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INTERSTATE COMPACT FOR JUVENILES

I. Introduction

- A. Juvenile offenders, especially those under local probation supervision, who intend to relocate or travel to another state, are subject to the requirements of the Interstate Compact for Juveniles (ICJ). The ICJ is an agreement between member states developed and enforced by the Interstate Commission for Juveniles. The ICJ promotes public and youth safety by providing uniform rules that compact member states agree to abide by when coordinating the relocation, travel, supervision, and return of youth to and between states. This includes youth under probation supervision as well as youth who commit offenses and are apprehended in one state and held until returned to their state of residence. Compliance with ICJ rules is not discretionary on the part of local jurisdictions.
- B. The ICJ establishes the procedural requirements for adjudicated youth who meet the Compact criteria in Rule 4-101 (processing referrals) requesting relocation to or from another State. The ICJ process is accomplished through cooperative supervision agreements by sending and receiving States. In most cases, all ICJ forms must be signed before wards are allowed to relocate to another state. The signature of the Juvenile Court Judge is required on Form IA/VI, Application for Services and Waiver. All forms are required to be submitted to the State electronically via The Juvenile Interstate Data System, or JIDS. JIDS is a web-based system that facilitates the supervision, transfer, acceptance, tracking, and return of juveniles from one state to another.
- C. All communication between local agencies is to be made through each State's respective ICJ Offices, via JIDS. Emergency situations may be an exception to this rule and should be handled on a case-by-case basis. Each Juvenile unit's Supervising Probation Officer (SPO) will be the ICJ representative. JIDS will coordinate and deliver e-mail correspondence to the appropriate SPO when communication between ICJ and the Department is required. All ICJ contacts, after an initial interstate supervision request, will be coordinated through the SPO. This will include ICJ updates, quarterly reviews and follow-up requests for information/status.

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II. Request Procedures

- A. Requests for Supervision through ICJ, made through JIDS, occur when an adjudicated Santa Barbara County youth finalizes plans to relocate to another state. The required documents must be completed and scanned into JIDS.
1. All Probation Department follow-up inquiries are to be sent to the appropriate persons via JIDS although further contact may be made via the following e-mail address: California-prob@cdcr.ca.gov. For additional information regarding ICJ and JIDS, refer to the following: www.juvenilecompact.org.
 2. When Officers submit requests for an ICJ investigation, they must submit all ICJ documents electronically through JIDS. Any ICJ documents completed in paper form must be scanned into JIDS as well as entered in electronically so that ICJ can generate reports on ICJ youth and any signatures are captured. It is important to note that as JIDS requires all documents to be utilized through the JIDS system all forms are available online. These include:
 - a. Cover letter with all pertinent information about the case
 - b. Form IV – Parole or Probation Investigation Request
 - c. Form IA/VI – Application for Services and Waiver
 - d. Form V – Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State. Required only if the Home Evaluation has been completed and approved prior to the minor leaving the sending state.
 - e. Court Order/Order of Adjudication and Disposition
 - f. Conditions of Probation
 - g. Legal and Social History, if available

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- h. Petition(s) and/or Arrest Reports
 - i. School records and psychological evaluations
 - j. Immunization records
 - k. Any other pertinent information deemed to be beneficial to the receiving state
3. Transfer of Supervision Procedures for Juvenile Sex Offenders (Rule 4-103)
- a. When transferring a juvenile sex offender, the sending state shall not allow the juvenile to transfer to the receiving state until the sending state's request for transfer of supervision has been approved or reporting instructions have been issued by the receiving state unless Rule 4-103(2) is applicable.
 - b. When it appears necessary to request an expedited transfer for supervision, the sending state's ICJ Office is responsible for verifying that a justification for an expedited transfer actually exists subject to the agreement of the receiving state. A travel permit may be issued until the referral information can be provided to the receiving state's ICJ office.
 - c. Supervision shall not be provided without written approval from the receiving state's ICJ office. The sending state shall maintain responsibility until supervision is accepted by the receiving state. The receiving state shall have the authority to supervise juveniles pursuant to reporting instructions issued under 4-103(3)(c).
 - d. When transferring a juvenile sex offender, the following documentation should be provided to the receiving state via JIDS :
 - 1. Form IA/VI – Application for Services and Waiver

