



INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE

Minutes
January 23, 2014
11:15 a.m. EST

Committee Members in Attendance:

1. Patrick J. Pendergast (AL) Chair
2. Anne Connor (NV) Vice Chair
3. Phil Cox (OR) Treasurer
4. Terry Clark (PA) Past Chair
5. Judy Miller (AR) Designee
6. Summer Foxworth (CO) Commissioner
7. Rose Ann Bisch (MN) Commissioner
8. Kari Rumbaugh (NE) Commissioner
9. Traci Marchand (NC) Commissioner
10. Robyn Peterson (OH) Commissioner
11. Patricia Welcome (VI) Commissioner
12. Michael Lacy (WV) Commissioner
13. Shelley Hagan (WI) Commissioner
14. Trudy Gregorie, Victims Representative, Ex-Officio
15. Rick Masters, Legal Counsel

Committee Members Not in Attendance:

None

Guests in Attendance:

None

ICJ National Office Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Jenny Adkins, Project Manager
 3. Morgan Rhodes, Training and Administrative Coordinator
 4. Emma Goode, Administrative and Logistics Coordinator
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Call to Order

Chair Pendergast called the meeting to order at 11:15 a.m. EST.

Roll Call

A. Lippert called the roll. Fifteen of the fifteen members were present and a quorum established.

Agenda

R. Peterson (OH) made a motion to approve the agenda. S. Foxworth (CO) seconded. The motion passed.

Minutes

- **A. Connor (NV) made a motion to approve the November 21, 2013 meeting minutes. P. Cox (OR) seconded. The motion passed.**

Executive Director Report (presented by Ashley Lippert)

Commissioner Update

- A. Lippert reported that Connecticut appointed Brian Faraci Commissioner and Massachusetts appointed Jerry Marsh full-time Designee. She updated on the following vacant Commissioner positions:
 - Janice Yamada (HI) retired.
 - Gladys Carrion (NY) accepted another position. Sheila Poole (NY) is acting Commissioner awaiting official appointment.

State Council Review

- A. Lippert reported that ten states have not submitted their annual state council report. In accordance with the State Council Policy, reminder letters will be issued after January 30 to states who have not submitted a report.

Dues Update

- A. Lippert reported that all fiscal year 2014 dues have been paid. Invoices for fiscal year 2015 will commence in April 2014.

Advisory Opinion

- A. Lippert presented Advisory Opinion #01-2014 regarding Rhode Island's request for clarification concerning the Health Insurance Portability and Accountability Act (HIPAA).
- R. Masters summarized the opinion addresses two questions: 1) the HIPAA requirements in JIDS; and 2) the protection of the private information in JIDS. R. Masters advised that the ICJ Compact, Statute, and Rules satisfy the HIPAA exemptions for law enforcement and Federal Regulations Codes, which he referenced throughout the advisory opinion.
- J. Miller (AR) questioned the reason for segregating non-delinquent runaways in the opinion. R. Masters clarified the language addresses a potential argument that non-delinquent runaways may be considered outside of the law enforcement exception.
- **T. Clark (PA) made a motion to approve the Advisory Opinion #01-2014 The Health Insurance Portability and Accountability Act (HIPAA). M. Lacy (WV) seconded. The motion passed.**

Ex-Officios

- A. Lippert reported that the National Council of State Legislators (NCSL) appointed Diane Larson (ND) as their Ex-Officio representative.

- A. Lippert presented a draft of the 2013 Annual Business Meeting minutes for approval to post to the Commission’s website. The full commission would approve the final version at the next annual meeting.
- The Executive Committee requested additional time to review the document and approve at the next meeting.

2015 Annual Business Meeting

- A. Lippert proposed the following list of potential meeting sites with available dates, and estimated costs (with and without a second person attending from each state) for the 2015 Annual Business Meeting:

EAST

- Boston, Massachusetts
- Newport, Rhode Island

MIDWEST

- Minneapolis, Minnesota
- Madison, Wisconsin

SOUTH

- Point Clear, Alabama
- Orlando, Florida

WEST

- San Diego, California
- Tacoma, Washington

- R. Peterson (OH) suggested meeting in the East or Midwest as all meetings since 2008 have been in the West and South Regions. The Executive Committee questioned the proposed August dates. A. Lippert clarified the dates presented to be the only available dates offered by the hotels primarily due to improved economy for and higher demand for the month of October. The Executive Committee discussed the pros and cons of each site and the potential August conflicts with school activities and the ICAOS annual business meeting.
- **M. Lacy (WV) made a motion to consider Madison, Wisconsin first and Newport, Rhode Island second. R. Bisch (MN) seconded. The motion passed.**
- The National Office will visit the necessary sites, verify dates, and report the results for a final commitment.

