

HB

141

<target><bill>HB 141</bill><subject>HB
141</subject><comm>SFIN26</comm></target>

ALASKA STATE HOUSE OF REPRESENTATIVES

**Contact:**

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North Pole, AK 99705
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Session

(907)-465-3719
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State Capitol
Room 214

REPRESENTATIVE JOHN COGHILL

Sponsor Statement HB 141

"An Act relating to the Interstate Compact for Juveniles; relating to the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

This bill would enact the new Interstate Compact for Juveniles into law. This would replace the old compact which was created in 1955. The purpose of the Compact is to ensure the supervision of juvenile offenders and the return of runaways, escapees and absconders. The Compact provides the procedural means to regulate the movement of juveniles who are under court supervision across state lines. The Association of Compact Administrators estimates that the Interstate Compact on Juveniles is used in 20,000 to 30,000 transfer and supervision cases annually.

The new Compact ensures that all states will have identical language in their statutes which would help with compliance issues. The new Compact provides procedures for enforcement which the old Compact lacked. The Interstate Compact for Juveniles also provides for the collection of standardized information and information sharing systems.

This is a chance for the states to have the means to deal with state problems and enforce state solutions without having any federal intervention. 35 states have already passed this compact. If Alaska chooses not to enact this Compact the state would have to deal with every other state on a case-by-case basis which would cost the state more money than it would cost to implement the Compact.

The compact provides for the safety of the juvenile offender and the state as a whole. The importance of this compact cannot be overstated. This legislation is necessary to ensure the public safety and security of Alaskans. It will help ensure that Alaska receives notification about juveniles who are relocated or traveling to Alaska before they arrive here, and will expedite Alaska's ability to send juveniles from here to other jurisdictions.

February 20, 2009- HB 141

26-LS0576/R

SENATE FINANCE COMMITTEE REPORT

DATE: 4/16/09

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered HOUSE BILL NO. 141

HB 141 COMPACT FOR JUVENILES; INTERSTATE COUNCIL

"An Act relating to the Interstate Compact for Juveniles; relating to the State Council for Interstate Adult and Juvenile Offender Supervision; amending Rules 4 and 24(b), Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____


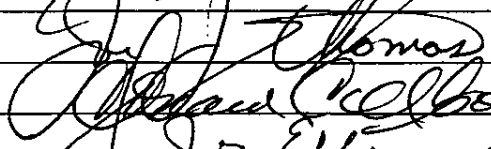
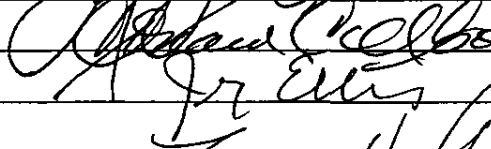
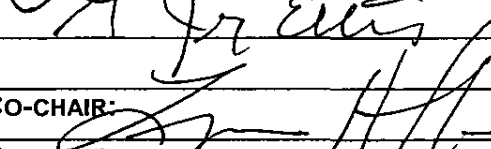
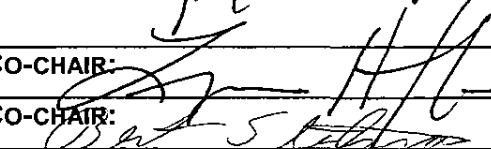
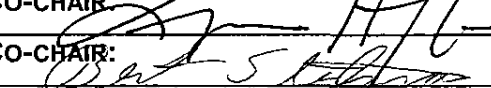
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DHS	3/4/09	✓			1
CDR	3/24/09			✓	2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC.	AMEND
	Huggins	✓			
	THOMAS	✓			
	OLSON	✓			
	ELLIS	✓			
CO-CHAIR: 	Hoffman	✓			
CO-CHAIR: 	STEADMAN	✓			

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 141
 (H) Publish Date: 3/23/09

