



Preliminary Business

Call to Order

Commission Chair N. Belli (OR) called the meeting to order at 12:01 p.m. ET.

Roll Call

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

Committee Members in Attendance

1. Nina Belli (OR), Commission Chair
2. Julie Hawkins (MO), Commission Vice Chair
3. Sherry Jones (MD), Commission Treasurer and Racial Diversity, Equity, and Inclusion (RDEI) Committee Chair
4. Jacey Rader (NE), Compliance Committee Chair
5. Dale Dodd (NM), Finance Committee Chair
6. Kellianne Torres (IA), Information Technology Committee Chair
7. Caitlyn Bickford (NH), East Regional Representative
8. Chuck Frieberg (SD), Midwest Regional Representative
9. Felicia Dauway (SC), South Regional Representative
10. Howard Wykes (AZ), West Regional Representative
11. Nataki Brown, Victims Representative

Members Not in Attendance

1. Stephen Horton (NC), Rules Committee Chair
2. Corrie Copeland (TN), Training, Education, and Public Relations Committee Chair

Guests in Attendance

1. Robert Heide (AK), Training, Education, and Public Relations Committee Vice Chair
2. Rick Masters, ICJ Legal Counsel

National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Amanee Cabbagestalk, Training and Administrative Specialist
3. Jenny Adkins, Operations and Policy Specialist
4. Joe Johnson, Systems Project Manager
5. Kirsten Wade, Logistics and Administrative Specialist

Agenda

J. Hawkins (MO) made a motion to approve the agenda as amended. K. Torres (IA) seconded the motion. Chair N. Belli (OR) indicated the agenda was approved by unanimous consent

without objection.

Minutes

C. Bickford (NH) made a motion to approve the May 23, 2024, meeting minutes as presented. S. Jones (MD) seconded the motion. Chair N. Belli (OR) indicated the minutes were approved by unanimous consent without objection.

Check-in Question

- Chair N. Belli (OR) led the committee in a check-in question, “What makes you feel like your job is important.”
 - S. Jones (MD) shared she feels her job is important because she has the ability to ensure children are returned to safe and non-abusive environments. She also shared that she has had the ability to build relationships since serving on the Executive Committee.
 - C. Bickford (NH) shared that in New Hampshire she works on both ICJ and the Interstate Compact on the Placement of Children (ICPC). She states that she has minimal backup and coverage, therefore she feels like she is important in her job.
 - J. Hawkins (MO) shared that she feels the same in her role. She assists with fielding calls or texts while on vacation, and this makes her feel she is important to the role within the organization.
 - Chair N. Belli (OR) shared being able to participate and collaborate with courts, social service agencies, and other ICJ offices to ensure juveniles safety makes her feel important in her job.
 - R. Heide (AK) shared that becoming the acting Director of all of Juvenile Justice for Alaska, his role is important to delegate important tasks to others.
 - Victims Representative N. Brown feels important in her role when hearing words of affirmation from victims and seeing the smile on their faces after helping them.
 - Director Underwood shared that she feels the job is important because it impacts the lives of juveniles, families, and communities. She also shared she feels she is important when hearing from ICJ offices the resources that the National Office provided were helpful.

Reports

Commission Chair Report *by Nina Belli (OR)*

- Chair N. Belli (OR) reported that all Executive Committee members have registered for this year’s ABM and encouraged them to please remind their committee and regional members to register.
- Chair N. Belli (OR) also provided a reminder that August 9th is the ABM deadline for Committee Chair and Region representatives end of the year reports, election, and awards nominations. More information about the elections and award nominations will be distributed soon.
- Chair N. Belli (OR) discussed that the proposed change initiatives addressing concerns related to nondelinquent runaways cannot be discussed until the survey results are presented. Therefore, the FY25 Action Plan discussion is tabled until the July meeting to better assess non-delinquent runaway survey results.

Treasurer Report by Sherry Jones (MD)

- S. Jones (MD) reviewed account balances and updated the committee on the status of dues assessments received for fiscal year 2025 (FY25).
 - 11 states have paid in full.
 - 1 state has paid partial dues.
 - 5 states' dues have due dates of July 31, 2024.

