



ICJ in Action 24/7: Back to Basics

Scenario Training Session

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#1 COME GET YOUR YOUTH

THE SCENARIO ILLUSTRATES

This scenario illustrates returning juveniles with warrants from other states and highlights teamwork and determining ICJ eligibility. One of the hardest things to learn about ICJ regarding returns is what worksheets, cheat sheets, or other tools to use.

THE SCENARIO OVERVIEW

A juvenile was picked up on a warrant out of one state and detained in another. The warrant from the demanding state was limited to certain states and did not include the holding state.

THE SCENARIO DETAILS

- A juvenile with a warrant out of the demanding state was picked up in the sending state due to law enforcement seeing that the juvenile was entered into NCIC.
 - The warrant was obtained, stating that the juvenile would be returned only if he was located in certain states.
 - The holding state had the juvenile in a juvenile detention facility with no parent or legal guardian in the holding state, but authorities in the demanding state were not willing to pick the juvenile up because the holding state was not included as one of the return states on the warrant.
 - Advisory Opinion # [03-2018](#) addresses issues related to warrants.
 - ICJ Rule 7-104 states that all warrants issued for a juvenile is subject to the Compact shall be entered into the National Crime Information Center (NCIC) with a nationwide pickup radius with no bond amount set.
 - What happened or should happen next?
-

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:
4. If you were the demanding state compact office how you handle this situation with your local courts that issued the warrant.

RESOLUTION

- The holding state contacted the demanding state and had some discussion about expanding the warrant. The advisory opinion was reviewed during this discussion.
- Additionally, the holding state also contacted the National Office to get some direction and clarity on the advisory opinion.
- After all parties were contacted and in very good communication, a decision was made for the warrant to be extended to all 50 states and the juvenile was returned without incident.
- State Council reviewed the new legal advisory opinion which brought it to the attention that this youth does need to be returned.

LESSONS LEARNED

- All youth that are entered into NCIC and have a warrant must be returned if ICJ applies, including warrants that are quashed.
- All youth with warrants must cover nationwide return if ICJ applies.
- Communication between states and the National Office is important when difficult situations arise.
- This incident and others regarding warrants in NCIC and no bond amount set resulted in a rule proposal at the 2019 ABM. The Rules Committee will be presenting a rule proposal during the training day. The proposed amendment will go to vote at the General Session on Wednesday. Also, on Wednesday, there will be a guest speaker on the topic of NCIC from the U.S. Department of Justice, FBI, CJIS Division.
- How to maintain and communicate with field staff/external partners appropriately and consistently.
- State Councils are helpful in supporting ICJ.

APPLICABLE ICJ RULE(S) FORMS/Resources

Rule 7-104

Form III: Consent for Voluntary Return of Out of State Juvenile

Advisory Opinion # 03-2018

State Councils

State Council Toolkit

#2 RUNAWAY UNDER A FALSE NAME

THE SCENARIO ILLUSTRATES

This scenario illustrates the application of the ICJ Rules to returning juveniles when abuse or neglect is reported and the importance of completing the ICJ Form I.

THE SCENARIO OVERVIEW

A 16-year-old juvenile runaway who was living with her father, then ran away to be with her mother because of a disagreement between the two of them. The juvenile gave a false name when picked up by local law enforcement and later alleged abuse in the home state.

THE SCENARIO DETAILS

- The home state received email notification that a juvenile was located by the holding state's local law enforcement but was not listed in NCIC as wanted or missing. At that time, the home state sent notification to the local liaison that the juvenile was located in the holding state but no information was entered into NCIC.
- After a diligent search in the home state's database, nothing was found on the juvenile.
- Thereafter, the home state received email communication from the holding state advising that the juvenile provided false information regarding her identity in the initial assessment. It was determined that the juvenile had given law enforcement her mother's name.
- The home state forwarded that information along with the juvenile's correct name to the local liaison so that another search could be conducted to see if this juvenile was wanted by the home state.
- The home state was advised through email communication that this juvenile did not have any active warrants, but a missing person report was filed by the juvenile's father.
- The home state notified the holding state of the local's findings through email communication.
- Upon receipt of the missing person's report, the juvenile was placed into secure detention in the holding state pending the juvenile's return to the home state.
- When the juvenile was taken to court for the due process hearing, the juvenile refused to sign the extradition waiver and a requisition was requested by the holding state via email communication.
- The home state sent a request to the local liaison via email, asking that they assist the father with preparing the requisition process for the juvenile.
- While waiting for the requisition to be prepared, the home state received email notification from the holding state that the youth alleged abuse against the father.
- The home state advised the holding state that Department of Children Services - Social Services must be contacted to file an abuse report. Contact was made to the home state's Abuse Hotline.
- The holding state called the report into the abuse hotline. The home state, Department of Children Services investigated the father and the investigation yielded no findings.
- What happened or should happen next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:
LEO _____
Social Services _____
4. What are ways a juvenile's identity can be confirmed prior to being detained?
5. How can effective communication assist with ensuring juveniles are not returning to a home where there's risk or harm?
6. What tool can we use to determine if runaways are crime victims while absent from home or parental care?