Identifier (file name): HB141-DHSS-PS-03-04-09 Dept. Affected: Health & Social Services
 Title: Compact for Juveniles: Interstate Council RDU: Juvenile Justice
 Component: Probation Services
 Sponsor: Coghill
 Requester: House HSS Component Number: 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel	13.0		13.0	13.0	13.0	13.0	13.0	13.0
Contractual	27.0		27.0	27.0	27.0	27.0	27.0	27.0
Supplies	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	45.0	0.0	45.0	45.0	45.0	45.0	45.0	45.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES (
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	45.0		45.0	45.0	45.0	45.0	45.0	45.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	45.0	0.0	45.0	45.0	45.0	45.0	45.0	45.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Since 1960, the Interstate Compact on Juveniles has provided states, including Alaska, with the procedural means to regulate the movement of court-supervised juveniles across state lines. Approximately 160 juveniles under the supervision of the Department of Health and Social Services leave or enter Alaska each year. This bill would place a new, extensively revised compact into Alaska statute replacing the current compact. The new compact seeks to correct deficiencies in the existing compact that have been identified at the national level with regard to administration, rules, enforcement procedures, financial management, communications and data sharing.

(continued on next page)

Prepared by: Stephen F. McComb Phone 907-261-4335
 Division: Juvenile Justice Date/Time: 3/2/09 12:00 AM
 Approved by: Alison Elgee, Assistant Commissioner Date: 3/4/2009
DHSS Finance & Management Services

FISCAL NOTE #1

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. HB 141

ANALYSIS CONTINUATION

Participation in the new compact requires that the state council implement and oversee compact functions. However, because some of the membership requirements for the juvenile compact council are the same as those required for the Alaska State Council for Interstate Adult Offender Supervision, the state intends to have a single state council oversee both compacts. Combining the two responsibilities under the authority of a single council will save the state the effort and duplication of creating and managing two councils with similar functions.

Being part of the new compact will create additional costs to the division. Costs include the following:

- \$13.0 Travel associated with membership participation, including travel to required meetings by staff
- \$27.0 Membership Dues, teleconferences, overhead costs that include chargeback, etc.
- \$ 5.0 Supplies for staff and required meetings

Dues to participate in the current compact are \$400 per year. Dues to participate in the new compact are expected to be \$14,000 per year.

The cost estimates for the participation in the state council only reflect those anticipated for the operations for the juvenile justice compact and do not include operational and other costs associated with the ongoing adult council activities. The existing adult council has not had in-person meetings for several years, and at least initially the division anticipates that such meetings will be necessary to address the added juvenile justice functions. The travel costs reflected in this fiscal note are again only intended to portray the costs for the juvenile compact activities. The travel costs also reflect the intent that council members represent all areas of the state.

A possible one-time additional cost to the division may also be incurred by adoption of this bill. The new compact will require use of a national database management system that may need to communicate with the division's MIS. The national system is still under development. Without knowing when the new system will be available, or how difficult it will be to link the two systems, we are not prepared to estimate a cost at this time. The division may need to make a specific request to meet this cost at some point in the future.

In addition, the division will be monitoring the amount of additional staff time required to participate in the new compact. At some point an increment request may be needed to fund a position if absorption of these duties is too challenging for our existing staff. The division needs to ensure we do not hamper our ability to research, apply for, and successfully win grants, such as the federal Re-Entry and Gang Prevention grants that have been invaluable in improving public safety and helping the state monitor and improve its response to gang issues. If the increase in workload forces staff to spend less time involved in the management of existing programs (these include the federal Juvenile Justice and Delinquency Prevention Formula Program, the Enforcing Underage Drinking Laws program, Title V, Juvenile Accountability Block Grants, Bureau of Justice Assistance grant management, and Youth Court earmark) current federal funding that the division receives could be at risk.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB 141
 (H) Publish Date: 3/30/09

Identifier (file name): HB141-DOC-OC-3-24-09 Dept. Affected: DOC
 Title: "An Act Relating to the Interstate Compact for Juveniles" RDU: Administration & Support
 Component: Office of the Commissioner
 Sponsor: Representative Coghill
 Requester: Governor Component Number: 694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation should not have a significant impact on the Department of Corrections.