Committee Reports

Executive Committee (presented by Patrick Pendergast)

Compact Office Staff and ICJ Involvement Survey

- Chair Pendergast presented the compact office and line staff survey results. The survey was issued according to the 2013-2016 Strategic Planning Report approved by the full Commission at the 2013 Annual Business Meeting in an effort to enhance staff participation in the Commission.
- Chair Pendergast summarized that the majority of respondents indicated satisfaction with their level of participation and amount of information received through the newsletters

and website, while a few respondents indicated dissatisfaction with their input in the decision making process.

- R. Peterson (OH) shared concerns by field staff regarding their perception of being heard. The Executive Committee discussed management styles in their states and brainstormed ways to address this concern.
- M. Lacy (WV) noted that in accordance with the ICJ Statute, states have one representative at the annual meeting; however, all office staff may participate at regional meetings. He cited the responsibilities of Commissioners noting communications within state offices to be within the discretion of the Commissioner. R. Bisch (MN) concurred and commented that Compact Office staffs are welcome and encouraged to participate in the regional meetings. A. Lippert affirmed that all Compact Office personnel listed in the ICJ directory are included in the regional meetings invitations. Chair Pendergast added that it is the responsibility of each state to provide the National Office with up-to-date information for the directory.
- T. Clark (PA) suggested developing a bullet point resource listing staff involvement opportunities. J. Miller (AR) suggested incorporating the list into a letter to Commissioners/Designees. A. Lippert referenced the information to be currently available under the *roles and responsibilities* section of the ICJ Commissioner Handbook. T. Clark (PA) suggested expanding the referenced Commissioner Handbook section and sharing with Commissioners as a reminder and to include the information on the Commission's website.
- **R. Peterson (OH) made a motion to send a letter to Commissioners outlining available options for office staff involvement and to retain the outline on the Commission's website. T. Clark (PA) seconded. The motion passed.**
- P. Cox (OR) commented on the importance of providing feedback to the survey respondents. S. Hagan (WI) recommended posting the survey results along with a brief explanation of the purpose of the survey, results, and plan of action.
- **P. Cox (OR) made a motion to post the Compact Office Staff and ICJ Involvement Survey results with comments on the Commission's website. T. Clark (PA) seconded. The motion passed.**
- Chair Pendergast will work with the National Office to develop the letter to the Commissioners/Designees.

Outreach Update

- A. Lippert updated on recent communications with the State of Georgia regarding their adoption of Compact legislation. A. Lippert informed the Committee of a recent article shared by J. Miller (AR) regarding Georgia and will share the article with the Executive Committee.

Finance Committee (presented by Shelley Hagan)

- Chair Hagan reported the Finance Committee met on January 21, 2014. The fiscal year 2014 budget is on target half way through the year and all dues have been paid. She updated that the National Office will add a line item to the budget titled *investment income* to track the long-term Vanguard investment.
- Chair Hagan updated that the Finance Committee forwarded a proposal to the Training Committee asking them to consider training options for DCAs at the annual meeting.
- The Training Committee will discuss at their next meeting on January 28. R. Bisch (MN) questioned and Chair Hagan clarified the DCA heading indicates any compact office staff performing the day-to-day operations and not necessarily a specific job title.

Training, Education & Public Relations Committee (presented by Traci Marchand)

- Chair Marchand reported that the Training Committee met December 3 and approved the updates to the training materials resulting from the new rules effective April 1, 2014.
- Chair Marchand praised the ABM training presenters for a great job, which was reinforced by the excellent marks on the survey for their training sessions.
- Chair Marchand updated that the Training Committee's January meeting was postponed to January 28, 2014 at which time the committee will discuss the DCA ABM participation, annual business meeting training topics, and a best practice guideline on juvenile sex offenders.

Compliance Committee (presented by Michael Lacy)

- Chair Lacy updated that all fiscal year 2014 dues were received and no further actions were necessary for dues enforcement.
- Chair Lacy reported there to be no formal matters before the Compliance Committee at this time.

Technology Committee (presented by Robyn Peterson)

- Chair Peterson reported the Technology Committee met January 21, 2014 and updated on the following:

Helpdesk

- The helpdesk averages 13 new tickets per week which is a significant decrease due to JIDS improved performance.

InStream Load Test

- InStream conducted their second load test in January and reported the successful results of 750 concurrent users and held the test for 45 minutes. InStream has the capacity to monitor concurrent open sessions (not users), and to date the highest usage has been 350 concurrent open sessions, estimated to be 200-250 concurrent users.

ICJ Load Test

- ICJ will conduct its second load test in February to reaffirm the performance.

Agreement Renewal between ICJ and InStream

- ICJ and InStream are negotiating the contract renewal. Chair Peterson spoke to the asserted effort by InStream to correct JIDS. A. Lippert updated that efforts made to improve JIDS performance resulted in tripling the resources for hosting. This subsequently increased costs which to date have been absorbed by InStream. Under the renewed contract the hosting service increase will increase the ICJ contract estimated to be \$940 per month. Additionally, the new contract will include required service times, performance levels; two load tests per year, and an uptime availability of 99.95 percent.

