



**INTERSTATE COMMISSION FOR JUVENILES**  
**South Region Meeting**  
*Minutes*

May 24, 2017  
11:00 a.m. EDT

---

**Commissioners/Designees in Attendance:**

1. Mia Pressley (SC) Representative
2. Patrick Pendergast (AL) Designee
3. Judy Miller (AR) Designee
4. Bruce Wright (DC) Commissioner
5. Amy Welch (KY) Commissioner
6. James Bueche (LA) Commissioner
7. Maxine Baggett (MS) Designee
8. Julie Hawkins (MO) Commissioner
9. Robert Hendryx (OK) Designee
10. Cathlyn Smith (TN) Commissioner
11. Daryl Liedecke (TX) Commissioner
12. Natalie Dalton (VA) Commissioner
13. Randall Wagner (WV) Designee

**Commissioners/Designee Not in Attendance:**

1. Agnes Denson (FL) Commissioner
2. Avery Niles (GA) Commissioner
3. Sherry Jones (MD) Commissioner
4. John Davis (MS) Commissioner
5. Traci Marchand (NC) Commissioner
6. Steven Buck (OK) Commissioner
7. Michael Lacy (WV) Commissioner

**Compact Staff in Attendance:**

1. Kaki Sanford (AL)
2. Jefferson Regis (DC)
3. Onome Edukore (FL)
4. Tracy Cassell (GA)
5. Tricia Phillips-Williams (GA)
6. Angela Bridgewater (LA)
7. Yolonda Latimer (LA)
8. Kimberly Dickerson (LA)
9. Courtney Holderman (LA)
10. Rachel Johnson (NC)
11. Richetta Johnson (VA)

**Guest in Attendance:**

None

### **National Office Staff in Attendance:**

1. MaryLee Underwood, Executive Director
2. Emma Goode, Administrative and Logistics Coordinator
3. Jennifer Adkins, Project Manager

### **Call to Order**

Representative Pressley called the meeting to order at 11:01 a.m. EDT.

### **Roll Call**

Director Underwood called the roll and a quorum was established.

### **Agenda**

**R. Wagner (WV) made a motion to approve the agenda. N. Dalton (VA) seconded. The motion passed.**

### **Minutes**

**J. Miller (AR) made a motion to approve the February 15, 2017 meeting minutes. J. Bueche (LA) seconded. The motion passed.**

### **Discussion**

#### **Executive Committee Update**

- Representative Pressley welcomed the new ICJ Executive Director MaryLee Underwood to the South Region meeting.
- Director Underwood briefed on her education and experience which has included social work, Staff Attorney for the Kentucky Association of Sexual Assault Program, and most recently the Executive Director to the Commonwealth Council on Developmental Disabilities.

#### **Reauthorization of the JJDP A**

- Director Underwood updated that the Reauthorization of the Juvenile Justice Delinquency Prevention Act (JJDP A) has been refiled with the same language as last year that included the ICJ 15 day detainment exception. The House Bill #1890 has passed the House. SB #860, a companion bill, is well-positioned to pass the Senate on a consent docket. The bill would phase out the valid court order exception and a couple Senators have voiced opposition to that portion of the bill. While ICJ prefers an exception greater than 15 days, complications to the passage could have an adverse effect on states' funds that also are included in the legislation. The Executive Committee reaffirmed the 2016 agreement to limiting the secured detention exception in the JJDP A amendment to 15 days. Additionally, President Trump's proposed 2017 Budget recommends the same funding for JJDP A appropriations as the 2016 Budget.
- Representative Pressley provided the following updates from the Executive Committee:
  - The FY18 dues invoices have been mailed; please contact the national office should your state's accounts payable need additional information to process payment as a result of ICJ's de-affiliation from the Council of State Governments (CSG).
  - The 2017 Annual Business Meeting is September 25-27 in San Diego, California. Registration will open July 1 and the agenda is posted on the

website. The Training Committee is preparing the training sessions and a judicial panel discussion is planned during the General Session.

- Representative Pressley acknowledged Jenny Adkins' responsive assistance to the JIDS users at the onset of the JIDS upgrade roll out. As with most software upgrades unanticipated issues arise when rolling from the testing environment to the live environment. JIDS users are requested to complete a JIDS helpdesk ticket should additional issues occur.
- Morgan Wolford is working on the new JIDS workflow guides until the training coordinator position is filled which should be soon.
- New legal advisory opinion #01-2017 was approved and is posted on the website entitled: Demanding/Sending State's Authority to seek return of a juvenile in cases where charges are pending in the Receiving/Holding State under ICJ Rule 7-103.