National Office Report by MaryLee Underwood, Executive Director

- Director Underwood introduced Kirsten Wade, the new Logistics and Administrative Specialist in the National Office.
- Director Underwood provided state updates.
 - Idaho has a new Compact Administrator, Ashley Dowell.
 - Montana named Mike Barthel as the new Commissioner.
- Director Underwood stated she will be meeting with representatives from Guam, who are interested in promoting adoption of the Compact.
- Director Underwood reported that 49 out of 52 jurisdictions responded to the survey on *Returning Non-Delinquent Runaways*. She stated that the number one issue reported is that holding states do not provide adequate information regarding the circumstances in which the juvenile is located to the home/demanding state. The National Office is analyzing the results to identify key themes. The findings will be presented in a report next month.
- Director Underwood reported that the National Office is currently working on the fiscal year 2024 wrap up. She asks that committee and region representatives add these items to their checklists:
 - Submit Training Report forms
 - Close return cases in UNITY to ensure they are included in the Annual Report
- The fiscal audit is scheduled for the last week in July. If anyone has any outstanding items for reimbursement, please send them to the National Office.
- Director Underwood reported that the annual business meeting (ABM) registration deadline is August 9th.
- Director Underwood stated that after the meeting, committee and region report templates will be sent out to officers and Region representatives.
- Director Underwood stated that the nomination period for elections is July 10 – August 09. Nominations may be submitted for officers, regional representatives, Leadership Award, Rising Star Award, and Legacy Award.
- Director Underwood reported on collaborations with allies and ex officio members:
 - The proposal for the National Symposium on Juvenile Services workshop has been accepted. The event will be sponsored by National Partnership for Juvenile Services for the training in Salt Lake City, Utah in October. The workshop title is *ICJ in Action: Understanding the Interstate Compact for Juveniles*. She reported that R. Gallardo (UT) and M. Underwood will present.
 - Director Underwood shared that the July *Wednesday Workshop – Tribal Nations 101* will be presented by Marsha Goode with OJJDP.

- The 49th Annual Training Institute of the American Probation and Parole Association (APPA) Conference in Indianapolis is this week. The session on home evaluations will be presented by Holly Kassube (IL), Nataly Savilla (IN), and M. Underwood.

Information Technology Committee Report by *Kellianne Torres (IA)*

- Information Technology Committee Chair K. Torres (IA) reported the committee met on June 11 and received updates from both subcommittees on projects in progress.
- The Business Analysis (B.A.)/Enhancement Subcommittee finalized the initial review of the pending enhancements requests and stated that those are ready to go for next year's team to start the deep dive work. The subcommittee also developed a workflow for travel plan changes in UNITY. They received the quote from Optimum and will discuss it in the next meeting.
- The Tableau/UNITY Maintenance Subcommittee discussed a *Wednesday Workshop* training that S. Bland and N. Napier (CT) presented on the Voluntary Return and Non-voluntary Return reports releasing on Tableau in July.
- The Tableau/UNITY Maintenance Subcommittee are planning a *Wednesday Workshop* in August on *Proper Airport Transportation Data Entry in UNITY*.
- The next Technology Committee meeting is scheduled for July 9, 2024.

Training, Education, and Public Relations Committee Report by *Robert Heide (AK)*

- Training, Education, and Public Relations Committee Vice Chair R. Heide (AK) reported the committee met on June 6 and the next meeting is scheduled for July 11.
- He reported the committee discussed specific scenarios for the training session at the ABM
- He reported that the committee is planning the First Time Attendee Orientation Luncheon at ABM to educate new members about the commission.
- The committee made edits to the Commission's bench cards and plan to finalize the edits at the next meeting.

Rules Committee Report by *Caitlyn Bickford (NH)*

- Rules Committee Vice Chair C. Bickford (NH) reported the committee met on June 13, 2024, and will meet again on July 17, 2024.
- She shared that the committee reviewed and approved justifications to Rule amendment proposals to Rules 4-202(4) and 6-102(9).
 - The justification to Rule amendment 4-202(4) that was approved was to remove specific language that was confusing within the Rule.
 - The justification to Rule amendment 6-102(9) that was approved was to remove the statement, "The home/demanding state shall be responsive to the holding state's court orders in effecting the return of its juveniles."
- The committee discussed proposed amendments to Rules 4-102, 4-103, and 8-101.

