



INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE

Minutes
April 10, 2018
8:30 a.m. EDT

Committee Members in Attendance:

1. Anne Connor (ID) Chair
2. Natalie Dalton (Va) Vice Chair
3. Shelley Hagan (WI) Treasurer
4. Traci Marchand (NC) Past Chair
5. Jacey Rader (NE) Compliance Committee Chair
6. Tony DeJesus (CA) Technology Committee Chair
7. Cathlyn Smith (TN) Training Committee Chair
8. Gary Hartman (WY) Rules Committee Chair
9. Mia Pressley (SC) South Region Representative
10. Dale Dodd (NM) West Region Representative
11. Trudy Gregorie, Victims Representative
12. Rick Masters, Legal Counsel

Committee Members Via WebEx:

1. Becki Moore (MA) East Region Representative
2. David Barrett (ME) Finance Committee Chair

Committee Members Not in Attendance:

1. Charles Frieberg (SD) Midwest Region Representative

ICJ National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
 2. Emma Goode, Training and Administrative Specialist
 3. Jenny Adkins, Project Manager
 4. Monica Gary, Administrative and Logistics Coordinator
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Call to Order

Chair Connor called the meeting to order at 8:32 a.m. EDT.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

- **G. Hartman (WY) made a motion to approve the agenda. S. Hagan (WI) seconded. The motion passed.**

Minutes

- **J. Rader (NE) made a motion to approve the February 22, 2018 meeting minutes. T. DeJesus (CA) seconded. The motion passed.**

National Office Report

- Director Underwood reported the following updates:
 - All states are currently represented by a Commissioner and/or Designee.
 - New Hampshire has appointed Pamela Leonard (NH) as full-time Designee.
 - Texas has Camille Cain as Compact Administrator, and reappointed Daryl Liedecke (TX) as Deputy Compact Administrator and Commissioner.
 - The Connecticut ICJ Office is preparing to move due to reorganization and will now be part of the Connecticut Judicial Branch, effective July 1, 2018. They have been communicating with the National Office on a regular basis in preparation.
 - Regarding the reauthorization of JJDP, legislation is expected to move in the next few months. Anticipated changes to the “Valid Court Order” provisions have been eliminated; thus, the current ICJ provision is now expected to remain intact.
 - The new Bench Books are available. The ICJ National Office will distribute hard copies and flash drives to each ICJ office. Also, the Bench Book is available on the ICJ website.
 - The ICJ Advisory Opinions have been updated and revised. These are available on the ICJ website, as well as in the Bench Book.
 - The Bench Card on Transfer of Supervision has been revised. It was distributed to judges at the NCJFCJ Conference in March and is available on the ICJ website.

Commission Chair Report (presented by Anne Connor)

- Chair Connor introduced the draft minutes from the 2017 Annual Business Meeting for approval.
S. Hagan (WI) made the motion to approve the 2017 Annual Business Meeting draft minutes. C. Smith (TN) seconded. The motion was approved.
- Chair Connor introduced the 10th Anniversary 2018 Annual Business Meeting Agenda for approval.
M. Pressley (SC) made a motion to approve the 2018 Annual Business Meeting Agenda. D. Dodd (NM) seconded. The motion was approved.
- Chair Connor introduced the 2019 Annual Business Meeting location options:
 - Columbus, OH
 - Indianapolis, IN
 - Minneapolis, MN
 - Omaha, NE**D. Dodd (NM) made the motion to research Columbus OH and Indianapolis IN for the 2019 Annual Business Meeting location. S. Hagan (WI) seconded. The motion was approved.**
- Chair Connor reported that she attended the NCJFCJ National Juvenile Justice Conference at Coronado Bay, CA. She distributed approximately 100 flash drives with ICJ Rules and Advisory Opinions. Chair Connor encouraged the Committee Members to present at any upcoming instate conferences.

