



CALIFORNIA STATE COUNCIL FOR INTERSTATE JUVENILE SUPERVISION
&
CALIFORNIA COUNCIL FOR INTERSTATE ADULT OFFENDER SUPERVISION

Minutes

December 20, 2022
1 PM

Present:	Guillermo Viera Rosa	Commissioner/Compact Administrator Director, Division of Adult Parole Operations
	Hon. R. Glenn Yabuno	Assistant Presiding Judge Superior Court of California, County of San Bernardino
	David Robinson	Sheriff, County of Kings
	John Keene	Chief Probation Officer, County of San Mateo
	Karen Neuwald	Member, Senate Rules Committee Appointee
Absent:	Supriya Sunderaj Perry	Member, Speaker of the Assembly's Appointee
	Vacant	Victims' Representative
DAPO Guests:	Michael Farmer	Deputy Compact Administrator/Parole Agent III, Youth Authority Division of Juvenile Justice
	Ryan Youtsey	Deputy Compact Administrator/Parole Administrator I Interstate Compact Unit, Division of Adult Parole Operations
	Truesee Chang	Assistant Deputy Compact Administrator/ Parole Agent II, Adult Parole (Specialist) Interstate Compact Unit, Division of Adult Parole Operations

The August 31, 2021, California State Council for Interstate Juvenile Supervision meeting minutes were approved.

Discussion

- **Deputy Compact Administrator's (DCA) Report**
 - DCA Farmer notated that nearly every year, juvenile probation numbers have gone down over time.

- In October 2022, California county probation departments were supervising 109 other states' juveniles.
- California was having 140 youth supervised in other states on behalf of our local probation departments.
- Los Angeles (LA) County is much lower than before, but still has the most cases (26) on behalf of other states, and has 15 youth out-of-state.
- Sacramento County has more youth (19) being supervised outside of California than any other county.
- **2022 Interstate Commission for Juveniles (ICJ) Annual Report**
 - In FY 21-22, there were 146 returns of parole and probation absconders or non-delinquent runaways.
 - 403 transfer cases, including a lot of fairly short-term probation transfers, where youth are placed on probation for a 6-month period.
 - The annual statistics highlight FY 2015 having nearly 7,000 transfers through ICJ, and down to just under 4,000 in FY 2022.
- **Data System Transition**
 - DCA Farmer began fairly regular virtual presentations/trainings on ICJ Rules and Uniform Nationwide Interstate Tracking for Youth (UNITY).
 - In May 2021, the California Department of Corrections and Rehabilitation (CDCR) began using UNITY, the data management system for ICJ cases.
 - 5 training sessions were provided with a total of 277 probation officers (PO) attending.
 - As states are beginning to utilize Tableau reporting, states can now monitor their own annual reporting and/or data assessment progress, as opposed to a full scale review of the states' compliance.
- **Dues Increase**
 - The Commission passed a 35 percent increase in states' dues for Compact participation.
 - Dues increases are supposed to be evaluated every 5 years.
 - DCA Farmer stated the dues will go from \$37,000/year to \$49,000/year in 2024.
 - Commissioner Viera Rosa added if anybody was alarmed at the dues increase, he wanted to assure the Council that the CDCR could absorb the cost since it's within the budget.

Old Business

- **Secure Detention of Non-Delinquent Runaways**
 - When a local probation department or juvenile hall is unable and/or unwilling to house a non-delinquent juvenile for return through the ICJ, DCA Farmer stated that he works with child welfare/social services agencies.
 - UNITY reports are being developed.

- Prior to the pandemic, LA County Probation consistently held non-delinquents in the juvenile hall.
 - Many of these non-delinquent runaways are being handled by the Department of Children and Family Services (DCFS), which DCA Farmer continues to work with to encourage developing an ICJ process.
 - DCA Farmer was recently speaking with one of their County counsel, who was taking that on.
 - Historically, they've tried to work within the ICJ Rule 6-101: Release of Non-Delinquent Runaways that allows for returning a youth within 24 hours, because they've been concerned about the youth running away before they can do anything.
 - Therefore, they don't get to the point where they need to do a non-delinquent runaway process.
 - If they can identify the parent or guardian, they're often flying the juvenile back to them within a 24-hour period, which does not trigger ICJ.
 - We'll see a lot fewer non-delinquent runaways being processed out of LA County, because DCFS is returning them quickly in a different manner than we had become accustomed to.
- Riverside, Sacramento, and San Bernardino counties are consistently willing to hold non-delinquents for return through the ICJ. Ventura County facilitated one difficult non-delinquent return this year.
- Children Services meet the criteria for placement because they parse secure and locked, versus secure and not locked, or staff-secured versus door secured/locked door.
 - Technically, detention could be Children Services in terms of housing or detaining a non-delinquent.
 - In most cases, those are staff-secured facilities, where they could walk out the door if they chose.
 - Transportation concerns are raised when it's a social worker, not probation staff.
- Commissioner Viera Rosa stated the lines have certainly softened and the State's ability to procure or provide services for non-state inmates or parolees.
 - If there were a need to have contracts for emergency placement housing and a county/location would benefit from that, we could certainly consider it as a council.
- DCA Farmer stated that part of the issue with Child Protective Services/child welfare taking over some of these cases are their rules on how they have to process an individual to take responsibility (even for a short period of time), don't mesh well with the ICJ Rules.
 - In order to pay for their housing for any short period of time, they have to file a petition of assumed jurisdiction of that individual by the court.
 - The State has 5 days to pickup someone.

