

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

JUVENILE INTERSTATE COMPACT

Authority:

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Purpose:

To establish guidelines for the transfer of supervision for transferring and/or the approval for juvenile offenders to travel to and from California.

Definitions:

Interstate Compact for Juveniles (ICJ) Coordinator for San Bernardino County Probation: Officer(s) that serve as the point of contact between San Bernardino County Probation and the California Interstate Compact for Juvenile Office (ICJO).

Interstate Commission: The governing body of the Interstate Compact for Juveniles (ICJ).

Interstate Compact for Juveniles (ICJ): The agreement pertaining to the transfer of supervision and care of juveniles from one state to another.

Interstate Compact for Juvenile Office (ICJO): A state and/or territory office responsible for overseeing the transfer of juveniles.

Juvenile: Any person defined as a juvenile in any member state or by the rules of the Interstate Commission.

Quarterly Progress Report: A report completed by the receiving state (RS) to update the sending state (SS) of the juvenile's status and progress quarterly.

Receiving State (RS): A state to which a juvenile is sent for supervision under the provisions of the ICJ.

Sending State (SS): A state which has sent, or is in the process of sending, a juvenile to another state for supervision under the provisions of the ICJ.

Travel Permit: Written permission granted to a juvenile authorizing travel from one state to another.

Uniform Nationwide Interstate Tracking Youth (UNITY): Interstate Commission for Juveniles data system for tracking interstate juvenile movement.

Responsibilities:

I. Probation Officer:

- A. Set up a UNITY account when initially processing a transfer out or travel permit.
- B. Create a new juvenile profile in the UNITY database when processing a transfer or travel permit.
 1. Ensure the juvenile's information is accurately entered in UNITY, including a profile and tattoo pictures when applicable.

- C. Travel Permits: All travel permits shall be completed (to include reporting instructions as applicable) for juveniles traveling out of state for a period in excess of twenty-four (24) hours and be submitted twenty-four (24) hours prior to the juvenile's travel for approval.
 - 1. Per ICJ Rule 8-101:
 - a. Travel permits will need to be completed in the UNITY database and submitted to ICJ for all juveniles fitting criteria below:
 - i. For juveniles adjudicated and on supervision for:
 - 1. Sex-related offenses
 - 2. Violent offenses that have resulted in personal injury or death
 - 3. Offenses committed with a weapon
 - ii. Juveniles who are one of the following:
 - 1. State committed
 - 2. Relocating pending a transfer of supervision
 - 3. Transferring to subsequent state
 - 4. Transferred and the laws require victim notification
 - b. Create a travel permit request in UNITY (Form VII - Out of State Travel Permit and Agreement to Return).
 - c. Obtain necessary signature from juvenile and Probation Officer.
 - d. Scan, upload, and submit in UNITY.
 - e. Place original form in file and provide copy to the juvenile, if applicable.
 - f. Enter note in CE indicating a travel permit request has been submitted in UNITY.
 - 2. For juveniles not fitting the criteria listed under section C.1. above, a travel permit request must be submitted through the respective chain of command.
 - a. For juveniles under the following type of supervision:
 - i. Informal Probation under W&I 654 and W&I 654.2
 - ii. Summary Probation under W&I 725(a)
 - iii. Deferred Entry of Judgement under W&I 790
 - iv. Formal Probation under W&I 602
 - v. State committed under W&I or its equivalent.
 - b. Create a travel permit request in CE.
 - c. Obtain necessary signature from the Supervisor and Division Director.
 - d. Place original form in file and fill out a travel permit to provide to the juvenile.
 - e. Enter note in CE indicating a travel permit request was issued with an expiration date.
 - 3. Ensure Travel Permits do not exceed ninety (90) days.
- D. Transfer of Supervision to another State:
 - 1. Complete necessary documents within the UNITY database for transfer, including but not limited to the following:
 - a. ICJ Forms:
 - i. ICJ Form IV - Probation Investigations Request
 - ii. ICJ Form V - Notification of Sending State upon Probationer proceeding to the Sending State
 - iii. ICJ Form VI - Application for Services and Waiver (Judge's Signature required). If the juvenile already resides in the Receiving State, the Receiving State obtains the juvenile's signature.
 - iv. ICJ Form VII - Out of State Travel Permit and Agreement to Return
 - v. ICJ Form VIII - Home Evaluation Report
 - b. Order(s) of adjudication
 - c. Conditions of Supervision

