

INTERSTATE COMMISSION FOR JUVENILES

East Region Meeting Minutes

June 13, 2024

11:00 a.m. ET

Via Zoom



Preliminary Business

Call to Order

Regional Representative C. Bickford (NH) called the meeting to order at 11:04 a.m. ET.

Roll Call

Director Underwood called the roll, and a quorum was established.

Voting Commissioners/Designees in Attendance:

1. Caitlyn Bickford (NH), Commissioner, Regional Representative
2. Trissie Casanova (VT), Designee, Alternate Regional Representative
3. Tasha Hunt (CT), Commissioner
4. Becki Moore (MA), Commissioner
5. A. Roy Curtis (ME), Commissioner
6. James Maloney (NY), Designee

Compact Staff in Attendance:

1. Nordia Napier (CT)
2. Cecily Rexach (CT)
3. Erin Breitigan (DE)
4. Donna Reed (MA)
5. Shyra Bland (NJ)
6. Kelly Palmateer (NY)
7. Shaina Kern (NY)

Voting Commissioners/Designees Not in Attendance:

1. Francies "Mike" Casey (DE), Commissioner
2. Christine Norris (DE), Designee
3. Jennifer LeBaron (NJ), Commissioner
4. Edwin Lee, Jr. (NJ), Designee
5. Dr. DaMia Harris-Madden (NY), Commissioner
6. Wendy Lautsbaugh (PA), Commissioner
7. Jessica Nash (RI), Commissioner
8. William Dolan (RI), Designee
9. Eavey Monique-James (VI), Commissioner

Compact Staff Not in Attendance:

1. Bob Lemieux (MA)
2. Kara Buxton (NH), Compact Administrator
3. Erin Laskowski (NH)
4. Shaina Kern (NY)
5. Raymond Tashjian (NY)
6. Pam Weinman (NY)
7. Amanda Behe (PA)
8. Natalie Mwaniki (PA)
9. Vaughn Walwyn (VI)

National Office Staff in Attendance:

- 1. MaryLee Underwood, Executive Director
- 2. Amanee Cabbagestalk, Training and Administrative Specialist
- 3. Jenny Adkins, Operations and Policies Specialist
- 4. Joe Johnson, System Project Manager

Agenda

R. Curtis (ME) made a motion to approve the meeting agenda as corrected. T. Hunt (CT) seconded the motion. Representative C. Bickford (NH) approved the agenda by unanimous consent without objection.

Minutes

R. Curtis (ME) made a motion to approve the April 11, 2024, meeting minutes. T. Casanova (VT) seconded the motion. Representative C. Bickford (NH) approved the minutes by unanimous consent without objection.

Check-ins

- Representative C. Bickford (NH) initiated a check-in activity for the region members to share updates from their state.
- T. Casanova (VT) reported that some members of the Vermont legislature are pushing to raise the age of criminal responsibility, which would result in more youths being processed through the juvenile justice system. However, since issues remain regarding places to detain youth, the “raise the age” legislation is currently on pause.

Unfinished Business

Discuss language on Form I, II, and III when a juvenile is not returning to the home state, as well as possible conflict with “best interest” language on Form III

- Representative C. Bickford (NH) shared that Vermont initially brought this issue forward and asked T. Casanova to provide more details.
- T. Casanova (VT) said that there are two separate issues:
 - First, the [ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile](#), (see image below) states the holding state judge agrees that it is in the juvenile’s best interest to return to the home state. She stated that this conflicts with other rules.

(Judge / Court name) (Court of Jurisdiction in Holding State)

having informed the juvenile named above of his her rights under the Interstate Compact for Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to:

(Legal Guardian, Custodial Agency, or Demanding Court/Agency seeking return)

(Contact Name) (Phone #) (City) (State)

is appropriate and in the best interest of said juvenile, and do so order such return.

(Date) (Judge / Court Signature)

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- Secondly, she described a scenario wherein a youth was placed out of state via the Interstate Compact on the Placement of Children (ICPC), then was charged with a delinquent act in a third state. The ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile, does not account for the youth to be placed in a separate state that was not initially involved as the sending, receiving, or current holding state. She said that the [Juvenile Rights Form for Consent for Voluntary Return of Out of State Juvenile](#) is the only

form that allows the ICJ Office to indicate that the juvenile is not returning to the home state.

