



ASSOCIATION OF JUVENILE COMPACT ADMINISTRATORS
2006 Mid-Winter Workshop
March 29, 2006
Denver, Colorado

Meeting Minutes

Officers Present:

Michael Lacy, West Virginia, President
Ryan Pinto, Washington, Vice President
Amanda Behe, Pennsylvania, Secretary
Cindy Pittman, Georgia, Treasurer

Secretariat Services:

Kristine C. Prince

Members Present:

Alaska - Barbara Murray

Arizona - Anthony Lucio

Arkansas - Judy Miller*

Colorado - Summer Foxworth*

District of Columbia - JoAnn P. Rohan*

Florida - Jean Hall*

Florida - Keishia Mackey

Hawaii - Linda Kiyotoki

Idaho - Ann Bailey

Idaho - Alicia Ehlers

Indiana Probation - Robert Champion

Indiana Probation - Jenny Bauer

Kansas - Christine Reece

Kentucky - Paul T. Gibson

Maine - Mark Boger*

Maryland - Cynthia Yim*

Minnesota -

Rose Ann Bisch

Missouri - Julie Hawkins

Montana - Nancy Wikle

Nevada - Molli Davis*

Nevada - Linda Bowmer

New Jersey Probation - John Gusz

New Mexico - Dale Dodd*

North Carolina - Traci Pridgen*

Oklahoma - James Eakins

Oregon - Robyn Cole

Oregon - Carol Gillespie

Tennessee - Jacqueline Lee Moore

Texas - Donna Bonner*

Virginia - Connie Richardson

Wisconsin - Lori Pendleton

*Board Members

Guests Present:

Dave Lawrence - AJCA Lifetime Member (Arizona)

Cindy Brann - Conference Planner (Maine)

Marva Livingston Hammons - Executive Director, Colorado Department of Human Services

John Gomez - Director, Colorado Department of Youth Corrections

Paul Maldonado - Assistant Special Agent in Charge, Immigration & Customs Enforcement (ICE)

Tony Rouco, Supervisory Special Agent, Immigration & Customs Enforcement (ICE)

Rick Masters, Special Counsel, The Council of State Governments (CSG), Lexington, Kentucky

1. WELCOME/INTRODUCTIONS/CALL TO ORDER

AJCA President Mike Lacy welcomed everyone and called the meeting to order. He thanked Summer Foxworth of the Colorado ICJ office for all her work in hosting the Mid-Winter Workshop. Cynthia Yim offered an invocation and led the group in reciting the Pledge of Allegiance. President Lacy asked everyone to introduce themselves. The roll call of states was taken by the Secretariat.

Summer Foxworth introduced Marva Livingston Hammons, Executive Director, Department of Human Services, who welcomed the group to Colorado and made brief remarks about managing change. She talked about how the passage of the new Interstate Compact for Juveniles will impact all of those who have been working for many years under the old compact. She urged the group to prepare themselves as much as possible for these new changes and to use the time together at this meeting to raise the tough issues, discuss them with each other and develop a plan to make the transition as smooth as possible. She urged the group to work together as a team and to give their all to this effort.

Summer Foxworth next introduced John Gomez, Director, Division of Youth Corrections, who also welcomed the group to Denver and urged them to take some time to see some of the beautiful sights in the Denver area. Mr. Gomez gave a brief overview of the Division of Youth Corrections and talked about their philosophy and their primary mandate of protecting public safety, restorative justice (accountability) and building skills and competencies in juveniles.

President Lacy thanked both Ms. Hammons and Mr. Gomez and presented them with a small gift.

2. TRAINING MODULE: REQUISITIONS FOR RETURN

James Eakins, OK ICJ, was asked to provide training on the return of juveniles through the requisition process, focusing on non-voluntary returns of non-delinquent runaways. A question arose about the use of ICJ Form A (Petition for Requisition to Return a Runaway Juvenile). The AJCA manual lists this form as an optional ICJ form. However, the Rules and Regulations state that this form is an approved form and should be used when appropriate. After discussing the discrepancy, the membership asked that the issue of whether ICJ Form A is an optional or an approved form be referred to the Rules and Regulations Committee.

3. 2006 ANNUAL MEETING UPDATE

Mark Boger and Cindy Brann (Maine) provided an update on the planning for the 2006 Annual Meeting in Portland, Maine, August 8-11th. They have negotiated with the Holiday Inn on the Bay as the host hotel at a cost of \$98 per night. They also provided an overview of some of the activities that will be available during the evenings. As it now appears very likely that AJCA will still have an Annual Meeting in August, President Lacy has agreed to sign a contract with the hotel and planning for the meeting will proceed.

4. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) DISCUSSION

Paul Maldonado, Assistant Special Agent in Charge, Immigration & Customs Enforcement (ICE), and Tony Rouco, Supervisory Special Agent, Immigration & Customs Enforcement (ICE) from the Denver office, were invited to address questions and concerns that the membership may have about juveniles who may request Interstate Compact services but who are in the country illegally.

