

**OKLAHOMA COUNTY JUVENILE BUREAU
POLICY AND PROCEDURE MANUAL**

**CHAPTER SEVEN - COURT SERVICES –OVERVIEW AND GENERAL
OPERATING**

POLICY 7.4-3: INTERSTATE COMPACT AND CASE TRANSFER

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I. POLICY:

The Oklahoma County Juvenile Bureau (OCJB) shall work in conjunction with other counties and states to facilitate ongoing supervision of the youth it serves in order to promote public safety interests of citizens by providing enhanced accountability, enforcement, visibility, and communication. Policy governs the transfer of supervision of youth to and from other jurisdictions and is in accordance with the Interstate Compact for Juveniles per 10A O.S. § 2-9-102 **(2-7171) (2-7172)**.

II. DEFINITIONS:

- A. **Interstate Compact for Juveniles (ICJ):** An agreement between states that provides a basis for contracts between individual states, allowing them to:
1. Provide adequate supervision of adjudicated youth and status offenders placed on probation or parole;
 2. Ensure that the public safety interests of the citizens are met;
 3. Provide for the return, from one state to another, of a youth who has run away, escaped, or absconded; and
 4. Ensure immediate notice to jurisdictions where delinquent youth are authorized to travel or relocate across state lines.

III. PROCEDURE:

- A. Compliance with the terms of the ICJ is mandatory **(2-7172)**. The ICJ allows supervising officers, with permission from the Court, to:
1. Obtain supervision for youth under the supervision of the OCJB who have relocated outside of the state of Oklahoma;
 2. Obtain supervision and arrange for the return of youth who have escaped or absconded from the state of Oklahoma; and
 3. Assist in the supervision of youth under the supervision of another jurisdiction who have relocated to Oklahoma County.

- B. The Intake and Diversion Services (IDSU) Manager shall act as the liaison for the ICJ **(2-7173)**. All ICJ forms required in this policy shall be submitted to the IDSU Manager, who shall forward them to the Compact Administrator of the ICJ Office of Oklahoma, which is located at the Office of Juvenile Affairs (OJA).
- C. When a youth under the supervision of the OCJB has relocated or plans to relocate, with permission of the Court, outside of the state of Oklahoma, the supervising officer shall provide the IDSU Manager with the following:
1. "Outgoing ICJ Case," Attachment A, which requires the following attachments:
 - a. A cover letter describing the youth's current status, the nature of the youth's offenses, the name, address, and phone number of the proposed placement, and the reason ICJ services are needed,
 - b. A summary of the youth's social history including information about the youth's current behavior,
 - c. All petitions filed,
 - d. All adjudication orders,
 - e. All dispositional orders,
 - f. The conditions of the youth's probation plan,
 - g. Psychological information, if available (required for sex offenders),
 - h. School transcripts, and
 - i. Immunization Records;
 2. ICJ Form IV, "Parole and Probation Investigation Request," Attachment B;
 3. ICJ Form IA-VI, "Application for Services and Waiver," Attachment C, signed by the youth, a witness, and the youth's Judge;
 4. ICJ Form V, "Report of Sending State upon Probationer or Parolee Being Sent to the Receiving State," Attachment D (Optional); and
 5. ICJ Form VII, "Out of State Travel Permit and Agreement to Return," Attachment E (if the youth enters the home prior to the completion of the home evaluation by the receiving state).
 - a. The youth must receive prior approval of the receiving state before leaving Oklahoma unless they are placed with a parent/legal guardian/custodian and it is determined by the supervising officer that:
 - i. The placement is suitable;
 - ii. The risk to the youth is minimal; and

