INTERSTATE COMMISSION FOR JUVENILES

West Regional Meeting Minutes
January 29, 2025
3:00 pm EST
Via Zoom

Preliminary Business

Call to Order

Representative N. Belli (OR) called the meeting to order at 3:01 pm EST.

Roll Call

Director Underwood called the roll and quorum was established.

Voting Commissioners/Designees in Attendance:

1. Nina Belli (OR), Commissioner, West Regional Representative
2. Robert Heide (AK), Commissioner
3. Howard Wykes (AZ), Designee
4. Antonio DeJesus (CA), Commissioner
5. Brooke Montelongo (CO), Commissioner
6. Kristin Davidson (HI), Commissioner
7. Anne Connor (ID), Commissioner
8. Mike Barthel (MT), Commissioner
9. David Laity (NV), Commissioner
10. Dale Dodd (NM), Commissioner
11. Raymundo Gallardo (UT), Designee
12. Jedd Pelander (WA), Commissioner
13. Maureen Clifton (WY), Commissioner

Compact Staff in Attendance:

1. Dawn Bonnet (AK)
2. Jose Villalobos (CA)
3. Shirleen Cadiz (HI)
4. Robert Hislop (MT)
5. Gladys Altamirano (NV)
6. Kimberly Heywood (UT)
7. Dawn Bailey (WA), Designee
8. Debra Hibbard (WY)

Voting Members Not in Attendance:

1. Sonia Sweeney (UT), Commissioner

National Office Staff in Attendance:

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

Agenda

M. Clifton (WY) made a motion to approve the agenda as presented. R. Hislop (MT) seconded. The motion passed by way of unanimous consent.

Minutes

A. Connor (ID) made a motion to approve the minutes of the meeting on November 13, 2024. B. Montelongo (CO) seconded. The motion passed by way of unanimous consent.

Reports

- Executive Committee
  - Representative N. Belli (OR) provided a report on recent Executive Committee activities.
  - She reminded members to submit State Council Reports by Friday, January 31, 2025.

- Information Technology Committee
  - S. Cadiz (HI) provided a report on recent Information Technology Committee activities.
  - Representative N. Belli (OR) shared that S. Cadiz (HI) has agreed to be the ambassador for the Information Technology Committee.

- Rules Committee
  - H. Wykes (AZ) provided a report on recent Rules Committee activities.
  - Representative N. Belli (OR) shared that H. Wykes (AZ) agreed to be the ambassador for the Rules Committee.

- Finance Committee
  - D. Dodd (NM) provided a report on recent Finance Committee activities.
  - Representative N. Belli (OR) shared that D. Dodd (NM) agreed to be the ambassador for the Finance Committee.

- Racial Diversity, Equity and Inclusion Committee
  - B. Montelongo (CO) provided a report on recent Racial DEI Committee activities.
  - Representative N. Belli (OR) shared that B. Montelongo (CO) agreed to be the ambassador for the Racial Diversity, Equity and Inclusion Committee.

- Training Committee
  - R. Heide (AK) provided a report on recent Training Committee activities.
  - Representative N. Belli (OR) shared that R. Heide (AK) agreed to be the ambassador for the Training Committee.

- Work Group on Non-Delinquent Juveniles
  - Representative N. Belli (OR) shared that R. Gallardo (UT) agreed to be the ambassador for the Work Group on Returning Non-Delinquent Youths.
  - R. Gallardo (UT) shared that the Work Group will meet on January 30, 2025.

Unfinished Business

Discuss request for an Advisory Opinion regarding the California Law (SB-135)

- Representative N. Belli (OR) reported that A. DeJesus (CA) spoke to California's legal counsel about whether individuals reclassified under California Senate Bill 135 are classified as juveniles in California. The law applies to individuals who, while they were juveniles, were tried as adults and sentenced to incarceration. The law allows their cases to be transferred back to the jurisdiction of the juvenile court. She said California's chief legal counsel advised that these individuals are

considered juveniles because they are under the jurisdiction of juvenile court and the juvenile court can place them on juvenile probation.