RESOLUTION

- The home state forwarded the information to the holding state along with the signed requisition.
- When the requisition was presented in court, it was determined that the father in the home state did not have legal custody of the juvenile and the mother was not an appropriate placement because of a previous case of having other children removed from her home. Therefore, the Judge committed the juvenile to the holding state's Department of Community Based Services (Children's Services).

LESSONS LEARNED

- The importance of communication between the home and holding states.
- All warrants must be entered into NCIC, allowing a youth to be detained securely.
- The home state was in regular communication with the holding state as well as the local liaisons regarding this case either through email or telephone conversation.
- Importance of verifying supporting/custodial legal documentation.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

ICJ Rule 6-103

ICJ Rule 6-105

ICJ Rule 2-104

Form III: Consent for Voluntary Return of Out-of-State Juvenile

Form I: Requisition for Runaway Juvenile

Know your contact information on the dependency side in your state.

Uniform Child Custody Jurisdiction and Enforcement Act ([link](#))

#3 THE CONUNDRUM

THE SCENARIO ILLUSTRATES

This scenario illustrates the importance of being able to effectively communicate with many entities to ensure that a juvenile is returned to his/her home state, whether a legal citizen or undocumented immigrant.

THE SCENARIO OVERVIEW

A judge was unwilling to return juvenile to the demanding state.

THE SCENARIO DETAILS

- A youth was detained in the holding state.
- The juvenile reported that she ran away from home because she was being sexually abused by her stepfather and was placed in temporary placement by holding state's Department of Child Protection and Permanency (DCPP).
- The demanding state's ICJ Deputy Compact Administrator (DCA) contacted their Department of Children and Family Services (DCFS) to report the youth's allegations of sexual abuse. The DCA was advised that the juvenile's stepfather was currently in jail without bond pending trial for rape of a juvenile and therefore DCFS was unable to investigate the pending allegations.
- The juvenile's mother was in the process of finding a place to live, as her current living arrangements were not a viable option. It is noteworthy that both the juvenile and her mother are undocumented immigrants. The demanding state's Compact office contacted the DCFS about the conundrum and was advised that the juvenile did not meet DCFS custody criteria, as homelessness is neither, abuse or neglect.
- The holding state advised the demanding state that the juvenile refused to sign the Form III. The juvenile also advised that court that she wished to stay in the holding state. Court officials in the holding state seemed to express concerns about returning the juvenile to the demanding state, citing that it was not in the juvenile's best interest.
- The holding state Compact staff made sure that the Court was clear on their obligation to return the youth to her state of domicile.
- The demanding state communicates with the juvenile's mother via translator and she advises that she is currently working in Alabama and will be there for "a few months." Further, she advised that although she is currently working in a neighboring state, she still resides in the demanding state and that there were no available relatives in the demanding state willing to take physical custody of the youth (via notarized statement), until she returns. The DCFS reported that she did not meet the criteria of abuse or neglect.
- The demanding state proceeded in securing a signed Form I, via the applicable Court. Upon request, the Form I hearing, the juvenile court advised that they had no jurisdiction in which to add the juvenile to their docket, or sign a Form I because the youth was not a legal resident of the demanding state. The demanding state was also advised that the juvenile had no open or pending matters in their court; therefore, she could not be added to the docket. Additionally, the court advised that the youth's mother no longer resided in the demanding state. The court also questioned why U.S. Immigration and Customs Enforcement had not been contacted.