- Commissioner Viera Rosa and DCA Farmer confirmed that were still be 2 separate compacts.
- DCA Farmer stated that both contacts are now housed in the same location.
 - Having both units combined in 1 location provides a lot more opportunity for cross-training.
 - Commissioner Viera Rosa stated it's better placed because of shared resources, the Adult Compact side has a lot more resources, staff, and a much more adaptable and expansive operation.
- DCA Farmer stated, as part of the transition, he recommended an agreement between the Chief Probation Officers of California (CPOC) and DAPO re: specific ICJ rules that don't frequently come up.
 - Eligibility
 - The way the ICJ Rules are written may leave some room for debate of what eligibility is for an adjudicated delinquent or deferred adjudication.
 - California's very specific with deferred entry of judgement.
 - Therefore, some people don't believe an informal probation order qualifies as a deferred adjudication.
 - Transfers of supervision submitted to California require a response to the sending state within 45 days.
 - That 45-day period is from the time that it's received at the ICJ office.
 - DCA Farmer's recommendation would be once a probation department receives a request to complete it within 30 days.
 - If it goes well, youth is being supervised within 30 days, as opposed to 45–60 days.
 - Transportation of absconders/runaways.
 - If they're being held on a juvenile warrant and goes through the ICJ, we are responsible for providing transportation to the airport.
 - If we don't have anyone to transport this individual to his escort at the airport, we request assistance by LA and San Mateo counties in providing supervision during a layover for a juvenile, who's being returned without an escort.
 - Commissioner Viera Rosa questioned if DCA Farmer was “suggesting to work together with CPOC to have a training manual or instruction and having CPOC give that to the counties? Not to say his entity would have to approve them, but with some of the other associations that seems to have been more successful going that route. Would he need delegated authority from the Council or what mechanism he thought would work?”
 - DCA Farmer stated, “This body's support in pursuing something may be helpful in working with other entities.”
 - Member Keene stated, “There are other associations who would have to be involved in this.”

- It's the Sheriffs' responsibility re: the movement of people who have warrants and who's going to be responsible for transporting them out of adult jails.
 - Sheriffs would need to have input in terms of what they feel is appropriate for their membership at the county level.
- The judges have different opinions about informal cases and how those cases are determined a truly informal case.
 - Today, we have many informal cases that have a lot of formal feel to it in terms of many conditions that our bench officer may say is "out there" for a young person to follow.
- In terms of how it actually gets operationalized on the county level, Judicial Council has to be involved in that conversation.
- Member Keene certainly has no problem carrying through to CPOC any kind of formal suggestions, as a body, we want to present them.
 - He was certainly willing to carry the weight of these suggestions, but it would be responsible for this Council to actually engage these other bodies, to see if this is doable and if there are things that we can do to assist at the State level.
- Commissioner Viera Rosa stated, "Based on that recommendation of some of the identified recurring issues, it seems Compact Office staff would go back and associate with each one of those issues as to who the stakeholders are (i.e., bench, probation or sheriff's department). After doing that, we can come back and decide who needs to be involved in which parts of the conversation and what the best approach will be."
 - Member Keene stated, "It almost feels like a limited-term work group to really put something together that's meaningful. An offshoot workgroup of the Council that would do the legwork and come up with a recommendation to bring back to the Council, who then could approve it, and then figure out how best to actually disperse it and make sure we support it at the ground level with the counties."
 - Commissioner Viera Rosa responded, "That sounds right to me."
 - Member Sheriff Robinson stated, "The more people we can transport out of my jail, I'm all in."
 - Member Judge Yabuno stated that he "agreed with that approach and that it would be a good idea."
- DCA Farmer suggested being able to apply sanctions to juveniles that are being supervised for other states.
 - It's often assumed/believed that it just can't be done, because we don't have technical jurisdictions.