- A. DeJesus (CA) shared that "only by the Compact is California determining the individuals should be treated as juveniles because they are under juvenile jurisdiction". He also shared that California is treating these juveniles as adults and assigning them to adult probation officers in some cases.
- A. Connor (ID) said that the prevailing question is whether such individuals are eligible for transfers of supervision under the Compact.
- Representative N. Belli (OR) stated the next step is to identify challenges that have arisen with these cases.
- A. Connor (ID) responded that the critical challenge is the mismatch between the focus of juvenile probation and adult corrections. She said that it is not reasonable to re-label adults who have been in prison as juveniles if that means another state's juvenile probation officers have to supervise them. She also said that most states' juvenile parole and probation officers are not armed or trained to handle that population of individuals.
- Representative N. Belli (OR) suggested receiving states' adult probation or adult parole officers could supervise individuals who have been reclassified as juveniles pursuant to SB-135.
- A. Connor (ID) asserted it is best to determine a solution on a national level. She also shared that the adult jails in Idaho are operated on a county basis, which would require MOU negotiations.
- D. Dodd (NM) agreed with A. Connor. He said no services in New Mexico could be offered to individuals re-classified under SB-135 because all contracts with providers end at the age of 21.
- R. Gallardo (UT) agreed that there should be national guidelines instead of states figuring it out on their own.
- B. Montelongo (CO) added that national guidance would be easier than going to 23 judicial districts and four regions to determine how they to work it out.
- R. Heide (AK) stated that he approached Alaska's Interstate Commission for Adult Offender Supervision (ICAOS) office and they agreed 30 or 40-year-olds should not be supervised by the juvenile system. He added that Alaska cannot house juveniles at an adult facility without court orders and they cannot house adults in juvenile facilities.
- Representative N. Belli (OR) stated that the ICJ rules on sending and receiving referrals require that each ICJ office to develop policies and procedures on how to handle ICJ matters within its state. She asked if a best practice resource that provides guidance would work as a solution for states.
- A. Connor (ID) said she did not think a best practice would be appropriate and preferred a solution coming from the national level.
- M. Clifton (WY) shared that Wyoming would not be able to accept referrals of individuals re-classified as juveniles under SB-135, as most probation and parole officers in Wyoming are in their twenties and unarmed.
- R. Heide (AK) said he feared juvenile probation officers would be put in harm's way if asked to supervise serious adult offenders. Alaska's Juvenile Probation/Parole Officers are unarmed and have no training to supervise adults.
- Representative N. Belli (OR) asked A. DeJesus (CA) how many potential cases there would be.
- A. DeJesus (CA) responded with "not many."
- J. Johnson (National Office) shared that there are seven active cases in UNITY where the age profile is greater than 25. None involve California as the sending state.
- A. DeJesus (CA) stated that California's legal counsel suggested submitting a rule proposal to change the definition of the term "juvenile." However, the deadline for submission of rule proposals for consideration this year has passed.

- Director Underwood stated that ICJ's definition of "juvenile" is "any person defined as a juvenile in any member state" and the Commission has always deferred to sending states to determine whether a person is "juvenile." She also shared that the rule on eligibility states the youth must be "classified as a juvenile in the sending state." She added that the National Office has not received a request for interpretation of rules or written communication indicating how California classifies these individuals.
- A. DeJesus (CA) asked what California needs to do.
- Director Underwood shared that California should submit a request for rule interpretation that includes whether California classifies these youths as "juveniles." She shared that ICJ rules define a juvenile in Rule 1-101.
- A. DeJesus (CA) he said that Senate Bill 135 amends the sentencing laws. The law specifies that court may retain jurisdiction over a person who is 25 or older for up to two years if they meet certain conditions.
- Representative N. Belli (OR) asked if A. DeJesus (CA) will still submit a request for rule interpretation after meeting with California's legal counsel.
- A. DeJesus (CA) said "yes."
- R. Hislop (MT) shared that Montana has a "208 transfer" process, which automatically transfers youths to adult supervision when they reach their 18th birthday. MT transfers adults with youth court orders through ICAOS.
- A. DeJesus (CA) stated that he would put in a request to meet with legal counsel after the meeting ends. N. Belli (OR) asked if he could provide an update by February 10, 2025. A. DeJesus (CA) agreed.

New Business

- D. Dodd (NM) shared that the Bernalillo County Sheriff's Department will no longer pick up juveniles who fly unescorted at the airport because they feel it is unsafe. Instead, the Sheriff's Department will transport juveniles directly from facilities and request timelines be extended in order to do so.
- R. Heide (AK) asked if the Sheriff's Department will incur the cost of transportation. D. Dodd (NM) answered "yes."

Hot Topics from the *ICJ Updates*

- Rule Commenting Period
  - Representative N. Belli (OR) shared that the Rules Commenting period will be open from February 24, 2025 – March 26, 2025.
  - She encouraged State Councils to meet and review rule proposals to submit comments during this time.
- Human Trafficking Prevention Month
  - Representative N. Belli (OR) highlighted that January is Human Trafficking Prevention month and provided a link to the Human Trafficking Matrix - West Region.
  - Human Trafficking Prevention Month is dedicated to raise awareness about human trafficking and to educate the public on how to identify and prevent this crime. Runaways are at a considerable risk of not only houselessness, but also victimization through sex and labor trafficking.
  - How does Human Trafficking screening happen in your state?
    - Representative N. Belli (OR) asked members to look at their state's matrix to see if it needs to be updated.
  - UNITY Spotlight on using the Human Trafficking data section in UNITY

        - Representative N. Belli (OR) shared that the National Office will include a UNITY Spotlight article to promote the use of the human trafficking filed in UNITY to enable the Commission to collect more meaningful data.
- ICJ Wednesday Workshop
    - Rules Commenting Period and Process on February 26, 2025, at 1:00pm EST
    - A. Cabbagestalk (National Office) shared a link to register for the Wednesday Workshop.

Next Steps

There was no discussion of next steps at this point.

Adjourn

Representative Belli adjourned the meeting by way of unanimous consent at 4:23 pm EST.