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2. Form IV – Parole of Probation Investigation Request
3. Form V - Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State
4. Order of Adjudication and Disposition
5. Conditions of Probation
6. Petition(s) and/or Arrest Report(s)
7. School Transcripts
8. Immunization Record
9. Risk Assessment
10. Safety Plan-Specific Assessments (if available)
11. Legal and Social History information pertaining to the criminal behavior
12. Victim Information, such as gender, age, relationship to the offender
13. Sending state’s current or recommended Supervision and Treatment Plan
14. All other pertinent materials
15. For those being released from State custody (DJJ), supervision conditions shall be forwarded to the receiving state upon the juvenile’s release from an institution

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- e. In conducting home evaluations for juvenile sex offenders, the receiving state shall ensure compliance with local policies or laws when issuing reporting instructions. If the proposed residence is unsuitable, the receiving state may deny acceptance referred to in Rule 4-104(4).
 - f. A juvenile sex offender who fails to register when required is subject to the laws of the receiving state.
4. Authority to Deny/Accept Supervision (Rule 4-104)
- a. Only the receiving state's authorized Compact Office staff shall accept or deny supervision of a juvenile by that state after considering a recommendation by the investigating department.
 - b. The receiving state's authorized Compact Office staff's signature is required on or with the From VIII Home Evaluation that accepts or denies supervision of a juvenile by that state.
 - c. Supervision cannot be denied based solely on the juvenile's age or the offense.
 - d. Supervision may be denied when the home evaluation reveals that the proposed residence is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state, except when a juvenile has no legal guardian remaining in the sending state and the juvenile does have a legal guardian residing in the receiving state.

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- e. Upon receipt of acceptance of supervision from the receiving state, and within five (5) business days prior to the juvenile's departure if the youth is not already residing in the receiving state, the sending state shall provide reporting instructions to the juvenile, and provide written notification of the juvenile's departure to the receiving state.
 - f. If the transfer of supervision in the receiving state is denied, the sending state shall make transportation arrangements for the return of the juvenile within five (5) business days.
5. ICJ Supervision Process (Rule 5-101):
- a. Upon receipt of the required documents, the California ICJ will contact the local probation office via the JIDS contact person. The receiving state's ICJ will send one copy via JIDS to the local jurisdiction who will be supervising the juvenile ward. The receiving state's local Probation/Parole jurisdiction will complete a Home Evaluation Report Form VII within 30 days. The evaluation will be forwarded to the California ICJ via the JIDS system and thereafter to Santa Barbara County Probation.
 - b. Given these timeframes, it is important to maintain contact with youth until supervision is accepted. The Probation Officer will instruct the minor regarding reporting instructions contained in ICJ Form V. Upon confirmation the receiving state has completed a home evaluation, the home is found to be a fit and proper environment and the case has been accepted for Interstate Supervision, the Probation Officer may transfer the case to a lower supervision caseload.
 - c. Only the receiving state's ICJ Office may formally deny or reject case supervision. This occurs when the evaluation of an authorized, non-custodial adult reveals that the home is found unsuitable. Required home evaluation documentation

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must be submitted to the State ICJ office via JIDS, recommending denial of acceptance. The state ICJ office will make the final determination and notify the sending State via the JIDS system. Supervision may not be denied or disapproved based solely on the juvenile's age, offense or by the residence of the parent or legal guardian.