Prepared by: Leslie Houston, Director
 Division: Administrative Services Division
 Approved by: Dwayne Peeples, Deputy Commissioner
Office of the Commissioner

Phone 465-3339
 Date/Time 3/24/2009 1535
 Date 3/24/2009

ALASKA STATE HOUSE OF REPRESENTATIVES

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North Pole, AK 99705
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Fax# (907)-488-4271



Session

(907)-465-3719
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REPRESENTATIVE JOHN COGHILL

SECTIONAL

HB 141

"An Act relating to the Interstate Compact for Juveniles; relating to the State Council for Interstate Adult and Juvenile Offender Supervision; amending Rules 4 and 24(b), Alaska Rules of Civil Procedure; and providing for an effective date."

Section 1: AS 33.36.140 State Council:

- (a) Adds the words **and Juvenile** to the State Council for Interstate Offender Supervision. Adds a reference to the repealed and reenacted statute AS 47.15.010.

Section 2: AS 33.36.140

- (b) changes the number of council members from seven to **nine**.
(6) adds the position of **the commissioner of health and social services** and provides that the commissioner may appoint a designee to serve in his/her capacity.
(7) adds the position of the **compact administrator appointed under AS 47.15.020**.

Section 3: AS 44.21.410(a)

- (a) (5) deletes the word [UNIFORM], adds the word **for** and deletes the word [ON] in order to change the name of the Compact to the Interstate Compact for Juveniles.

Section 4: AS 47.15.010

The Execution of interstate compact is repealed and reenacted.

Section 5: AS 47.15.020

Changes the designator of the compact administrator from the Governor to the commissioner of health and social services and adds a comma to ensure proper grammar.

Section 6: AS 47.15

Adds a new section: AS 47.15.025 which designates the State Council for Interstate Adult and Juvenile Offender Supervision to serve as the state council under AS 47.15.010.

Section 7: AS 47.15

Adds a new section: AS 47.15.035 which allows the Department of Health and Social Services to adopt regulations to implement the provisions of this chapter.

Section 8: AS 47.15.070

Cleanup of section for clarity.

Section 9: AS 47.15.080

States that the short title of this chapter may be cited as the Interstate Compact for Juveniles.

Section 10: AS 47.15.050

Appointment of attorney or guardian provision is covered in AS 47.12.090.

Section 11: The uncodified law of the State of Alaska is amended by adding a new section:

- (1) Changes the name of the Compact to the Interstate Compact for Juveniles in Rule 4 in Alaska Rules of Civil Procedure.
- (2) Changes the name of the Compact to the Interstate Compact for Juveniles in Rule 24(b) in the Alaska Rules of Civil Procedure.

Section 12: The uncodified law of the State of Alaska is amended by adding a new section:

This section applies the old Compact to the states who do not opt to join the new Compact.

Section 13: The uncodified law of the State of Alaska is amended by adding a new section:

Court rule changes only take effect if it is approved by 2/3 of the majority of each house.

Section 14: The uncodified law of the State of Alaska is amended by adding a new section:

The Compact takes effect only if at least 34 other states ratify the Interstate Compact for Juveniles.

Section 15: Setting the effective date as either the day after the date on which the commissioner of health and social services or the commissioner's designee notifies the revisor of statutes that at least 34 other states have ratified the new Compact or July 1, 2009 whichever is later.

Interstate Compact for Juveniles
State Legislative Status

Update February 26, 2009

State	Bill	Primary Sponsor	Status
Alabama			Signed into law, 4/22/04
Alaska	HB 141	Coghill	Intro'd & ref'd Jud & H&SS, 2/23
Arizona			Signed into law, 4/30/03
Arkansas			Signed into law, 4/6/05
California			
Colorado			Signed into law, 4/26/04
Connecticut			Signed into law, 6/18/03
Delaware			Signed into law, 7/8/03
Florida			Signed into law, 5/26/05
Georgia			
Hawaii	HB297 / SB109	Say / Hanabusa	Rec pass w. Amnds 2/10 / Ref'd to Ways & Means 2/13
Idaho			Signed into law, 3/19/04
Illinois			Signed into law, 8/26/08
Indiana			
Iowa			
Kansas			Signed into law, 3/29/04
Kentucky			Signed into law, 3/18/05
Louisiana			Signed into law, 7/3/03
Maine			Signed into law, 6/25/03
Maryland			Signed into law, 5/17/07
Massachusetts	SB 218Z	Sen. McGee	Passed S; H ref'd to Ways & Means 7/1/08
Michigan			Signed into law, 7/11/03
Minnesota			
Mississippi	HB465 / HB759 / SB2595	Holland / Hines / Hyde-Smith	S Jud DO PASS 2/24 / Died in Comm 2/03 / H ref'd to Jud 2/09
Missouri			Signed into law, 4/1/03
Montana			Signed into law, 4/1/03
Nbraska	LB 237	Lathrop	Ref'd to Judiciary, 1/15
Nevada			Signed into law, 5/19/05