- Chair Connor provided an update on Subcommittee on Rule 7-104. The Committee was formed to address barriers to compliance of Rule 7-104. She reported there were two issues that have been identified: Entry of warrants in NCIC and entry with the nationwide radius. The next meeting is April 26, 2018.
- Chair Connor asked Trudy Gregorie to report on efforts to develop additional resources regarding State Councils. She reported that she has been working with National Office staff to develop an outline for an ICJ State Council Toolkit to be published via the ICJ website. The Toolkit would include: a brochure for educating State Council Members; State Council Organizational Guide (for ICJ personnel); ICJ Policy 01-2011 (State Council Enforcement); template for Annual State Council Report and an online training module. Unless the Executive Committee directs otherwise, the Training Committee will review and approve the draft. This will provide opportunities for input from states, including those with success stories and those who are struggling. The Toolkit will be ready to be announced at the Annual Business Meeting.
- Chair Connor informed the Committee that the next Executive Committee meeting will be May 24 2018 @11:30AM EDT.

Finance Committee (presented by Dave Barrett)

- Finance Committee Chair Barrett reported that the ICJ Finance Committee met January 23, 2018. He presented the FY18 working budget through February 2018. He noted that the current working budget reflects changes made pursuant to the Executive Committee's vote to increase three-line items for publication of the Bench Book. He anticipates coming in under budget for FY 18 and summarized the Vanguard investment account. Next meeting will be April 24, 2018.

Special Projects Ad Hoc (presented by Natalie Dalton)

- Vice Chair Dalton reported that the ICJ Special Projects Ad Hoc Committee met January 27, 2018. The Committee decided to send out a survey to JIDS users to access the needs of all JIDS users. The National Office received over four hundred responses. The next meeting is April 17, 2018.

Training Committee (presented by Cathlyn Smith)

- Training Chair Smith reported that the ICJ Training Committee has completed its 2018 Rules Amendment training. There was a total of 312 individuals trained. She noted that the March 5th training is available on the ICJ website. Also, the Committee conducted ICJ 2-day Rules Training and 67 individuals participated.
- Training Chair Smith reported that there have been two requests for Training and Technical Assistance (TTA):
 - May 7, Nebraska Intrastate Quarterly Training via WebEx.
 - Oct 22-25, North Carolina 24th National Symposium of Juvenile Services, Traci Marchand to present
- Training Chair Smith encouraged all states to turn in intrastate trainings to the ICJ National Office for record keeping.
- Training Chair Smith mentioned that the ICJ On Demand training modules are being updated and will be available on the website.
- Training Chair Smith provided an overview of the following conferences:
 - NCJFCJ: National Conference on Juvenile Justice in San Diego, CA (March 18-21, 2018)
 - 2018 CJJ Annual Conference in Washington, DC (June 27-30, 2018)
 - APPA: 43rd Annual Training Institute (July 29-August 1, 2018)

- Training Chair reported that the next Training Committee meeting will meet April 12, 2018. The Committee plans to discuss the training topics for the upcoming 2018 Annual Business Meeting in New Orleans, LA.

Technology Committee (presented by Tony DeJesus)

- Technology Chair DeJesus reported that the ICJ Technology Committee met April 3 and there was an extensive discussion of the proposed revised language of Form IA/VI. He noted that the review period expires May 3, 2018.
- S. Hagan (WI) stated that the waiver language is overly broad and she opposes the proposed revised language as presented.
- R. Masters shared that the Committee’s intention was to clarify what rights the juvenile is waiving.
- J. Rader (NE) suggested developing language to more clearly describe the waiver and rights of the juvenile.
- Director Underwood reminded the Committee of the process to submit comments to the ICJ Technology Committee for consideration.
- Technology Chair DeJesus reported that the ICJ Technology Committee discussed adding a human trafficking identifier component in JIDS. He reported that the Committee is requesting feedback on adding human trafficking and other case circumstances to track on a new drop-down menu. JIDS will only allow a drop down with options on the file detail page. The Committee discussed adding other identifiers and additional options.
- Technology Chair DeJesus reported the following approved JIDS Enhancements:
 - regarding Form V, change default “State” field to blank;
 - regarding pending QRP Detail Report, include violation and absconder reports;
 - regarding Return for Failed Supervision Workflow, remove workflow notes at an email notification step;
 - regarding Request for Transfer of Supervision Workflow, add new icon “Juvenile is Residing in Receiving State”;
 - regarding User Management system, add message noting when a “ghost” user account already exists; and
 - regarding Request to Search and Workflow Status Report Columns, add Compact Office assign fields.