- iii. The safety of the public is assured.
 - b. No sex offender shall leave the state of Oklahoma prior to receiving approval from the receiving state.
- D. If plans change and the youth will not utilize the out-of-state placement, the supervising officer shall immediately notify the IDSU Manager in writing. The IDSU Manager shall forward the notice to the Compact Administrator.
- E. If/when the supervising officer determines that supervision is no longer needed, e.g. discharge of probation, he/she shall notify the IDSU Manager in writing. The IDSU Manager shall forward the notice to the Compact Administrator.
- F. If the receiving state determines that the out-of-state placement is failing or the youth has violated the rules of his/her probation, the local worker shall submit a written report the ICJ Office, who will forward the report to the OCJB. Upon receipt of the report, the supervising officer shall staff the case with his/her supervisor and make a decision regarding termination of ICJ services and/or the return of the youth to Oklahoma.
- G. The following ICJ procedures shall be utilized when a youth under the supervision of the OCJB has absconded outside of the state of Oklahoma:
 - 1. The supervising officer shall request the issuance of a Pick Up Order (PUO).
 - 2. When a youth is arrested and detained in a state outside of Oklahoma, the supervising officer shall facilitate the completion of Form III "Consent for Voluntary Return of out of State Juvenile," Attachment E, by the youth, the youth's attorney, and the youth's Judge and arrange transportation for the youth's return.
 - a. The youth shall be transported to the Oklahoma County Juvenile Detention Center.
 - b. If the youth has not committed new crimes and is not viewed as a threat to the public or themselves, the Court may release the youth from detention during the detention hearing **(2-7161)**.
 - c. Upon release from detention, the youth may be restored to active supervision **(2-7160)**.
 - 3. If the youth refuses to return voluntarily, the supervising officer shall complete Form II, "Requisition for Escapee, Absconder, or Accused Delinquent," Attachment G, which requires verification of the youth's legal status in the form of at least one of the following attachments:
 - a. Formal adjudication order;

- b. Formal order of commitment; or
 - c. Formal petition alleging delinquency.
- H. When the family of a youth under the supervision of the OCJB moves or discloses plans to move outside of Oklahoma County, the supervising officer shall take the following actions:
- 1. Notify the Court immediately;
 - 2. Schedule an accelerated court date, if necessary; and
 - 3. Make one of the following recommendations to the Court:
 - a. The OCJB be relieved of supervision,
 - b. The case be transferred to the jurisdiction of the county of the new residence, or
 - c. The youth remain under the supervision of the OCJB.
 - i. Courtesy supervision in the county of the youth's new residence can be arranged.
 - ii. The Officer shall utilize the ICJ if the youth relocates outside of the state of Oklahoma.
- I. When another county wishes to transfer a case to Oklahoma County, the Court from the sending county shall initiate the request for transfer of jurisdiction. The Presiding Judge of the Oklahoma County Juvenile Division shall make the decision to accept or deny jurisdiction of the youth.

Approved:


 Jim Overstreet, Chief of Court Services

11/10/15
 Date

Attachments:

- Attachment A, "Outgoing ICJ Case"
- Attachment B, "Parole and Probation Investigation Request"
- Attachment C, "Application for Services and Waiver"
- Attachment D, "Report of Sending State upon Probationer or Parolee Being Sent to the Receiving State"
- Attachment E, "Out of State Travel Permit and Agreement to Return"
- Attachment F, "Consent for Voluntary Return of an Out of State Juvenile"
- Attachment G, "Requisition for Escapee, Absconder, or Accused Delinquent"

OUTGOING ICJ CASE

Probation: NC ___ C ___ Parole: ___

Date Rec'd _____
Name: Last _____
First _____
Middle _____

JOLTS _____
DOB _____
Sending Co. _____
Rec'ing State _____

REQUIRED INFORMATION:

- Cover Letter
- Form IV
- Signed IA/VI (Youth, Parent, Judge, Witness)
- Form V
- Petition(s) and/or Police Reports
- Adjudication Order(s)
- Disposition Order(s)
- Legal/Social History
- Parole/Probation Conditions/Rules
- School Transcript/Records/Info
- Immunization Records

CASE OK TO REFER _____ HE DUE BY _____

	Name	State
Father:	_____	_____
Mother:	_____	_____
Leg. Guardian:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Robert Hendryx, DCA Date



INSTRUCTIONS FOR COMPLETING ICJ FORM IV

PLEASE TYPE OR PRINT LEGIBLY.

ALL MATERIALS MUST BE PROVIDED TO THE SENDING STATE'S INTERSTATE COMPACT FOR JUVENILES OFFICE IN DUPLICATE, AND MUST BE DIVIDED INTO TWO SEPARATE, COMPLETE, AND IDENTICAL PACKETS FOR FORWARDING.

Receiving state: state in which juvenile is residing or will reside.

Sending state: state of probation/parole/adjudication; requesting state.

Juvenile name, etc.: insert juvenile's name and vital information as indicated.

***Weight, Height, Eye Color, and Hair Color:** provide this information if known.

***Photograph:** Attach photograph of juvenile if available.

Status of juvenile: parole, probation or other; if other, please explain in space provided.

Sending state file #: the case number given in your office to the juvenile's file or case.

To reside with/is residing with: check one and insert name of person(s) with whom juvenile will reside or does reside in the receiving state. Complete information regarding full address including phone number with area code, and relationship to the juvenile.

Reason for adjudication/commitment: fill in adjudication or pending offenses for which juvenile is to be supervised.

