



**INTERSTATE COMMISSION FOR JUVENILES  
EXECUTIVE COMMITTEE**

*Minutes*

**January 28, 2016  
11:30 a.m. EST**

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**Committee Members in Attendance:**

1. Traci Marchand (NC) Chair
2. Michael Lacy (WV) Vice Chair
3. Jeff Cowger (KS) Treasurer
4. Patrick J. Pendergast (AL) Past Chair
5. Michael Farmer (CA) Compliance Committee Chair
6. Julie Hawkins (MO) Rules Committee Chair
7. Anne Connor (NV) Training Committee Chair
8. Dale Dodd (NM) West Region Representative
9. Lea Quam (ND) Information Technology Committee Chair
10. Nina Belli (OH) Midwest Region Representative
11. Mia Pressley (SC) South Region Representative
12. Patricia Welcome (VI) East Region Representative
13. Rick Masters, Legal Counsel
14. Trudy Gregorie, Victims Ex officio

**Committee Members Not in Attendance:**

1. Avery Niles (GA) Finance Committee Chair

**Guests in Attendance:**

None

**ICJ National Office Staff in Attendance:**

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

Chair Marchand called the meeting to order at 11:31 a.m. EST

**Roll Call**

A. Lippert called the roll and a quorum was established.

**Agenda**

**A. Connor (NV) made a motion to approve the agenda. N. Belli (OH) seconded. The motion passed.**

## Minutes

**J. Cowger (KS) made a motion to approve the December 3, 2015 meeting minutes. M. Pressley (SC) seconded. The motion passed.**

## Executive Director Report (presented by Ashley Lippert)

### Commissioner Update

- A. Lippert reported Oklahoma has a new Commissioner (Janelle Bretten) and updated that Pennsylvania has appointed a new Commissioner Jason McCrea. Mississippi will undergo a transition period soon due to Commissioner Richard Berry leaving the agency and Designee Melonie Taylor-Gore planning to retire in June.

### February 1, 2016

- A. Lippert updated that the 47 rules passed at the 2015 Annual Business Meeting will go into effect February 1, 2016. The ICJ Rules, bench book, white papers, training materials, forms, and all materials associated with the rule changes have been updated and will be posted to the website Friday. Changes to JIDS have been implemented, tested, and will go live on Monday, February 1, 2016. InStream will be on standby for a smooth transition.

### JJDPA Amendment Update

- A. Lippert updated she will talk with Marie Williams, Director, Coalition for Juvenile Justice (CJJ) regarding the amendment and will report at the next meeting.

### Advisory Opinion Request from Oregon: Rule 8-101

- A. Lippert presented Advisory Opinion #01-2016 in response to Oregon's request for assistance interpreting the new ICJ Rule 8-101. Oregon asks whether or not a juvenile pending adjudication needs a travel permit if they meet the criteria in Rule 8-101.
- R. Masters explained the opinion referencing internal inconsistencies when a rule limits what the Statute definition of juvenile includes. The opinion cites Supreme Court litigation where the statute prevails over a rule.
- J. Hawkins (MO) spoke to the Rules Committee's intent when amending Rule 8-101 which was to encompass the at risk juveniles while limiting the number of travel permits. P. Pendergast (AL) surmised that the intention of the Rules Committee was to eliminate requiring travel permits for accused delinquents and now would need to find a way to eliminate accused delinquents from the pool of juveniles requiring travel permits. J. Hawkins (MO) stated that accused delinquents do not meet all the requirements stated in Rule 8-101. R. Masters added that the questions may be resolved by amending language to distinguish between *under jurisdiction* and *relocating under the Compact*. ICJ will need to determine whether or not ICJ is differentiating between having jurisdiction over these juveniles and whether or not ICJ will require a travel permit.
- P. Welcome (VI) questioned the elimination of required travel permits for juveniles accused but not yet adjudicated. J. Hawkins (MO) explained the intent for Rule 8-101 was to narrow the scope to the most serious offenders. Accused delinquents encompass a wide array of situations. Members shared that in most

state organizational structures the ICJ Compact office becomes involved after status offenders are adjudicated.

- J. Cowger (KS) commented that the rule amended by the full Commission in August is not diluting the statute definition but addressing a sub-set in accordance with the service(s) being rendered.
- R. Masters suggested he would follow up with Oregon and revisit the opinion based on the discussion of distinguishing between juveniles subject to the jurisdiction of the Compact and juveniles identified as a sub-set and subject to a travel permit.
- **M. Lacy (WV) made a motion to defer consideration of the advisory opinion until the next meeting. J. Hawkins (MO) seconded. The motion passed.**

#### AAICPC ICJ Work Group

- A. Lippert reported the AAICPC ICJ MOU Work Group met January 13, 2016. Discussion included the FAQs section of the Best Practice Guide, applicability of the guide to a recent AAICPC ICJ case, and distribution of the guide. The next meeting is scheduled for March 23, 2016.