Compliance Committee (presented Jacey Rader)

- Compliance Chair Rader reported the ICJ Compliance Committee met April 5, 2018.
- Compliance Chair Rader reported that the Committee reviewed and revised the Performance Measurement Policy and Standards. She summarized the revisions.
- T. DeJesus (CA) asked for clarification of the timeline of the corrective action plan submitted by states below 70% and would be required to submit a quarterly report. Compliance Chair Rader clarified that the quarterly report is due along with the corrective action to monitor progress and to offer support if needed.
- **S. Hagan made a motion to accept the amended ICJ Performance Measurement Policy and Standards as revised by the Compliance Committee. G. Hartman seconded. The motion was approved.**
- Compliance Chair Rader reported that the ICJ Compliance Committee presented the 2017 Performance Measurement Assessment (PMA) Report. Overall, the overage compliance score was 82%, with 9 states overall assessment scores

falling below 70%. Sixteen states provided a response to their PMA reports. Three states submitted corrective action plans.

- Compliance Chair Rader shared that the Committee will hold its first ICJ Compliance Committee face-to-face meeting May 17, 2018 in Lexington, KY. The ICJ Compliance Committee will review priorities for compliance and finalize the PMA Standards. The Committee will work to develop a strategic plan going forward.

Rules Committee (presented by Gary Hartman)

- Rules Chair Hartman reported that the ICJ Rules Committee met on April 4, 2018.
- Rules Chair Hartman reported that the ICJ Rules Committee recommended presenting a draft ICJ Rule Proposal Guide for consideration to the Executive Committee.
- Rules Chair Hartman reported that the ICJ Rules Committee discussed the issues of barriers to compliance of Rule 7-104.
- Rules Chair Hartman reported that the ICJ Rules Committee discussed the issue of business days versus calendar days. The Rules Committee after consideration and discussion decided to leave it as is.
- Rules Chair Hartman reported that the ICJ Rules Committee discussed the issue of “danger to self and others.” Rules Chair Hartman reported that “danger to themselves or others” is a standard frequently used in mental health/legal proceedings in which mental health professionals are often required to testify. The Rules Committee agreed not to recommend any changes at this time but may review language again in the future.
- Rules Chair Hartman reminded the Executive Committee that all proposals for rule changes must be submitted by January 15, 2019 for consideration.
- Rules Chair Hartman presented the recently developed ICJ Rule Proposal Guide for approval.

G. Hartman (WY) made a motion to approve the ICJ Rule Proposal Guide. N. Dalton (VA) seconded. The motion was approved.

Human Trafficking (presented by Mia Pressley)

- Human Trafficking Chair Pressley reported that the ICJ Human Trafficking Ad Hoc Committee met March 15, 2018. She shared the goal of the Human Trafficking Ad Hoc Committee: to Develop Best practices for ICJ responses to juvenile victims of human trafficking.
- Human Trafficking Chair Pressley reported that the Committee is interested in updating the Human Trafficking Matrix, originally based on work from Polaris Project. The project has been submitted to two law schools Pro Bono Projects, in hopes that students will volunteer to make the updates.
- Human Trafficking Chair Pressley shared that the Committee is developing a survey to gather information on state ICJ offices involvement with efforts to address human trafficking victims.