## **2017 Rule Proposals**

### **Rule 1-101 Definitions: Deferred Adjudication**

- Representative Pressley briefed that the proposed amendment to Rule 1-101 Definitions: Deferred Adjudication better clarifies the term.

### **Rule 1-101 Definitions: Non-Adjudicated Juveniles**

- Representative Pressley briefed that the term non-adjudicated juveniles is proposed for elimination from the rules as non-adjudicated juveniles are not subject to the Compact.

### **Rule 1-101 Definitions: Runaway**

- Representative Pressley briefed that the proposed amendment to the definition of runaway provides clarity to determine whether the juvenile is an absconder or a runaway.

### **Rule 2-103: Adoption of Rules and Amendments**

- Representative Pressley highlighted the proposed language in paragraph 10 to change must to shall. The deletion of paragraph 10(d) is proposed as it is repetitive to paragraph 10(a).

### **Rule 2-104: Communication Requirements between States**

- Representative Pressley commented that the proposal in paragraph 2 clarifies what the Compact must do and shall do.

### **Rule 2-105: Victim Notification**

- Representative Pressley commented that the proposal in paragraph 2 also clarifies what the Compact must do and shall do.

### **Rule 4-102: Sending and Receiving Referrals**

- Representative Pressley commented that the new proposed additional language in paragraph 3 states that receiving states *will* assist with the obtaining of the juvenile's signature on the Form IA/VI in instances when juvenile relocates prior to signing the form in the sending state. Should the rule pass, the Advisory Opinion #02-2015 and the 2012 Best Practice would require updating.
- J. Miller (AR) supported the proposal noting that in many instances juveniles leave early and some of the receiving states will not accept supervision until the form is fully executed.

**Rule 4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders submitted by the East Region**

- Representative Pressley referenced the justification and summarized her understanding to be that reporting instructions would come from the receiving state within five business days and then the sending state would send the transfer packet negating the need for the approval process for expedited transfers.
- J. Hawkins (MO) noted that the East Region submitted three rule proposals around reporting instructions. The Rules Committee did not recommend for adoption the proposal regarding the travel permit nor the adoption of the definition of reporting instructions. The Rules Committee did not take a position on this proposal as it deals with juvenile sex offenders.

**Rule 4-104: Authority to Accept/Deny Supervision**

- Representative Pressley commented that the proposal clarifies that the five business days refers to the return of the juvenile not making the travel arrangements.

**Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking**

- Representative Pressley highlighted the proposed changes throughout Rule 5-103.
- J. Hawkins (MO) commented that the proposed language in paragraph 2 is to clarify that a *response* from the sending state is requested only when a revocation or discharge is recommended. J. Miller (AR) commented that typically completion takes more than 10 business days.
- The South Region discussed without consensus whether or not a *response* could be a notice of action in progress, an expected date of completion, or that supervision should continue until completed.
- J. Hawkins (MO) commented that the phrase “*up to an additional five (5) business days*” was proposed for consistency throughout the rules.
- Representative Pressley noted the proposed deletion of paragraph 3(e) is merely a relocation of the language to Rule 7-106 as section 700 applies to both section 500 and 600.

**Rule 5-104: Closure of Cases**

- Representative Pressley highlighted the proposed new paragraph 6 to Rule 5-104.
- J. Hawkins (MO) commented that the new proposed paragraph is to clarify that an ICJ case may be closed when it is known that a juvenile is going to be admitted into a residential treatment facility in excess of 90 days. The South Region discussed and agreed that it would be the responsibility of the sending state to submit a new referral at the release of the juvenile from the facility.

**Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders**

- Representative Pressley commented that the proposal in paragraph 3 clarifies what the Compact must do and shall do. The proposed deletion of paragraph 10 is a relocation of the language to Rule 7-106 as section 700 applies to both section 500 and 600.

**Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders**

- Representative Pressley commented proposed deletion of paragraph 10 is a relocation of the language to Rule 7-106 as section 700 applies to both section 500 and 600. Again, the phrase “*up to an additional five (5) business days*” is being proposed for consistency throughout the rules.

