



ASSOCIATION OF JUVENILE COMPACT ADMINISTRATORS
2008 Mid-Year Meeting
February 28, 2008
Savannah, Georgia

Meeting Minutes

Officers Present:

Paul Gibson, Kentucky, President
Ryan Pinto, Washington, Vice President
Cindy Pittman, Georgia, Treasurer

Secretariat:

Kristine C. Prince

Immediate Past President:

Michael B. Lacy, West Virginia

Members Present:

Art Gonzales, Arizona
Judy Miller, Arkansas*
Monique Visentin, California
Summer Foxworth, Colorado*
JoAnn Rohan, District of Columbia
Alicia Ehlers, Idaho
Robert Champion, Indiana Probation
Anthony Ellis, Kansas
Liz Wilson, Kansas
Suzie Durrett, Louisiana
Mark Boger, Maine*
Rose Ann Bisch, Minnesota
Christine Townsend-Bench, Mississippi
Julie Hawkins, Missouri*
Nancy Wikle, Montana*

Stephanie Boysen, Montana
Molli Davis, Nevada*
Wayne Carmack, New Hampshire
Dale Dodd, New Mexico*
Tracy Marchand, North Carolina
Carol Gillespie, Oregon*
Karen Crandall, Oregon
Natalie Primak, Pennsylvania
Donna Bonner, Texas
Margo Bryce, Vermont*
Dawn Melzo, Washington
Randall Wagner, West Virginia
Nancy Keyes, Wisconsin

*Board Members

Guest:

James Graves, Interstate Compact on the Placement of Children (ICPC), President
Keith Scott, The Council of State Governments, Lexington, Kentucky

1. WELCOME

President Paul Gibson welcomed everyone and called the meeting to order at 8:30 am. The Secretariat conducted the Roll Call of States

2. 2008 ANNUAL MEETING SITE

President Gibson asked the membership to make a decision about the site of the 2008 Annual Meeting. There was some discussion regarding the two proposed sites: (1) Boise, Idaho; and (2) Couer d'Alene, Idaho. A vote was taken and there were ten votes in favor of Boise and ten votes in favor of Couer d'Alene. Therefore, President Gibson directed Alicia Ehlers (Idaho) to negotiate with both sites and ascertain what the best price would be and notify the Board.

Additionally, President Gibson asked members to start thinking about the agenda for the Annual Meeting and let him know what suggestions they have. Currently, one presentation at the meeting will be a panel of Idaho's Juvenile Justice State Advisory Panel.

3. UPDATE ON THE PASSAGE OF THE NEW INTERSTATE COMPACT

President Gibson introduced Keith Scott who has taken John Mountjoy's position at The Council of State Governments (CSG). Mr. Scott gave a brief overview of his background and what his responsibilities are at CSG.

Mr. Scott reported that there are still only thirty-three (33) states who have enacted the compact legislation. The states of Massachusetts and Illinois have carry-over legislation from last year. Hearing dates have not been set, but CSG anticipates that those hearing dates will be set during this legislative session. CSG will provide on-the-ground support at those hearings. Tennessee has introduced bills in both chambers and the bills have been referred to committee. The compact legislation has also been introduced into the House of Representatives in Mississippi, but it has not yet received a committee assignment. Oregon has indicated a desire to introduce the bill, but a legislative session has not been scheduled as of this date. (Oregon has bi-annual legislative sessions).

Ms. Rohan (District of Columbia) asked what efforts CSG is making to work with the non-compacting states and Mr. Scott responded that staff will be reassigned and more effort redirected to this effort. He explained that it has been a challenge to maintain the momentum with the new compact, but it is still a priority for CSG and they will continue to aggressively go after the non-compacting states. Ms. Rohan then asked if CSG would consider re-writing the compact and making some modifications so that the non-compacting states would be more likely to pass the legislation and Mr. Scott said that was an unlikely option because the thirty-three states that have passed the legislation have passed it as it now reads. If modifications and changes were made, the process would have to start all over again.

A question arose as to what will happen if CSG fails to get thirty-five (35) states to pass the legislation and when the funding for this effort will end. Mr. Scott explained that the current funding ends at the end of fiscal year 2008, but CSG will seek more funding after that time.

Another question arose as to how compacting states will continue to do business with non-compacting states and Mr. Scott advised that the answer to that question will be up to the new National Commission.

Some members indicated a concern that it is difficult to come up with a realistic fiscal note on the legislation because it is hard to know what other costs will be involved (staff, equipment, etc.). Ms. Bisch (Minnesota) encouraged states to be sure to include those costs in the fiscal note and not just include the membership fee in the fiscal note.

Members were also concerned about the costs of building a national data base since it now appears that it is unlikely the juvenile system will be able to piggyback onto the adult national data base. Mr. Scott responded that it would be up to the new National Commission to make a decision about the national data base.

