



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE

Minutes

August 21, 2014

11:15 a.m. EDT

Committee Members in Attendance:

1. Patrick J. Pendergast (AL) Chair
2. Anne Connor (NV) Vice Chair, Technology Chair
3. Phil Cox (OR) Treasurer
4. Judy Miller (AR) South Region Representative
5. Summer Foxworth (CO) West Region Representative
6. Rose Ann Bisch (MN) Rules Committee Chair, AAICPC/ICJ Work Group Co-Chair
7. Kari Rumbaugh (NE) Midwest Region Representative
8. Traci Marchand (NC) Training Committee Chair
9. Patricia Welcome (VI) East Region Representative
10. Michael Lacy (WV) Compliance Committee Chair
11. Shelley Hagan (WI) Finance Committee Chair

Committee Members Not in Attendance:

1. Terry Clark (PA) Past Chair
2. Trudy Gregorie, Victims Representative, Ex-Officio
3. Rick Masters, Legal Counsel

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

Call to Order

Chair Pendergast called the meeting to order at 11:16 a.m. EDT.

Roll Call

A. Lippert called the roll. Eleven of the fourteen members were present, establishing a quorum.

Agenda

M. Lacy (WV) made a motion to approve the agenda. P. Cox (O) seconded. The motion passed.

Minutes

J. Miller (AR) made a motion to approve the July 24, 2014 meeting minutes. P. Cox (OR) seconded. The motion passed.

Executive Director Report (presented by Ashley Lippert)

Commissioner Appointments

- A. Lippert updated that Georgia (Avery Niles) and Florida (Agnes Denson) have been named Commissioners and await official appointment. Michigan anticipates an appointment soon. Tennessee appointed Cathlyn Samuel Commissioner. Upon confirmation of the Commissioner appointments, the National Office will notify the South and Midwest Region Representatives to initiate the new Commissioner Orientation program.

Dues Update

- A. Lippert reported FY 15 dues outstanding for seven states operating on the July 1 – June 30 fiscal year. Several of the states have communicated with the National Office and payment is anticipated.

By-laws amendment - Article II Existing Rights and Remedies

- A. Lippert reported that during the Rules Committee's 2014 Face-to-Face Meeting, Rick Masters, Legal Counsel, recommended the ICJ By-laws Article II be deleted in its entirety as the language is more suited in the Statute or Rules. The Executive Committee discussed and agreed the language is not suited for the By-laws.
- R. Bisch (MN) noted that the Rules Committee is proposing an amendment in 2015 to remove the same language from Rule 6-101. J. Miller (AR) recommended keeping the language in the rules if it is removed from the By-laws.
- **M. Lacy (WV) made a motion to delete Article II *Existing Rights and Remedies* from the ICJ By-laws. R. Bisch (MN) seconded. The motion passed.**
- The National Office will update the 2014 By-laws amendment and post for 30-days prior to the annual meeting in October.

Audit Standards

- A. Lippert updated that the draft ICJ Audit Policy and Standards are complete. A. Lippert highlighted the purpose of an audit and informed the Executive Committee that the document contains 37 auditable standards to measure rules and processes.
- Commission Chair Pendergast and Compliance Chair Lacy reviewed the document prior to the meeting. Chair Lacy commented that the standards are a positive direction to improve the Compact's performance by identifying strengths and weaknesses. Chair Pendergast commented to the massive undertaking to implement 37 standards nationwide annually and suggested implementing 5-10 standards in the first year and adding in increments every year after.
- A. Lippert recommended the Executive Committee rank the standards by identifying the top five to implement the first year. A. Lippert further recommended auditing a set number of states each quarter over the course of a year and deferring any non-compliance enforcement the first year.
- The Executive Committee agreed to consider the recommendation at the next meeting. The National Office will forward the standards to the Executive Committee for review at the next meeting.

2014 Annual Business Meeting

- A. Lippert reported an overwhelming response to the annual meeting in Charleston, South Carolina. The contracted room block at the lower than per diem rate has reached capacity. The National Office is working with attendees and the hotel to secure the required number of rooms at the current GSA per diem rate.

Annual Report

- A. Lippert acknowledged the comments received from Executive Committee members to the 2014 Annual Report. She encouraged members to contact her regarding any additional modifications before finalizing the report for print next week.

Committee Reports

Executive Committee (presented by Patrick Pendergast)

Forms Policy

- Chair Pendergast presented the Forms Responsibility Policy as amended at the last meeting. The Executive Committee discussed the member suggestions and proposed modifying Section III. A. (3) by inserting a new paragraph. The Policy will be updated and re-submitted to the Executive Committee for consideration at the next meeting.

Finance Committee (presented by Shelley Hagan)

- Chair Hagan reported that the Finance Committee met August 19. The final 2014 fiscal year-end budget through June 30, 2014 was reviewed. The FY '14 budget completed less than ten percent under budget with \$230,000 carry over into the reserves.
- The Finance Committee also discussed the current dues structure updated with the 2014 JIDS data (Georgia estimated) and the 2010 U.S. Census numbers. Chair Hagan clarified that the transactions include total in and out for both probation and parole along with total runaways, escapees, absconders, and accused delinquents returned from both the sending and receiving states. Travel permits and airport supervision tallies are not included in the calculation. The updated dues chart indicated that dues for fourteen states would be impacted (seven would go up one tier and seven would go down one tier) and the total ICJ transactions down by 40 percent.
- Chair Hagan presented the recommendation of the Finance Committee that the ICJ dues structure be updated with the average transactions from fiscal years 2014, 2015, 2016 and the most recent available U.S. Census figures to become effective fiscal year 2018 and that the frequency to update thereafter would be recommended by the Executive Committee.
- The Executive Committee discussed the recommendation and supported retaining the current tier ratio versus an apportioned state population – national population percentage ratio.
- The Executive Committee debated a time frame from 1 to 10 years for frequency to update the dues structure. A. Lippert updated on the history of the ICAOS dues structure and annual updates, noting that the largest contributor for a tier move is the state's population. S. Foxworth (CO) opposed yearly updates. P. Cox (OR) supported five or ten year increments. P. Welcome (VI) voiced concern for financial hardships. R. Masters noted the emergency provision in the ICJ Rules. J. Miller (AR) commented that any recommendation should go before the full Commission at the annual meeting. Chair Hagan acknowledged the recommendation will be a part of the Finance Committee Report.
- **P. Cox (OR) made a motion to recommend that the dues structure be updated every five years. S. Foxworth (CO) seconded. R. Bisch (MN), K. Rumbaugh (NE), and M. Lacy (WV) opposed. P. Welcome (VI) abstained. The motion passed.**