2014 Spring Enhancements and Additions

- The following two modifications will be implemented with the new rules updates April 1, 2014:
 - *Quarterly Progress Report Due* Custom Report
 - Workflow notification to receiving states two weeks prior to the quarterly process report due date.

2014 Fall Enhancements and Additions

- The Technology Committee systematically reviews the enhancements list each month. The status of the enhancement requests are posted to the Commission's website.

- The Technology Committee began a review of all the e-form fields to determine what information is necessary and what fields can be ‘unlocked’.

Rules Committee and AAICPC/ICJ Work Group (presented by Rose Ann Bisch)

Rules Committee

- Chair Bisch reported the Rules Committee met January 8 and began reviewing the Rules working document for inconsistencies. Comments from last year were incorporated into this year’s working document. Members were encouraged to solicit input from their compact office and region regarding the rules. The Rules Committee will meet monthly and conduct a face-to-face meeting in Louisville, Kentucky in July.
- Chair Bisch updated that Damian Seymour stepped down and currently the East Region does not have a voting representative on the committee.
- Chair Bisch presented Rule 2-102: Data Collection and posed the question of how to determine JIDS to be *fully implemented and functional* thus expiring Rule 2-102. The Executive Committee discussed state’s usage of JIDS and acknowledged that while JIDS is fully functional not all states have fully implemented JIDS.
- S. Hagan (WI) suggested fiscal year 2014 be considered a transition year. Annual statistics would be derived from JIDS and states would compare to their self-reported numbers for the final report. The Executive Committee concurred with the suggestion making fiscal year 2015 data reporting solely from JIDS.
- Chair Bisch verified that although 2014 is a non-rule making year, the Commission could exercise the option to consider the expiration of Rule 2-102 at the 2014 Annual Business Meeting.

AAICPC/ICJ MOU Work Group

- Co-Chair Bisch reported that the AAICPC/ICJ MOU Work Group met January 7, 2014. The work group continues to work towards best practice guidelines with workflow charts and training based on the new ICPC recognition rule and amended Rule 4-101: Processing Referrals.
- Co-Chair Bisch updated that last year the Work Group proposed issuing a judicial survey to ascertain what information is shared and/or required between delinquency and family court judges for youth involved with both courts.
- Co-Chair Bisch reported ICPC has requested she provide training at the ICPC 2014 annual meeting in San Diego, California in May.

Region Reports

East Region (presented by Patricia Welcome)

- Representative Welcome reported the East Region met December 18, 2013. All states reported progressive state council activities. The East Region recommended to the Training Committee the topic “Human Trafficking” for one of the training sessions at the 2014 Annual Business Meeting.

Midwest Region (presented by Kari Rumbaugh)

- Representative Rumbaugh reported the Midwest Region will meet January 28, 2014.

South Region (presented by Judy Miller)

- Representative Miller reported that the South Region will meet February 4, 2014.

West Region (presented by Summer Foxworth)

- Representative Foxworth reported the West Region met January 16, 2014. Discussion items were the Washington State Determinate Sentencing/Placement Authority, compact office personnel updates, and the idea of a mandated cover letter to accompany all supervision packets. Representative Foxworth reported that the West Region will form a sub-group to develop guidelines regarding the Washington State issue. Representative Foxworth reported the West Region's support for a mandated cover letter to accompany supervision packets if the letter was an additional document uploaded into JIDS and not an additional e-form.

Victim's Representative (presented by Trudy Gregorie)

- T. Gregorie recalled that the issue of juvenile sex offenders residing in the home with the victims was a topic of discussion during an annual meeting training session a couple years ago. She offered to research the resources offered during that session and share with the Training Committee.

Legal Counsel Report (presented by Rick Masters)

- R. Masters reported communicating with Ron Leffler regarding the remaining funds in the administratively dissolved Association of Juvenile Compact Administrators (AJCA). Mr. Leffler is amenable to entering into an agreement and transferring the remaining AJCA funds to ICJ on the condition that the agreement includes an indemnification clause should the IRS pose any future penalty to Mr. Leffler. R. Masters advised the request to be a reasonable precaution suggesting the document be limited to the amount being transferred. The reported total balance as of December 31, 2013 is \$9,705.
- **P. Cox (OR) made a motion to approve legal counsel to prepare a Memorandum of Understanding between the Interstate Commission for Juveniles (ICJ) and the Association of Juvenile Compact Administrators (AJCA) for the transfer of funds from AJCA to ICJ and to include an indemnity clause limit up to \$9,705. A. Connor (NV) seconded. The motion passed.**

Old Business

- There was no old business.

New Business

- There was no new business.

Adjourn

- The next Executive Committee meeting is February 27, 2014.
- **P. Cox (OR) made a motion to adjourn. T. Clark (PA) seconded. The motion passed. Chair Pendergast adjourned the meeting at 2:04 p.m. EST.**