State	Bill	Primary Sponsor	Status
New Hampshire			
New Jersey			Signed into law, 9/10/04
New Mexico			Signed into law, 3/19/03
New York			
North Carolina			Signed into law, 7/18/05
North Dakota			Signed into law, 3/13/03
Ohio			
Oklahoma			Signed into law, 4/21/04
Oregon	SB 107	Senate President	Work session 2/26
Pennsylvania			Signed into law, 7/2/04
Rhode Island			Signed into law, 7/10/03
South Carolina			Signed into law, 5/24/06
South Dakota			Signed into law, 2/13/04
Tennessee			Signed into law, 6/20/08
Texas			Signed into law, 6/18/05
Utah			Signed into law, 3/16/05
Vermont			
Virginia			Signed into law, 3/12/07
Washington			Signed into law, 5/9/03
West Virginia			Signed into law, 4/6/04
Wisconsin			Signed into law, 3/30/06
Wyoming			Signed into law, 3/5/04
Amer. Samoa			
Dist. of Columbia			
Guam			
N. Mariana Is.			
Puerto Rico			
U.S. Virgin Is.			

**RESOLUTION OF THE
AMERICAN PROBATION AND PAROLE ASSOCIATION**

“Interstate Compact for Juveniles”

Whereas, The Interstate Compact on Juveniles was established in 1955 and is the primary compact addressing the needs of juveniles within the justice system who move between states and has not been sufficiently amended in its 47-year existence; and

Whereas, This compact is the only vehicle for the controlled movement of juveniles released from custody or on probation across state lines; and

Whereas, The complexities of the compact have become more difficult to administer, and many jurisdictions have expanded supervision expectations to include currently unregulated practices such as victim input, victim notification requirements and sex offender registration; and

Whereas, After national surveys and a detailed study by a task force appointed by the Office of Juvenile Justice and Delinquency Prevention, the overwhelming recommendation has been to amend the document to bring about an effective management capacity that addresses public safety concerns, offender accountability and effective treatment needs.

BE IT THEREFORE RESOLVED, That the Board of Directors of the American Probation and Parole Association hereby endorses and recommends adoption of the amended and newly titled Interstate Compact for Juveniles by the 50 states and affected territories of the United States of America.

January 5, 2003

CSG GOVERNING BOARD/EXECUTIVE COMMITTEE

RESOLUTION ON

THE INTERSTATE COMPACT FOR JUVENILES

WHEREAS, The Interstate Compact on Juveniles was established in 1955 and is the compact addressing the needs of juveniles within the juvenile justice system who move between states and has not been sufficiently amended in its forty-seven (47) year existence; and

WHEREAS, This compact is the only vehicle for the interstate supervision of juvenile offenders, the return of absconders and escapees, and runaways; and

WHEREAS, The complexities of the compact have become more difficult to administer, and many jurisdictions have expanded supervision and program expectations to include currently unregulated practices such as victim input and notification requirements, sex offender registration, and age related issues; and

WHEREAS, After exhaustive research and detailed study, the Office of Juvenile Justice and Delinquency Prevention and The Council of State Governments convened an Advisory Group and Drafting Team to formulate recommendations and implement changes to the compact language to better address public safety, enforcement, accountability and communication concerns.

NOW THEREFORE BE IT RESOLVED, That The Council of State Governments hereby endorses and recommends adoption of the new compact entitled, "Interstate Compact for Juveniles" by the fifty (50) states, the District of Columbia, Puerto Rico and effected territories of the United States of America.