- There was a long period of time in which demanding and holding states communicated on how to proceed.
- The demanding state was able to determine the juvenile's last school of enrollment, prior to running away from home, was located in the parish/county in which the demanding state's court had jurisdiction. The juvenile's address on school documents listed her address in the parish/county of said court. This information definitely established a clear argument for residency, yet the court in question would not budge on holding the juvenile's Form I hearing.
- The demanding state (legal) filed a motion to have juvenile added to docket, but was of the opinion that this would be unsuccessful because there was no legal basis to file a motion, as the youth was not in the agency's custody. The demanding state reached out to the district attorney's office for assistance in the matter, as the juvenile was a witness in their case against her stepfather.
- What happened or should have happened next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
 Court _____
 Transport _____
 Detention Contact _____
 OTHERS:
4. What were the barriers?
5. What examples of good communication can be identified in this scenario?
6. What lessons were learned that might be applicable in the future?

RESOLUTION

- Due to the youth being a key witness in the case against her stepfather, the ADA assisted in scheduling the Form I Hearing, at which time the youth was ordered to return to the state of domicile.
- The Form I was forwarded to the holding state, along with the youth's birth certificate.
- The youth's return was ordered by the holding state's Superior Court at which time, she was returned to the demanding state just within the allotted timeframe. Upon return to the demanding state, the youth's mother failed to pick her up from the airport. The youth was subsequently placed in the custody of the demanding state's DCFS.

LESSONS LEARNED

- When a youth resides in the demanding state, the Court is still obligated to abide by the Compact, regardless of the youth's citizenship status.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders

Rule 6-105: Return When Abuse or Neglect is Reported

Form I: Requisition for Runaway Juvenile

#4 WHO PICKS UP THE TAB?

THE SCENARIO ILLUSTRATES

This scenario illustrates teamwork and communication handling treatment and funding.

THE SCENARIO OVERVIEW

ICJ supervision has started but there is a question regarding who will fund treatment services.

THE SCENARIO DETAILS

- You are the receiving state and your ICJ field staff has recently begun to supervise a juvenile on probation from the sending state after your office accepted the ICJ Form VIII Home Evaluation Report.
 - The juvenile is living with her older adult sister who works as a nurse in a nearby pediatric clinic.
 - The father of both women is in prison serving a 15-year sentence and their mother died three years ago.
 - The delinquency court issued written instructions to require a letter of apology to the victim, 50 hours of community service, payment of \$500 in restitution and completion of quarterly drug testing and Aggression Replacement Training (ART).
 - Unfortunately, the order does not address who pays for services.
 - As the receiving state, you will fund one annual drug test, but not the ART.

 - What happened or should happen next?
-

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?

 2. Would you have come up with a with a Plan B? If so, what would it be?

 3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:
-

RESOLUTION

- Receiving state reviews the instructions/probation rules from the court with the juvenile and her sister and asks the sister if she will fund the other drug tests and the ART from personal funds or insurance.

- If she will not, see if the youth is Medicaid-eligible and if that will fund the requirements.
 - If not, seek funding from the sending state.
 - Ultimately, the sending state is financially responsible for funding the services.
-

LESSONS LEARNED

- When court does not stipulate who will pay, rejection to pay is inevitable.
 - Services will likely go unfunded and not occur.
-

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 5-101 (6)

Form VIII: Home Evaluation

#5 NO, NO I WON'T GO!

THE SCENARIO ILLUSTRATES

This scenario illustrates the application of the ICJ rules as they apply to returning juveniles and considerations for “back up plan” when juvenile refused to return.

THE SCENARIO OVERVIEW

A 17-year old juvenile absconds in a stolen vehicle and crosses the state line, then was detained.

THE SCENARIO DETAILS

- A runaway juvenile was picked up in the holding state. It was determined he had pending delinquent charges in demanding state for theft of a vehicle. This juvenile was wanted for stealing his agency workers vehicle and traveled across state lines until he was picked up by law enforcement.
- The juvenile had an ICJ Form III hearing and refused to sign the ICJ Form III.
- The demanding state was contacted to begin the requisition process. The demanding state was very responsive and worked quickly with their locals to petition the court and get the requisition signed. The demanding state stayed in contact with the holding state to ensure the requisition was completed and routed in JIDS in a timely manner.
- Holding state’s local juvenile court requested the original documents after reviewing requested documentation via email.
- Demanding state was again very responsive to the juvenile court’s request and overnighted requested documents. Holding state was later notified the juvenile had decided to sign the ICJ Form III, which was submitted to demanding state via JIDS. Travel arrangements were made to return the juvenile via airline with two demanding state escorts.
- Holding state’s transport officials agreed to transport the juvenile to the airport and transfer him over the demanding state transport officials.
- Holding state received a phone call 30 minutes before the juvenile and escorts were to depart stating that the juvenile had refused to board the plane. The demanding state escorts requested that the holding state’s transportation officer return to the airport, pick-up the juvenile, and return to the detention center until other travel arrangements could be made.
- The holding state’s ICJ office contacted the local court to see if they would be willing to re-take the juvenile back to detention and hold the juvenile for the night until the demanding state could work out ground transportation arrangements.
- After conversation between the two states and a guarantee that the juvenile would be picked up the next day; the holding state’s juvenile court agreed to re-take and return the juvenile to detention.
- Demanding state and holding state discussed placing the juvenile back on the docket for a requisition hearing as a precaution (backup plan) if the juvenile again refused ground transports once the demanding state’s officials arrived to retrieve him.
- The holding state contacted the local juvenile court to make the request for the juvenile to be placed on the morning docket and for detention authorities to take him directly to court if he refused to go with the demanding state transports.