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

- Chair Marchand reported that the Training Committee met August 20 and updated on the completed and scheduled rules trainings noting the continued high attendance from Georgia. Chair Marchand was a presenter at the American Probation and Parole Association (APPA) Summer Institute in New Orleans August 3-6, 2014 and reported the session was well attended. Walk-thru meetings are scheduled with the presenters for the 2014 Annual Business Meeting training sessions and the human trafficking panel. Chair Marchand shared the live feed and recording concerns from two of the human trafficking presenters which centered on the need for anonymity. R. Masters advised the Commission to honor the concerns and the Executive Committee concurred.
- **M. Lacy (WV) made motion to suspend the live feed and the recording of the Human Trafficking Session during the General Session at the 2014 Annual Business Meeting. S. Foxworth (CO) seconded. The motion passed.**

Compliance Committee (presented by Mike Lacy)

- Chair Lacy reported the Compliance Committee met in August and approved a recommendation from the States in Transition Work Group to implement a Best Practice to assist states undergoing major administrative changes that impact ICJ. Chair Lacy presented the recommended States in Transition Best Practice document.
- The Executive Committee discussed the document and agreed that the mandatory language in the last paragraph was not enforceable in a Best Practice and agreed the last paragraph should be deleted and the following language inserted: *If a state fails to abide by these recommended best practices resulting in an allegation of non-compliance, then the matter will be referred to the Compliance and Executive Committees for further action.*
- **M. Lacy (WV) made a motion to adopt the Best Practice for States in Transition as amended. S. Hagan (WI) seconded. The motion passed.**
- J. Miller (AR) offered editorial suggestions to the document. Chair Lacy agreed to discuss with J. Miller (AR) outside the meeting and to notify the National Office when the document is ready to announce and post.

Technology Committee (presented by Anne Connor)

- Chair Connor reported the Technology Committee is scheduled to meet August 26. Chair Connor updated on the JIDS Compact office, field staff, and workflow trainings completed and scheduled in August and September. Training and Technical Assistance was provided to Illinois Parole in August. Upcoming enhancements at the next meeting include: New Quarterly Progress Report Detail Report and New Transfer of Supervision Summary and Detail Reports.

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

Rules Committee

- Chair Bisch reported the Rules Committee met August 6 and continued “clean-up” of the rules. The Probable Cause/Form IA/VI/Juvenile Rights Work Group met in August and is scheduled to meet again in September. The Section 600 Rules Work Group will also meet in September. The next meeting of the Rules Committee is September 3, 2014.

AAICPC/ICJ MOU Work Group

- Co-Chair Bisch reported the AAICPC/ICJ MOU Work Group met August 7 and is finalizing the last of the Family Setting Case Scenarios and preparing to present all case scenarios to the Executive Committees for each Compact. Chair Bisch highlighted the

ICPC training that will be offered during the 2014 Annual Business Meeting and recommended ICPC training throughout ICJ at the national, state, and local levels. The next Work Group meeting is September 9.

Region Reports

East Region (presented by Ashley Lippert)

- Representative Welcome exited the meeting early. In her absence, A. Lippert reported that the East Region met July 30. The East Region states provided updates, developed a 2015 officer's slate, and nominated Patricia Welcome for the East Region Representative. The next meeting is October 28 during the 2014 Annual Business Meeting.

Midwest Region (presented by Kari Rumbaugh)

- Representative Rumbaugh reported that the Midwest Region met August 12. The meeting was well attended however a quorum was not achieved. Informal discussion items included the 2015 officer's slate, Midwest Region Representative, and a proposal regarding failed placements. The next meeting is October 28 during the 2014 Annual Business Meeting.

South Region (presented by Judy Miller)

- Representative Miller reported that the South Region last met June 25 as reported at the last Executive Committee meeting. The next meeting will be October 28 during the 2014 Annual Business Meeting.

West Region (presented by Summer Foxworth)

- Representative Foxworth reported that the West Region has not met since the last Executive Committee meeting. The next meeting will be October 28 during the 2014 Annual Business Meeting.
- A. Connor (NV) updated that the West Region Work Group for the Washington Determinate Sentencing/ Placement Authority Statute met August 19 and will meet again September 16 to review *placement* versus *supervision* throughout the rules and anticipates submitting a rule proposal to the West Region and subsequently to the Rules Committee.

Victim's Representative

- In the absence of T. Gregorie there was no report.

Legal Counsel Report (presented by Rick Masters)

- R. Masters updated on his participation with the Probable Cause Rules Committee Work Group. He updated and furnished a legal analysis to the Work Group which will be shared with the Executive Committee at a later date.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- The next Executive Committee meeting is September 18, 2014.
- **P. Cox (OR) made a motion to adjourn. M. Lacy (WV) seconded. Chair Pendergast adjourned the meeting by acclamation at 1:25 p.m. EDT.**