### **Committee Reports**

#### **Executive Committee** (presented by Traci Marchand)

- Chair Marchand reminded the region representatives to present their region goals for aiding states in transition at the next meeting.
- Chair Marchand reminded all members to forward their completed strategic planning session forms to Mr. Mullaney by January 29.
- The Executive Committee agreed not to meet the 4<sup>th</sup> Thursday in March due to the 2-day face to face meeting March 8-9, 2016 in Lexington, Kentucky.

#### **Compliance Committee** (presented by Michael Farmer)

- Chair Farmer updated there to be no outstanding defaults. All 2016 dues have been paid and Pennsylvania has appointed a Commissioner. The Compliance Committee will meet February 4 to review the ICJ Compliance Policies.

#### **Finance Committee** (presented by Ashley Lippert)

- In the absence of Chair Niles, A. Lippert reported the Finance Committee met January 26. The 2016 budget was reported to be in good standing with front end expenditures leveling out half way through the year. The long term investment was discussed and all 2016 dues reported to be paid. The 2017 dues invoices will be issued in April and the committee will make a recommendation for a 2018 budget at the next meeting.

#### **Information Technology Committee** (presented by Lea Quam)

- Chair Quam reported the Technology Committee met January 27. The Technology Committee approved removing obsolete language from the JIDS Expunging Juvenile Records Guideline due to the rules effective February 1. The testing placement (residence) workflow was discussed and will continue to be reviewed for improvement at the next meeting. The committee will continue tackling the JIDS Enhancements List for inclusion in the second bundle of enhancements.

**Rules Committee** (presented by Julie Hawkins)

- Chair Hawkins reported the Rules Committee met January 6 and discussed at length without reaching a consensus the definition of non-adjudicated juvenile and the exclusion of non-adjudicated juveniles in Rule 4-101. A sub-committee was formed and will present a recommendation to the Rules Committee at the March meeting.

**Training, Education & Public Relations Committee and Human Trafficking Ad Hoc Committee** (presented by Anne Connor)

*Training Committee*

- Chair Connor reported the Training Committee met January 14. Three rule amendment trainings were conducted in January led by Rose Ann Bisch (MN). The Training Committee approved modifications and finalized the 2-day rules training materials. The first session is scheduled next week led by Mia Pressley. Multiple trainings sessions for rules and JIDS are scheduled, dates and times are posted on the website. Logistic planning is underway for the NCJFCJ National Conference on Juvenile Justice in Las Vegas, Nevada, March 21 – 23, 2016. Chair Connor and Gary Hartman (WY) will represent ICJ.

*Human Trafficking Ad Hoc Committee*

- Chair Connor reported that the Human Trafficking Ad Hoc Committee met January 12. Four regional facilitators have been designated to facilitate the gathering of information from each state in their respective regions for inclusion in the development of an ICJ Human Trafficking Matrix.

**Region Reports**

**East Region** (presented by Patricia Welcome)

- Representative Welcome reported the East Region will meet February 10, 2016.

**Midwest Region** (presented by Nina Belli)

- Representative Belli reported the Midwest Region will meet February 11, 2016.

**South Region** (presented by Mia Pressley)

- Representative Pressley reported the South Region will meet February 23, 2016. The training and state transitional assistance provided to Tennessee by Anne Connor was well received.

**West Region** (presented by Dale Dodd)

- Representative Dodd reported the West Region will meet February 16, 2016 and continue with discussions for regional goals and objectives.

**Legal Counsel Report** (presented by Rick Masters)

- R. Masters had nothing additional to report from the earlier advisory opinion discussion.

**Victim's Report** (presented by Trudy Gregorie)

- T. Gregorie commented to the US Supreme Court Ruling whereby juveniles will no longer be given a life sentence without the opportunity to re-argue the case. The ruling impacts states that convict juveniles as adults and administering re-
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adjudication hearings for juveniles with life sentences. The negative impact to victims is retelling the story and repeating the process.

**Old Business**

There was no old business.

**New Business**

- There was no new business.

**Adjourn**

- The next meeting is February 25, 2016 @ 11:30 a.m. EST.
- **Chair Marchand adjourned the meeting by unanimous consent at 12:31 p.m. EST.**