- What happened or should have happened next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:
4. What are ways a juvenile's identity can be confirmed prior to being detained?
5. How can effective communication assist with ensuring juveniles are not returning to a home where there's risk or harm?
6. What tool can we use to determine if runaways are crime victims while absent from home or parental care?

RESOLUTION

The next day, the Holding State reported the juvenile was picked up from detention without incident and returned to Demanding State.

LESSONS LEARNED

- The value of picking up the phone and talking through a situation and everyone coming to consensus.
- Ensuring who the juvenile has contact with. The juvenile was allowed to speak with his sister who told him "*they were gonna fry him*" when he returned. Holding State believes this commented escalated his reaction initially in trying to get him on the initial return flight.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 6-103A

Rule 7-102

Rule 7-106

Rule 7-107

Form III: Consent for Voluntary Return of Out of State Juvenile

#6 LAST MINUTE MOVES

THE SCENARIO ILLUSTRATES

This scenario illustrates the value of communication, creativity, and flexibility when the home evaluation is about to start, the planned ICJ living arrangement becomes no longer viable and new housing options must be sought. The receiving state goes the “extra mile.”

THE SCENARIO OVERVIEW

A fairly normal ICJ transfer of supervision turns emotional when mother and probationer son move to a large city to live with the juvenile’s aunt only to find out the aunt is being evicted and they can no longer live with her.

SCENARIO DETAILS

- A juvenile probationer and his mother moved from the sending state into an aunt’s apartment in the receiving state as planned per the ICJ referral for transfer of supervision.
 - The local ICJ field staff arrived for a home evaluation two weeks after the ICJ referral was routed to the receiving state via JIDS.
 - The location of the juvenile’s father, his level of involvement in the juvenile’s life and overall status was unknown.
 - The juvenile’s mother has just discovered that the aunt was being evicted. The aunt would move in with a long-time friend, but the friend was unwilling and unable to take in the mother and her son.
 - The mother of the juvenile said that she will take her son to live with her mother (juvenile’s grandmother) in another county within the receiving state.
 - What happened or should happen next?
-

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:

RESOLUTION

- The receiving state ICJ field staff should communicate with the juvenile and his mother in order to calm concerns and gather information about future plans.
- The receiving state ICJ field staff should provide their contact information to the juvenile and his mother and request they maintain contact and inform staff when they have a new address.
- The receiving state staff should encourage the juvenile to inform his field staff in the sending state of the situation.
- The receiving state staff should inform the receiving state ICJ office of the situation.
- The receiving state ICJ office should inform the sending state ICJ office of the situation and collaborate on possible courses of action.
- The receiving state may deny supervision at the eviction address citing reasons for doing so; however, it may be possible to delay this step if a new referral can be made in a timely manner that supports a home evaluation at the new address.
- The sending state ICJ office may choose to cancel the transfer of supervision workflow or may submit new referral documentation at the new address when known.
- If supervision is denied at the aunt's address within the 45-day home evaluation time limit, it should be made clear that the receiving state will work with the sending state to conduct a home evaluation if a new address/referral is made. Note that until the youth is in a placement that is the subject of an approved home evaluation, the sending state retains supervisory responsibility.

