**Administrative Policies and Procedures: 1.25**

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Interstate Compact for Juveniles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority:</td>
<td>TCA 37-4-101; 37-5-105 (3); 37-5-106; 4-29-Part 2; Crime Control Act-4 U.S.C. §112 (1965); Interstate Compact for Juveniles Rules</td>
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<tr>
<td>Standards:</td>
<td>None</td>
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<tr>
<td>Application:</td>
<td>To All Department of Children Services Employees</td>
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**Policy Statement:**

The State of Tennessee is party to the Interstate Compact for Juveniles (ICJ) and cooperates with member states in accordance with the provisions of the Compact. The Department of Children’s Services is assigned responsibility to administer the ICJ and cooperates with member states, agencies, courts and law enforcement officers in the State of Tennessee.

**Purpose:**

To provide direction to DCS employees regarding adhering to the requirements of the ICJ.

**Procedures:**

**A. Interstate Compact for Juveniles (ICJ)**

1. The ICJ assists states in the return of youth who run away, escape or abscond across state lines and provides for the cooperative supervision of juvenile probationers and parolees between states.

2. The ICJ has the force of federal law and supersedes State law. The compacting states recognize that Congress, by enacting the *Crime Control Act, codified in 4 U.S.C. § 112 (1965)*, has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.

3. The Interstate Commission for Juveniles, [www.juvenilecompact.org](http://www.juvenilecompact.org), provides oversight of the ICJ. Currently all fifty (50) states and two U.S. Territories; the District of Columbia and U.S. Virgin Islands, are members of the ICJ.

4. DCS employees, local Juvenile Court Judges and court staff, who are responsible for the supervision or detention of juveniles, are required to adhere to the ICJ including law enforcement at the State or local level.
### 5. The Tennessee ICJ Office
The Tennessee ICJ Office is located in the Office of Juvenile Justice in DCS Central Office and provides support to court staff, law enforcement, DCS staff and other persons with questions about the ICJ.

### 6. The Compact does not
The Compact does not include or provide for the transfer of court jurisdiction or case disposition from one state to another.

### 7. Compact staff
Compact staff coordinates with the Tennessee ICJ State Council which is comprised of members, with at least one representative, from the legislative, judicial and executive branches of government, victim groups and the Commissioner and Deputy Compact Administrator. Each state can determine the membership of the council.

### 8. The Council, which is stipulated
The Council, which is stipulated by the Interstate Commission, can advise and may exercise oversight and advocacy regarding the state’s participation in Interstate Commission activities and other duties as determined by Tennessee such as the development of policy concerning ICJ operations and procedures of the Compact and meets bi-annually.

### B. Assignment and responsibilities of the ICJ Commissioner

| 1. | The Deputy Commissioner of Juvenile Justice, or Designee, appoints a departmental Interstate Compact for Juveniles (ICJ) Commissioner who carries out all duties associated with the administration of the ICJ as outlined in the **ICJ Rules, Interstate Commission for Juveniles**. The ICJ Commissioner reports directly to the Director in the Office of Juvenile Justice. |
| 2. | The ICJ Commissioner coordinates activities for the compact and the Tennessee ICJ State Council. |
| 3. | The ICJ Commissioner appoints a Compact Administrator who is approved to serve in this role by the Tennessee ICJ State Council. The Compact Administrator carries out day-to-day ICJ duties. |

### C. Interstate Compact for Juveniles Rules

| 1. | All matters relating to the ICJ must be administered in accordance with the procedures established in the **ICJ Rules, Interstate Commission for Juveniles**. |
| 2. | Family Service Workers assigned the responsibility for ICJ work refer to the **Interstate Compact for Juveniles Overview and Guide for Family Service Workers** for specific instruction on ICJ procedures and forms. |
| 3. | The ICJ Commissioner, under the guidance of a Director in the Office of Juvenile Justice, reviews the **Interstate Compact for Juveniles Overview and Guide for Family Service Workers** annually to ensure the guide has the most up to date information. |
D. ICJ Compliance and Sanctioning

1. The Interstate Commission has established procedures to deal with states who commit substantial or persistent violation of the Compact, its rules and bylaws.

2. The Commission attempts to assist an alleged violating state to come into compliance by using training or technical assistance; however, if violations continue there are financial penalties assessed and/or possible sanctions up to and including suspension or termination of membership in the compact.

3. Determining factors in determining sanctions can be found in ICJ Policy 02-2017, ICJ Compliance Policy, Sanctioning Guidelines. Violations are divided into four types: administrative, minor, moderate and major violations.

4. Financial penalties can be assessed and range from $10,000 to 75,000 based on the type of violation.

E. Reporting

1. The Interstate Commission for Juveniles reports annually to the legislatures, governors, judiciary, and state councils of the compacting states concerning the activities of the Interstate Commission during the preceding year. Such reports also include any recommendations that may have been adopted by the Interstate Commission.

2. As required by the Tennessee Governmental Entity Review Law, the ICJ Commissioner prepares a report to submit to the legislature to determine if the ICJ will be recommended to continue or if Tennessee will withdraw from the Compact. This process repeats every five to seven years.

Forms: None


Glossary:

Compact Administrator: The individual in each compacting state appointed pursuant to the terms of the Compact, responsible for the administration and management of the state’s supervision and transfer of juveniles subject to the terms of the Compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this Compact.
| **ICJ Commissioner:** | Designated DCS staff overseeing the work of the Compact Administrator. The ICJ Commissioner is the voting representative for Tennessee pursuant to Article III of the ICJ. |