President Gibson thanked Mr. Scott for attending the meeting and answering questions.

4. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

President Gibson introduced James Graves who is the President of the ICPC Association. Mr. Graves briefly reviewed the progress of their new interstate compact and said that only one state, Ohio, has passed the legislation. Later, it was brought to the attention of the group that the state of Missouri has also become signatory to the new ICPC. Mr. Graves pointed out that one problem that has arisen with the new ICPC compact is that attorneys want independent and private adoptions removed from the interstate compact language.

There appears to be continued confusion about juvenile placements in out-of-state private treatment centers and under what compact that should be processed. Mr. Graves reiterated that a case cannot be handled under both compacts at the same time. He stated that it is his understanding that if ICPC approves the placement, then ICJ has no authority to supervise that placement even though the juvenile may be on probation or parole. Because of the confusion regarding this situation, Mr. Graves said that he will do some research on this and get back to ICJ with a more definitive answer. It is clear, however, that private parental placements of non-delinquent juveniles in residential treatment facilities have to go through ICPC.

Paul Gibson thanked Mr. Graves for attending the meeting and being involved in this discussion about the interplay between the ICPC and the ICJ.

5. AJCA VICE PRESIDENT

President Paul Gibson announced that Vice President Ryan Pinto has accepted a promotion in his department of his home state of Washington and will no longer be working in the Interstate Compact office. However, Mr. Pinto will continue as Vice President until the elections at the Annual Meeting in August. President Gibson recognized Ryan for all his contributions to AJCA throughout the years he has served as a Board member and as an officer. The membership gave a round of applause for Ryan.

6. REGIONAL MEETINGS

President Gibson asked members to divide into four geographical regions and discuss four assigned questions and then report back to the larger group.

At the reporting session, representatives from each region provided the following responses to the questions:

Question 1:

In light of the rapid changes now and in the future pertaining to juvenile sexual offenders, what compact rules will need to be changed? Do you envision any "border agreements" that may be necessary to facilitate with compliance with these rules?

- We don't foresee any needed changes in the rules at this time; however, may be necessary in the future with the enactment of the new Adam Walsh Act.

- We see no need for any border agreements and discourage any states from entering into border agreements.
- The Department of Justice is starting to monitor compliance with Jessica's Law (passed September 30, 2007) which prohibits any sex offender from residing within 2000 feet of schools, day care facilities, parks, etc. We need to let juvenile sex offenders know that they must comply with this law as well. We should consider drafting a rule regarding this requirement.
- It would be nice to know where all the states are in reference to the Adam Walsh Law.
- We are adamantly opposed to border agreements because uniformity of procedures is already accomplished through the rules and regulations
- We should enforce the sex offender risk assessment as stated in Rule 5-103
- We need an updated sex offender matrix and should also add DNA requirements to it
- DNA requirements apply to more than just sex offenders
- Add something on the travel permit form regarding sex offender registration
- Need instructions for the travel permit form
- Modification to Form IA/VI regarding compliance with sex offender registration/DNA requirements

Question 2

In your region, identify the top three issues that will be critical to address when the new compact is adopted by the 35th state.

- Training of compact staff
- Training of staff in the juvenile justice system
- The financial impact, i.e., automation and the need for escorts when transporting all juveniles
- The consistency of adherence to the HIPAA requirement.
- How to do business between compacting and non-compacting states.
- We may need to extend the transition rule beyond twelve months
- Lack of airport surveillance at the Philadelphia airport
- Photographs as part of the Form III - clothing/physical description
- How do we do business between compacting and non-compacting states?
- How do we pay for the new technology/financing the new compact
- Who will be on the new national commission
- Valid waivers with signatures
- Signed valid probation/parole conditions
- Staffing issues
- Enforcing of new rules—will that happen? Imposing fines? Dispute resolutions?

Question 3

Do you see a need to hold regular meetings among CA's and DCA's? How often? What would you envision this group's function to be? (i.e. training entity, advisory to the national commission).

- Yes, we do need to continue to have regional meetings in order to propose changes to the rules and also for training.
- Regions have an important dispute resolution role; regions can deal with problematic issues in a more timely way
- Yes, as needed but only semi-annually
- Yes, for training and collaboration

Question 4

Should compact administrators advocate for a minimum number of training hours for new administrators, both initially and annually? Should compact administrators be "certified" through some kind of testing and if so, how often?

- Yes to training, but certification should not be required.
- The requirement should be eight hours annually
- Certification which states that the AJCA training has been completed and re-certification should be completed again every three years.
- Look into the use of WebEx for training
- We should advocate for training, but it is not appropriate for us to require it.

7. **ADJOURN**

The meeting was then adjourned.