LESSONS LEARNED

- Moving to an ICJ placement for a transfer of supervision can be expected to be an emotional experience. Adding the sudden eviction of a relative and having to look for new housing only makes it more so. Calmly communicating to keep everyone on the same page is not only crucial to effective timely problem solving but will eventually lay the foundation for a hopefully successful period of supervision under the ICJ.
- Actions to evaluate, train and orient the juvenile and family members prior to referral can have significant benefits in adapting to the supervision placement, especially when dimensions of family function and routine, housing suitability, economic viability and educational opportunity are considered.
- The sending state retains ICJ jurisdiction of supervision transfer through its court and remains responsible for the case until the receiving state accepts supervision. However, the receiving state, with its local expertise, can provide unique and valuable contributions that assist the ICJ juvenile and family, in partnership with the sending state.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 4-104

ICJ Form IV: Parole or Probation Investigation Request

ICJ Form IA/VI: Application for Services and Waiver

#7 SUPERVISE AN ADULT AGE CHILD?

THE SCENARIO ILLUSTRATES

This scenario illustrates the application of the ICJ Rules in supervising a juvenile older than the age of majority in the receiving state and the importance of educating and communicating with ICJ field staff who may not be familiar with the Compact.

THE SCENARIO OVERVIEW

The receiving state ICJ office routes a transfer of supervision referral to their ICJ field staff. The staff, noting that the juvenile is a legal adult in the receiving state, questions the age of the “juvenile,” claiming the referral is improper.

SCENARIO DETAILS

- The sending state ICJ office routed an ICJ transfer of supervision referral to the receiving state ICJ office via JIDS.
- The juvenile was older than the age of majority in the receiving state.
- The receiving state ICJ office routes the referral to the ICJ field staff.
- The receiving state’s field staff informed their compact office that based on the age of majority, the juvenile was an adult in the receiving state and that the ICJ does not apply. They question why this case is relevant to them.
- The receiving state ICJ office contacted its caseworker and explained the authority under ICJ Rules that the sending state defines the juvenile’s ICJ status even though he was greater than the age of majority in the receiving state.

- What happened or should happen next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?

2. Would you have come up with a Plan B? If so, what would it be?

3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:

4. What should you do in this situation?

5. How can effective communication assist with ensuring juveniles are not returning to a home where there's risk or harm?

RESOLUTION

The receiving state ICJ office explained the authority under ICJ rules to define the juvenile's ICJ status even though he was greater than the age of majority in the receiving state.

The receiving state ICJ office requested its ICJ field staff to resume efforts to contact the juvenile and schedule the home evaluation.

LESSONS LEARNED

- The receiving state ICJ office could have referred the ICJ field staff to the ICJ rules that place the sending state in control, but in this scenario, they contacted the sending state ICJ office and the sending state ICJ office referenced the ICJ rule defining a juvenile.
- ICJ definitions are the foundation for the rest of the ICJ rules. Age criteria for determining if a youth is a juvenile subject to the compact and age criteria for holding a runaway, absconder or escapee may be different.
- Sharing the age matrix available on the Commission's website provides a handy reference when questions about age develop.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES:

Rule 101 Definitions

Rule 4-101(2)(d)

[Age Matrix](#)

#8 HOME EVALUATION DENIED, FOLLOW ON ACTION

THE SCENARIO ILLUSTRATES

This scenario illustrates ICJ Rules as they apply when a juvenile is placed prior to home evaluation approval and the home evaluation is subsequently denied.

THE SCENARIO OVERVIEW

This scenario describes a case of a family member who initially believed they could care for the juvenile and subsequently determined that they can no longer support supervision.

THE SCENARIO DETAILS

- As the sending state ICJ office, you send a transfer of supervision request for a probationer to live with his grandmother in the receiving state.
 - The receiving state ICJ office advised that because of health and economic reasons, the grandmother regrets that she will not be able to continue supporting the juvenile and the home evaluation will be denied.
 - The probationer was already living with the grandmother.
 - The receiving state ICJ field staff asked the grandmother and the juvenile if there were any other possible placements such as with another relative, or a family friend.
 - The grandmother and juvenile indicated they are the only ones living in the state.

 - What happened or should happen next?
-

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?
2. Would you have come up with a Plan B? If so, what would it be?
3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:
4. How much effort should be used by the sending state to change the grandmother's mind?
5. What should you do in this situation?
6. How can effective communication assist with ensuring juveniles are not returning to a home where there is risk of harm?

RESOLUTION

- The home study is denied.
- The sending state is informed of the status and requested to return the juvenile.

LESSONS LEARNED

- The ICJ rule requires return of the juvenile within five business days, a five business days extension may be requested from the receiving state. While the supervision location is the responsibility of the sending state ICJ office, the receiving state ICJ field staff can check with the juvenile and grandmother to see if there is another alternative where a new referral could be made.
- Deny the home study to return the juvenile to the sending state for the sending state to find another alternative.
- Knowledge of the youth's family situation may provide alternate options.