- Continues to look for an approach to address that before they end up in the supervising county's jurisdictions with adjudicated charges.
- **Designee Change Status & Approval of DCA Farmer As Designee**
 - Commissioner Viera Rosa stated that DCA Farmer has been functioning as the California voting member for the ICJ.
 - In the event that DCA Farmer retires before the next Council meeting, then it would fall back on the Commissioner.
 - Motion to designate DCA Farmer as Commissioner Viera Rosa's designee, as a voting representative, was approved.

New Business

- None.

Public Comments

- None.
- Member Keene recommended that the Council have future public comments/questions at the beginning of the agenda.

The September 22, 2021, California Council for Interstate Adult Offender Supervision meeting minutes were approved.

Discussion

- **Deputy Compact Administrator's Report**
 - **2021–22 Compliance Statistics**
 - All of California's percentages are above 97%, most of them in the 99 percentile, and above the national average.
 - Currently, there are 4,900 active incoming cases that are being supervised in California from other states: 74% probation cases and 26% parole.
 - There are 2,274 California cases in other states: 74% probation and 26% parole.
 - The Interstate Commission for Adult Offender Supervision (ICAOS) is working on a number of new reports to help states be in better compliance with data collection, scrubbing, and transfers.
 - California has continued to be above the national average on making sure data is input correctly.
 - **Annual Business Meetings**
 - **2021**
 - **2021 ICAOS Rules Voting Results, Implementation, and Impact**

- Assistant DCA (ADCA) Chang stated there were 4 rules that were proposed and voted upon last year.
 - **Rule 1.01: Definition of 'Resident'** to living in the receiving state 1 year prior to the sentencing or the supervision start date, which passed.
 - There's very minimal impact on California because it made it easier to determine whether, or not, the offender qualifies as a resident and a few more offenders.
 - It benefits the offenders to get approval, because they're California residents or any other state.
 - **Rule 5.108(b): Probable Cause Hearing (PCH) in the Receiving State** revision, which states, "No waiver of a PCH shall be accepted unless accompanied by an admission by the offender to 1 or more violations of the conditions of supervision that would result in the pursuance of revocation of supervision in the receiving state and require retaking," passed.
- Member Neuwald asked if California's positions on these were heard before they were adopted or if they listened to us when we didn't like something.
 - Commissioner Viera Rosa stated that many of the ones are smaller, more about language, and aligning other parts of the Compact.
 - The larger Compact serves us well, because we send so many people elsewhere versus folks coming in.
 - We are strategizing with DCA Youtsey with more participation in the subcommittees.
 - ADCA Chang stated that there are Western meetings she and DCA Youtsey were participating in, so they can express our concerns more in those meetings.
 - **Rules 2.110, 4. 111, 5.101, 5.102, 5.103, and 5.103-1:** Standardizes the 15-business day rule to issue warrants with violations (retaking, felony conviction, absconding, etc.), which passed.
 - California opposed this Rule amendment.
 - This Rule affected California probation offices the most.

- It's difficult for California to issue a warrant in a 15-business day timeframe.
 - We have been reaching out to counties, providing information and training, trying to build rapport with the District Attorneys' offices, and reaching out to courts to try to work together with them to get this issue resolved.
- **New Warrant Status Tracking/Audit Tool:** Used to enter Parole Agents'/POs' warrant into the iCloud system, will pull the warrants, and track how many are issued and what's not issued on time.
 - It's not fully operational, yet, so the audit is not being done.
 - However, we are expected to enter our warrants into the system.
 - Once everything is on board, they will start the tracking for the iPads.
- The Rules took effect on April 1, 2022.
- Next year, 2023, will be a Rule proposal year.
 - Ms. Chang and DCA Youtsey are participating in the Western region meetings, so we will try our best to express our concerns for the State during those meetings.
- **2022**
 - **ICAOS COVID-19 Update**
 - DCA Youtsey stated, since 2021, all of the United States' offices are all back to normal.
 - California Interstate Compact Office staff continues to work in the office with a hybrid schedule.
 - The transfer process is fully operational and all normal timelines are still in place for all the states.
 - A number of states still varies on how they work (i.e., some in person, some teleworking).
 - There's been a unique increase in the ability to do virtual meetings through this this process, so a lot of the states are usually meeting on this type of platform.