Date of adjudication: insert date of court-ordered supervision of the juvenile.

Date of commitment: insert date of court-ordered commitment of the juvenile.

Minimum parole/probation period: earliest date juvenile could be released from supervision.

Maximum parole/probation period: latest date juvenile could be released from supervision.

Anticipated placement date: approximate date juvenile is anticipated to arrive in this proposed home.

Present location: insert current location of juvenile (at the time this request for supervision is being transmitted to the ICJ office).

(Why) we desire to transfer this juvenile...: if the juvenile's parent or legal guardian resides in the state, check the appropriate box; if the juvenile will be living with someone other than parent or legal guardian, complete the "for the following reasons" section.

Check the appropriate boxes as to the enclosures that are being submitted with the referral packet. All applications should have a cover letter. Include at the very minimum: ICJ Forms IV and IA/VI, Petition/s, Order/s of Adjudication and Disposition, and Parole/Probation Conditions (Agreement). If a social history is available, it must be included as well. All other items are helpful to the successful investigation and supervision of this case by the proposed new state of residency.

Referred by: Printed name of caseworker or officer making this request for supervision.

Referring Agency: Print name of requester's agency.

Signature: Form should be signed by an ICJ Compact Official or Designee



INTERSTATE COMPACT FOR JUVENILES

PAROLE OR PROBATION INVESTIGATION REQUEST

DATE: _____

TO: _____
(Receiving State)

FROM: _____
(Sending State)

Name of Juvenile: _____ DOB: _____ Race: _____ Sex: _____

*If known, *Ht: _____ *Wt: _____ *Eye Color: _____ *Hair Color: _____

*If available, attach photograph.

Status: Parole Probation

Sending State File #: _____

To reside with: **OR** Is residing with: _____
(Name)

Relationship: _____ Telephone: _____

Address: _____ City/State: _____ Zip: _____

Reason for Adjudication/Commitment: _____

Date of Adjudication: _____ Date of Commitment: _____

Minimum Parole/Probation Expiration Date: _____ Maximum Parole/Probation Expiration Date: _____

Anticipated Placement Date: _____ Present Location: _____

We desire to transfer this juvenile on parole probation to your state:

Because his/her parent/legal guardian resides in your state.

For the following reasons, with your consent: _____

Other Comments: _____

THE FOLLOWING MATERIALS ARE ENCLOSED:

- Cover letter
- IA/VI Application for Compact Services and Memorandum of Understanding and Waiver
- Petition(s)
- Order of Adjudication and Disposition
- Legal and Social History
- Parole/Probation Conditions (Agreement)
- School Transcript/Records
- Immunization Records
- Any other Pertinent Information

FOR ICJ USE ONLY

Signed: _____
(Compact Official/Designee)

Title: _____

Referred by: _____
(Name - Please Print)

Referring Agency: _____



INSTRUCTIONS FOR COMPLETING ICJ FORM IA/VI

PLEASE TYPE OR PRINT LEGIBLY.

ALL MATERIALS MUST BE PROVIDED TO THE SENDING STATE'S INTERSTATE COMPACT FOR JUVENILES OFFICE FOR FORWARDING.

Form IA – Application for Compact Services

Receiving state: state in which juvenile is residing or will reside.

Sending state: state of probation/parole/adjudication; requesting state.

"I..." (blank): print juvenile's name here.

"In view of the above...": Check either "parole" or "probation" and fill in the name of the receiving state.

Form VI – Memorandum of Understanding and Waiver

"I,..." (blank): insert juvenile's name, check "parole" or "probation," fill in the name of the state under whose jurisdiction the juvenile is placed, and the name of the state in which the juvenile is residing or will reside.

"1": insert name, relationship, and address of home offer wherein juvenile is residing or will reside.

"2": check either "parole" or "probation."

"3": check either "parole" or "probation;" Juvenile must sign and date; Witness must sign and date.

"Permission is hereby granted...": insert name of state in which juvenile will reside and be supervised.

"Signature": If the juvenile is on probation, the sending state's JUDGE or court designee signs here. If the juvenile is on parole, the sending state's Interstate Compact for Juveniles official or designee signs here.



INTERSTATE COMPACT FOR JUVENILES

FORM IA/VI

APPLICATION FOR SERVICES AND WAIVER

Form IA APPLICATION FOR COMPACT SERVICES

TO: _____ FROM: _____
 (Receiving State) (Sending State)

I, _____ hereby apply for supervision as a parolee or probationer to the Interstate Compact for Juveniles. I understand that supervision in the receiving state makes it likely that there will be certain differences between the supervision that I would receive in this state and supervision that I will receive in the state to which I am applying to relocate or reside. In order to receive the advantages of supervision under the Interstate Compact for Juveniles, I hereby acknowledge and accept such differences in the standards of supervision as may be provided by the receiving state.

