ICJ plans to re-energize its efforts in the new legislative year.

OJJDP Policy: Secure Detention for Runaways Update

- A. Lippert and R. Masters, Legal Counsel, successfully worked with OJJDP Attorney, Kathi Grasso, to obtain a legal opinion relative to secure detention for runaways. The legal opinion is currently posted on the ICJ website.

Youth Today

- A. Lippert has an appointment Thursday with a writer of *Youth Today* magazine and a new article about the Compact should be forthcoming in July.

Bench Book Project

- In lieu of OJJDP funding and in order to complete the Bench Book prior to the 2010 Annual Business Meeting, A. Lippert presented a revised Bench Book Project Schedule. The schedule breaks down the project into three phases with a completion date of August 30, 2010 which is contingent upon the resolution of any issues raised during the content review period. This project was submitted to OJJDP for possible grant funding. OJJDP is interested in the project, but does not have funds this year. The project costs estimated at \$14,130 would come from FY'11 funds. The estimate is contingent upon obtaining Mindy Spring, ICAOS, for administrative assistance and content review, a UK law student for legal research, and Rick Masters, Legal Counsel, for the actual drafting.
- R. Wahl (UT) proposed the idea to have outside audiences review.
- A. Lippert agreed noting that it could extend the completion date.
- R. Masters, Legal Counsel, advised seeking reviews from David Stucki (NCJFCJ), Gary Hartman (WY ICJ Commissioner and Former Judge), and Kathi Grasso (OJJDP).

- J. Miller (AR) requested more information regarding the content and usage of the proposed Bench Book.
- R. Masters, Legal Counsel, summarized when completed the Bench Book would be utilized in lieu of the AJCA policy and procedure manual.
- T. Clark (PA) questioned the manual's copyright and availability.
- A. Lippert clarified ICJ will own the copyrights. The Bench Book will be housed on the ICJ website and could be linked to other websites.
- The Committee discussed the possibility of selling printed versions at a price to recoup costs.
- **R. Wahl (UT) made the motion to approve the Bench Book Project schedule and expenditures as presented. J. Hall (FL) seconded. The motion passed.**

National Center for Juvenile Justice

- The second JAD Session raised questions regarding juvenile privacy laws as they relate to juvenile information accessed online in a national data base system.
- A. Lippert discussed these concerns with the National Center for Juvenile Justice. It was clarified that any information the Commission is sharing on paper may be shared in a national system.
- The limits would be the information displayed in the search. Offices may run a search on every juvenile in the system to verify they have located the correct juvenile in the system, the user would then be able to "take interest" and access the juvenile's case information.

National Office

- The Kentucky Legislature is proposing an increase to the employer contribution to the Kentucky Retirement System affecting the FY2011 and FY2012 budgets. Wade Littrell, Chief Financial Officer for the Council of State Governments, recommends that CSG affiliates plan a 5.37% increase in benefits across the board.
- **D. Casarona (KS) made the motion to approve up to a 5.37% increase in the benefits line item for FY2011 and FY2012 budgets. R. Wahl (UT) seconded. The motion passed.**

Preparation for the 2010 Annual Business Meeting

- Registration for the meeting will launch this week.
- A. Lippert revisited the current Travel Policy with regard to airfare being purchased by the individual who is then reimbursed at the conclusion of the meeting.
- The National Office researched utilizing the CSG travel agency, Travel Authority, at the rate of \$29 per booking and paid directly by ICJ.
- The Committee discussed and agreed that many would like to have the option to use the Travel Authority.
- The Committee discussed the issue of prepaid flight cancellations.
- **R. Wahl (UT) made the motion to include the travel agency, Travel Authority, as an option when scheduling ICJ travel and to update the travel policy language to include individuals who cancel non-refundable flights will reimburse ICJ the cost of the ticket. R. Wahl (UT) accepted the friendly amendment to exercise the Travel Authority option immediately. S. Foxworth (CO) seconded. The motion passed.**

Appointment Letters

- A. Lippert has conducted a thorough review of Commissioner Appointments and reported that all states are in good standing.

Committee Reports

Executive Committee (presented by Donna Bonner)

- Chair Bonner reaffirmed A. Lippert's report and moved to Committee Reports.

Finance Committee (presented by Lisa Bjergaard)

- Chair Bjergaard reported the Finance Committee will meet again on June 22 and that A. Lippert provided explanation of proposed changes in revenue and expenditures during the Executive Director's report.

