

Interstate Commission for Juveniles

Racial Diversity, Equity, and Inclusion (DEI) Committee Meeting Minutes



January 17, 2023

2:00 p.m. ET

Via Zoom

Voting Members in Attendance:

1. Sherry Jones (MD), Commissioner, Chair
2. Francis “Mike” Casey (DE), Commissioner, Vice Chair
3. Tasha Hunt (CT) Commissioner
4. Becki Moore (MA), Commissioner
5. Jessica Wald (ND), Designee
6. Felicia Dauway (SC), Designee
7. Casey Gerber (WI), Commissioner

Non-Voting Members in Attendance:

1. Latosha Mallory (AL)
2. Stephen Jenkins (LA)
3. Fawn Wilson (MN)

Members Not in Attendance:

1. Guillermo Viera Rosa (CA), Commissioner
2. Jessica Nash (RI), Commissioner
3. April Simmons (IN)
4. Richetta Johnson (VA)

Guests in Attendance:

1. Stephen Horton (NC), ICJ Rules Committee Chair
2. Caitlyn Bickford (NH), ICJ Rules Committee Vice Chair
3. Julie Hawkins (MO), Commission Vice Chair
4. Sherri Springate (KY)

National Office Staff & Legal Counsel in Attendance:

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

Call to Order

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.

Agenda

B. Moore (MA) made a motion to approve the agenda as presented. F. Dauway (SC) seconded. The motion carried.

Minutes

T. Hunt (CT) made a motion to approve the Racial Diversity, Equity, and Inclusion Committee's November 29, 2022 meeting minutes as presented. J. Wald (ND) seconded. The motion carried.

Discussion

ICJ Rule 4-104(4)

- Chair Jones (MD) thanked Rules Committee Chair S. Horton (NC); Commission Vice Chair J. Hawkins (MO); and Rules Committee Vice Chair Caitlyn Bickford (NH) for attending the meeting to hear the discussion and provide additional insight related to a potential proposed amendment to Rule 4-104 being considered by Racial Diversity, Equity, and Inclusion Committee.
- Chair Jones (MD) briefed on the discussion from the last meeting regarding mandatory acceptance and shared the following issues for consideration:
 1. When mandatory acceptance does not apply, receiving states can deny transfers when the legal guardian (parent/guardian) is not a viable resource.
 2. When mandatory acceptance applies, youth may be placed with a guardian who is not the person who has historically provided resources and care for them.
 3. When mandatory acceptance applies, receiving states are required to accept youths who are already non-compliant.
- Chair Jones (MD) shared Rule 4-104(4): Authority to Accept/Deny Supervision, which states:

Supervision may be denied when the home evaluation reveals that the proposed residence is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state, except when a juvenile has no legal guardian remaining in the sending state and the juvenile does have a legal guardian residing in the receiving state.
- Also, Chair Jones stated a legal guardian has authority to name an alternate family member to provide supervision in another state on their behalf; and ICJ should not have the authority to deny that supervision if juvenile is sent to a receiving state.
- Concerns were also noted related to cases when parents are not be able to provide care for juveniles due to incarceration or serious illness.
- Chair Jones (MD) noted that prior to the meeting, the National Office provided a history of the revisions to ICJ Rule 4-104 to committee members.
- J. Hawkins (MO) commented about the history of the revisions. At one point, the rule allowed ICJ offices to deny supervision in all cases, but was amended to avoid the unintended consequence of juveniles not being appropriately supervised.
- Members discussed a variety of related concerns. S. Horton (NC) commented about the complexities of mandatory acceptance and determining a residence is

“unsuitable.” He stated that a rule cannot capture every possible situation. The ICJ Rules should be broad and allow states discretion to communicate effectively and come up with best solution. J. Hawkins (MO) asked members to consider how often are cases are that for the reasons are unjust. S. Jones (MD) commented that perhaps providing a checklist would be a better option than a rule amendment.

- Director Underwood added that new ICJ personnel often express confusion about the mandatory acceptance rules, particularly the way the exception is constructed. A small work group (Jessica Wald, Becki Moore, and Mike Casey) agreed to work with the National Office to draft a rule proposal to be presented to the committee for consideration by February 14 for discussion at the February 21 meeting.

Develop Priorities for the Upcoming Year

- Chair Jones (MD) tabled the topic to the next meeting due to the lack of time.

Old Business

- Chair Jones (MD) reminded members to continue to send pertinent resources related to the work of the committee to Amanee Cabbagestalk to include in the monthly ICJ Updates newsletter.

New Business

There was no new business.

Adjourn

Chair Jones (MD) adjourned by acclamation without objection at 3:07 p.m. ET.