In view of the above, I do hereby apply for permission to be supervised on parole probation in _____
 (Receiving State)

FORM VI MEMORANDUM OF UNDERSTANDING AND WAIVER

I, _____ realize that the grant of parole probation and especially the privilege to leave the State of _____ to go to the State of _____ is a benefit to me.

Therefore, I promise:

1. That I will make my home with _____
 (Name, Relationship, and Address)
 until a change of residence is authorized by the proper authorities in the receiving state.
2. That I will obey the terms and conditions of parole probation as set by both the sending and receiving states.
3. That I will return at any time to the sending state if asked to do so by the parole probation authorities in that state.

I further understand that if I fail to keep these promises, I may be returned to the sending state. I have read the above, or have had the above read and explained to me, and I understand its meaning and agree thereto. I understand and accept that a failure to comply with these terms and conditions may result in sanctions in both the sending and/or receiving state.

 (Juvenile's Signature) (Date) (Witness' Signature) (Date)

Permission is hereby granted to the above-named juvenile to apply for, reside in, and be supervised by the State of _____
 provided that the receiving state accepts supervision.
 (Receiving State)

 (Date) SIGNED: (If probation, sending state's JUDGE; If parole, sending state's COMPACT OFFICIAL)



INSTRUCTIONS FOR COMPLETING ICJ FORM V

PLEASE TYPE OR PRINT LEGIBLY.

When to complete this form: This form is to be completed if the juvenile is not already in the receiving state on all transfer of supervision cases. In the case of a juvenile probationer departing to the receiving state prior to the referral materials being sent to the receiving state's ICJ Office and the case is, therefore, unknown to the receiving state, the juvenile must be instructed to continue reporting to the sending state's probation officer. The "Out-of-State Travel Permit and Agreement to Return" form is used as a supplement to the Form V. It is the responsibility of the supervising probation officer to ensure that the juvenile receives a copy of the Travel Permit and that s/he is instructed to carry it on his/her person at all times until supervision is picked up in the receiving state.

Rule 4-103.1: Cooperative supervision shall not be provided without written approval from the receiving state's ICJ Office. The sending state shall maintain responsibility until supervision is accepted by the receiving state.

Receiving state: state in which juvenile is residing or will reside.

Sending state: state of probation/parole/adjudication; state requesting cooperative supervision services.

Juvenile name, etc.: insert juvenile's name and vital information as indicated.

Check the appropriate box: "plans to depart" OR "has departed" sending state; insert mode of transportation; insert date of departure; check one: "in person" OR "by telephone" OR "by letter."

Complete reporting instructions as indicated on receiving state's report.

Check as applicable any enclosures.

Signed: The form is to be signed by the sending state's case worker, parole/probation officer or ICJ official; insert title and agency of signer as requested.



INTERSTATE COMPACT FOR JUVENILES

FORM V

REPORT OF SENDING STATE UPON PAROLEE OR PROBATIONER BEING SENT TO THE RECEIVING STATE

TO: _____ DATE: _____
(Receiving State)

FROM: _____
(Sending State) (County)

RE: _____
(Name of Juvenile) (Date of Birth) (Race) (Sex)

The above-named juvenile will depart OR has departed from sending state by _____
(Mode of Transportation)

on _____ and was instructed to report in person by telephone OR by letter, within 48 hours of
(Date)
arrival in the receiving state to:

Name: _____ Telephone: _____

Address: _____
(Street Address) (City) (State) (Zip)

Enclosed please find: (please check applicable items)

Parole or probation sanctions

Other material as follows:

Signed: _____

Title: _____

Agency: _____



INTERSTATE COMPACT FOR JUVENILES
OUT OF STATE TRAVEL PERMIT AND AGREEMENT TO RETURN

FORM VII

VACATION/VISIT ONLY VISIT FOR TESTING PLACEMENT PLACEMENT IN RESIDENTIAL FACILITY

To: _____ From: _____
(Receiving State) (Sending State)

From: _____
(Name, Title) (Agency/Department) (Phone #)

Re: _____
(Juvenile's Name) (DOB) (Race/Sex)

If known: Ht. _____ Wt. _____ Eye Color: _____ Hair Color: _____
(Offense) (Court/Agency #) (Legal Status)

Current Placement

Name: _____ Relationship: _____
 Address: _____ Phone: _____

Permission is granted to the above-named juvenile to visit the State of _____
 from _____ until _____
(Date) (Date)