East Region Report by *Caitlyn Bickford (NH)*

- East Region Representative C. Bickford (NH) reported the East Region met on June 13, 2024, and will meet again in person at ABM.
- She reported that the committee discussed the language on Forms I-III, specifically "best interest of the juvenile" language.

- The committee also discussed concerns in cases where the youth is not returning to the home state.
- She stated that the committee also reviewed the timeframe for submitting transfer of supervision packets.

Victims Representative Report *by Nataki Brown*

- Victims Representative, N. Brown, reported on the following items:
 - The Office of Victims of Crime (OVC) has received reports of imposter scams in which scammers are claiming to be OVC or Social Security Administration Office of the Inspector General agents. OVC is reminding individuals not to provide personal identifiable information in response to these false claims.
 - The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is celebrating their 50th anniversary of Juvenile Justice Delinquency Prevention Act with a yearlong observance. The theme for this year is “looking back, moving forward, celebrating 50 years of the JJDPA”. OJJDP will host a webinar on July 10th from 3-4pm EST hosted by National District Attorneys Association. The webinar will cover different programs and approaches to intervening on the lives of older youth, specifically the ages of 16-17. The presentation will highlight several community-based organizations that work with the population and specific interventions utilized in different states.
 - The National Institute of Justice (NIJ) “term of the month” is financial fraud for older adults. This means financial fraud of older adults occurs when the perpetrator obtains the voluntary provision of personal information, property or monetary resources from adults aged 60 or older through various tactics.

Compliance Committee Report *by Jacey Rader (NE)*

- Compliance Committee Chair J. Rader (NE) reported the Compliance Committee met June 5, 2024, and will meet again on July 23, 2024.
- She reported that the committee discussed commissioner vacancies. There are currently no unresolved commissioner vacancies.
- The Compliance Committee also discussed a project timeline related to the development and release of dashboards, with tasks to be completed in fiscal years 2025-27.

Unfinished Business

Explore next steps on request for guidance on requests from demanding/sending states for assistance with virtual hearings for juveniles who are detained

- The National Office previously distributed three resources to review. One document was from NCJFCJ’s bench card, *Navigating Virtual Proceedings in Juvenile Courts: A Guide for Judges*. The other resource was the ICAOS white paper, *Legal Implications of Remote Hearings in Relation to ICAOS Rules*. The third resource was a draft of a legal memo regarding legal implications of remote hearings and ICJ cases. Prior to the meeting, all members were asked to look into their state’s protocols regarding virtual hearings, including ones where the individuals were out of state.
 - C. Frieberg (SD) shared that South Dakota has no related policies or protocols.

- C. Bickford (NH) shared that New Hampshire does not have any specific protocols or policies. Their practice is to always make juveniles available for any hearings that they need to attend.
- Chair N. Belli (OR) shared that the Oregon Supreme Court advised that for virtual hearings the OR presiding judge can decide if an individual, including a defendant, can appear for a hearing in person or by remote means unless the constitutional requires an in-person appearance at the proceeding. Then the appearance or the proceeding must be conducted in person. The advisement from the Oregon Supreme Court also mentions that the benefit of remote hearings is so that individuals can attend them from across the state. There is no specific mention regarding individuals attending remote or virtual hearings across state lines.
- H. Wykes (AZ) said there is no standard practice across the state and that counties handle hearings differently. He noted that virtual hearings provide opportunities for many people to attend, and many courts use virtual hearings because of convenience.
- Chair N. Belli (OR) stated that it appears the NCJFCJ guide does not mention anything specifically about conducting virtual hearings across state lines.
- Director Underwood noted that personal jurisdiction is an issue that arises when matters cross state lines. She noted that the U.S. Constitution requires that due process be protected.
- D. Dodd (NM) said there are no restrictions with New Mexico attending virtual hearings across state lines.
- Chair N. Belli (OR) asked D. Dodd (NM) if there were any concerns about New Mexico's probation officers (P.O) attending other states hearings and not having any legal representation?
- D. Dodd (NM) answered there were no concerns raised in New Mexico. Agency lawyers stated that if he was there to talk about issues with a case with the Compact, that is a common interest between the states, then there is no issue with legal representation at these hearings to support.
- S. Jones (MD) stated she is concerned that P.O.s attending hearings are not vetted through ICJ and have no legal representation.
- C. Bickford (NH) said NH ICJ staff do not attend hearings in other states without legal representation. She suggested clarifying that ICJ office staff should only participate in hearings held in their states.
- Chair N. Belli (OR) noted that attorneys assisting ICJ offices are not generally licensed in other states.
- J. Hawkins (MO) said that Missouri has developed a policy addressing virtual hearings, which states that they will share the information and participate if the juvenile consents. They do not ensure participation but make it an option for the youth.
- Chair N. Belli (OR) highlighted the importance of juveniles having adequate access to their legal counsel during the hearing.
- F. Dauway (SC) said that South Carolina does not have a policy in place. When the ICJ Office is invited to participate in a hearing in another state, they determine if they can add any value or input by attending. She shared that South Carolina does not