Regional Updates

South Region (presented by Mia R. Pressley)

- South Region Representative Pressley reported that the South Region met March 28, 2018. The Committee discussed the Annual Code of Conduct Policy. The South Region recommended that this policy be amended so that it need only be

signed by new Commissioners/Designees and not annually. After the discussion, no action was taken to change the policy. The policy remains in effect as is.

West Region (presented by Dale Dodd)

- West Region Representative Dodd reported that the West Region met March 29, 2018. N. Belli (OR) was introduced to the West Region. The Region was reminded that all rule proposals are due by January 15, 2019. The West Region mentioned the Code of Conduct Policy. Two new Commissioners; D. Laity (NV) and J. Hood (AZ).

Midwest Region (presented by Jayce Rader)

- J. Rader (NE) reported for Midwest Representative Frieberg.
- J. Rader (NE) reported that the Midwest Region met March 13, 2018.
- J. Rader (NE) reported that the Midwest welcomed new Commissioner N. Lawson (OH) who replaced N. Belli, who now works for the Oregon ICJ Office.
- J. Rader (NE) thanked all members who participated in internal training.
- Next meeting June 12, 2018.

East Region (presented by Director Underwood)

- Director Underwood reported for East Region Representative B. Moore.
- Director Underwood reported that the East Region met March 28, 2018. A new East Region representative was elected. R. Moore (MA) replaced M. Genca (CT).
- Director Underwood reported that P. Ottati (NY) plans to retire and a transition plan is being prepared.

Legal Counsel Report (presented by Rick Masters)

- Legal Counsel R. Masters reported that the ICJ Bench Book and Advisory Opinions have been updated.
- Legal Counsel R. Masters reported that he and G. Hartman (WY) have been carefully reviewing issues related to the use of the phrase “danger to themselves or others.” The Court of Appeals of Iowa published an opinion interpreting the rule in 2017. Though it is not binding on other states, it includes helpful analysis.
- Legal Counsel R. Masters noted that he has been working OH Commissioner N. Lawson on a case involving return when charges are pending. This may provide an opportunity to resolve some confusion regarding the issue. He will write a letter to N. Lawson (OH) and the issue may need to be elevated as an Advisory Opinion.
- Legal Counsel R. Masters clarified the election process for region representative terms. Even if a region representative is filling an unexpired term, elections should still be held on the regular schedule.

Victims Representative Report (presented by Trudy Gregorie)

- Victims Representative Gregorie reported that the first week of April is National Crime Victims’ Rights Week. She volunteered to contact the FBI Victim Witness Coordinator section to identify what is the current policy on human trafficking and report at next committee meeting.

Old Business

- Chair Connor thanked everyone for serving as Committee Chairs, Region Representatives and the National Office. The Committee thanked Anne Connor for all her hard work and dedication.

- N. Dalton (VA) brought to the attention of the Executive Committee an issue of American Airlines refusal to fly an ICJ transfer. She suggested continued monitoring of the issue.

New Business

- Chair Connor reminded the Committee that there will be some urgency to organize chair assignments and region representatives after the 2018 Annual Business Meeting due to 2019 being a rules year. She noted that rule proposals are due January 15, 2019.
- Chair Connor asked the Committee if ICJ is providing sufficient guidance to states regarding complex returns. She encouraged the Committee to make any suggestions.
- Legal Counsel R. Masters reported that he has been invited to the ICPC Annual Business Meeting in Seattle, WA. He is willing to gather additional information and resources for ICJ.
- Chair Connor noted that ICJ and the Executive Committee may need to consider the issue of transfers and returns regarding tribal law/issues. T. Gregorie commented that there is a Native American Indian contact at the Justice Department and she volunteered to reach out for information and resources.

Adjourn

- Next meeting is May 24, 2018 @ 11:30 a.m.
- **Chair Connor adjourned the meeting by unanimous consent at 12:55 p.m. EDT.**