



OJJDP FACT SHEET

John J. Wilson, Acting Administrator

September 2000 #12

Interstate Compact on Juveniles

by Christopher Holloway

The Interstate Compact on Juveniles (ICJ) is a multi-State agreement that provides the procedural means to regulate the movement across State lines of juveniles who are under court supervision. Specifically, ICJ is a legal contract between all 50 States, the District of Columbia, the Virgin Islands, and Guam that provides for the monitoring and/or return of any juvenile who:

- ◆ Has run away from home without the consent of a parent or legal guardian.
- ◆ Is placed on probation or parole and wants to reside in another State.
- ◆ Has absconded from probation or parole or escaped from an institution and is located in another State.
- ◆ Requires institutional care and specialized services in another State.
- ◆ Has a pending court proceeding as an accused delinquent, neglected, or dependent juvenile and runs away to another State.

What Is a Compact?

Simply stated, a compact is an agreement between two or more States for cooperative effort or mutual assistance. Dating as far back as the 1780's, compacts have been established to address issues that arise among States. Many of the earliest compacts were designed to settle boundary disputes. To solidify the contractual nature of compacts, Congress included in the Crime Control Act of 1934 a provision that States ratifying compacts are bound to observe the terms of the agreement until the compact is formally renounced by the State. Compact provisions take precedence over conflicting State laws and take precedence when the provisions are inconsistent with existing laws of a compact State.

History of ICJ

In the early 1950's, *Parade* magazine published a series of articles entitled "Nobody's Children," which depicted the plight of runaways in America. Inspired by these articles and recognizing that action

was needed, a group of organizations sought to develop a uniform set of procedures to facilitate the return of juveniles who ran away to other States and to create a system in which juvenile offenders could be supervised in other States. Representatives from the Council of State Governments, National Council on Crime and Delinquency (formerly the National Probation and Parole Association), National Council of Juvenile and Family Court Judges, American Public Welfare Association, National Association of Attorneys General, and Adult Parole and Probation Compact Administrators Association drafted ICJ to meet these needs. The Compact was approved by these organizations in January 1955 and ratified by all 50 States, the District of Columbia, the Virgin Islands, and Guam by 1986.

ICJ Today

The Association of Juvenile Compact Administrators (AJCA) compiles statistical data on Compact activities. Because many States do not report their Compact activities, AJCA is unable to provide exact figures on how many transfer and supervision cases occur annually. However, it estimates that ICJ is used in 20,000 to 30,000 transfer and supervision cases annually, with the majority of those cases consisting of juveniles on probation or parole who are supervised in a State other than the State where the offense and adjudication occurred. This is particularly common when a juvenile lives near a large city bordering another State. Frequently, the Compact deals with cases in which a juvenile's parents have moved to another State or have separated and one parent has moved out of State, thus creating a situation in which the juvenile is subject to dual-custody issues.

Association of Juvenile Compact Administrators

AJCA is made up of Compact administrators and deputies appointed by each State and other participating jurisdictions. It is responsible for developing and adopting the rules and regulations that currently govern the administration of ICJ. AJCA also plays an active role in:

- ◆ Providing for the uniform, cooperative, interstate supervision of juveniles on probation and parole.
- ◆ Providing for the prompt return (from one State to another) of juveniles who have run away from home and/or escaped from institutions.
- ◆ Promoting education about the Compact and probation and parole practices and providing training to juvenile justice professionals.
- ◆ Providing additional measures to protect juveniles and the public.

The Future of ICJ

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), in cooperation with the National Institute of Corrections (NIC) Information Center, has conducted a survey of juvenile justice professionals who work with ICJ. The goal of the survey is to assess the strengths and weaknesses of the current ICJ. The NIC Information Center is analyzing the information received and will document the findings in a report scheduled for release later this year. Once the report is completed, OJJDP, in cooperation with the Council of State Governments, will convene an ICJ advisory board to study the survey results and provide recommendations for the best course of action to address identified deficiencies in the Compact and its implementation.

