



**INTERSTATE COMMISSION FOR JUVENILES
Compliance Committee Meeting**

Minutes
**November 9, 2016
2:00 p.m. EST**

Committee Members in Attendance:

1. Michael Farmer (CA) Chair
2. Dave Barrett (ME) Commissioner
3. Cindy McKenzie (MT) Commissioner
4. Jacey Nordmeyer (NE) Commissioner
5. Natalie Dalton (VA) Commissioner
6. Mike Lacy (WV) Commissioner
7. Shelley Hagan (WI) Commissioner
8. Gary Hartman (WY) Commissioner
9. Jen Baer (ID) Ex Officio
10. Amy Howell (KY) Ex Officio
11. Angela Bridgewater (LA) Ex Officio

Committee Members Not in Attendance:

1. Linda Kiyotoki (HI) Designee
2. Dale Murray (MI) Commissioner

Guests in Attendance:

None

National Office Staff and Legal Counsel in Attendance:

1. Ashley Lippert, Executive Director
 2. Emma Goode, Administrative and Logistics Coordinator
 3. Shawn Robinson, Training and Administrative Coordinator
 4. Richard Masters, Legal Counsel
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Call to Order

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

Roll Call

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

Agenda

**J. Nordmeyer (NE) made a motion to approve the agenda. S. Hagan (WI) seconded.
The motion passed.**

Minutes

J. Nordmeyer (NE) made a motion to approve the June 13, 2016 meeting minutes. N. Dalton (VA) seconded. The motion passed.

Discussion

Illinois-Oklahoma

- Chair Farmer presented a compliant Illinois filed against Oklahoma along with supporting documentation, a response letter from Oklahoma and a letter from ICJ Legal Counsel to the Commissioner of Oklahoma. Illinois filed a complaint involving the return of an Illinois juvenile for whom a requisition for the return of said juvenile was issued by the State of Illinois. Instead of honoring the requisition, as required by ICJ Rule 6-103, the Judge, in violation of the ICJ rules and Oklahoma law (the ICJ statute), allowed a guardianship petition to be filed instead of ordering the immediate return of the runaway to the State of Illinois. Chair Farmer updated that the issue was presented to the Executive Committee at their October meeting to expedite a resolution as the matter is set for further review by the Oklahoma judiciary on November 18. The Executive Committee found Oklahoma in default of the Compact. The Executive Committee authorized Richard Masters, Legal Counsel, to issue a default letter to Oklahoma outlining the corrective actions to cure the default prior to November 18, 2016.
- Chair Farmer presented the matter to the Compliance Committee for a penalty recommendation should the default not be corrected within the established timeframe. A. Lippert updated that Oklahoma has acknowledged receipt of Legal Counsel's letter. R. Masters advised that ICJ has the authority to assess a penalty ranging from a fine to legal action.
- G. Hartman (WY) agreed to assess a penalty should the default not be corrected. Additionally, he noted that Oklahoma could file an ethics violation against the Judge for failing to follow the ICJ Rules which is in accordance with the judge's oath of office.
- R. Masters summarized that the Oklahoma Juvenile Justice Department and their state's attorney acknowledged that the Judge had violated the Compact. On November 18, the Judge could overturn her decision and honor the requisition. If not, the Oklahoma Juvenile Justice Department may decide to appeal and seek the assistance of ICJ in preparing the brief. Additionally, ICJ may decide to take action against Oklahoma for violation of the Compact in the U.S. District Court. Due to the short time span between November 18 and the next Executive Committee meeting on December 8, R. Masters advised that the Compliance Committee make a recommendation today to present to the Executive Committee on December 8.
- The Compliance Committee discussed a financial penalty and further action should the default not be remedied and agreed that the penalties would be abated should the default be remedied on or before November 18.
- **M. Lacy (WV) made a motion to recommend to the Executive Committee that Oklahoma be fined \$25,000 should the default not be remedied by November 18, 2016. D. Barrett (ME) seconded. The motion passed.**
- **M. Lacy (WV) made a motion to recommend to the Executive Committee to authorize Richard Masters, Legal Counsel, to assist Oklahoma with the appeal process and to file briefs as appropriate on behalf of ICJ. N. Dalton (VA) seconded. The motion passed.**

Pennsylvania Vacant Commissioner Position

- Chair Farmer reported that Pennsylvania's Commissioner Position remains vacant. A. Lippert updated on communications with Pennsylvania since July 2016. The new Commissioner has been identified and awaits official appointment by the Governor. The Commissioner Appointment Enforcement Policy is similar to the Dues Enforcement Policy whereby after 120 days the matter is presented to the Compliance Committee for further action.
- The Compliance Committee discussed and agreed that Legal Counsel should write a letter advising the state to appoint a Commissioner within thirty (30) days of receipt of the letter or incur legal action.
- **M. Lacy (WV) made a motion to recommend that the Executive Committee authorize Richard L. Masters, Legal Counsel, to write a follow up letter to the Governor of Pennsylvania to make the appointment within 30 days to avoid further legal action. J. Nordmeyer (PA) seconded. The motion passed.**

Outstanding FY17 Dues

- Chair Farmer reported that prior to the meeting the State of Illinois was past due on their FY17 Dues. A. Lippert updated that currently no states are in default for payment of dues as Illinois remitted payment for their 2017 dues. Dues from three states operating on the October 1 – September 30 fiscal year have not been received and were issued a 30 day notice letter on November 1, 2016.

2017 Performance Measurement Standards

- Chair Farmer presented all Performance Measurement Standards which could be assessed and asked the Compliance Committee to review prior to the next meeting. Chair Farmer highlighted the standards assessed in 2015 and projected for 2017. The task is to review the wording of each standard to ensure it captures the measurement assessment for which is it intended.

Old Business

- There was no old business.

New Business

- There was no new business.

Adjourn

- The next Compliance Committee meeting will be determined at a later date.
- **Chair Farmer adjourned the meeting without objection at 2:27 p.m. EST.**