

GEORGIA DEPARTMENT OF JUVENILE JUSTICE	Transmittal # 15-07	Policy # 20.4
Applicability: <input type="checkbox"/> All DJJ Staff <input checked="" type="checkbox"/> Administration <input checked="" type="checkbox"/> Community Services <input checked="" type="checkbox"/> Secure Facilities (RYDCs and YDCs)	Related Standards & References: O.C.G.A. § 39-1-1, §39-3-1 et. seq., §39-4-1 to 39-4-10, §49-4A-7(3), §49-4A-7(a) (4) ACA: 3-JDF-1A-14 DJJ: 3.52, 20.10, 20.32	
Chapter 20: CASE MANAGEMENT	Effective Date: 6/5/15 Scheduled Review Date: 6/5/16	
Subject: INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	Replaces: 11/1/12 Community Services Division APPROVED:	
Attachments: A - ICJ Form VII - Out-Of-State Travel Permit and Agreement to Return B - ICJ Victim Notification Supplement C - Application for Services and Waiver Form IA/VI D - Parole or Probation Investigation Request Form IV E - Report of Sending State Upon Parole or Probationer Being Sent to the Receiving State Form V F - Interstate Compact Home Evaluation Report – Form VIII G - ICJ Form IX: Quarterly Progress/Violation, or Absconder Report H - ICJ Form III: Consent for Voluntary Return by Runaway, Escapee or Absconder I - Rights for Voluntary Return of Runaway, Absconder, Escapee, or Juvenile Being Charged as Delinquent J - ICJ Form I: Requisition for Runaway Juvenile K - ICJ Form II: Requisition for Escapee or Absconder, or Juvenile Alleged to be Delinquent L - ICJ Form X: Case Closure Notification	 _____ Avery D. Niles, Commissioner	

I. POLICY:

The Department of Juvenile Justice shall comply with the 2008 Interstate Compact for Juveniles, in accordance with O.C.G.A. § 39-3-1, *et seq.*, and the Interstate Commission for Juveniles Rules and Regulations.

II. DEFINITIONS:

Abscond: To flee from supervision in a non-residential program or from a non-secure residential placement.

Airport Escort: Secure transportation of a youth to/from a secure facility to/from the airport gate.

Airport Surveillance: Non-secure supervision of a youth from one airport gate to another.

Community Case Manager: Juvenile Probation/Parole Specialist I, II, or III (JPPS), who provides direct supervision and coordination of services for a youth; any member of an established case management team may perform case management tasks.

Escape: To flee from confinement of a YDC, RYDC, detention center, secure facility, or from the physical custody of a person acting in a law enforcement capacity.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	2 of 12

Deputy Compact Administrator: The person responsible for the day-to-day operation and execution of the 2008 Interstate Compact for Juveniles.

Probation/Parole: Any kind of conditional release of juveniles authorized under the laws of the state.

Runaway: The status of a youth who has left a supervised, non-secure placement, resulting in a violation of their placement. For the purposes of this policy, a runaway may also be a youth not under the supervision of a juvenile justice authority.

III. FUNCTION AND LEGAL BASIS:

- A. The 2008 Interstate Compact for Juveniles (ICJ) provides for:
 - 1. Cooperative supervision of delinquent and status offender or deferred adjudication youths on probation or parole in a state other than where adjudication and disposition occurred;
 - 2. Arranges the return of non-delinquent runaways/absconders to their home state;
 - 3. Arranges the return of escapees and absconders to the state from which they fled;
 - 4. Provides notification for out-of-state travel;
 - 5. Educates courts, agencies, and law enforcement personnel on the ICJ process;
 - 6. Ensures compliance with ICJ Rules; and
 - 7. Resolves disputes between states.
- B. The Deputy Compact Administrator, or his/her designee, shall coordinate referrals and returns directly with officials of another state. No other staff will be authorized to coordinate interstate compact services directly with another state.
- C. When the transfer of probation or parole supervision to another state occurs, the following conditions will be met:
 - 1. Disposition shall be made or deferred by the adjudicating court.
 - 2. Jurisdiction shall be retained by the adjudicating court or the agency having original custody. Supervision, not jurisdiction, will be transferred.
 - 3. Referrals shall be made in advance so that home investigations may be made prior to placement. Necessary exceptions must be justifiable and explained in

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	3 of 12

detail. Only the adjudicating court or agency having custody may revoke a youth's probation or aftercare/parole.