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 4-104 (6)

Form IA/VI: Application for Services and Waiver

#9 RECEIVING STATE MUST RECEIVE

THE SCENARIO ILLUSTRATES

This scenario illustrates that the nature of the offense cannot be used as a basis for denial of supervision.

THE SCENARIO OVERVIEW

The offender in the sending state committed a heinous crime that received extensive national publicity. The media widely reported that the offender was found guilty by pleading to a lesser charge. Ultimately the offender was not incarcerated, but awarded probation in the community.

THE SCENARIO DETAILS

- The receiving state's compact office staff received a transfer of supervision referral via JIDS.
- The case concerned manslaughter of a police officer in the sending state and had drawn national media attention.
- The receiving state's compact office referred the case to their local ICJ field staff.
- The receiving state's ICJ home evaluation described a well-mannered aunt and uncle in an appropriate home in a residential community.
- The receiving state's ICJ field staff recommended denial based on the serious nature of the offense and argued that he agreed with national media that the youth should have been prosecuted as an adult.

- What happened or should happen next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?

2. Would you have come up with a Plan B? If so, what would it be?

3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:

RESOLUTION

- The home evaluation does not document any basis for denial; therefore, the home evaluation should be accepted and supervision started when the juvenile arrives in residence.

- The receiving state ICJ field staff should be advised that his recommendation is noted, but that the nature of the offense is not basis to support a denial of supervision.
-

LESSONS LEARNED

- ICJ case work can be an emotional business. Passion has its place; but poise and adherence to the ICJ rules with a human touch will win the day.
 - The ICJ rules do not allow the nature of the offense to be a basis for denial. There does not appear to be any basis for denial of the home evaluation. Discuss the case with the field staff and if no additional justification is found, approve supervision.
-

APPLICABLE ICJ RULE(S) / FORMS / RESOURCES

Rule 4-104(3)(4)

Form VIII: Home Evaluation

#10 TRANSFER DENIED DUE TO NON-COMPLIANCE

THE SCENARIO ILLUSTRATES

This scenario illustrates a case when supervision is denied for non-compliance.

THE SCENARIO OVERVIEW

The sending state probation rules mandate that the juvenile obey local and state laws. The receiving state compact office is confident that the receiving state law requires the juvenile to register as a sex offender.

THE SCENARIO DETAILS

- The receiving state compact office received a JIDS referral for the transfer of supervision of a juvenile sex offender.
- The receiving state was confident that the youth must register as a sex offender in the receiving state.
- The sending state court probation rules mandated that the youth obey local and state laws.
- The juvenile's uncle (where the juvenile lives) said his nephew would not register because the sending state's probation officer said under ICJ that registration requirements did not transfer when the juvenile left the sending state where the offense occurred.
- The juvenile's father died last year.
- The juvenile's mother in the sending state refused to be involved with the juvenile.
- The receiving state's compact office attempted to explain the ICJ Rules and juvenile sex offender (JSO) registration principles to the uncle (in the receiving state). The Compact office also explained the sending court's probation rules which specify obedience of state laws including those regarding sex offender registration.
- Since this placement was with an uncle and mother who lived in the sending state, this was not a mandatory acceptance case; however, if registration does not happen, the juvenile is non-compliant with state law and probation terms.

- What happened or should happen next?

Answer the following questions as they apply in YOUR STATE:

1. How would this be handled in your state?

2. Would you have come up with a Plan B? If so, what would it be?

3. As applicable what entities would have been involved in YOUR STATE in this same scenario?
Court _____
Transport _____
Detention Contact _____
OTHERS:

RESOLUTION

- If the issue remains unresolved, this non-compliance can be the basis for denial.
- The home evaluation can resume and complete; however, non-compliance with probation rules can be used as basis for the denial. Accepting supervision while a juvenile is resisting compliance may result in the receiving state compact office losing leverage to correct the issue later on.
- Should sex offender registration issues be resolved and the home evaluation report be accepted, the supervision case may be salvaged.

LESSONS LEARNED

- All parties should be familiar with the receiving state's juvenile sex offender registration requirements as part of a plan for ICJ supervision in another state.
- The ICJ home evaluation should be denied unless non-compliant conditions can be resolved.
- The receiving state has the greatest leverage *prior to* accepting ICJ supervision.

APPLICABLE ICJ RULE(S) /FORMS /RESOURCES

Rule 4-104(4)

Juvenile Sex Offender Registration Matrix by state www.juvenilecompact.org