



**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes
September 24, 2015
11:30 a.m. EDT

Committee Members in Attendance:

1. Traci Marchand (NC) Chair
2. Patrick J. Pendergast (AL) Past Chair
3. Jeff Cowger (KS) Treasurer
4. Michael Farmer (CA) Compliance Committee Chair
5. Avery Niles (GA) Finance Committee Chair
6. Julie Hawkins (MO) Rules Committee Chair
7. Anne Connor (NV) Training Committee Chair
8. Dale Dodd (NM) West Region Representative
9. Nina Belli (OH) Midwest Region Representative
10. Mia Pressley (SC) South Region Representative
11. Patricia Welcome (VI) East Region Representative
12. Rick Masters, Legal Counsel

Committee Members Not in Attendance:

1. Michael Lacy (WV) Vice Chair

Guests in Attendance:

None

ICJ National Office Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Emma Goode, Administrative and Logistics Coordinator
 3. Morgan Wolford, 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. EDT

Roll Call

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

Agenda

A. Niles (GA) made a motion to approve the agenda. A. Connor (NV) seconded. The motion passed.

Minutes

- **A. Niles (GA) made a motion to approve the August 24, and 25, 2015 meeting minutes. N. Belli (OH) seconded. The motion passed.**

Executive Director Report (presented by Ashley Lippert)

Commissioner Update

- A. Lippert reported Iowa appointed a Commissioner (Mike Rempe).
- A. Lippert updated on communications with Jason McCrea of Pennsylvania regarding the vacant Commissioner position. The position continues to remain vacant as the state focuses on its current budget crisis. R. Masters, Legal Counsel, recommended referring the matter to the Compliance Committee to be consistent with past actions by the Commission in the area of Commissioner Vacancies and Dues Enforcement. The Executive Committee discussed and concurred with the recommendation.
- **A. Connor (NV) made a motion to refer to the matter to the Compliance Committee. D. Dodd (NM) seconded. The motion passed.**
- R. Masters suggested notifying Pennsylvania of the Executive Committee's decision to refer the matter to compliance.

Dues Update

- A. Lippert updated on communications with the four states operating on a July 1 – June 30 fiscal year that have not paid their dues. A 90-day delinquent notice will be issued on October 1. Should dues remain unpaid; the matter will be referred to the Compliance Committee at 120 days (November 1).

JJDPDA Update

- A. Lippert updated on the Juvenile Justice and Delinquency Prevention Act (JJDPDA) regarding ICJ's exemption to hold juveniles in secure detention. A. Lippert and R. Masters were successful in presenting the following language to the JJDPDA amendment known as the Reauthorization of the Juvenile Justice Delinquency Prevention Act 2015.
Juvenile status offenders who are held in accordance with the Interstate Compact for Juveniles are exempted from this provision and may be held for up to fifteen (15) days from the time they are taken into custody.
- R. Masters commended the collaboration with NCJFCJ and CJJ. The Coalition for Juvenile Justice (CJJ) approved the proposed language and forwarded to Senator Chuck Grassley's office as an amendment to the bill.
- D. Dodd (NM) questioned the inclusion of "business days". R. Masters advised to retain the ambiguous language.
- A Lippert noted the national office would track the progression of the bill through U.S. Congress and report to the Executive Committee and update the Rules Committee Chair with regard to the impact to the ICJ Rules.

Virginia Case

- A. Lippert highlighted the events of the New Jersey and Virginia case involving a juvenile accused of murder in New Jersey who fled to Virginia whereby a public defender in Virginia represents the juvenile and challenged the authority of the Compact. The Virginia Circuit Court Judge approved the return of the juvenile to New Jersey and allowed a 10-day hold. The public defender appealed the

decision and the case has gone to appellate court. A. Lippert and R. Masters advised the committee of their three legal options:

1. Await the Virginia Appellate Court decision
 2. File a New Jersey Governor's Warrant
 3. File a Federal Injunction
- R. Masters advised the appellate process could take six months or longer. J. Cowger (KS) questioned filing an amicus brief. R. Masters clarified he assisted the Assistant Virginia Commonwealth Attorney with the legal brief and agreed with the Circuit Court decision to return the juvenile and commented that the Judge has allowed an emphasis on the juvenile's issues to take precedence over the Compact.
 - A. Lippert updated on communications with New Jersey and advised that New Jersey would only issue a Governor's warrant if the juvenile were to be tried as an adult, which they intend to do. However, New Jersey cannot waive the juvenile to adult court until the juvenile is present because of his due process rights. Therefore, New Jersey will not file for a Governor's Warrant and supports filing of a federal injunction.
 - R. Masters commented that the case should be taken seriously so as not to set precedence and disrupt the ICJ process in future cases and recommended filing the injunction. J. Cowger (KS) questioned any legal licensing restrictions. R. Masters clarified his experience in federal cases and would require a filing in the State of Virginia. The legal fees are estimated to be \$5,000.
 - The Executive Committee discussed the matter and agreed that Legal Counsel should pursue the Federal Injunction on behalf of ICJ.
 - **P. Pendergast (AL) made a motion to authorize Rick Masters, Legal Counsel, to represent ICJ in this matter and file the Federal Injunction. D. Dodd (NM) seconded. The motion passed.**
 - R. Masters reported this to be his legal report and exited the meeting.