Adopted this 8th Day of December, 2002 at the
CSG Annual State Trends and Leadership Forum
In Richmond, Virginia

**Resolution of the
Association of Juvenile Compact Administrators**

“Interstate Compact for Juveniles”

Whereas, The Interstate Compact on Juveniles was established in 1955 and is the compact addressing the needs of juveniles within the juvenile justice system who move between states and has not been sufficiently amended in its forty-seven (47) year existence; and

Whereas, This compact is the only vehicle for the interstate supervision of juvenile offenders, the return of absconders and escapees, and runaways; and

Whereas, The complexities of the compact have become more difficult to administer, and many jurisdictions have expanded supervision and program expectations to include currently unregulated practices such as victim input and notification requirements, sex offender registration, and age related issues; and

Whereas, After national surveys and a detailed study by a task force appointed by the Office of Juvenile Justice and Delinquency Prevention, the recommendation has been to rewrite the document to bring about an effective management capacity that addresses public safety concerns and juvenile accountability.

Be it therefore resolved, That the Association of Juvenile Compact Administrators hereby endorses and recommends adoption of the new compact entitled “Interstate Compact for Juveniles” by the fifty (50) states, the District of Columbia, and affected territories of the United States of America.

Adopted this 10th day of August, 2002.

STATE OFFICE
ALASKA PEACE OFFICERS ASSOCIATION

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



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Joseph Young
Anchorage

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Kim Wannamaker, Member
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A.J. Charlton, Member
Ketchikan
Pres. First City Chapter

Matt Betzen, Member
Unalaska
Pres. Aleutian Islands Chapter

Thecla LaLonde, Member
Wrangell
Pres. Wrangell Chapter

March 27, 2009

Representative John Coghill
House of Representatives
State Capitol
Juneau AK 99801-1182

Dear Representative Coghill:

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for introducing HB 141, an act relating to the Interstate Compact for Juveniles; relating to the State Council for Interstate Adult and Juvenile Offender Supervision; amending Rules 4 and 24(b), Alaska Rules of Civil Procedure; and providing for an effective date.

The APOA State Board's Legislative Committee recently reviewed this proposed legislation and decided to unanimously support this bill.

We thank you for addressing this issue. Please contact the APOA office in Anchorage at 277-0515, if there is anything our organization can do to assist in the passage of this bill.

Sincerely,

Angella Long
State President



National District Attorneys Association
99 Canal Center Plaza, Suite 510, Alexandria, Virginia 22314
703.549.9222 / 703.836.3195 Fax
www.ndaa-apri.org

Office of the President

February 19 , 2003

Mr. Daniel M. Sprague
Executive Director
The Council of State Governments
P.O. Box 11910
Lexington, KY 40578-8001

Dear Mr. Sprague:

On behalf of the Board of Directors of the National District Attorneys Association I want to offer our support for the Interstate Compact for Juveniles. Our Board unanimously voted to support your effort during our recent meeting in Texas.

As local prosecutors we have to work daily with juveniles that require the attention of our court system and we recognize the need for interstate supervision of juvenile offenders and for the return of those who have escaped, run away or fail to live up to release expectations.

We also recognize that the changes in the complexities of our society have made many of the provisions of the compact badly out dated. Ideas such as community corrections, sexual predator registrations and victims rights provisions all impact on the how states must relate to each other in dealing with criminal offenders and in this instance, juveniles,

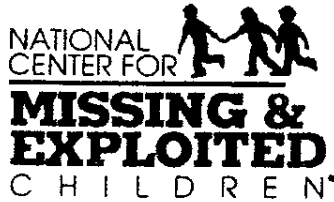
The Board of Directors considered the importance of addressing consistent treatment of juveniles in need of both consequences and treatment. The proposed Compact language provides states with the means of accomplishing these goals.

Sincerely,

Daniel M. Alsobrooks
District Attorney General, 23rd Judicial District, Tennessee
President, National District Attorneys Association

To Be the Voice of America's Prosecutors and to Support Their Efforts to Protect the Rights and Safety of the People

RECEIVED NOV 01 2002



November 1, 2002

Charles B. Wang International
Children's Building
699 Prince Street
Alexandria, VA 22314-3175
U.S.A.

