

INTERSTATE COMMISSION FOR JUVENILES



Public Hearing

Minutes

2019 Annual Business Meeting Indianapolis, IN

September 9, 2019

4:30 p.m. ET

Commissioners/Designees in Attendance:

1. Jeff Cowger (KS), Rules Committee Chair
2. Tracy Hudrlik (MN), Rules Committee Vice Chair
3. Judy Miller (AR), Rules Committee Member
4. Anne Connor (ID), Rules Committee Member
5. Tyrone Oliver (GA)
6. Sherry Jones (MD)

Compact Staff in Attendance:

1. Tracy Cassell (GA)
2. Victor Roberts (GA)
3. Kellianne Torres (ID)
4. Rebecca Hillestead (MN)
5. Mason Harrington (SC)

Members of the Public in Attendance:

1. Shawn L. Hill (ID)
2. Trudy Gregorie (ex officio)

National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Jenny Adkins, Operations and Policy Specialist
3. Joe Johnson, Systems Project Manager

Call to Order

Rules Committee Chair J. Cowger (KS) called the Public Hearing to order at 4:30 p.m. ET.

Discussion

J. Cowger (KS) read the following statement:

The following rule amendment proposals were made available to the Commission and posted to the ICJ website on Monday, August 12, 30 days prior to the scheduled vote. A public hearing notice was also published indicating the place, time, and date of today's hearing. In accordance with ICJ Rule 2-103, every public hearing shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment

Amendments to the following rules are scheduled for vote on Wednesday, September 11:

1. *Rule 1-101: Definitions – Accused Delinquent (Midwest Region)*
2. *Rule 1-101: Definitions – Runaways*
3. *Rule 2-107: State Councils [New]*
4. *Rule 4-102: Sending and Receiving Referrals (East Region)*
5. *Rule 4-103: Transfer of Supervision for Juvenile Sex Offenders (East Region)*
6. *Rule 4-104: Authority to Accept/Deny Supervision (Compliance Committee)*
7. *Rule 5-101: Supervision/Services Requirements*
8. *Rule 6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders*
9. *Rule 6-103: Non-Voluntary Return of Non-Delinquent Runaways and/or Accused Status Offenders*
10. *Rule 6-103A: Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent*
11. *Rule 7-104: Warrants*
12. *Section 900: Introductory Paragraph (Compliance Committee)*
13. *Rule 9-101: Informal Communication to Resolve Disputes or Controversies and Obtain Interpretation of the Rules (Compliance Committee)*
14. *Rule 9-102: Formal Resolution of Disputes and Controversies (Compliance Committee)*
15. *Rule 9-103: Enforcement Actions against a Defaulting State (Compliance Committee)*

Should you wish to speak today on one or more of the proposed rule amendments, please complete the form on the table with your name, proposed rule amendment, and check whether you wish to speak in support or opposition of the proposal.

- S. Hill (ID), chair of the Idaho's Interstate Compact State Council, spoke out in opposition to the proposal to ICJ Rule 5-101: Supervision/Services Requirements. He indicated that the Idaho State Council requested clarification on this rule as there was a perceived conflict with language in paragraph 1 indicating that a receiving state must treat interstate juveniles the same as their own state's juveniles, but then later stating in paragraph 5 that a state shall not charge supervision fees for ICJ cases. He indicated that the proposal does address the conflict by moving the language in paragraph 5 to the first paragraph as an exception. However, he voiced support for the ability for states to charge supervision fees. Mr. Hill further indicated that the Interstate Compact on Adult Offender Supervision (ICAOS) allows states to charge an interstate fee of \$100. He stated that the inability to charge a fee results in an unfunded mandate because states must supervise juveniles without reimbursing local offices for the services provided. He suggested that the rule needed more vetting before it goes up for a vote.
- S. Jones (MD) said that purpose of the Interstate Compact for Juveniles is to provide courtesy supervision without charging, because the services are mutual. She indicated that some services can be provided by medical insurance.

- S. Hill (ID) said ICAOS charges a fee while the juvenile compact does not, and it does have an impact on local jurisdictions.
- R. Masters, Legal Counsel, clarified that the purpose of the Public Hearing is to obtain views of those who appeared to testify on a particular rule, and that it is out of order to engage in a debate at this time. He further asked Commission Chair Anne Connor to verify that no other communications have been received from members of the public relating to comments or concerns about the proposed rule amendments.
- Chair A. Connor (ID) verified that no other requests or comments were received.
- R. Masters indicated that it is appropriate to adjourn the Public Hearing.

Adjourn

J. Cowger (KS) adjourned the Public Hearing by acclamation at 4:50 p.m. ET