For Further Information

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

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Fact Sheet



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Interstate Compact for Juveniles

For the latest information concerning the new compact, please visit The Council of State Governments' (CSG) website at:

<http://www.csg.org/CSG/Policy/public+safety+and+justice/interstate+compact+for+juveniles/default.htm>

If you have difficulty connecting, try copying and pasting the address in your browser's address bar. If you are still unable to connect, go to CSG's home page at <http://www.csg.org/csg/default> and then click on the following submenus:

- Policy
- Public Safety
- Interstate Compact for Juveniles

Questions may be directed to:

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INTERSTATE COMPACT ON JUVENILES

ADVISORY GROUP

PROJECT GOAL

Prepare a formal proposal to be presented to OJJDP by CSG recommending a detailed course of action regarding the future of the Interstate Compact on Juveniles as determined by the advisory planning team, i.e. revision, amendment, redraft, etc.;

PROJECT OBJECTIVES

The following tasks are to be completed during the proposed six-month planning and evaluation phase:

- CSG will facilitate the assembling of an advisory planning team to examine the current language of the Interstate Compact on Juveniles and make recommendations on how to proceed with the development of revised language and governance of the Interstate Compact on Juveniles and/or an improvement of its rules and resources;
- CSG will conduct and facilitate two advisory planning team meetings over a six-month period, bringing together critical stakeholder groups in the evaluation and planning process. Meetings will take place at CSG's National Headquarters facilities in Lexington, KY;
- Primary goals of the planning meetings will be to 1) review and analyze information from the OJJDP survey regarding the Interstate Compact on Juveniles, that has been conducted by NIC's Information Center and; 2) develop strategies and recommendations for a future course of action pertaining to an improved Compact;

- Stakeholder groups will include, but are not limited to: Juvenile Compact Administrators Association, National Council of Juvenile & Family Court Judges, National Juvenile Court Services Association, National Council of Juvenile Court Administrators, National Juvenile Detention Association, Council of Juvenile Corrections Administrators, National Sheriff's Association, National District Attorneys' Association, U.S. Dept. of Health & Human Services, American Probation and Parole Association, Victims' Advocacy Groups and other organizations to be determined in concert with OJJDP;
- Begin development of a broad stakeholder network for use in the development of educational materials and an information clearinghouse (outreach and awareness);

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THE COUNCIL OF STATE GOVERNMENTS

INTERSTATE COMPACT ON JUVENILES ADVISORY GROUP

MEETING 1
DECEMBER 6 & 7, 2000
HYATT REGENCY HOTEL
DEARBORN, MICHIGAN

MEETING SUMMARY & PROJECT UPDATE

Meeting Summary

The Council of State Governments conducted the first of two meetings to examine the Interstate Compact on Juveniles on December 6 & 7, 2000 in Dearborn, Michigan.

Consensus of the Advisory Group at the conclusion of the first meeting was to revise the Interstate Compact on Juveniles including the modifications outlined herein. This preliminary decision was arrived at following 1-1/2 days of intense discussion and debate surrounding the current problems of the compact and the merits of several options regarding the future of the compact.

The Advisory Group made four specific recommendations pertaining to a future revision of the Interstate Compact on Juveniles:

1. Make significant changes to the language of the compact that will serve to strengthen the compact and its operation, thereby making it a major tool in the larger juvenile system.
2. Strengthen the existing rules and regulations as well as the rulemaking process to address the problems experienced by compact administrators and those who work closely with the existing compact.
3. Include a broader set of stakeholder groups and organizations in the Advisory Group process and the final recommendations to OJJDP.
4. Develop an information group of secondary stakeholder groups and organizations that are kept informed of activities and developments within the Advisory Group.

While the Advisory Group will be meeting again in mid-February to solidify and finalize these initial recommendations. early indications from Association of Juvenile Compact Administrators (AJCA) members and others in the Advisory Group is that a formal recommendation will be made to OJJDP to re-write the Interstate Compact on Juveniles.

Meeting Attendance

1. **Linda Harlee**, Child Welfare League of America
2. **Kermit Humphries**, National Institute of Corrections
3. **Larry Linke**, NIC Information Center
4. **Jim Toner**, National Council of Juvenile & Family Court Judges
5. **Anne Nelsen**, National Juvenile Detention Association
6. **Trudi Gregorie**, National Center for Victims of Crime
7. **Sheriff Ted Sexton**, National Sheriff's Association
8. **Jim Backstrom**, National District Attorney's Association
9. **Carl Wicklund**, American Probation & Parole Association
10. **Ray Wahl**, Juvenile Court Administrator (UT)
11. **Andrew Braun**, Juvenile Parole & Probation Officer (MN)
12. **Jay Newberger**, Compact Administrator (Retired) (SD)
13. **Mike Reddish**, Deputy Compact Administrator (NE)
14. **Donna Bonner**, Deputy Compact Administrator (TX)
15. **Ron Leffler**, Deputy Compact Administrator (IN)
16. **Duane Edwards**, Deputy Compact Administrator (NM)
17. **Don Murray**, National Association of Counties