Mr. Maldonado said that there are approximately 11 million illegal immigrants in the United States at this time. Any person in the United States who is here illegally is subject to being deported. Adults who are illegal residents and come to the attention of ICE will be arrested. If adults come from a country that shares a contiguous border (only Mexico and Canada) with the United States, they can be returned voluntarily rather than being deported. Illegal immigrants from other countries face an automatic deportation. However, Mr. Maldonado stressed that an illegal immigrant would never be deported to a country where they would be persecuted or in danger because of their political beliefs.

Mr. Rouco stated that ICE cannot use juvenile charges to deport juvenile illegal residents. It is their policy that non-delinquent runaways who are here illegally will be released to the custody of an adult family member who is a legal resident. If the juvenile has no family member here who is a legal resident, the juvenile will be turned over to the Mexican Consulate and he encouraged ICJ officials who encounter non-delinquent runaways to contact the Mexican Consulate in their area as well. However, if the juvenile has been involved in any criminal activities, contact the ICE office in your region first.

Since there is such a large population of illegal immigrants in the United States, ICE prioritizes the individuals that they will go after first and those are the individuals whom ICE believes pose the greatest risk to the United States: individuals who pose a public safety risk and those who pose a national security risk (terrorists). Mr. Maldonado stressed that juveniles who have entered the country illegally with adults who are exploiting them for any purpose, are also a high priority for ICE and he encouraged anyone in the room to call him personally if they run across any situation where this might be happening. He distributed a list of contact persons and their phone numbers for each ICE region in the United States.

President Lacy thanked both Mr. Rouco and Mr. Maldonado for attending the meeting and participating in the discussion. He presented both with a small token of appreciation from AJCA.

5. NEW COMPACT UPDATE

Rick Masters, Special Counsel, The Council of State Governments, provided an update on the progress of the passage of the new Interstate Compact for Juveniles. The new Compact has been adopted in twenty-nine states, has passed the Senate in the State of Missouri, and is under consideration in seven other states. Thirty-five states need to become signatory to the new Compact before it becomes law. At this point, Mr. Masters said that it is projected that the necessary six states will become signatory to the new Compact before the end of the summer and that the first meeting of the new National Commission will be in the Fall.

Mr. Masters gave an overview of the 1955 Interstate Compact and reviewed the problems which led to the creation of the new Compact and explained how the new Compact attempts to address these problems. He also discussed interstate compacts in general, stating that interstate compacts are congressionally consented compacts/agreements which have the same authority as federal laws.

Mr. Masters said that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has

funded this effort so far and has earmarked \$250,000 for the transition process.

6. RECOMMENDED CHANGES TO THE RULES AND REGULATIONS

The AJCA Board contracted with Rick Masters several months ago to review the current AJCA Rules and Regulations to ensure that they are constitutionally sound and legally defensible. Mr. Masters was asked to present his recommendations to the membership at the Mid-Winter Workshop.

Mr. Masters distributed his proposed changes and explained that he had reorganized the Rules and Regulations so that they are in a more logical order. He made the following recommendations on the content of the Rules and Regulations:

- The definitions (glossary) be adopted as part of the Rules and Regulations and placed in the first part of the document as Section 100
- Add the word “means” after each term in the glossary
- Definitions for the following terms be put into the glossary: adjudicate, due process, counsel, hearing, ICJ legal jurisdiction and promulgate
- Created Section 200 (General Provisions) which is a combination of the former Section 100 and former Section 700
- Add a new Section 700 (Adoption and Amendment of Rules)
- Add a new Section 800 (Dispute Resolution and Enforcement)

Beyond that, Mr. Masters stated that there were not any major changes, but just mostly reorganization and reformatting of the document.

The group discussed Mr. Masters’ recommendations and asked him to make the following changes to his proposed new Section 100 (Definitions):

- Under the definition of “court,” delete the word “state”
- Under the definition of “court order,” add the word “legally” before the word “authorized” and change “an” to “a”
- Under the definition of “Interstate Compact on Juveniles, delete the word “care” and insert the word “treatment”
- Under the definition of “Legal Jurisdiction,” end the sentence after the word “offenses, deleting “with which a juvenile has been charged.”
- Under the word “promulgate,” add the word “rule” after the word “law” and add a comma
- Under the word “State,” add a comma after “Virgin Islands,” delete the word “and,” add a comma after the “Northern Marianas” and add the word “Guam.”

7. ADJOURNMENT

Because it was the end of the day, the membership decided to continue its discussion of Mr. Masters’ proposed changes to the Rules and Regulations tomorrow morning and Mr. Masters agreed. The meeting was then adjourned.

Minutes approved by the Executive Board May 3, 2006