Mr. Daniel M. Sprague
Executive Director
The Council of State Governments
Headquarters Office
P.O. Box 11910
Lexington, Kentucky 40578-8001

Telephone 703.274.3900

Dear Mr. Sprague:

Facsimile 703.274.2200

The National Center for Missing & Exploited Children (NCMEC) is pleased to support the proposed Interstate Compact Initiative for Juveniles. As an organization that provides services to runaway youth and their families, we are pleased that this enhanced initiative will ensure consistent use of those policies governing the Compact.

www.missingkids.com

Although, primarily designed to assist those organizations working within the juvenile justice, and social service systems, the Compact will assist NCMEC in it's work to bring children back home by providing law enforcement professionals with clear guidelines and procedures once a missing youth is recovered.

As you work to implement this initiative throughout the 50 states, please do not hesitate to let us know if we can be of further assistance in this most important venture.

Sincerely,

Ernie Allen
President & CEO
NCMEC

Branches
California
Florida
Kansas City
New York
South Carolina

National
Juvenile
Detention
Association

NJDA

Eastern Kentucky University • 301 Perkins Building • 521 Lancaster Avenue
Richmond, Kentucky 40475-3102 • Telephone: (859) 622-6259
Fax: (859) 622-2333 • E-Mail: NJDAEKU@aol.com • Website: www.njda.com

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MSU/Suite 350 Nisbet
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East Lansing, Michigan
48823-5239
(517) 432-1242

January 28, 2003

Chad S. Foster
Policy Analyst
The Council of State Governments
2760 Research Park Drive
PO Box 11910
Lexington, KY 40578-1910

Dear Mr. Foster:

As one of participating entities, the National Juvenile Detention Association (NJDA) has been actively involved in the review and update of the Interstate Compact on Juveniles, originally established in 1955. The two-year effort to modernize the Compact has been thorough and comprehensive and has engaged the efforts of many practitioners from the juvenile justice field. The process addressed a multiplicity of issues regarding the Compact that have been identified as problematic or outdated in an effort to develop a document that meets the current needs of stakeholders in the signatory states.

The nation's detention centers deal with the Compact frequently as the entities responsible for housing juveniles found to be in violation of placement agreements or of state laws in the receiving states. The proposed modifications to the Compact should address many of the issues that have created problems for detention centers and will offer assistance to them in dealing with both sending and receiving states.

As the association serving juvenile detention nationally, NJDA supports the proposed changes to the Compact. The changes are designed to address the needs of the states, of the agencies within the states, and of the public in ensuring that placement agreements are complied with and community safety is ensured.

We are happy to offer assistance to you in your efforts to achieve adoption of the revised Interstate Compact for Juveniles.

Sincerely,



Earl L. Dunlap, Executive Director
National Juvenile Detention Association

cc: file
Executive Committee

AJJAC

ALASKA JUVENILE JUSTICE
ADVISORY COMMITTEE

Alaska Juvenile Justice Advisory Committee
P.O. Box 110635
Juneau, AK 99811-0635
Phone: (907) 465-3855
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March 4, 2009

Carol Brenckle
Chair
502 Hemlock
Ketchikan, AK 99611
Phone: (907) 283-4343

Alaska Legislature
Alaska State Capitol
Juneau, AK 99801

Barbara Tyndall
Secretary
P.O. Box 82977
Fairbanks, AK 99708
(907) 457-4673

Dear Legislators:

Members:
Raelene Active
Chris Alldge
Vicki Blankenship
Seth Church
John Combs
Kara Howarth
Richard Iselt
Michael Jeffery
Beverly Jenkins
Lory LeDoux
Judy Norton-Budge
Laura Ogan
Michael Reed
Samantha Wheaton
Tina Woods

The Alaska Juvenile Justice Advisory Committee (AJJAC) held an in-person meeting in Juneau on March 2-3, 2009. At the meeting Division of Juvenile Justice (DJJ) presented information on HB 141, which included the benefits of passing this legislation as well as the potential public safety issues if HB 141 does not pass.

