

INTERSTATE COMMISSION FOR JUVENILES
Ad Hoc Committee on Racial Justice
Meeting Minutes



April 19, 2022
2:00 p.m. ET
Via Zoom

Voting Members in Attendance:

1. Sherry Jones (MD), Commissioner, Co-Chair
2. Becki Moore (MA), Commissioner, Co-Chair
3. Francis “Mike” Casey (DE), Commissioner
4. Jessica Wald (ND), Designee
5. JoAnn Niksa (RI), Designee
6. Felicia Dauway (SC), Designee

Non-Voting Members in Attendance:

1. Tracy Howard (FL)
2. April Simmons (IN)
3. Mason Harrington (SC)

Members Not in Attendance:

1. Agnes Denson (FL), Commissioner
2. Cathy Gordon (MT), Commissioner
3. Jennifer LeBaron (NJ), Commissioner
4. Edwin Lee, Jr. (NJ) Designee
5. Lisa Bjergaard (ND), Commissioner
6. Jessica Nash (RI), Commissioner
7. Eavey-Monique James (USVI), Commissioner
8. Raymundo Gallardo (UT)
9. Nataki Brown (SC), ICJ Victims Representative

Guests (Leadership Exchange Series Group) in Attendance:

1. Chanda Leshoure (AL)
2. Latosha Mallory (AL)
3. Christine Norris (DE)
4. Holly Kassube (IL)
5. Kellianne Torres (IA)
6. Anna Butler (KY)
7. Latoya Oliver (MD)
8. Abbey Tyler (MD)
9. Rebecca Hillestead (MN)
10. Stephen Horton (NC)
11. Rachel Johnson (NC)

National Office Staff & Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Jenny Adkins, Policies and Operations Specialist

4. Joe Johnson, Project Manager

Call to Order

Co-Chair Jones (MD) called the meeting to order at 2:00 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established. Additionally, she acknowledged the Leadership Exchange Series members in attendance.

Agenda

J. Wald (ND) made a motion to approve the agenda as presented. J. Niksa (RI) seconded. The agenda was approved by acclamation without objection.

Minutes

J. Niksa (RI) made a motion to approve the March 15, 2022 meeting minutes as presented. J. Wald (ND) seconded. The motion carried.

Discussion

Review FY22 Goals and Action Plan

Goal #2: Examine data regarding race and runaways

- Co-Chair Jones (MD) shared the following information from a report published in 2021 by the Children's Defense Fund titled "The State of America's Children."
 - 63% of children arrested in the U.S. were white, American Indian children were 1.5 times more likely to be arrested and Black children were 2.4 times more likely to be arrested than white children.
 - In 2017, the residential placement rate for children of color was two times higher than that of white children nationwide: Hispanic children were 1.4 times more likely, American Indian children were 2.8 times more likely, and Black children were 4.6 times more likely to be committed or detained than white children. In 18 states and the District of Columbia, the residential placement rate for children of color was four times higher than that of white children.
 - Two-thirds (67%) of children in the juvenile justice system were children of color: 41% were Black and 21% were Hispanic.
- Co-Chair Jones (MD) recapped questions presented during the March 29th Data Walk during their review of the statistics:
 1. What are your general reactions to the data?
 2. What areas of concern or surprises do you see in the data?
 3. What further information would be helpful?
 4. Can you think of any solutions to address the issues raised by the data?
- Co-Chair Jones (MD) debriefed on the session and opened the floor for input for next steps around the four areas of statistics covered during the data walk.

1. Transfer of Supervision and Home Evaluations

- The data showed that native youth (American Indian/Alaskan Native and Native Hawaiian/Pacific Islanders) are denied a transfer of supervision 21% vs. 14% overall.
 - One suggestion during the walk was to explore opportunities for collaboration with various tribal nations for guidance and a better understanding of the limitations.
 - J. Niksa (RI) supported the suggestion adding she would be interested in knowing the challenges and they are different across the nation. She noted that “kinship” is an important concept defined in the Indian Child Welfare Act, and includes family not necessary by blood that can be identified by youths themselves. She suggested the Ad Hoc Committee could recommend the Rules Committee whether the ICJ Rules could use this concept, rather than or in addition to “legal guardian.”
 - J. Wald (ND) added that Native Americans consider non-blood relatives as family members, which is not consistent with the importance ICJ assigns to the Legal Guardian. Therefore, cases are often denied because the person the juvenile considers family is not a legal guardian.

2. Violation Reports

- The data showed greater disparities in recommendations for revocation than in the number of violation reports. During the data walk, it was noted that JPOs usually make recommendations, while courts and court-ordered conditions govern whether a violation report is appropriate. Committee members expressed interest in the number of violation reports submitted before a request for revocation was submitted and any graduated sanctions used before revocation. For the Asian population, 67% were recommended for continued supervision. This rate is more than twice the rate for all races.
- B. Moore (MA) added that the Ad Hoc Committee’s work is a continuation of the efforts to promote graduated responses last year and this year’s efforts toward the development of a training materials regarding communication and report writing.