4. Only the adjudicating court or agency having custody has the authority to terminate custody.
- D. If a placement is unsuccessful, the sending state will remove the youth from the placement and make return arrangements to the home state. An exception may be made if the youth is placed in the home of a person having legal custody and residing permanently in the receiving state.
 - E. The sending state will be responsible for paying the costs of transportation to the receiving state or returning youth to the sending state.
 - F. Airport surveillance or escorts will be coordinated through the Deputy Compact Administrator or designee. The DJJ Transportation Unit will provide airport surveillance and escort services. The person requesting airport surveillance or an escort will provide the following information to the Transportation Unit:
 1. Airline and flight number;
 2. A photo and detailed description of the youth; and
 3. Detailed description of what the youth will be wearing on the day of the flight.

IV. REFERRALS FOR OUT OF STATE PLACEMENTS:

- A. Referrals for cooperative supervision will be made to the Georgia Interstate Compact Office.
- B. The Deputy Compact Administrator or designee will make a determination about whether the referral will be sent to the receiving state based on the following criteria:
 1. Legal Status (Committed or Probated); person classified as a "juvenile" by the sending state and is under the jurisdiction of a court or appropriate authority as adjudicated delinquent, status offender, or deferred adjudication.
 2. Residential Criteria
 - a) Resides within the Community with a Parent, Legal Guardian, Relative, Non-Relative, or independently (i.e. youth is not placed in a secure or non-secure residential facility.)

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	4 of 12

- b) Is a Full-time Student at an Accredited Secondary School, Accredited University, College, or Licensed Specialized Training Program.
3. Length of Supervision:
 - a) Must have 90 consecutive days in the receiving state;
 - b) Must have 90 days or more of supervision remaining; or
 - c) Must meet residential criteria.
- C. The community case manager will make all referrals through the Interstate Compact Office as soon as possible, but at least a minimum of 60 days in advance of the proposed move.
 - D. When emergency relocation is required, the Juvenile Program Manager will contact the Deputy Compact Administrator, or designee, via email and phone for approval to issue an ICJ Form VII - Out-Of-State Travel Permit and Agreement to Return (Attachment A).
 - E. All referrals shall include the required Interstate Compact forms, completed according to the specific instructions attached to the forms. When forms require the signature of the juvenile or parent/guardian and the required individual is not available, the receiving state will obtain the needed signatures at the time of initial contact.
 - F. With the exception of court-ordered placements for all DJJ youth going to live with someone other than a parent or legal guardian, the community case manager shall have a criminal history/background investigation completed, in accordance with DJJ 3.52 Background Investigations, on all adults living in the home prior to the youth's placement. The criminal history clearance must be attached to the completed home evaluation (attachment F).
 - G. All reports and correspondence regarding referrals will be submitted by email. If email is unavailable, the case manager will contact the Interstate Compact Office to receive further direction.
1. The following specific referral information will be provided:
 - a) A one page cover letter on DJJ letterhead requesting a home evaluation and detailing why the family and/or youth are relocating, including the youth's name, address, phone numbers (home and work), family's email, the name and nature of the relationship between the youth and the adults

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	5 of 12

in the proposed placement, the charges and expiration date of the court's order, and any special information needed by the receiving state;