**Rule 7-101: Financial Responsibility**

- Representative Pressley commented again the phrase “*up to an additional five (5) business days*” is proposed for consistency throughout the rules. Additionally, the proposed amendment to paragraph 2 is for clarity that holding states are not eligible for financial reimbursement for the transportation of juveniles.

**Rule 7-103: Charges Pending in Holding/Receiving State**

- Representative Pressley presented the proposed addition of “*and demanding/sending*” to ensure that both compact offices are involved in the decision to return juveniles with pending charges in the holding state.
- N. Dalton (VA) voiced concern to the term “state” versus “compact office”. Recently a Virginia defense attorney interpreted “state” to mean “court” and juvenile returned without the consent of the two ICJ Compact offices who agreed that the juvenile should not be returned until the pending charges were resolved in Virginia.
- J. Hawkins (MO) updated that the Rules Committee opposed the term *Compact office* contending that the ICJ Compact office does not have authority over the Court and welcomed comments suggestions for improved language during the comment period.

**Rule 7-104: Warrants**

- Representative Pressley made the following comments on the proposed amendment. Paragraph 2 implies that the juvenile will be placed in custody within the next business day.
- Representative Pressley commented that often Judges release juveniles with an active pickup order or warrant in and suggested that the language be amended whereby the holding state cannot release the juvenile unless: (1) the terms of the Compact are followed or (2) the warrant is withdrawn. J. Bueche (LA) agreed. Representative Pressley encouraged states to comment on this proposal and offer suggested language to address the issue.

**Rule 7-106: Transportation**

- Representative Pressley highlighted the proposed amendment. J. Hawkins (MO) commented that the new paragraph 7 is the language proposed for deletion in Rule 5-103, Rule 6-103, and Rule 6-103A and relocated to section 700 which applies to both the 500 and 600 sections.

**Rule 8-101: Travel Permits (by the Rules Committee)**

- Representative Pressley commented that the proposed amendments to Rule 8-101 clarify when travel permits must be used and when travel permits may be used for notification.

**Rule 8-101: Travel Permits (by the East Region)**

- Representative Pressley summarized the amendment to Rule 8-101 from the East Region proposes that the receiving state submit reporting instructions to the sending state within five business days of receipt of the Form VII for testing placement. It was the understanding of the South Region that this would, in essence, be providing supervision prior to the official acceptance of supervision, which may or may not be approved.
- J. Hawkins (MO) commented that the Rules Committee did not recommend the proposal for adoption. The committee had concerns to mandating receiving states to supervise prior to the official acceptance; further, states may at their own discretion perform such preliminary supervision without mandating in the rules.

**New Rule 2-106: Request for Juvenile Information**

- Representative Pressley presented the proposed new Rule 2-106 regarding the sharing of information which stemmed from discussions last year which prompted Advisory Opinion #01-2016.
- J. Hawkins (MO) commented that currently the rules are silent on the matter therefore the Rules Committee is proposing a rule that states *may* share basic limited information to ICJ Compact offices when they are processing a juvenile with history in another state.
- Representative Pressley voiced concern that the rule proposal does not state “juveniles subject to the compact”.
- J. Miller (AR) spoke in support of the proposal.

### **New Rule 1-101: Reporting Instructions (by the East Region)**

- Representative Pressley presented the East Region’s new rule proposal to define the term *reporting instructions* which is proposed in conjunction to their other two rule proposals (Rule 4-103 and 8-101).
- J. Hawkins (MO) noted that this proposal was not recommended by the Rule Committee.

### **State Updates**

- N. Dalton (VA) introduced new Virginia Compact office staff Richetta Johnson.
- A. Bridgewater (LA) introduced Kimberly Dickerson, DCA, in Louisiana.
- J. Hawkins (MO) announced Deanna Distler will be assisting with travel permits in Missouri.
- T. Cassell (GA) introduced Tricia Phillips-Williams as the new Director of Operations for the Division of Community Services.

### **Old Business**

There was no old business.

### **New Business**

- Representative Pressley updated that the Technology Committee has approved a modification to the Final Travel Plan form which is out for comment by the Executive and Rules Committees until mid-June.
- **J. Bueche (LA) made a motion the South Region would not meet in August; the next meeting will be September 26, 2017 during the 2017 Annual Business Meeting in San Diego, California. R. Hendryx (OK) seconded. The motion passed.**

### **Adjourn**

- **Representative Pressley adjourned the meeting by unanimous consent at 12:18 p.m. EDT.**