Project Outline

Goal

Prepare a formal proposal to be presented to OJJDP by CSG recommending a detailed course of action regarding the future of the Interstate Compact on Juveniles as determined by the advisory planning team, i.e. revision, amendment, redraft, etc.;

Objectives

The following tasks are to be completed during the proposed six-month planning and evaluation phase:

- CSG will facilitate the assembling of an advisory planning team to examine the current language of the Interstate Compact on Juveniles and make recommendations on how to proceed with the development of revised language and governance of the Interstate Compact on Juveniles and/or an improvement of its rules and resources;

- Prepare background materials for advisory planning team (compact language, case studies, etc.);
- CSG will conduct and facilitate two advisory planning team meetings over a six-month period. bringing together critical stakeholder groups in the evaluation and planning process, Meetings will take place at CSG's National Headquarters facilities in Lexington, KY;
- Primary goals of the planning meetings will be to 1) review and analyze information from the OJJDP survey regarding the Interstate Compact on Juveniles, that has been conducted by NIC's Information Center and; 2) develop strategies and recommendations for a future course of action pertaining to an improved Compact;
- Stakeholder groups will include, but are not limited to: Juvenile Compact Administrators Association, National Council of Juvenile & Family Court Judges, National Juvenile Court Services Association, National Council of Juvenile Court Administrators, National Juvenile Detention Association, Council of Juvenile Corrections Administrators, National Sheriffs Association National District Attorneys' Association, U.S. Dept. of Health & Human Services, American Probation and Parole Association, Victims' Advocacy Groups and other organizations to be determined in concert with OJJDP;
- Begin development of a broad stakeholder network for use in the development of educational materials and an information clearinghouse (outreach and awareness).

Project Update

As the Advisory Group heard from national experts on interstate compacts and worked through several of the key problems affecting the compact today, four critical areas for change rose to the top of the discussion:

1. **Compact revisions** -components that need to be adjusted, added or deleted from the current language of the compact. The current compact makes no reference to rules or rulemaking and does not even establish or recognize AJCA. The compact does not establish a system of financial support for the compact, nor does it call for the sharing of information and data of juvenile transferees. The compact also contains "piece-meal" amendments to the compact that have been adopted by some, but not all of the states and territories. These should be incorporated into a revised compact.

2. **Changes to the rules and rulemaking structure** -not only strengthening the existing rules, but also developing a conventional administrative rulemaking system within the compact and an organized, legitimate method for development, adoption and amendment of the rules governing the compact. Currently, there is not a provision within the compact for rulemaking or even a rulemaking structure, nor is there a provision for either enforcement or mediation of disputes concerning the compact between states.
3. **Miscellaneous changes** -addressing critical issues within both the formal compact language and the rules and regulations of the compact that were not addressed previously or possibly even conceived at the time the compact was originally drafted. Several critical issues are likely to be addressed in both the compact language and the rules, including the comparison to and possible collaboration with the Interstate Compact for the Placement of Children.
4. **Primary and secondary stakeholder groups** -changes as large and far-reaching as possibly revising the Interstate Compact on Juveniles requires a large base of support nationally, regionally and locally. While the Advisory Group was satisfied with the diverse group present during Meeting 1, the group recognized that more stakeholder organizations were necessary to ensure long-term support of the initiative.

Advisory Group Recommendations

Compact Revisions

- Adequate funding for compact administration, both at the state and national levels
- Appropriate combination of the Interstate Compact for the Placement of Children and the Interstate Compact on Juveniles
- Clarify rulemaking authority, structure and procedures
- Include sanctions and enforcements measures within the language of the compact
- Raise the visibility of compact administration with input from all three state government branches
- Revise the voting threshold, i.e. quorum requirements
- Revise Article VII, "Cooperative Supervision of Probationers and Parolees" to ensure that it addresses victims needs, parental rights/guardianship, relocation before notice, processing of violators, rejection criteria and financial responsibility for services including medical and treatment
- Develop a national database and information sharing system that includes appropriate privacy safeguards
- Revise Article I, "Findings and Purposes" to emphasize public safety and the needs of juveniles. Include Balanced and Restorative Justice (BARJ) language