- b) Legal history and Social Summary ;
 - c) Current court order, petitions for the current order, and conditions of supervision for the current order;
 - d) JSOAP-2 Risk Assessment and Safety Plans for Sex Offenders;
 - e) ICJ Victim Notification Supplement Form (mandatory for all Sex Offenders) (Attachment B);
 - f) Any additional reports available (e.g., final YDC release review, current school and immunization records, etc.);
 - g) Application for Services and Waiver Form IA/VI (attachment C);
 - h) Parole or Probation Investigation Request Form IV (attachment D);
 - i) Report of Sending State upon Parole or Probationer Being Sent to the Receiving State (attachment E); and
 - j) An order waiving supervision fees will be included.
2. No sending or receiving state shall impose a fee for the purpose of supervision on a parolee or probationer. Supervision for the sole purpose of collecting restitution may not justify opening an Interstate case.
 3. Restitution is to be collected by the sending state, and the sending state is responsible for providing a specific payment schedule and payee information.
 4. Psychological evaluations, when available, should be included in the referral packet.
- H. The Interstate Compact Office will notify the community case manager via email of receipt of the referral and the date the referral was sent to the receiving state. Within 5 business days of processing the ICJ referral, the Interstate Compact Office will update the youth's JTS placement. The placement will be changed to Interstate Compact Outgoing (P - Pending) until the Home Evaluation is received. If the youth is detained in a secure facility, the placement will be changed when the youth is released from the facility.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	6 of 12

- I. The Interstate Compact Office will submit the referral packet to the receiving state within 5 business days of receiving the completed packet from the community case manager.
- J. The Interstate Compact Office will notify the community case manager when the receiving state approves the placement.
- K. The community case manager will maintain contact with the youth and family through quarterly progress reports from the receiving state as well as monthly phone calls with the youth and family. The Interstate Compact Office will process all quarterly reports from receiving states and forward them on to the community case manager.
- L. Circumstances sometimes exist when the sending state will permit the youth to accompany his/her parents or guardians to the receiving state before an evaluation and recommendation have been made or received. In such an event, the receiving state will be given immediate notice that the youth is arriving and that a referral is being made according to the Interstate Compact rules.

V. ACCEPTANCE OF OUT OF STATE YOUTH:

- A. Within 5 business days of receipt of an out-of-state referral for placement, the Interstate Compact Office will change the youth's JTS placement to ICJ-Incoming and refer out-of-state requests for cooperative supervision to the Juvenile Program Manager for assignment and to a community case manager for completion of a home evaluation.
- B. Within 10 business days of receipt of the request, the community case manager will review the case record, conduct a home evaluation, and submit the signed Home Evaluation Report to the Interstate Compact Office via email. The home evaluation will be submitted using the Interstate Compact Home Evaluation Report – Form VIII (attachment F). The Deputy Compact Administrator, or designee, will approve or deny placement at the home and send a signed copy to the community case manager. The assigned community case manager will update the demographics, legal history, CRN, Service Plan, and caseworker in JTS within 72 hours of the acceptance of the youth's placement.
- C. The Home Evaluation Report will be used to record the findings and recommendations of the community case manager, including a social and physical description of the home, any conditional requirements (i.e., financial support ability, medical or social requirements, etc.), the legal history/current issues of any family members living in the home, and a recommendation to accept or deny cooperative supervision.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	7 of 12

- D. DJJ may accept supervision of a delinquent youth if the parent, guardian, or legal guardian is residing in or expects to reside in Georgia. However, if the proposed placement is with a relative or other adult without legal custody, the Juvenile Program Manager, in consultation with the community case manager, may recommend approval or rejection of the proposed placement. The completed Home Evaluation Report, with recommendations, will be forwarded to the Deputy Compact Administrator or designee.
- E. If the person(s) the youth is expected to reside with refuses to supervise the youth in the home or cooperate with Department services such as Safety Plans, Conditions of Supervision, and/or other recommended services, the case will not be accepted.
- F. If the Deputy Compact Administrator, or designee, does not agree with the recommendation submitted by the community case manager, the case will be referred to the Deputy Commissioner of Community Services or designee for a final determination.
- G. Once the Deputy Compact Administrator, or designee, receives notice that the youth is scheduled to arrive in Georgia; he/she will notify the community case manager. Upon the youth's arrival, the community case manager will supervise the youth in accordance with DJJ 20.32, Standards of Contact.
- H. If the youth is already in the placement at the time of the home evaluation, the community case manager will note it in the Home Evaluation Report, and supervision will begin with the initial contact, according to DJJ 20.32, Standards of Contact, pending final acceptance or denial of the case.
- I. If the home is not appropriate for placement, a recommendation for the removal of the youth will be included in the Home Evaluation Report.
- J. Any change of address will be reported immediately to the Deputy Compact Administrator, or designee. If a youth returns to the home state or relocates to another state, the community case manager will notify the Deputy Compact Administrator, or designee, of the relocation address, if known. The Interstate Compact Office will notify the sending state ICJ staff.

