



**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes
**September 25, 2017
2:00 p.m. PDT
Marriott Mission Valley
San Diego, California**

Committee Members in Attendance:

1. Traci Marchand (NC) Chair
2. Michael Lacy (WV) Vice Chair
3. Jeff Cowger (KS) Treasurer
4. David Barrett (ME) Finance Committee Chair
5. Shelley Hagan (WI) Technology Committee Chair
6. Anne Connor (NV) Training and Human Trafficking Ad Hoc Committees Chair
7. Julie Hawkins (MO) Rules Committee Chair
8. Maria Genca (CT) East Region Representative
9. Nina Belli (OH) Midwest Region Representative
10. Mia Pressley (SC) South Region Representative
11. Dale Dodd (NM) West Region Representative
12. Rick Masters, Legal Counsel

Committee Members Not in Attendance:

1. Trudy Gregorie, Victims Representative

Guests in Attendance:

1. Harvey Reed (OH)
2. Carla Fults (AAICPC)

ICJ National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Administrative and Logistics Coordinator
3. Jenny Adkins, Project Manager
4. LaVonne Rutten, Training and Technology Coordinator

Call to Order

Chair Marchand called the meeting to order at 2:05 p.m. PDT and welcomed everyone to San Diego.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

A. Connor (NV) made a motion to approve the agenda. D. Dodd (NM) seconded. The motion passed.

Minutes

S. Hagan (WI) made a motion to approve the August 24, 2017 meeting minutes. N. Belli (OH) seconded. The motion passed.

Executive Director Report

Director Underwood reported activities and provided updates on previously reported items since the last Executive Committee meeting as follows:

State Updates and Support

- California appointed Chuck Supple as the Commissioner and Tony DeJesus continues as the full-time designee. Michigan appointed Roy Yapple as Commissioner. Betty Guhman (Arkansas) serves as the ICJ Commissioner as part of her role as the Arkansas Director of Youth Services.
- Due to the hurricanes, Eavey-Monique James (Virgin Islands Commissioner) and Trudy Gregorie (Victims Representative) will not attend the ICJ Annual Business Meeting.

Advisory Opinion #02-2017

- Arizona requested a formal Advisory Opinion regarding whether a juvenile who has been adjudicated delinquent and sentenced to confinement in Iowa may be placed in an Arizona secured facility to serve a court-ordered term of incarceration, with costs to be paid by the State of Iowa.
- The Compact does not prohibit this from happening, but it is outside the scope of the Compact. R. Masters will present a draft Advisory Opinion on this issue for your consideration.

Delta Airlines and Runaways

- Alabama's issue regarding unaccompanied minors on Delta airlines continues. The Executive Committee acknowledged and reported no issue in their respective states transporting unaccompanied minors on Delta airlines.
- Alabama requested assistance in working with Delta Airlines regarding a "secret" policy on limitations for runaways. Pat Pendergast was able to obtain a copy of the policy. R. Masters has contacted Delta's Legal Department and will provide an update.

New Website

- The new website was launched on August 28, 2017. The website was moved to a Drupal format which gives it a fresh new look and reduces the annual costs to \$8,334 per year. We are continuing to make improvements on content and welcome feedback.

Resources

- Annual Report – A copy of the Annual Report is in the back pocket of your binder. A digital copy is also available on the website. The larger font size increased accessibility to all.
- Bench Card – An updated Bench Card is available with standardized language and titles.

- To date, the House and Senate passed similar bills. The House version would phase out the Valid Court Order exception, with a 15-day exception for ICJ cases. The Senate version does not change the current Valid Court Order provision. This difference between the bills has to be resolved before anything can be finalized.

Fiscal Management

- We have reinitiated our investment strategy so that funding is transferred each month from savings to long-term investments. The first automated transfer should occur today.

The Big Review

- After the Annual Business Meeting, we will begin updated all trainings, resources and website to reflect the approved rule amendments. Over 80 documents will need to be reviewed which includes a comprehensive review of previously published advisory opinions and best practices to address any confusing footnotes added to address rule changes. R. Masters will assist the national office in updating these documents.

Chair Report

Fiscal Year 2018 Dues

- To date, the national office has received dues for 42 member states and will continue communication with the remaining members for payment.

Partnership with CJJ

- Chair Marchand will present ICJ October 23 at 3:00 p.m. EDT via a Coalition for Juvenile Justice (CJJ) webinar. Additionally, CJJ will release a white paper regarding ICJ in October.

2017 Annual Business Meeting

- The 2017 ABM had the largest registration since 2008 as outlined below. Iowa is the only member attending without an official voting proxy.

107	TOTAL
51	Members (Virgin Islands cancelled)
5	National Office Staff & Rick Masters
5	Ex Officios (Trudy Gregorie cancelled)
4	Presenters
42	Others

Compliance Committee Report

- Commission Chair Marchand updated that Compliance Committee has not met nor have there been any issues brought before committee. The 4th Quarter PMA will be conducted in September. Vice Chair Lacy will provide the Compliance Committee Report at the General Session.
- A proposed sanctions guideline will be presented for discussion in the region meetings tomorrow. A volunteer from each of the four regions that serves on the Compliance Committee will present the draft sanctioning guidelines for feedback.
- The Executive Committee discussed the purpose of the presentation and agreed that the purpose is transparency and suggestions for improvement to the form and not for a vote

of approval. Director Underwood will update the talking points for clarity and provide a copy to each of the representatives.