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

- Chair Hall reported that the Training Committee is preparing for the three training sessions to be offered during the Annual Business Meeting in September: Commissioner Training, ICPC Training, and State Council Training.
- Chair Hall commended the National Office for their assistance to the Committee in revising the field staff training power point slides. The revised slides include applicable scenarios and are now available on the website and used monthly during WebEx training sessions.
- R. Wahl (UT) praised the training committee for the quality training materials.

Rules Committee (reported by Ashley Lippert)

- A. Lippert reported the Rules Committee concluded their work last week preparing the rule amendments for posting. The rule amendments will be posted today for comment along with instructions prepared by the National Office. A. Lippert commended the hard work of the Rules Committee over the last two months. The Rules Committee will meet face to face in Lexington, Kentucky, July 12-13, to review all comments received during the 30-day comment period and finalize the amendments for final posting 30-days prior to the Annual Business Meeting in September.
- R. Masters, Legal Counsel, reminded the Committee that comments should be submitted during the posting period as late submittals disrupt the process and may not be considered.

Compliance Committee (presented by Summer Foxworth)

- Chair Foxworth reported the Committee met on May 19 and discussed the following:

Virginia/Maryland Issue

- Chair Foxworth reported that **Virginia** has completed statewide training as outlined in their default/penalty letter by implementing a train the trainer type program beginning with the regional managers and court service unit directors. This training will continue over the next 12 months. In addition, Virginia updated applicable policies to incorporate the current ICJ policies and procedures.
- The Compliance Committee agrees Virginia has successfully met the requirements of the default/penalty letter.
- Sherry Jones, Maryland's Commissioner, contacted the National Office and informed them that training has taken place although no formal documentation has been submitted. A. Lippert suggested that Maryland form a State Council which will provide internal support for their Compact Office. The Committee discussed mailing letters to both Virginia and Maryland regarding their current status.
- **Chair Foxworth made the motion to forward a letter to Virginia curing their default and informing them that they successfully completed their obligations**

and request the completion of training forms in accordance with ICJ Policy 09-2009 Training Requirements and to forward a letter to Maryland requesting the completion of training forms in accordance with ICJ Policy 09-2009 Training Requirements and acknowledging Maryland has not yet completed all requirements and may request an extension of time. J. Hall (FL) seconded. The motion passed.

Rhode Island Litigation

- Chair Foxworth noted the Compliance Committee discussed the Rhode Island Litigation settlement offer in a closed session with R. Masters, Legal Counsel.

Technology Committee (reported by Ashley Lippert)

- A. Lippert updated the Committee on the second JAD Session during her report.

Region Reports

Regional Representatives (presented by Terry Clark)

- Chair Clark announced the Regional Reps next meeting is scheduled for June 3.

East Region (presented by Terry Clark)

- Chair Clark reported the State of Pennsylvania has four 1/2 day WebEx regional training sessions for probation officers scheduled across the state on June 30, July 21, August 18, and September 15, 2010.

South Region (presented by Judy Miller)

- Chair Miller reported that she assisted Louisiana Commissioner Angela Bridgewater, with a case.
- The Committee discussed the status of the State of Georgia.

Mid-West Region / ICPC Ad Hoc Committee

- Chair Reddish voiced encouragement to the news of Iowa and Minnesota adopting the Compact and Ohio introducing legislation. Once Indiana adopts, all Mid-West states will be official members of the ICJ Commission.
- Chair Reddish and A. Lippert reported that the ICPC Ad Hoc Committee will meet again in June to review the Memorandum of Understanding and will continue to develop a workable agreement between the two parties relative to communication and education.

West Region / Sex Offender Ad Hoc Committee

- There was no report for the West Region as Chair Dodd was not present.
- A. Lippert reported the Sex Offender Ad Hoc Committee has not met since the last Executive Committee meeting.

Victims Representative Report

- There was no report in the absence of M. McGhee.

Litigation Report (presented by Rick Masters)

- R. Masters, Legal Counsel, referenced and reiterated points relative to the Bench Book and the OJJDP advisory opinion presented during the Executive Director's report.

- R. Masters, Legal Counsel, advised the Committee to move into Executive Session to update the Committee on the Rhode Island litigation.
- **R. Wahl (UT) made the motion to move to Executive Session. D. Casarona (KS) seconded. The motion passed.**
- **R. Wahl (UT) made the motion to exit Executive Session. D. Casarona (KS) seconded. The motion passed.**

OLD BUSINESS

There was no old business.

NEW BUSINESS

- A. Lippert announced one small new business item that she and her husband are expecting their first child in December.
- The Committee expressed their best wishes.

Adjourn

The Committee agreed not to meet again in June. The next meeting is scheduled for July 22 at 11:00 p.m. EST. Chair Bonner adjourned the meeting at 12:37 p.m. EST.