He She will be staying with/at _____
(Name/Facility) (Relationship)

at _____
(Full Address) (City) (State) (Zip) (Phone #)

Reason for Visit: _____

Mode of Transportation: _____

Special Instructions: _____

Completed by: _____
(Name) (Title) (Date)

I, the undersigned, recognize that I am under the legal custody/jurisdiction of the State of _____
 Department/Court _____. I hereby agree that I will comply with the rules and regulations of my
 state of jurisdiction and the State of _____ and with the above conditions and instructions. I will
 return to the State of _____ on _____ voluntarily and without further formality. In signing this
 agreement, I also understand that my failure to comply with the conditions may result in my being considered absent
 without leave (AWOL), and a warrant and requisition may be issued for my apprehension and return to the State of
 _____ for further disciplinary action.

I have read the above OR I have had the above read and explained to me, and I understand the meaning of it and agree thereto.

(Juvenile's Signature) (Date)

Witnessed by: _____
(Signature of Caseworker or Probation/Parole Officer) (Title) (Date)

Approved by: _____
(Signature of Supervisor) (Title) (Date)



INTERSTATE COMPACT FOR JUVENILES
CONSENT FOR VOLUNTARY RETURN OF OUT OF STATE JUVENILE

FORM III

I, (Juvenile's Name), recognize that I legally belong with (Name of Legal Guardian/Custodian or agency seeking return) in (City/State) and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for that purpose.

(Date) (Juvenile's Signature)

I, (Judge's Name), Judge of (Court or Jurisdiction) having informed the juvenile named above of his/her rights under the Interstate Compact for Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to:

(Legal Guardian/Custodian or agency seeking return) (Contact name & phone number) in (City/State) is appropriate and in the best interest of said juvenile, and do so order such return.

(Date) (Judge's Signature)

TO BE COMPLETED ONLY IF COUNSEL OR GUARDIAN AD LITEM IS APPOINTED (Optional):

I, (Name of Juvenile) being the Counsel Guardian Ad Litem of (Name of Juvenile) recognize and agree that I have consulted with the juvenile about his/her voluntary consent to return to:

(Legal Guardian or Custodian or agency seeking return) in (City/State)

(Date) (Signed - Counsel or Guardian Ad Litem)

(Form will be certified or authenticated in accordance with practice of the court.) Original: Court file; 1 copy each: Juvenile, Holding State's Compact Administrator, Home/Demanding State's Compact Administrator, Local Court in Demanding State.

DETAILED PHYSICAL AND CLOTHING DESCRIPTION OF JUVENILE, & CONTACT INFORMATION

DOB: Race: Sex: Ht.: Wt.: Eye color:
Hair color and style:
Tattoos, scars, identifying marks:
Clothing (including shoes):

Home/Demanding State's contact name and phone #:



INTERSTATE COMPACT FOR JUVENILES

FORM II

- Requisition for escapee or absconder
Requisition for accused delinquent

TO: (Appropriate Authority) DATE:

FROM: (Name of Court or Agency)

I, [Name] requisition the return of [Name] born on [Date] in accordance with the Interstate Compact for Juveniles, ICJ Rules Section 600, Return of Juveniles.

Said juvenile (check appropriate item):
[] was paroled to the custody of:
[] was placed on probation subject to the supervision of:
[] was committed to: (institution or agency)
OR
[] has fled to avoid prosecution and, despite applicable provisions of law, has:
[] escaped [] absconded [] fled

and is now believed to be in your jurisdiction at:
Juvenile's physical description: Ht: Wt: Eyes: Hair: Race: Sex:
Identifying marks or scars:

Attached is a certified true copy of the judgment, formal adjudication, order of commitment, or petition alleging delinquency, verifying juvenile's legal status.

- 1. Particulars of adjudication or allegations of delinquency:
2. Circumstances of breach of terms of probation, parole, escape from institution or fleeing to avoid prosecution:

Accordingly, the undersigned hereby requests the return of said juvenile as authorized by the Interstate Compact for Juveniles. If Requisition is honored, please notify: (Name, title, address, telephone no.)

Signed: (Judge or Compact Official) (Date)

(Requisition must be verified by affidavit, signed by requisitioner, and notarized.)

AFFIDAVIT OF VERIFICATION

(Signature of Requisitioner)

On this [Day] day of [Month], [Year], personally appeared before me [Name] proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that [] he [] she executed the same.

Subscribed and sworn to before me on this [Day] day of [Month], [Year].

NOTARY PUBLIC
Residing at:
My Commission expires: