

TRAINING BULLETIN

INTERSTATE COMMISSION FOR JUVENILES

Release Date: 06/07/2023



Violation Reports Requesting Discharge or Revocation

This training bulletin clarifies the proper use and review of Violation Reports according to ICJ Rule 5-103 and includes considerations for Compact Office UNITY users.

Receiving State Responsibilities

The receiving state Compact Office should thoroughly review Violation Reports with a recommendation requesting discharge or revocation before submitting them to the sending state and consider the following:

Is the correct type of report being submitted?

For example, if the juvenile absconded, the receiving state should submit an Absconder Report in UNITY using the corresponding Event rather than a Violation Report.

Is the report documentation sufficient to support the request?

Compact Offices are the quality check-point for all reports submitted between the receiving and sending states. Ensure that the field officer has fulfilled the requirements of Rule 5-103(1) prior to report submission by checking the following items:

- the date of the new citation or technical violation that forms the basis of the violation; description of the new citation or technical violation;
- status and disposition, if any;
- supporting documentation regarding the violation including but not limited to police reports, drug testing results, or any other document to support the violation.
- description of efforts made to redirect the behavior, including therapeutic interventions, incentives and/or graduated sanctions, or other corrective actions consistent with supervision standards in the receiving state; and;
- receiving state recommendations.

Ensure that the field officer has exhausted all available corrective actions prior to requesting discharge or revocation. Questions to consider include:

- *Did the JPO make contact with the juvenile?*
- *What efforts were made to redirect the behavior?*
- *Is the juvenile being supervised according to the "same standards of supervision that prevails for its own juveniles" (See Rule 5-101)?*

Every effort should be made to successfully supervise the juvenile prior to submitting a request of discharge or revocation to the sending state. Reports can be returned to the field officer if they are insufficient.

As a reminder, the sending state has discretion regarding whether they will retake the juvenile according to Rule 5-103(3). If the juvenile is suspected of committing a criminal offense or act of juvenile delinquency in the receiving state, the juvenile is not available for retaking until they are discharged from prosecution or detention in the receiving state.

UNITY Considerations for Receiving State ICJOs

In UNITY, it is not necessary for the receiving state to submit a Violation Report requesting either discharge or revocation in addition to submitting a separate Case Closure request event, because the Violation Report event contains a Case Closure task. This task will be triggered automatically if the sending state approves the request for discharge or revocation.

The “reasoning for recommendation” field should also contain accurate information that justifies the request. The sending state may need to present the Violation Report to their court, so ensure that the reasoning information is complete and accurate.

The screenshot shows a form titled "RECOMMENDATION:" with three checkboxes: "Continue Supervision", "Request Discharge", and "Request Revocation". Below this is a large text area labeled "REASONING FOR RECOMMENDATION:". At the bottom, there is a "Submitted by:" section with four input fields: "(Supervising Agent)", "(Date)", "(Supervisor)", and "(Date)".

Finally, if the receiving state determines that the supervision has failed as indicated in Rule 5-103A, the receiving state should submit a Failed Supervision Event which contains a Failed Supervision Report. It is not necessary to submit a Failed Supervision Event and a Violation Report Event simultaneously.

Sending State Responsibilities

The sending state is required to respond to a Violation Report requesting discharge or revocation within 10 business days. According to ICJ Rule 5-103(2), that response shall include 1) the action to be taken, and 2) the date the action will occur.

Submitting a Case Closure is not the same thing as a Violation Report response that is required by Rule 5-103(2). It is important for the sending state to provide the action to be taken and the date that action will occur within UNITY within 10 business days. This provides an accurate record of the case outcome, ensures that the data will be included on the generated Form IX: Violation Report, and fulfills the ICJ Rule requirement.