



INTERSTATE COMMISSION FOR JUVENILES
Compliance Committee Meeting

Minutes
May 5, 2017
2:00 p.m. EDT

Committee Members in Attendance:

1. Michael Farmer (CA) Chair
2. Amy Howell (KY) Commissioner
3. Dave Barrett (ME) Commissioner
4. Dale Murray (MI) Commissioner
5. Cindy McKenzie (MT) Commissioner
6. Shelley Hagan (WI) Commissioner
7. Gary Hartman (WY) Commissioner
8. Angela Bridgewater (LA) Ex Officio

Committee Members Not in Attendance:

1. Jacey Nordmeyer (NE) Commissioner
2. Natalie Dalton (VA) Commissioner
3. Mike Lacy (WV) Commissioner
4. Jen Baer (ID) Ex Officio

Guests in Attendance:

1. Rick Masters, Legal Counsel

National Office Staff in Attendance:

1. Emma Goode, Administrative and Logistics Coordinator
 2. MaryLee Underwood, Executive Director
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Call to Order

Chair Farmer called the meeting to order at 2:02 p.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

C. McKenzie (MT) made a motion to approve the March 23, 2017 meeting minutes. G. Hartman (WY) seconded. The motion passed.

Discussion

Outstanding 2016 State Council Reports

- Chair Farmer updated that all 2016 State Council Reports have now been submitted to the national office and no further action by the Compliance Committee is required.

2017 Performance Measurement Assessment (PMA)

- Chair Farmer presented an overview of the first and second quarter Performance Measurement Assessment (PMA) results. Below is the average percentage score for each of the five standards assessed:

Standard #1	Rule 4-102 (b)	42%
Standard #2	Rule 4-102 (d)	85%
Standard #3	Rule 4-102 (g)	75%
Standard #4	Rule 4-103 (b)	70%
Standard #5	Rule 5-102 (a)	98%

- Chair Farmer updated that he, Rules Committee Chair Hawkins, and Jenny Adkins discussed the contributing factors for the low scores for standard #1 assessed via JIDS and attributing the low average in part to: 1) only 2 or 3 qualifying cases; and 2) JIDS pulls the the anticipated placement date on the Form IV to determine if transfer forms were filed within 45 calendar days. This date is incorrect if the date is entered incorrectly, the anticipated date changes, or the transfer occurs early and the Form IV is not updated.
- The Compliance Committee discussed how to implement a performance measurement standard that measures the intent of the rule which is that the juvenile is accepted for supervision prior to the juvenile transferring. Director Underwood commented that compliance monitoring can reveal discrepancies in both the language of the standard and the language of the rule.
- The Compliance Committee agreed that the current standard as written is not measuring the intent of the rule and discussed amending the language in the standard to include “anticipated” arrival as stated in Rule 4-102. Any change in the language of this standard half way through the assessment could have negative implications; therefore, the Compliance Committee reached a consensus to exclude this standard from the 2017 PMA.
- **S. Hagan (WI) made motion to suspend the 2017 Performance Measurement Assessment Standard (#1) for Rule 4-102 (b) due to unexpected difficulty in measuring the rule’s performance in JIDS. D. Barrett (ME) seconded. The motion passed.**
- Chair Farmer summarized that standard #1 will be eliminated from the first and second quarter PMA results and will not be measured in the third and fourth quarter PMAs.
- The Compliance Committee deferred discussion of the PMA standards to the next meeting. D. Barrett (ME) requested that the committee be provided with details on the issues identified in each of the standards contributing to the low percentage score prior for the discussion at the next meeting. The Compliance Committee agreed and requested that the next meeting be scheduled for two hours.

Non-Compliance Matrix – ICJ Sanctioning Guidelines Policy

- Chair Farmer provided the history on the ICJ sanction guidelines administrative policy developed by the Compliance Committee in 2016 which was rejected by the Executive Committee.
- D. Barrett (ME) questioned the monetary amounts proposed in the draft sanctions policy and requested Legal Counsel’s recommendation on the assessment and enforceability. R. Masters commented that committee recommendations could be considered arbitrary and

rules have the force of law. He recommended staying the course with a sanctions guideline. S. Hagan (WI) questioned whether or not ICAOS included their sanction guidelines in a rule. R. Masters clarified that the ICAOS sanctions guidelines are in play however not a part of their rules. Any financial penalty assessed for non-compliance is seldom imposed as the issue is typically resolved and the fine abated.

- Chair Farmer recalled the primary reason for the rejection last year was concern to endorsing large financial penalties for violations, particularly the Type II violation (late quarterly progress reports). The sanctions guideline is a tool for the Compliance Committee which lessens imposing an arbitrary monetary amount for non-compliance and also serves to assist states in understanding the seriousness of adhering to the ICJ rules and policies.
- The Compliance Committee supported resurrecting an amended version of the sanctions guideline policy and instructed the national office to remove the reference to “policy” and the date, and to add a “draft” watermark.
- Chair Farmer will update on the sanctions guideline in his report to the Executive Committee in May and include the suggestion that the regions add the item to their region meeting agendas at the ABM.

Old Business

No Old Business.

New Business

No New Business.

Adjourn

- The national office will poll for the next meeting date for a 2 hour meeting.
- **Chair Farmer adjourned the meeting without objection at 3:21 p.m. EDT.**