Posthumous Resolution

- A. Lippert reported that former Kentucky Commissioner Paul Gibson died August 29, 2015. The Executive Committee passed a Posthumous Resolution Policy in 2011 to honor Commissioners and Compact staff who pass away during their tenure. A. Lippert presented a resolution to honor Paul Gibson.
- The Executive Committee acknowledged the dedication and length of service by Paul Gibson to both ICJ and AJCA and agreed to the resolution as presented.
- **A. Connor (NV) made a motion to approve the Posthumous Resolution recognizing the contributions of Paul Gibson and forward with a letter to his immediate family. D. Dodd (NM) seconded. The motion passed.**

2017 Annual Business Meeting

- A. Lippert presented selections for the 2017 annual meeting. A. Lippert explained the narrow scope of viable hotels willing to offer the meeting space needed given the number of attendees ICJ hosts. The National Office presented four proposals in the West Region in September and October of 2017. E. Goode highlighted the venues from Palm Springs, California; San Diego, California; Coeur d'Alene, Idaho; and Seattle, Washington.
- The Executive Committee discussed the site locations, dates, weather, and estimated costs. A consensus was reached to eliminate the Seattle and Coeur d'Alene locations due to cost and location. P. Welcome (VI) voiced concern that removing these left only Southern California options. A. Connor (NV) suggested

reaching out to the hotel in Tacoma, Washington that submitted a proposal in the past and P. Pendergast (AL) agreed.

- **A. Connor (NV) made a motion to issue a 2017 Annual Business Meeting Site Survey to the Commissioners/Designees to select their choice from the two cities in California and Tacoma, Washington should a proposal be received. M. Pressley (SC) seconded. P. Welcome (VI) opposed. The motion passed.**

Live-Feed to Annual Business Meetings

- A. Lippert reported the total cost of \$7,670 to provide the live stream of the training and general session at the 2015 Annual Business Meeting. A total of 20 persons viewed the training and 10 persons viewed the general session. D. Dodd (NM) questioned the attendance for 2014. A. Lippert reported a total of 34 persons took advantage of the live stream from Charleston and the costs were lower as A/V prices vary by location.
- A. Lippert suggested an alternative by video recording the training sessions and posting them on the Commission's website rather than live streaming. M. Farmer (CA) questioned the interaction during the live-feed. A. Lippert reported there were no questions chatted either year during the live stream. P. Pendergast (AL) questioned the number accessing the 2014 recorded sessions posted on the Commission's website. A. Lippert reported 519 persons viewed to date.
- The Executive Committee discussed the value versus the costs and the difficulty of viewers to watch live during working hours.
- **P. Welcome (VI) made a motion to eliminate the live stream of the annual business meetings; to record the training sessions, and post to the Commission's website. M. Farmer (CA) seconded. D. Dodd (NM) opposed. The motion passed.**

Committee Reports

Executive Committee (presented by Traci Marchand)

2016 Committees

- Chair Marchand welcomed the new Executive Committee members, identified the committee chairs, and updated on the remaining appointments.

Victims Representative

- Chair Marchand presented Trudy Gregorie as the Victims Representative and shared her willingness to serve another one-year term.
- **A. Connor (NV) made a motion to accept Trudy Gregorie to the position of Victims Representative, Ex officio to the Executive Committee. D. Dodd (NM) seconded. The motion passed.**

Executive Committee Spring 2016 Face-to-Face Meeting and Strategic Planning

- Chair Marchand presented ICJ's Five Strategic Initiatives for 2013-2016 and briefed on their development by the 2013 Executive Committee under the direction of Consultant Fahy G. Mullaney. Mr. Mullaney has retired but indicated he would be available in March and would be honored to work with ICJ again.
- Chair Marchand proposed holding a 2-day Face-to-Face Executive Committee meeting in Lexington, Kentucky on March 8-9, 2016. The first day would be a full day for strategic planning and the second day the Executive Committee would meet for a half day.

- A. Lippert provided an overview of Fahy Mullaney’s strategic planning style and his credentials. P. Welcome (VI) questioned the cost. A. Lippert clarified his fee and expenses would be comparable to 2013. A. Connor (NV) shared her experience from the 2013 meeting and the benefits of the team building exercises and supported retaining Mr. Mullaney for continuity.
- **A. Connor (NV) made a motion that the Executive Committee conducts the 2016 Spring Face-to-Face meeting as outlined above March 8-9 in Lexington Kentucky. A. Niles (GA) seconded. The motion passed.**

Finance Committee (presented by Avery Niles)

- Chair Niles expressed his appreciation for the opportunity to Chair the Finance Committee and updated that the roster will soon be finalized.

Training, Education & Public Relations Committee (presented by Anne Connor)

- Chair Connor updated that the Human Trafficking Work Group will become a standalone Ad Hoc Committee and will encompass a wider representation outside of the Training Committee. The Training Committee roster will be finalized upon confirmation of the Human Trafficking Ad Hoc Committee Chair.

Compliance Committee (presented by Michael Farmer)

- Chair Farmer reported the Compliance Committee membership has been established and will conduct a meeting soon. The roster was expanded to a broader audience by including members other than Executive Committee members who hear and approve all matters before the Compliance Committee.

Rules Committee (presented by Julie Hawkins)

- Chair Hawkins expressed her appreciation for the opportunity to Chair the Rules Committee and commended the work of the past Rules Committees. The roster will be confirmed soon.

Region Reports

- The Region Chairs updated that the regions have not met since the August 25 meeting in Madison and reported meetings are planned in October and November.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

Chair Marchand adjourned the meeting by unanimous consent at 1:16 p.m. EDT.