Finance Committee Report

- Chair Barrett reported that the Finance Committee has not met since the last meeting. The Fiscal Year 2017 Finance Report will include a summary of FY 17.
- Chair Barrett reported that FY 18 budget was amended to include a special project line item in the amount of \$150,000 requested input on how to proceed.
- M. Pressley (SC) suggested using a group of Finance Committee members to lead a sub-committee to work on the special projects. The Executive Committee discussed ideas and agreed that moving to a case management system would consume most of the reserve. R. Masters commented on the Commission's fiduciary responsibility and duty to do what is the best interest of the organization. Initially, a forms management system was all ICJ could afford and made that determination with plans to move to a more robust system in the future when funds were available.
- C. Fults shared that ICPC is implementing a case management system and received close to \$6 million in grants.

Information Technology Committee Report

- Chair Hagan had nothing new to report from the Technology Committee since the last meeting. There have been a few JIDS uses and J. Adkins continues to troubleshoot any JIDS issues and respond to users in a timely manner.

Rules Committee Report

- Chair Hawkins reported the Rules Committee has not met since the last meeting however five members has been busy preparing for the Rule Amendments Training Session. Additionally, proposed rule amendments approved in the General Session Wednesday, will go into effect March 1, 2018.

Training, Education and Public Relations Committee Report

- Chair Connor presented that the Training Committee's recommended draft *States in Transition Template* and recommendation that the complete forms be housed with their respective region representative who serve as a point of contact within their region. Completion of the form is not required, but offered as a tool to assist states when there is an anticipated or unanticipated change in staff and aligned to the Commission's strategic initiatives.
- The Executive Committee discussed the form and agreed to modifications as stated below:
 1. Add a 'completed by' and date on the form
 2. Change "state national data system" to "how are cases routed within your state"
 3. Question #13 "who in your state covers the daily operations of the ICJ"
 4. Change from bifurcated to "Does your state have separate probation and parole ICJ offices"
- **M. Lacy (WV) made a motion to adopt the states in transition information template as modified to be used at the discretion of the state and to be maintained by the regional representatives. M. Genca (CT) seconded. The motion passed.**
- Chair Connor reported that presenters have been busy preparing for the training sessions tomorrow. A new addition in this year's docket book is a Continuing Education Credit Form. Attendees may use the form and education credit within their state as applicable.

- The TJCSA Future Conference 2017 was held August 13-16 in Nashville, Tennessee. Chair Connor and TN Commissioner Smith presented a training session on ICJ. Additionally, Chair Connor, Tennessee Compact staff, and the National Office Training Coordinator staffed two exhibit booths (one sponsored by ICJ and one sponsored by TN Children Family Services). The exhibits and training sparked interest and better understanding of ICJ. Chair Connor attested to the positives and encouraged all states hosting a juvenile conference to provide a similar set up.
- R. Masters will be presenting at the Hawaii Judiciary Symposium on September 29, 2017. Anne Conner will join in the presentation remotely via WebEx.
- Proposals to two of NCJFCJ 2018 Conferences have been submitted;
 - Conference in March is in San Diego, CA
Training: Interstate Compact for Juveniles 101: Runaways, Returns and More
 - Conference in July is in Denver, Colorado
Training: Get the Most Out of ICJ and Technology Resources

Human Trafficking Ad Hoc Committee

- Chair Connor reported that the Human Trafficking Ad Hoc Committee has not met since the last Executive Committee meeting; however, she advocates that the ad hoc committee continue to meet in 2018 to review information on the subject of human trafficking and how states are addressing the issue.

East Region Report

Representative Genca stated that the East Region had not met since the last Executive Committee meeting.

Midwest Region Report

Representative Belli stated that the Midwest Region had not met since the last Executive Committee meeting.

South Region Report

Representative Pressley stated that the South Region had not met since the last Executive Committee meeting.

West Region Report

Representative Dodd stated that the West Region had not met since the last Executive Committee meeting.

Legal Counsel Report

Advisory Opinion 02-2017: Out-of-State Juvenile Sentenced to Incarceration

- The ICJ does not prohibit a juvenile who has been adjudicated delinquent and sentenced to a period of confinement in Iowa from being placed in out-of-state correctional facilities in Arizona to serve a court ordered term of incarceration. However, the ICJ does not apply to such juveniles because their status as 'incarcerated' means they are not subject to the ICJ.
- N. Belli (OH) noted that Rule 4-102 (2)(f)(i) and the criteria for transfer of supervision cases may be helpful if referenced in the Advisory Opinion. R. Masters suggested adding this reference to the end of the first paragraph and believed that was the original intent. M. Lacy (WV) noted he did not interpret incarceration as fitting under Article I as “special services”. R. Masters agreed to amend his advisory opinion.

- **M. Lacy (WV) motioned to adopt the ICJ Advisory Opinion 02-2017: Out-of-State Juvenile Sentenced to Incarceration as revised. S. Hagan (WI) seconded the motion. M. Pressley (SC) and S. Hagan (WI) abstained. The motion passed.**

Airport Supervision

- R. Masters reported that attorneys with Delta Airlines Legal Department indicated Delta's policy did not prohibit unaccompanied minors from traveling on Delta Airlines, even on connecting flights. Nonetheless, Pat Pendergast obtained a copy of a policy provided to airline staff stating you can only have an unescorted minor on a direct flight.
- R. Masters contacted a Delta Airlines Attorney who provided the contact of Kia Adams. Ms. Adams said she was going to check on the issue. To date, a response has not been received; however, he is prepared to reference the ICJ Rules and resolve the issue.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- Chair Marchand thanked the Executive Committee and the national office staff for their dedication to the Commission during her tenure and that she is not seeking re-election as Chair.
- **Chair Marchand adjourned the meeting without objection at 4:24 p.m. EDT.**