



# The Interstate Compact for Juveniles

## Promoting Positive Outcomes For Youth

A new Interstate Compact for Juveniles will be a more effective instrument for today's juvenile justice system. The compact—adopted by 28 states—seeks to enhance a critical, yet outdated, system for preserving public safety and ensuring positive outcomes for youth.

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By John Mountjoy

The current Interstate Compact on Juveniles was established in 1955 to manage the interstate movement of adjudicated youth—allowing the transfer of community supervision to another state and ensuring the return of runaways and charged delinquents to their home states. But the widespread development of the interstate highway system, readily accessible air transportation, modern computers which revolutionized how we share information, and dramatic growth from just under a few hundred cases to tens of thousands annually have made change imperative.

“The juvenile population has changed in a number of ways,” said Ray Wahl, Utah’s Juvenile Court administrator. “The prevalence of firearms in youth crimes, the accessibility of street drugs such as methamphetamines, and the sheer growth in mobility and transportation issues have all contributed to juvenile offenses being more severe.”

While the tenets of the original 50-state agreement are still

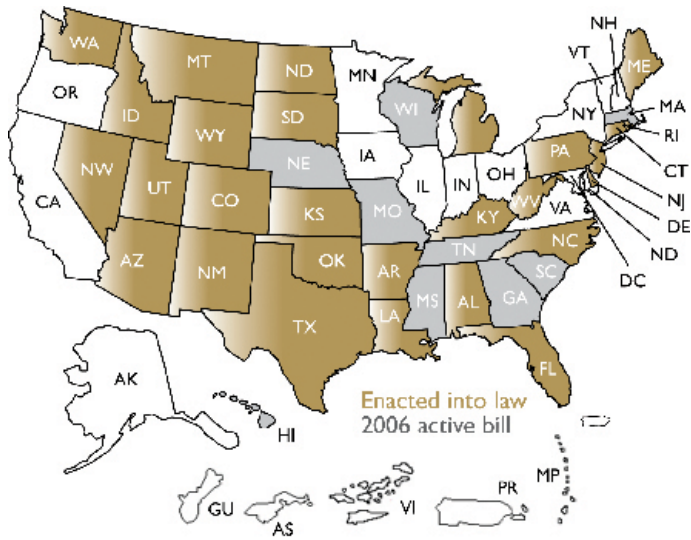
relevant to preserving public safety and ensuring positive outcomes for youth, the aged structure of the agreement has become a liability.

Since 2001, The Council of State Governments has managed the comprehensive effort to revise the juvenile compact—creating an enhanced interstate compact that not only maintains the spirit of the original agreement, but also modernizes its regulatory structure by providing enhanced accountability, enforcement, rulemaking and interstate data sharing.

The new compact addresses many deficiencies of the current juvenile compact. It provides the framework for promoting public safety, ensuring the welfare of juveniles and protecting victims within the states through enhanced control and a better structure for the interstate movement of juveniles.

The new compact provides for:

- ←An independent compact operating authority, with staff support, to administer ongoing compact activity;
- ←A national governing commission with gubernatorial appointments representing all member states. The panel will meet annually to elect the compact operating authority members, and to address general business and rule-making procedures;
- ←A rule-making authority and a provision for significant sanctions to support essential compact operations;
- ←A mandatory funding mechanism sufficient to support essential compact operations (staffing, data collection, training/education, etc.);
- ←The collection of standardized information and information-sharing systems; and



“The bottom line is that all juveniles are worth being redeemed, no matter what they may have done,” said Stephen White, chief of police for Doylestown, Pa., and a member of the Juvenile Compact Drafting Team. “I think that if you handle the problem as a juvenile, and you can handle it effectively state to state, they will not end up in the adult system. This gives the juvenile a chance, more adequately protects the community and, in the end, saves states money.”

←The coordination and cooperation with other interstate compacts, including the Interstate Compact for Adult Offender Supervision and Interstate Compact for the Placement of Children.

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### What is an Interstate Compact?

Simply stated, a compact is an agreement between two or more states for cooperative effort, mutual assistance and/or regulation of public policy matters that transcend state boundaries. Authorized by the U.S. Constitution and dating back to the 1780s, compacts have been created to address a wide variety of issues among the states.

Compacts were increasingly used in the 20th century to manage and regulate state concerns in diverse areas such as environmental resource management, multi-state taxation, transportation, corrections, crime control and juvenile justice. Compact provisions take precedence over conflicting state laws and inconsistent provisions of existing laws of a compact state.