VI. SUPERVISION:

- A. Conditions of Supervision:
 - 1. The sending state will determine the term (length) of probation or aftercare. The receiving state will determine the case management standards. When Georgia is the receiving state, youth will be supervised in accordance with DJJ 20.32, Standards of Contact.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	8 of 12

2. All conditions of the court's order or other conditions of supervision are binding and will be enforced by Georgia. Cases being supervised under Interstate Compact may not be charged supervision fees. The sending court remains responsible for the collection of all restitution.
 3. The community case manager will submit ICJ Form IX - Quarterly Progress/Violation, or Absconder Report (Attachment G) on all interstate cases to the Deputy Compact Administrator, or designee.
- B. The Deputy Compact Administrator, or designee, will notify the sending state of any change in status of a youth under supervision (i.e., address change, transfer of supervision, new charges, etc.).
1. Only the sending state may terminate a case.
 2. The receiving state may recommend termination in a progress report to the Deputy Compact Administrator, or designee. When a court terminates custody, the receiving state will not have authority to supervise the youth unless a new action is taken under the statutes of that state.
 3. Georgia youth on aftercare in another state will be terminated by the community case manager, as approved by the Juvenile Program Manager. Probated youth may be discharged only by the jurisdictional court.
- C. The receiving state may permit the youth to make temporary out-of-state visits. Permission will be given, in writing, on an ICJ Form VII - Out-of-State Travel Permit and Agreement to Return (Attachment A). Permits will be issued for a maximum of 90 days and a copy provided to the youth, community case manager, and the Deputy Compact Administrator, or designee. No youth will be permitted to return to the sending state on a visit without prior permission of that state.
- D. The Deputy Compact Administrator, or designee of the receiving state, will notify the Deputy Compact Administrator, or designee of the sending state, immediately of any violation of the youth's conditions of supervision, probation, or aftercare.
1. The report will include specific violations of conditions; provide dates and details of the violation, and appropriate recommendations as to the desirability for the receiving state to retain supervision. Any new legal documents should be included (i.e., complaints, petitions, court orders, and/or warrants). The sending state has 7 days to respond to the Violation Report.
 2. If the violation report suggests a change in the level of supervision is needed, the receiving state may amend the level of supervision.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	9 of 12

3. All revocation procedures will be conducted by the sending state. DJJ shall attempt to provide any fact-finding requested.
 4. The sending state may remove a youth without violation.
 5. The sending state will consult the receiving state about the return, but retains the right to make the final decision.
 6. The receiving state will not send a youth to a secure facility unless the youth commits a new act of delinquency or unruliness in the receiving state and meets the criteria in the receiving state requiring such placement.
- E. The receiving state will notify the sending state, through the Deputy Compact Administrator, or designee, when a youth absconds. The sending state may initiate an order to apprehend and detain.
- F. The supervising court will remind the youth of the financial obligation to the adjudicating court, but it is the full responsibility of the adjudicating court to monitor payments and take action if restitution is not paid, as directed in the court order.

VII. RETURN OF RUNAWAYS:

- A. The community case manager, Case Expeditor (for Independent Court youth), or court staff will take the following steps in the voluntary return of out-of-state runaways:
1. Conduct intake procedures according to DJJ 20.10, Intake.
 2. If the youth is willing to return to the home state, the ICJ Form III (Attachment H), Consent for Voluntary Return by Runaway, Escapee, or Absconder, will be completed. The judge may issue a Rights for Voluntary Return of Runaway, Absconder, Escapee, or Juvenile Being Charged as Delinquent (Attachment I).
 3. The community case manager will inform the Deputy Compact Administrator, or designee, via email of the situation, and provide copies of the completed form(s). The Deputy Compact Administrator, or designee, will notify the home state that the youth is detained and willing to return voluntarily.
 4. Arrangements for return will be made by the home state. The Deputy Compact Administrator, or designee, shall maintain contact with the home state and the community case manager until the youth is returned to the home state.

