

Indiana Interstate Compact State Council

September 22, 2023

Minutes

The Indiana Interstate Compact State Council met on September 22, 2023, at 1:00-2:00 p.m. at 251 N. Illinois Street, Indianapolis, Indiana. Justin Forkner presided over the meeting.

1. **Members present.** The following members attended the meeting:
 - Justin Forkner, chief administrative officer of Office of Judicial Administration and chairperson
 - Mary Kay Hudson, executive director of Indiana Office of Court Services and Compact Administrator
 - Joel Gruber, proxy for commissioner of Indiana Department of Correction
 - Don Travis, proxy for director of Department of Child Services
 - Chris Naylor, executive director of Indiana Prosecuting Attorneys Council
 - Laura Berry, executive director of Indiana Coalition Against Domestic Violence (video)
 - Devon McDonald, executive director of Indiana Criminal Justice Institute
2. **Members absent.** The following members did not attend the meeting:
 - Bernice Corley, executive director of Indiana Public Defender Council
 - Steve Luce, executive director of Indiana Sheriffs' Association
 - Judge Kelsey Hanlon, president of the Indiana Council of Juvenile and Family Court Judges
3. **Staff present.** Jenny Bauer, April Dubree, Nita Wright (video), April Simmons, Nataly Sevilla, and Chris Biehn provided staff assistance to the Council.
4. **Welcome and call to order.** Justin Forkner welcomed members and thanked them for attending. Mr. Forkner announced that Sen. Jack Sandlin passed away unexpectedly earlier in the week and recognized his valuable contributions to the State Council.
5. **March 8, 2023, meeting minutes.** Don Travis moved to approve the March 8, 2023, meeting minutes and Mary Kay Hudson seconded. The motion carried unanimously.
6. **Adult and Juvenile Compact Updates.**
 - a. **Adult Compact.** April Simmons reported the following on the Adult Compact:
 - Indiana counties are maintaining compliance with ICAOS rules but struggling with high turnover rates. IOCS Compact staff are working with departments to coordinate one-on-one training and virtual training.

- Indiana will host a Zoom training with the Illinois Compact office in October. The training will cover home visits for probationers with active warrants, retaking issues, treatments referrals, and technical violations.

b. Juvenile Compact. Nita Wright reported the following on the Juvenile Compact:

- Indiana counties are maintaining compliance with ICJ rules but also struggling due to turnover and need for supportive training. IOCS internal audits revealed various areas for improvement.
- IOCS Compact staff are scheduling one-on-one training to assist affected counties.
- IOCS Compact staff also scheduled a “back to the basics” training for counties on the juvenile compact on November 2, 2023. The training is targeted toward new UNITY users and field staff responsible for supervision of juvenile interstate cases to expedite processing and reduce IOCS staff time.

7. Annual Business Meetings.

a. ICAOS Annual Business Meeting. Mary Kay Hudson reported that the Interstate Commission for Adult Compact Supervision Annual Business Meeting took place in Norfolk, Virginia September 18-20. She reported that the Commission members voted on two rule changes: Rule 5.108 on probable cause hearing in the receiving state was amended to allow states the option to hold an offender in custody after a probable cause finding; By-Law Section 2 was amended to remove the International Association of Chiefs of Police. Ms. Hudson explained that the International Association of Chiefs of Police requested to be removed due to their inability to actively participate in the Commission’s business. Ms. Hudson also reported that other business included the final report from the Language Change Workgroup which was charged with considering person-centered language in place of the term “offender.” April Simmons served on the workgroup, which recommended replacing the term “offender” with “supervised individual.” The ICAOS executive committee will review the proposal in November. Ms. Hudson also noted that many states struggle with having an active state council and she thanked the members for their participation.

b. ICJ Annual Business Meeting. Nita Wright reported that the Interstate Commission for Juveniles annual business meeting is scheduled for September 25-27 in Salt Lake City. The meeting is both in person and virtual and features a public hearing on proposed rule amendments and a keynote address on self-care by Dr. LaMarr Shields. Ms. Wright highlighted the proposed rule amendments for consideration at the meeting:

- Rule 1-101: Relocate—removes the definition of “relocate” and revert to the traditional sense of the word, which is “to move from one place to

another;" bundled with Rules 4-101 and 4-103 and these rules would remove the term "relocate."

- Rule 4-102: Sending and receiving referrals—adds "point of contact" for home evaluation purposes before supervision transfers; the point of contact assists the juvenile and family during the investigation of the referral.
- Rule 4-104: Authority to accept/deny supervision—moves part of section 4 to a new section 5 on acceptance of supervision when the juvenile has no legal guardian in the sending state and has a legal guardian in the receiving state; adds a sentence to section 4 to require a detailed justification on why the proposed residence is not safe or suitable.
- Rule 5-103: Reporting juvenile non-compliance and retaking—section 4 moved to new Rule 5-103A.
- Rule 7-106: Transportation—adds new section 8 on emergencies that interrupt established travel plans and amends sections 3 and 4 on return of confiscated items.
- Rule 7-107: Airport supervision—amends section 3 to allow an exception to the 48-hour rule by the intermediate airport layover state.
- Rule 8-101: Travel permits—amends to not require travel permit for a juvenile returning home.

The State Council members discussed the proposed amendments and approved by consent for Mary Kay Hudson to vote in favor.

8. **Other business.** Nita Wright reported that IOCS received approval to hire a new compact specialist to help with training and increased activity. Mary Kay Wright introduced Chris Biehn as the new deputy director for the IOCS justice services division.
9. **Next Meeting Date.** The Interstate Compact State Council is scheduled to meet next on December 13, 2023, at 10:00 a.m.

Respectfully submitted,

Jenny Bauer
Indiana Office of Court Services