- Representative C. Bickford (NH) asked members to share their thoughts regarding potential rule conflicts with the first issue, related to the form language.
- S. Bland (NJ) agreed with Vermont that the form language conflicts with the ICJ Rules.
- R. Curtis (ME) stated that he discussed the form with Technology Committee Chair Torres, but they decided that the issue would be better addressed by the Rules Committee.
- Director Underwood explained according to [ICJ Administrative Policy 02-2020: Information System Modifications](#), the Technology Committee has jurisdiction over ICJ Forms. She also noted that the ICJ Rules do not address whether the court should determine what is in the “best interest” of the youth, but do establish the purpose of the holding state hearing is to determine entitlement to the juvenile. Further, she explained that the ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile, language regarding “best interest” may have been carried-over from the original Interstate Compact on Juveniles, under which the best interest of the youth was more routinely considered by holding state judges. She explained that judges typically apply a “best interest” standard as a general legal principle, and that it may be helpful for the Commission to determine a stance whether the standard should be applied.
- T. Casanova (VT) said that if the ICJ Rules do not indicate that the holding state judge considers the best interest of the youth, then the form should not contain such language. She said that it can be difficult for the holding state to know if the home state is investigating the safety of the home to which the youth is returning.
- Representative C. Bickford (NH) asked if it would be appropriate to refer ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile, to the Technology Committee.
- Director Underwood explained that it would be appropriate and added that the Rules Committee could also review the form language for consistency with the ICJ Rules.
- Representative C. Bickford (NH) brought up the second issue relating to a voluntary return when a juvenile does not return to the home state.
- T. Casanova (VT) explained a scenario in which the attorney reviewed the ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile, with the youth, but the form did not contain the necessary information to adequately inform the juvenile that they were being returned to a third state, not the home state.
- R. Curtis (ME) suggested that the issue be reviewed by the Rules Committee, then the Technology Committee, or perhaps as a collaborative review by both committees.
- Representative C. Bickford (NH) agreed and led the region through a review of Rule 6-104: ICPC Recognition to determine if that rule provided any clarity.
- Director Underwood said that the ICJ Rules do not address situations wherein youths are returned to third states, or when they stay in the state where they are picked-up. She suggested this may be a gap in the ICJ Rules.
- T. Casanova (VT) agreed that the ICJ Rules do not speak to these situations, and that the ICJ Forms should be clear about the state to which the youth is being returned in order to protect the youth’s due process rights.
- Representative C. Bickford (NH) said both issues could be referred to the Rules and Technology Committees. She added that another option would be for the region’s existing Subcommittee on Non-delinquent Returns to review the issues and send recommendations to the Rules Committee.
- R. Curtis (ME) reminded members that committee meetings are winding down this year, with June or July being the last meetings prior to the 2024 Annual Business Meeting.
- Representative C. Bickford (NH) suggested that the East Region Subcommittee Non-delinquent Returns should review these issues.

- T. Casanova (VT) said that these issues pertain to both non-delinquent and delinquent youth, and are likely to lead to rule proposals. She agreed to add the issue to the next subcommittee meeting.
- Representative C. Bickford (NH) recapped the conversation and said that review of the “best interest” language on the ICJ Form III, Consent for Voluntary Return of Out-of-State Juvenile, would be referred to the Rules Committee and other issue regarding runaways not returning to the home state would go the East Region subcommittee to consider language for a rule proposal.

Proposed rule amendments for the next rules cycle (Deadline December 31, 2024)

- Representative C. Bickford (NH) and R. Curtis (ME) reminded members that the deadline for rule proposals is December 31, 2024.

New Business

Review timeframe for submitting a transfer of supervision packet

- Representative C. Bickford (NH) asked members to discuss when the transfer of supervision packet needs to be submitted when a youth already resides in the receiving state. She said issues occur when a juvenile is a resident of the receiving state, but it could be months before a packet is submitted. She asked if states have internal policies or if the region should consider a rule proposal that stipulates how many business days the sending state has from the date of adjudication to submit the transfer packet when the juvenile is a resident of the receiving state.
- T. Casanova (VT) stated that she advises Vermont staff to take ICJ paperwork to court for merits hearings because judges sometimes waive disposition and go straight to probation. This allows the judge to sign necessary forms at that hearing. She tells the workers the complete transfer of supervision packet must be submitted within five business days. She suggested the matter is a state policy issue, since local authorities usually do not read the ICJ Rules.
- N. Napier (CT) said that the issue could be addressed through training, as ICJ Offices are often unaware of what the courts are doing.
- Representative C. Bickford (NH) said a timeframe was previously included in ICJ Rule 4-102: Sending and Receiving Referrals, but was removed.
- E. Breitigan (DE) said that Mike Casey, ICJ Commissioner in Delaware, also supervises the court liaisons. He continually educates staff about transfer of supervision procedures and requirements. She said that they do have issues with judges not wanting to sign Form VI, Application for Services and Waiver, or youths moving out of state and not telling the courts. These issues require targeted education and collaboration between the ICJ Office and courts.
- R. Curtis (ME) agreed that this is an intra-state training issue, especially regarding transfer of supervision requirements for youth with deferred dispositions.
- Representative C. Bickford (NH) will research the rules history to determine why the timeframe was removed.