- **University of Cincinnati Corrections Institute’s Interstate Compact Study Outcomes**
 - DCA Youtsey stated the University of Cincinnati conducted an exploratory study sponsored by the ICAOS.
 - The goal was to explore the benefits, challenges, and impacts to those individuals that are under the Compact transferring between states, so that the ICAOS and states could guide future decisions on it.
 - One of the biggest issues, which continues to be, is collaboration and communication between the states.
 - States are doing a lot of different things, so they're trying to figure out a better way for standardization.
- **ICAOS Transfer Rejection Assessment & Recommendations**
 - The ICAOS measured the percentage of cases that were rejected from transferring from one state to another.
 - The goal was for states to promote successful reintegration and how we improve the success rates of those placements between states.
 - The national average is still 66% acceptance rate.
 - They recommended standardization, training, and verifying plans prior to submitting to the Compact offices.
- ***The Road Home: A Compact Documentary***
 - The ICAOS and National Institute of Corrections produced a very interesting documentary called, *The Road Home: A Compact Documentary*, which followed a number of individuals, starting when they were in prison custody, on parole and/or probation, and through the entire transfer process between states.
 - This included how the paperwork was submitted to their office; how it went to the other offices; their release; and struggles.
 - There were 2 individuals on supervised community supervision with successful cases.
- **Dues Increase**
 - DCA Youtsey stated the dues increase was approved for 5.25% for 5 years and a final 3%.
 - Currently, our dues are approximately \$36,000 annually and they're going to go up to about \$49,000 annually in 2024.

- **Training Update**

- **2021–22**

- ADCA Chang, Training Officer, stated due to COVID-19, in 2021, the California Interstate Compact Office conducted training virtually through Microsoft Teams.
 - Since the Office provides a 7-hour, STC-certified course, the training was separated into two sessions: transfers and violations.
 - In 2021, we had 1 training session with 39 POs.
 - In 2022, we had 2 sessions of Part 1 and 1 session of Part 2 that 122 POs participated virtually.
 - The Office also conducted training at a couple of Basic Parole academies.

- **2022–23 Training Plan**

- The plan is to do in-person training, which is more effective and with that one-on-one connection, along with parole agent and PO connections.
 - The Office had a meeting with the court, probation coordinators and supervisors.
 - Our expectations have been given to them in the last couple of years.
 - To have the county coordinators and supervisors be the subject matter experts, to be in charge of their own counties, and for them to train their own POs.
 - Then, their POs can go to them, instead of coming directly to our office.
 - In addition, the goal is more collaboration with California stakeholders, such as the courts, District Attorneys' (DA) offices, jails, and other stakeholders, so that we can process (i.e., PCHs, retakes, violations, etc.) smoother than it has been.
 - Many issues that we still have involves the PCHs.
 - We have core provision cases and counties issuing fully extraditable warrants.
 - Counties have brought to our attention court probation cases, where they do not report to a PO.
 - Most of the time, we find out about these cases once the offenders are already in the other state and the other states advise us that we have a case that's out of compliance.
 - At that time, we reach out to the probation offices, we put it back on the counties to discuss and decide who is going to be in charge of those

cases, and how we handle those cases between the courts and the probation office.

- We're still waiting for a lot of feedback from the different counties in regards to that.
- The whole plan is to train everybody, get the information out to as many stakeholders as possible.
- DCA Youtsey stated that we've had issues come up from time to time and had to contact the court, jails, probation, and/or the sheriffs' offices.
 - We've had issues with court probation cases, which usually don't have a supervision piece attached, so sometimes they went out-of-state.
 - Then, our issue was who's going to be able to submit the paperwork through the Interstate transfer paperwork?
 - The court doesn't have an officer that does that and probation says they're not from a county or supervising them, so we've had to work with those specific cases.
- The California Interstate Compact Office invited everybody and met with many counties.
 - We're willing and wanting to train each county coordinator to be that point of contact within the county, so that's our goal for this year.
- We're working on dates in early 2023 to get started with some trainings on this process and getting our names and faces out there to give contact information.
- Additionally, we're going to be reaching out to the judges and the Judicial Council to offer that training to them, as well, and share of partners.
- Member Keene agreed with the assessment that we want to build up our court and county coordinators in these arenas.
 - On-demand training might want to be considered to assist with not getting these an influx of calls all of the time asking for assistance.
 - A place on the website to have on-demand opportunities with an online library of basic topics for departments to train staff as we transition them.
 - The same is true potentially around this issue of core probation cases.