- d. Per ICJ policy, each receiving state will assume the duties of visitation and supervision of minors, including sex offenders, who it accepts for cooperative supervision. The exercise of these duties will be governed by the same standards of visitation and supervision that prevails for its own youth on probation.
- e. If Interstate Supervision has not been established prior to departure, the juvenile leaving California may be given a travel permit (Form VII) via JIDS by the Probation Officer, and the minor will be instructed to keep the permit on his/her person at all times, until Interstate Supervision is established.
- f. Upon receiving a request from another state through ICJ's JIDS system, the Juvenile Court Services SPO will assign the incoming case to a DPO for completion of a home visit and evaluation. The evaluation will be completed and sent to California ICJ within the 30-day ICJ response requirement via JIDS.
- g. The DPO assigned to complete the Home Evaluation will also run CLETS and SAM/WANDA reports on the parent/s or guardian of minor being evaluated for ICJ. This updated criminal background information will be included in the evaluation report provided to ICJ via JIDS. Restitution requirements will be the responsibility of the youth and his or her family to coordinate with the requesting state's originating agency.

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- h. The Officer assigned to supervise an ICJ case will monitor the juvenile's progress and send quarterly progress reports (Form IX) submitted through the California ICJ. Any emergency contact between originating and accepting agencies must be followed up with a notification via the JIDS system.
- i. Additionally, the assigned Officer will complete a PACT risk assessment and provide case supervision and management according to its results, including referrals to appropriate programs and services.
- j. Supervision for the sole purpose of collection of restitution, when all other terms and conditions have been met, is not justification for maintaining a youth on ICJ supervision.
- k. Upon completion and/or termination of Probation of an Interstate Supervision case, the DPO will notify the State ICJ with a cover letter and attach the Court's termination order, which will need to be uploaded and delivered through JIDS. Thereafter the case file will be closed pursuant to Department guidelines.

III. Communication Requirements Between States:

- A. All communication between states, whether verbal or written, on ICJ issues shall be transmitted between the respective ICJ offices via JIDS.
- B. Communication may occur between local jurisdictions with the prior approval of the ICJ offices in both states. An electronic copy of the correspondence must be sent to the ICJ Administrator's Office in both states via JIDS.
- C. Communication regarding ICJ business shall respect the confidentiality rules of the sending and receiving states.

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IV. Travel Permits (ICJ Section 800)

- A. The purpose of this section is for the protection of the public. Travel Permits shall be mandatory in the following instances:
1. An ICJ Travel Permit (Form VII) shall be issued for any appropriate purpose, including but not limited to testing a proposed placement. The permit shall not exceed ninety (90) calendar days, with a referral packet to be received, via JIDS, by the receiving state's ICJ office within thirty (30) calendar days of the effective date of the travel permit.
 2. Travel Permits shall be issued for visits that exceed twenty-four (24) consecutive hours. The travel permit shall contain instructions requiring the juvenile who is subject to the terms of ICJ, to return to the sending state.
 3. When a travel permit exceeds thirty (30) calendar days, the sending state shall provide specific reporting instructions for the juvenile to maintain contact with his/her supervising agency.
 4. Regardless of the length of stay, travel permits shall be issued to all juveniles subject to the terms of the ICJ for all visits in cases in which the adjudicated offense(s) include any of the following:
 - a. Sex-related offenses
 - b. Violent offenses that have resulted in personal injury or death
 - c. Offenses committed with a weapon
 - d. Juvenile committed to state custody
 - e. Relocating pending a request for transfer of supervision, and who are subject to the terms of the Compact.

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- f. Returning to the state from which they were transferred for the purposes of visitation.
 - g. Transferring to a subsequent state(s) with the approval of the original sending state.
 - h. Transferred and the victim notification laws, policies and practices of the sending state and/or receiving state require notification.
5. Juveniles placed in residential facilities shall be excluded from this rule; however, states may elect to use the travel permit form for notification purposes only. (Refer to the Interstate Compact for the Placement of Children in these cases.)
6. Authorization for out-of-state travel shall be approved by the SPO. The authorized travel permit shall be provided and received prior to the juvenile's movement or upon notification to the sending state's ICJ office via the JIDS system.
7. The receiving state's ICJ office shall forward the travel permit, via JIDS as necessary, to the jurisdiction of the visit.
- B. If a travel permit is being issued, the sending state's supervising officer is responsible for victim notification in accordance with the laws and policies of that state. The sending and receiving state will collaborate to assure that the legal requirements of victim notification are met and that the necessary information is exchanged to meet the sending state's obligation.

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