3. Returns for Failed Supervision

- C. Norris (DE) recalled the statistics revealed all races were higher than whites for the number of days to return.
- The Ad Hoc Committee discussed and agreed that the family dynamics often come into play. When undocumented youth are involved, it is particularly difficult to locate and verify someone to receive the return. Also, difficulty of travel comes into play.
- J. Niksa (RI) shared a concern that data might be skewed by a few cases wherein juveniles are held longer than usual for due to complicating factors, such as human trafficking. Joe Johnson updated that extreme cases were excluded from the data set for statistical purposes.
- J. Wald (ND) added that it would be interesting to distinguish returns occurring from bordering states, as those have quicker turnaround times.
- J. Niksa (RI) would like to see the statistics broken down into the voluntary/non-voluntary returns, and the types of charges.

4. Human Trafficking

- Co-Chair Jones (MD) shared the notes from the data walk meeting regarding human trafficking statistics.
 - J. Wald (ND) asked if the human trafficking field in UNITY could be made a required completed field. Director Underwood suggested submitting the suggestion as an enhancement request supported by the Ad Hoc Committee. F. Dauway (SC) supported such an enhancement. J. Niksa (RI) suggested that it also be amended so that the field could be updated, if at the time of entry. Joe Johnson suggested including this idea in the enhancement request.
- B. Moore (MA), Co-Chair, thanked the Leadership Exchange Series members for attending and welcomed them to stay for the remainder of the Ad Hoc Committee meeting or leave the meeting.

Goal #1: Training/Best Practice on implicit bias in probation/parole report writing

- Co-Chair Moore (MA) acknowledged and thanked JoAnn Niksa (RI), April Simmons (IN), and Agnes Denson (FL) for volunteering to draft a report writing/communication resource to share with the Commission.
- J. Niksa (RI) updated they were in the initial stages of discussion. She noted that they discussed surveying members, but decided not to pursue a survey. The volunteers will begin with a review of an APA guide, which is concrete, specific and broad reaching regarding report writing. She will have something to update to the Ad Hoc Committee at the next meeting. A. Simmons (IN) added that probation and parole departments are run by counties, who control their training. Therefore, it may be difficult to get the ICJ training to them.
- Co-Chair Moore (MA) updated that she, Co-Chair Jones (MD), Director Underwood, and Amanee Cabbagestalk met with Dr. Maryam Jernigan-Noesi. Dr. Jernigan-Noesi is a licensed psychologist, educator, and organizational consultant who consults with a variety of organizations to offer initial assessment and implement strategic goals designed to increase diversity, engage in equitable policies and practices.
- Co-Chair Moore (MA) recommended her as a keynote speaker at the 2022 Annual Business Meeting. Co-Chair Jones (MD) and Director Underwood agreed with the recommendation, and added that Dr. Jernigan-Noesi was relatable and would do a good job for the Commission. One of the things mentioned during the conversation was framing the sessions as implicit bias training in not effective and to consider a different title.
- **F. Dauway (SC) made a motion to recommend that Dr. Maryam M. Jernigan-Noesi present at the 2022 ABM. S. Jones (MD) seconded. The motion passed.**

Goal #3: Recommend racial equity tool(s)

- Co-Chair Moore (MA) introduced the Annie E. Casey Foundation Equity and Inclusion Action Guide's 7 Steps to Advance and Embed Race Equity. Co-Chair Moore (MA) asked for seven members to volunteer to present one of the seven steps at the next meeting. The activity will provide a better understanding of the concept they are considering to recommend to the Commission to adopt.

- Co-Chair Moore (MA) volunteered and will work with Co-Chair Jones (MD) to reach out to others that may be interested.

Goal #4: Identify and distribute resources to states

- Co-Chair Jones (MD) acknowledged and updated that the resource of terms shared by Indiana last month from their JDAI entitled “Race, Equity, and Inclusion Dictionary and Resource Guide” will be included in the next “ICJ Updates,” with permission from the authors.
- Co-Chair Jones (MD) also acknowledged the upcoming trainings and links that were provided to the members prior to the meeting:
 - April 28, the Office for Victims of Crime’s [Human Trafficking Capacity Building Center](#) will host the “Ask an Expert Series Webinar: Male Victims and Human Trafficking.” This free webinar is offered in partnership with the Office on Trafficking in Persons’ [National Human Trafficking Training and Technical Assistance Center](#). Please see below for additional information. Thanks so much to Sherry Jones (MD) for sharing!
- J. Wald (ND) asked if the resources and trainings could be forwarded others outside the Compact. A. Simmons (IN) confirmed the resources could be shared.
- Director Underwood reported that the Ad Hoc Committee has been actively sharing several resources and asked if they wished to formally add identifying and distributing resources as a fourth goal.
- **J. Niksa (RI) made a motion to add Goal #4: Identify and Distribute Resources to States to the 2022 Goals of the Ad Hoc Committee for Racial Justice. J. Wald (ND) seconded. The motion passed.**

Old Business

S. Jones (MD), Co-Chair, encouraged members interested in an ICJ leadership positions to submit their name and resume in accordance with the ICJ Nominations and Election procedures.

New Business

There was no new business.

Adjourn

Co-Chair Jones (MD) adjourned by acclamation without objection at 3:03 p.m. ET.