### History of the Current Compact

In the early 1950s, *Parade* magazine published “Nobody’s Children,” a series of articles which depicted the plight of runaways in America. Inspired by these articles, a group of organizations—including The Council of State Governments, National Council of Juvenile and Family Court Judges and National Association of Attorneys General—sought to develop a uniform set of procedures to facilitate the return of juveniles who ran away to other states and to create a system in which juvenile

## Road to Change

In 1999, the National Institute of Corrections (NIC) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the U.S. Justice Department conducted a national survey to collect statistics on juvenile interstate activity and to solicit opinions from officials at various levels of the criminal justice system. The survey targeted three specific audiences: compact administrators, juvenile justice agency administrators and field staff of juvenile justice agencies. The three most common recommendations to improve the compact were:

- ←Develop better enforcement and accountability measures;
- ←Provide more training to local and state juvenile justice officials; and
- ←Improve the speed and quality of communication through the use of technology.

In June 2000, CSG and OJJDP began developing the revised Interstate Compact for Juveniles. CSG convened an advisory group to

examine and determine a future course of action for the compact. Composed of policy experts from a variety of organizations, the group met twice in 2001 to review and analyze information from the OJJDP survey and develop strategies and recommendations for an improved compact.

The second phase of the revision process involved the development and facilitation of a drafting team. Like the advisory group, the drafting team consisted of policy experts from around the country whose purpose was to review the recommendations made by the advisory group and to translate those recommendations into specific compact language.

The final stage in the language development phase was the dissemination of the draft Interstate Compact for Juveniles to state officials and other interested stakeholder groups for review and comment. This circulation occurred in April and May of 2002, and final review was completed in June 2002. The new agreement was made available to states for legislative consideration in January 2003.

## Summit of States on Interstate Cooperation

June 1–2, 2006 Westin Hotel Cincinnati, OH

The 2006 Summit of the States on Interstate Cooperation continues CSG's tradition of bridging policy gaps between the states and facilitating the development of interstate solutions to increasingly interdependent issues. The summit's program focuses on educating state policymakers about interstate compacts and offers educational workshop tracks on interstate compact governance as well as legal issues. For more information, visit [www.csg.org](http://www.csg.org), keyword: interstate compacts or call (859) 244-8256.



offenders could be supervised in other states. The result of their efforts, the Interstate Compact on Juveniles, was completed in January 1955 and ratified by all 50 states, the District of Columbia, the Virgin Islands and Guam by 1986.

The Association of Juvenile Compact Administrators (AJCA) compiles statistical data on compact activities. Because many states do not report their compact activities, AJCA is unable to provide exact figures on how many transfer and supervision cases occur annually. However, it estimates that the compact is used in 20,000 to 30,000 transfer and supervision cases annually. The majority of those cases involve juveniles on probation or parole who are supervised in a state other than the state where the offense and adjudication occurred. This is particularly common when a juvenile lives near a large city bordering another state. Frequently, the compact deals with cases in which a juvenile's parents have moved to another state or have separated and one parent has moved out of state, creating a situation in which the juvenile is subject to dual-custody issues.

### Shortcomings of the Current Compact

The current Interstate Compact on Juveniles provides procedures to regulate the movement across state lines of juveniles who are under court supervision. Specifically, the compact provides for the monitoring and/or return of any juvenile who:

- ←Has left home without the consent of a parent or legal guardian;
- ←Is placed on probation or parole and wants to live in another state;
- ←Has absconded from probation or parole or escaped from an institution and is located in another state;
- ←Requires institutional care and specialized services in another state; and/or
- ←Has a pending delinquency, neglect or dependency hearing and runs away to another state.

As currently written and/or utilized, the Interstate Compact on Juveniles is not an effective instrument today. Specifically,

not all states maintain identical language, and only seven states have adopted all the amendments to the compact. Rules of the current compact are problematic for juvenile justice practitioners and the judicial system, and are also potentially detrimental to juveniles.

“If a troubled youth does not get appropriate supervision, interventions and treatment early,” said Wahl, “they will continue their delinquent behavior and ultimately become the responsibility of the adult system. Once that happens, the chance to make a difference in the life of that child is greatly diminished.”

In addition, the current compact contains no mechanism for enforcing rules and no method for guaranteeing compliance among the compact states. The compact also encounters serious problems within the juvenile justice system, such as processing time, lack of official universal operating procedures and lack of modern interstate information exchange.

“Part of the problem is the timely exchange of information,” said White. “The system is not currently set up to adequately share information, not only on juveniles but also adults. And we're not sharing the information that we do have on hand.”

That should change with the new Interstate Compact for Juveniles.

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### Interstate Compact for Juveniles— Online Resources

For information about the Interstate Compact for Juveniles—including state-by-state status, downloadable documents, model compact language and links to other support sites—please visit [www.csg.org](http://www.csg.org), keyword: juvenile compact or call (859) 244-8256.