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	10 of 12

- B. If a Georgia youth who is on runaway status is detained in another state, the Deputy Compact Administrator, or designee, will notify the community case manager.
1. The Deputy Compact Administrator, or designee, will make arrangements to have the youth transported back to Georgia.
 2. Parents will pay transportation costs, whenever possible.
 3. If the parents cannot pay, DJJ/or the agency seeking the youth's return will arrange to pay for transportation costs.
 4. Upon return, the family of a youth who will not be detained will be responsible for picking up the youth at the determined location.
 2. DJJ transportation or local law enforcement will pick up those youth who are to be detained at the determined location and transport the youth to the designated secure facility.
- C. Out-of-state youth detained on charges of an alleged law violation:
- If the court dismisses the youth's offenses, the youth will be returned to his/her home state utilizing the voluntary return procedures.
- D. The community case manager or court staff will take the following steps in the involuntary return of out-of-state runaways:
1. If a non-delinquent runaway is unwilling to return voluntarily, the parent/legal guardian must petition the home state court to issue a Requisition for Return. The court will complete a Petition for Requisition to Return a Runaway Juvenile.
 2. The judge in the home state, based on the information presented, may then issue a Requisition for Runaway Juvenile, ICJ Form I (Attachment J).
 3. The Interstate Compact Deputy Compact Administrator, or designee, will direct the Requisition to the Interstate Compact authority of that state or to the juvenile court having jurisdiction. All supporting documentation will be attached and certified as authentic.
 4. Youth may be held pending receipt of a Requisition up to 90 days, but will be returned as expeditiously as possible.
 5. Upon receipt of a Requisition, the court of the holding state may issue an order to take the youth into custody. Once in custody, the youth will be taken before

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	11 of 12

the court, and counsel or guardian ad litem may be appointed. The youth will be informed of the demand for his/her return.

6. Upon finding the Requisition in order, the judge may sign an order directing the youth's return to the requisitioning state.
 7. The Interstate Compact Deputy Compact Administrator, or designee, will coordinate travel arrangements.
- E. If youth escaped from a secure facility, absconded from probation or aftercare, is located out of state, or is alleged to be delinquent and is unwilling to return voluntarily, a Requisition for Return will be issued.
1. The ICJ Form II Requisition for Escapee, Absconder, or Juvenile Alleged to be Delinquent (attachment K) will be prepared by the facility/program/office/court and forwarded to the holding state through the Deputy Compact Administrator, or designee.
 2. The Requisition will be signed by the judge and verified by affidavit, with certified copies of the petition alleging the delinquent offenses attached.
 3. Completed copies will be forwarded to the Deputy Compact Administrator, or designee, who will forward the request to the state where the youth is detained. The judge in that jurisdiction will hold a hearing and rule on the evidence presented in the Requisition.
 4. If the Requisition is honored, the youth will be returned. The Deputy Compact Administrator, or designee, will notify the requesting court that the youth will be returned and travel arrangements will be made.
- E. The Interstate Rendition of Juveniles of the IJC provides for the return of youth from one state to another when one of the following conditions occurs:
1. A youth flees to avoid prosecution of delinquent charges;
 2. A youth from one state commits delinquent acts while in another state and flees to a third state; or
 3. A youth moves from one state to another and then is charged with a delinquent act in the original state after the move.

VIII. CLOSURE OF CASES:

- A. The sending state has sole authority to discharge or terminate its juveniles. The exceptions are as followed:

Chapter	Subject	Policy #	Page
CASE MANAGEMENT	INTERSTATE COMPACT AND OUT-OF-STATE SUPERVISION	20.4	12 of 12

1. Juvenile is convicted of a crime and sentenced under the jurisdiction of the adult court of the receiving state;
 2. The adult sentence is longer than the juvenile sentence;
 3. If the placement is not made in the receiving state within 90 Days of acceptance;
or
 4. Cases terminate due to expiration of a court order or upon expiration of the period of parole or probation.
- B. Case Closure Notification, ICJ Form X (Attachment L), will be completed and routed to the ICJ Sending State or Receiving State anytime an ICJ case is closed. The form will be completed and the reason for closure will be included on the form.

IX. LOCAL OPERATING PROCEDURES REQUIRED: NO