

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



August 16, 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. Cathy Gordon (MT), Commissioner
5. Jessica Wald (ND), Designee
6. Edwin Lee, Jr. (NJ), Designee
7. JoAnn Niksa (RI), Designee

Non-Voting Members in Attendance:

1. April Simmons (IN)
2. Mason Harrington (SC)
3. Raymundo Gallardo (UT)
4. Nataki Brown (SC), ICJ Victims Representative

Members Not in Attendance:

1. Jennifer LeBaron (NJ), Commissioner
2. Lisa Bjergaard (ND), Commissioner
3. Jessica Nash (RI), Commissioner
4. Felicia Dauway (SC), Designee
5. Eavey-Monique James (USVI), Commissioner
6. Tracy Howard (FL)

National Office Staff & Legal Counsel in Attendance:

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

Call to Order

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

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

E. Lee, Jr. (NJ) made a motion to approve the agenda as presented. J. Niksa (RI) seconded. The motion carried.

Minutes

S. Jones (MD) made a motion to approve the July 19, 2022 meeting minutes as presented. J. Wald (ND) seconded. The motion carried.

Discussion

Recommendation of the Annie E. Casey Foundation Equity and Inclusion Action Guide (Goal #3) – B. Moore (MA)

- Co-Chair Moore (MA) recalled the presentations at the last meeting of the 7 Steps to Advance and Embed Race Equity from the Annie E. Casey Foundation’s “Race Equity and Inclusion Action Guide.” She opened the floor further discussion and recommendation.
- **E. Lee, Jr. (NJ) made a motion to recommend the ICJ Executive Committee the use of the Annie E. Casey Foundation’s “Race Equity and Inclusion Action Guide.” J. Niksa (RI) seconded. The motion passed.**

Final Vote on the ICJ Data Walk Summary Report (Goal #2) – S. Jones (MD)

- Co-Chair Jones (MD) presented the recommendations noted on page 17 of the updated that the “ICJ Data Walk Summary Report.” The recommendations for Fiscal Years 23-25 were presented as follows:

General

1. Create a Standing Committee on Racial Justice to ensure continued progress in addressing disparities and promoting racial equity. Alternatively, create an Ad Hoc Committee on Racial Justice for FY 2023.
2. Adopt the [Race Equity and Inclusion Action Guide](#) as a tool to shape the Commission’s work.

Transfer of Supervision

Home Evaluations

1. Develop a “best practice” resource and/or provide training for ICJOs about how to work more effectively in cases that are not considered “mandatory acceptance” cases [pursuant to [ICJ Rule 4-104 \(4\)](#)].
2. Discuss amendment of [ICJ Rule 4-104 \(4\)](#), the “Mandatory Acceptance Rule,” to better meet the needs of youth who do not routinely live with a parent/guardian. (Potential resources include “kinship” or “kinship care” definition in [Indian Child Welfare Act](#)).
3. Request Legal Counsel review of [ICJ Advisory Opinion 04-2010](#) (whether ICJ applies to juveniles residing in sovereign tribal nations) and provide guidance on how to collaborate with tribal nations.

Violation Reports

1. Examine the minimal discrepancy by race in percentage of violation reports filed, but greater discrepancy in recommended responses to violation reports (revocation, discharge, or continued supervision).
Analysis to include:
 - Number of violation reports submitted before revocation requested;
 - Whether graduated sanctions were used prior to recommending revocation/discharge;

- Violation report recommendations for American Indian/Alaskan Natives and Violation report recommendations for Asian population (most significant discrepancies);
 - Whether outcomes are consistent with intent of person who made recommendation.
2. Develop a “best practice” resource, training, and/or other guidance related to violation report recommendations and/or use of graduated sanctions, which the 2022 amendment of ICJ [Rule 5-103\(1\)\(e\)](#) was intended to promote.
- Co-Chair Jones (MD) added that recommendations regarding returns and human trafficking are being recommended for future consideration and not included in this recommendation.
 - **J. Wald (ND) made a motion to move the recommendations in the ICJ Data Walk Summary Report (page 17) forward to the Executive Committee. E. Lee, Jr. (NJ) seconded. The motion passed.**

Update on Implicit Bias in Probation/Parole Report Writing Best Practice/Training (Goal #1) – B. Moore (MA)

- Co-Chair Moore (MA) thanked J. Niksa (RI) and A. Simmons (IN) for their work on the implicit bias in probation/parole report writing best practice and/or training.
- While the Ad Hoc Committee does not have a best practice or training recommendation at this time, the work will continue next year with the recommended standing or ad hoc committee.
- Additionally, an accomplishment under this goal was contracting with Dr. Jernigan-Noesi to provide the keynote address at the 2022 Annual Business Meeting (ABM) General Session.
- J. Niksa (RI) agreed the unbiased report writing discussion should continue next year. A. Simmons (IN) agreed adding that the information can be impactful and a strategy of how to share the information across the nation should be considered.

Identify and Distribute Resources to States Via ICJ Updates Newsletter (Goal #4) – S. Jones (MD)

- Co-Chair Jones (MD) commended the group on sharing resources for the monthly “ICJ Updates.” A resource from the American Psychological Association, “Equity, Diversity, and Inclusion – Inclusive Language Guidelines” will be shared directly with the members and included in the September “ICJ Updates” resource.
- Co-Chair Jones (MD) encouraged members to continue to forward relative resources to Amanee Cabbagestalk to include in the monthly “ICJ Updates.”

Update on Meeting with Dr. Jernigan-Noesi (ABM Keynote Speaker)

- Director Underwood updated she and Amanee Cabbagestalk met with Dr. Jernigan-Noesi to share discuss the data walk information and expectations for the ABM keynote address.
- A. Cabbagestalk added that Dr. Jernigan-Noesi will be forwarding a description and title of her presentation that will be added to 2022 ICJ ABM Agenda.

Old Business

There was no old business.

New Business

- Director Underwood updated on other activities related to the Commission's 3-pronged Action Plan designed to support racial justice work at the Commission and with partners throughout the nation.
1. INTERNAL PROCEDURAL JUSTICE ASSESSMENT
The Racial Justice Ad Committee completed its second year with the recommendation that the work continue as a standing or ad hoc committee.
 2. EXTERNAL COLLABORATION TO IMPROVE COMMUNITY SUPERVISION
Director Underwood represents the ICJ collaborating with other national, criminal and juvenile justice leaders to develop and implement strategies for addressing institutional racism. Recently Jenny Adkins attended the American Prosecutors Association, JustLeadershipUSA Summit on behalf of the Commission. J. Adkins updated on the work to develop a national report. The emphasis of the document is community coordination; looking at the experience of the individual; and rebuilding trust in the community.
 3. INTERNAL LEADERSHIP DEVELOPMENT FOCUSED ON RACIAL JUSTICE
The second year of the ICJ Leadership Series led by Hasan Davis comes to an end in October; however, the Executive Committee approved continuation of leadership development work next year in partnership with a Georgetown University leadership program.

Adjourn

Co-Chair Moore (MA) adjourned by acclamation without objection at 2:47 p.m. ET.