have virtual hearings due to the concern about due process, juveniles' rights, and confidentiality.

- J. Hawkins (MO) reiterated that state ICJ office staff are not required to participate when an out-of-state court invites them to a hearing.
- Chair N. Belli (OR) shared that S. Horton (NC) initially raised the issue. The North Carolina ICJ Office was advised by their agency legal counsel that ICJ staff are not required to participate in virtual hearings and noted that concerns may vary depending on the type of hearing.
- Legal Counsel R. Masters said that the primary purpose of using virtual hearings is efficiency and cost savings, as discussed in the NCJFCJ article. He states the due process rights are enshrined in both state and federal Constitutions. He expressed concerns that due process rights cannot be guaranteed in virtual hearings. He reported that he has not discovered any research or case law regarding interstate-specific issues in relation to virtual hearings. He suggested the Commission should adopt a rule to protect juvenile's due process rights during remote hearings, and that the Commission consider whether existing procedures provide the due process protections and constitutional protections that need to be provided.
- Chair N. Belli (OR) expressed the need to differentiate the types of virtual hearings we are referring to.
- Legal Counsel R. Masters stated that creating a rule would allow the Commission to define what types of proceedings are eligible for application.
- J. Hawkins (MO) stated the type of hearing is important to note. Courts have some discretion, but the Commission needs to be aware of ICJ's boundaries when advising courts of what type of hearing they can or cannot do out of state.
- Director Underwood stated the Commission only has the authority to create rules that are relevant to youths who are already under the jurisdiction of the Compact. The ICJ Rules addressing the returns were created to ensure that due process is protected. When virtual hearings are conducted instead of the processes outline in the ICJ Rules, due process protections may be inadvertently disregarded. She states that creating a new rule would provide additional guidance on what else can be done.
- Chair N. Belli (OR) asked whether Advisory Opinion 2-2018 on the *Return of Juvenile Serving a Sentence for New Offense in a Receiving State* is relevant.
- Legal Counsel R. Masters responded that it is not relevant.
- Chair N. Belli (OR) suggested the next steps might include developing an advisory opinion or a white paper to provide a resource for ICJ Offices.
- J. Hawkins (MO) recommended further research and investigation.
- S. Jones (MD) recommended discussing the issue with ex officio members and judges.
- Director Underwood shared that there have been some conversations with Judge Hofmann, who serves as the ex officio representative for the National Council of Juvenile and Family Court Judges. He hopes to connect the Commission with an expert in the field.
- J. Rader (NE) agreed with partnering with judges that are willing to discuss and then use that information to inform what next steps to take.

- Chair N. Belli (OR) confirmed the scope of the research is to look at ICJ-eligible cases for juveniles who are in custody in the holding state and/or juveniles who are on supervision on a transfer case in the receiving state.
- S. Jones (MD) stated that some juveniles are in residential placements where they receive requests to attend virtual hearings.
- Legal Counsel R. Masters stated he will reach out to Michael Buenger with the National Center for State Courts to obtain additional input.
- Chair N. Belli (OR) thanked everyone for their thoughts, feedback, and suggestions.

New Business

- There is no new business to discuss.

Next Steps

- The next Executive Committee meeting is scheduled for July 25, 2024.

Adjourn

Chair Belli adjourned the meeting by unanimous consent without objection at 2:24 p.m. ET.