- d. Legal and Social History/Disposition
 - e. Other documents such as immunization and school records.
 2. Supervise the juvenile until the case is accepted by the receiving state.
 3. Maintain file in the Out of State Caseload.
 4. Submit court memos as required until the juvenile's case is dismissed and discharged.
 - E. Receiving a case for supervision:
 1. Complete a home evaluation report, including a recommendation for approval, or denial of the request for supervision, within forty-five (45) days of receipt of the referral.
 2. Complete a Quarterly Progress Report every three (3) months for accepted cases.
 3. Complete violation or absconder reports, when applicable.
 4. Create CE Event note when documents are submitted in Unity.
 - F. Returns of Runaways & Others:
 1. Complete, upload, and submit Form IX - Absconder, Violation Report, or Quarterly Progress Report if the juvenile is:
 - a. Runaway: left residence without permission or refuses to return to their residence as directed.
 - b. Accused delinquent: if charged with an offense that would be considered a criminal offense if committed by an adult.
 - c. Absconder: probationer who hides, conceals, or absents themselves with the intent to avoid legal process or authorized control.
 - d. Escapee: made an unauthorized flight from in-custody status or a facility to which the juvenile was committed.
 - e. If abuse or neglect is suspected: Also notify the local Children Family Services (CFS) office. Allegations of abuse or neglect do not alleviate a state's responsibility to return a juvenile.
- II. Intake Probation Officer:
- A. Special Considerations for Non-Delinquent Runaway juvenile:
 1. Make attempts to release the juvenile to the legal guardian or custodial agency within twenty-four (24) hours.
 2. Initiate the ICJ process if the juvenile is held for more than twenty-four (24) hours.
 - B. Procedures for Returning Runaways, Absconders, and Accused Delinquents:
 1. Collaborate with the Juvenile Court and the ICJ to coordinate the juvenile's return and submit necessary documentation as required.
 - C. Non-Voluntary Return:
 1. File required forms as applicable.
 2. Comply with ICJ time guidelines and transportation requests made by home/demanding state.
 3. Runaways and accused status offenders who are a danger to themselves/others must be held in secure facilities until returned to their jurisdiction.
- III. Supervising Probation Officer or Designee:
- A. Review, approve, and submit documentation to the California ICJO or Division Director as appropriate.
- IV. Interstate Compact for Juvenile Coordinator for San Bernardino:
- A. Act as a point of contact for San Bernardino County Probation Department and California ICJ.
 - B. Act as a backup for Supervisors in the San Bernardino County Probation Department.
 - C. Receive notification of home evaluation requests from other states from ICJO.

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1. Determine region of home evaluation
2. Request home evaluation from regional Supervisors with a determined due date.
3. Once home evaluation is completed, submit in UNITY with approval or denial recommendation;
 - a) If approved:
 - I. Supervision is assumed as of that date.
 - II. Contact Juvenile Legal to open a case in CE and send them the Interstate Compact Package to create physical file.
 - III. File is transferred to respective region for supervision.
 - b) If denied, case is closed by ICJO.

V. Division Director or Designee:

- A. Review and approve requests as appropriate.

Guidelines:

- A. Every effort should be made for ICJ documentation to be completed prior to the juvenile leaving the state.
- B. Interstate documents should be completed in a timely fashion to maintain compliance with ICJ standards.
- C. Direct communication between states should not be done. All communication should go through UNITY database or ICJO.
- D. The Juvenile Justice Delinquency Prevention Act (JJDP), which limits the detention of "status offenders," specifically allows detention of runaway juveniles under the ICJ.

Inspections:

Refer to the Policy and Procedure Inspection Matrix.

Foundation:

Crime Control Act (4 U.S.C. Sec. 112)
Welfare and Institutions Code 1400

References:

www.icjunity.org/home - UNITY database
www.icj.talentlms.com - UNITY training database
www.juvenilecompact.org/forms - Approved ICJ forms in English and Spanish

Issued by:



Tracy Reece, Chief Probation Office

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