Reports

Executive Committee

- Representative Bickford (NH) reported that the Executive Committee met on April 24 in Louisville, Kentucky, and on May 23. She reported that Glenn Tapia from the Alliance for Community and Justice Innovation facilitated a training session to assist with strategic planning. He will also present a session at the Annual Business Meeting.
- The next meeting is scheduled for June 27, 2024.

Compliance Committee

- Compliance Committee East Region Ambassador S. Bland (NJ) reported that the Compliance Committee met June 5 and discussed the compliance dashboards project, including feedback from the Executive Committee; commissioner vacancies; and a fiscal year 2025-2027 committee project timeline.
- The next meeting is scheduled for July 23, 2024.

Finance Committee

- Director Underwood reported that the Finance Committee recommended an amendment to the [ICJ Administrative Policy 06-2009: Travel Reimbursement](#) to increase the air travel reimbursement amount to \$800, with amounts exceeding the policy limits to be approved by the Executive Director. The committee is also working on the budget to present at the Annual Business Meeting.
- The next meeting is scheduled for July 18, 2024.

Technology Committee

- Technology Committee Vice Chair R. Curtis (ME) reported that the Technology Committee met June 11. He suggested members look out for the upcoming *UNITY Spotlight* article regarding return reports. East Region members Shyra Bland and Nordia Napier will present a *Wednesday Workshop* in June to train the Commission on how to use the new reports.
- The next meeting is scheduled for July 9, 2024.

Training Committee

- Director Underwood reported that the Training Committee is working on 2024 Annual Business Meeting training sessions and presenters. Current sessions include:
 - Training Session #1: *Becoming Organizationally Intelligent Leaders: Facing Our Adaptive Challenges* – Glenn Tapia, Alliance for Community and Justice Innovation
 - Training Session #2: *Returning Non-Delinquent Juveniles: Strategies for Success*
 - Training Session #3: *ICJ and ICPC: Exploring Differences and Building Bridges*
 - Keynote Address: Mike O’Keefe
 - Special Guest Speaker: Liz Ryan, Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- The committee is also working on the *Wednesday Workshop* series and preparing for several national conferences.
- The next meeting is scheduled for July 11, 2024.

Racial Diversity Equity and Inclusion Committee

- Racial Diversity, Equity, and Inclusion (DEI) Committee Ambassador T. Hunt (CT) reported that the committee presented a session on home evaluations for a recent *Wednesday Workshop*. The committee has been interested in learning more about tribal nations and heard from Marcia Good, Senior Advisor, OJJDP, during a committee meeting.
- The next meeting is scheduled for July 16, 2024.

Rules Committee

- Rules Committee Vice Chair C. Bickford (NH) reported the Rules Committee did not meet in May, but is meeting later today, June 13.

Non-Delinquent Runaway Subcommittee of the East Region

- T. Casanova reported that 49 out of the 52 states responded to the survey to determine top issues regarding non-delinquent runaways.
- Representative C. Bickford (NH) said that the next steps include a review by the Executive Committee to determine areas of focus.

Hot Topics from the “ICJ Updates”

- Representative C. Bickford (NH) reported the following from the most recent issues of the *ICJ Updates*:
 - The [2023 State Council Report](#) is published on the Commission’s website.
 - The [2024 Annual Business Meeting](#) will be September 23-25, 2024, in Mobile, Alabama. Commissioner C. Bickford (NH) reminded members to register.
- Representative C. Bickford (NH) reminded the region that elections for officers and regional representatives will occur at the Annual Business Meeting and encouraged members to consider nominating themselves or others for positions.
- Director Underwood explained that the website submission forms, such as rules interpretation and training and technical assistance requests, have been streamlined into one form, the new [ICJ Request Form](#), which is available in many locations on the ICJ website. She demonstrated the new form and explained how to submit requests by using the example of submitting a Training and Technical Assistance Request.

Next Steps

- Representative C. Bickford (NH) said that on the next agenda would include discussion regarding how to ensure safety during the home evaluation process, when background checks are required.
- The next meeting is scheduled for September 24, 2024, during the Annual Business Meeting in Mobile, Alabama.

Adjourn

Regional Representative C. Bickford (NH) adjourned the meeting by acclamation without objection at 12:07 p.m. ET.