- From probation’s perspective, we certainly try to work very closely with our courts to inform them that these cases may come up.
 - Then, it creates a little bit of a stressor to the system when the fact that they're going to leave out-of-state is not contemplated during the judicial process.
 - For the Judicial Council, having on-demand judicial education and support would be an opportunity, as well.
 - There are a ton of opportunities here to take advantage of this virtual space that we've already established and maybe do just a little bit more with it to help with the training part.
- Commissioner Viera Rosa stated that makes so much sense and asked if the Interstate Compact Offender Tracking System (ICOTS) certificate courses were available to our county partners?
 - ADCA Chang stated they are available.
- Commissioner Viera Rosa stated we're talking about maybe using LMS for more specific operational pieces.
 - Member Keene stated, “Many of us have LMS, as well. There's probably a lot of coordination that could happen to make that process easier. It wouldn't be a complete build out on your end. All of us at this point have gotten used to Teams, Zoom, etc. Most counties are using something now that would facilitate in support of that type of training.”
- ADCA Chang stated that in order for a staff to gain access to ICOTS, they do have to complete its On-Demand Training, prior to us giving them access.
 - In the past, we haven't been monitoring that to a certain extent.
 - It was discussed to be more stringent on that and to actually receive the certificates, because they do get a certificate.
 - For proof of completing the program, we've been relying on them to complete the application stating that they've completed the On-Demand Training.
 - Oftentimes, we found out that a lot of them don't know the Rules or how to use ICOTS.
 - We don't know if they actually participated in completing the On-Demand Training, because we haven't really verified it.
 - In the future, we need to be more stringent on actually having applicants submit certificates as proof of completing the On-Demand Training prior

to gaining access to ICOTS to show that they actually did the training.

- Member Keene stated from probation's perspective, he could certainly offer support through CPOC, because we're building in our training modality a very large on-demand library of classes from our work.
 - If there's something that may/may not meet your standard for certification, if it's some information or maybe a training that's even more basic that you would want to have sit on our homepage/training page, we could certainly do that.
 - He can offer up that arch training team that would be willing to support the Office and ensure that those certifications have been done to your standards, so that certificates can be given as proof of it.
 - That's something we can certainly work closer with the Office to make more use of a digital platform that we already have access to.
 - Then, maybe we can marry up some of that work to make it easier to providing support to the different counties.
- Commissioner Viera Rosa stated he heard some great opportunities for the Interstate Compact team to utilize the CDCR;'s video recording studio.
- **Interstate Issues**
 - **Probable Cause Hearings and court probation cases** were discussed.
 - **Counties Issuing Fully Extraditable Warrants**
 - ADCA Chang stated that we continue to have issues with some states that she mentioned earlier.
 - It's a 2-step process where they needed (number of) days approval in order to upgrade a warrant to a fully extraditable warrant.
 - This is mainly for misdemeanor cases.
 - There were a couple of Yolo County cases that we've had to have a meeting with the Court, DA's and Public Defender's offices, which were resolved.
 - Mainly, this was due to the Court and the DA's Office not aware of the Rules and process.
 - Creating that collaboration will, hopefully, will resolve this issue and the process can be smooth.
 - Then, we'll be within that 15-day timeframe for the warrants.
 - Right now, the Office has 2 agents who are in charge of violations and are tracking the warrants.
 - Since April 1, 2022, where the 15-day Rule took effect, we have about 65 cases that need warrants, we have about 3 that are overdue outside of that 15 days, and we're working on them to get those issued.

- It's not a lot, but any that are overdue, other states usually start complaining and emailing us.
- It doesn't matter how many cases are overdue, we have to bring them into compliance.
- We're still working on focusing on training and getting the information out to everybody.

New and Future Business

- **Recommendations**

- **Training**

- DCA Youtsey stated that we really need to offer training.
 - I appreciate the feedback from everybody so far and enhancing communication and collaboration.
 - That's the key, Ms. Chang and I are going to be attending all of the meetings on all the committees.
 - Contact some Council members at some point for individual contacts with courts, DAs, jails, etc.
 - There are a lot of promotions and retirement, so I may be reaching out to some of you individually to help find the points of contact.

- DCA Farmer stated that Chief Keene's and Sheriff Robinson's terms are up for renewal if they are interested in continuing.

- He believed those had to be renewed before the next meeting, if they haven't already.
 - Chief Keene stated, "I, of course, want to keep going. Yes. I'll check with my association to ensure that they don't want to offer up someone new. It's certainly my intent if they ask me to continue on. I will certainly reach out and let you know if there needs to be any change at our point. Our next in-person meeting will be in February 2023, so I'll have a sense then if there will be any changes from CPOC's perspective."

- **Suggested Dates for the 2023 Council Meeting**

- It was stated late July–September, or earlier (avoiding early July and the Jewish holidays in September), would be best prior to the ABMs.

Public Comments

- None.

Adjourn

- Meeting was adjourned at 3:13 PM.