After discussion, the AJJAC voted unanimously on March 2, 2009 to support HB 141, the Interstate Compact for Juveniles.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Carol Brenckle".

Carol Brenckle
AJJAC Chair

STATE OF ALASKA
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF JUVENILE JUSTICE

Sarah Palin, GOVERNOR

*P.O. BOX 110635
JUNEAU, ALASKA 99811-0635
PHONE: (907) 465-1382
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April 1, 2009

The Honorable Jay Ramras
Chair, House Judiciary Committee
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99811

Dear Representative Ramras:

In the House Judiciary Committee hearing held on March 27, 2009, Representative Max Gruenberg asked the following questions about House Bill 141 (Interstate Compact for Juveniles):

- When did the first state adopt the new Interstate Compact for Juveniles?

We contacted Keith Scott, Director of the National Center for Interstate Compacts at the Council of State Governments, to answer this question; he reported that the first state to adopt the new Compact did so in March 2003 (North Dakota). The 35th state to adopt the Compact, Illinois, did so in August 2008. Adoption of the Compact by 35 states placed the Compact into "active" status, meaning that participating states are now developing the new rules that will govern interstate travel by juveniles. With the 35th state enacting the Compact, the first Interstate Commission meeting was held in December 2008. States that have not enacted the new Compact by December 2009 will not be able to transfer juveniles to and from states operating under the new Compact at that time, and will be required to develop individualized Memoranda of Agreement to transfer juveniles to and from those states.

- What are Hawaii's amendments to its bill on the Interstate Compact for Juveniles, noted in the materials provided by Rep. Coghill's office?

To answer this question we contacted Hawaii's juvenile compact administrator. She stated that Hawaii is currently considering two changes to the Compact:

- 1.) In Article III, subsection (h)(7), deleting the phrase "regulated person or entity" and replacing it with the word "juvenile." The Hawaiian compact administrator said they believed the phrase "regulated person or entity" to be confusing.

- 2.) In Article VI of the Compact (found in Section 4 of Alaska's HB 141), deleting section (f), which reads: "The existing rules governing the operation of the Interstate Compact on Juveniles shall be null and void 12 months after the first meeting of the Interstate Commission created under this compact." The Hawaiian compact administrator said they made this change to ensure that Hawaii could continue to work with states that have adopted the new compact as well as states that continue to operate under the old compact.

We consulted with Jan Rutherford and Deborah Behr at the Department of Law on these issues. Our two agencies agree that Hawaii's amendments are not needed in Alaska's bill and would only complicate what is intended to be a nationally uniform document. In the first case, we do not believe the term used in the Compact, "regulated person or entity," is confusing. It clearly refers to the individuals subject to the compact. In the second case, we believe Alaska's ability to work with other states, including those that do not adopt the new compact, is ensured in Section 12 of Alaska's HB 141, which reads:


The Department of Health and Social Services may continue to implement the provisions of former AS 47.15.010 (the old Interstate Compact on Juveniles), as it read on the day before the effective date of this Act, to certain states that are compacting states to the Uniform Interstate Compact on Juveniles, but have not yet enacted the Interstate Compact for Juveniles, set out in AS 47.15.010, as repealed and reenacted by sec. 4 of this Act, or a substantially similar form of that compact.

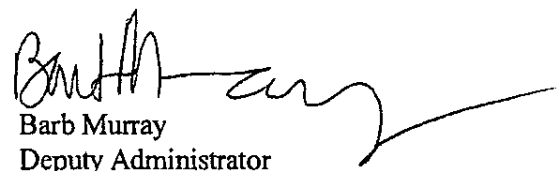
- Have other states made amendments to the Compact?

To answer this question we contacted the Keith Scott, Director of the National Center for Interstate Compacts at the Council of State Governments. We asked Mr. Scott if he could provide a list of other states' amendments to the Interstate Compact for Juveniles. Mr. Scott said no such list has been assembled by the Council. While he has received occasional inquiries and provided feedback on potential amendments on the Compact from various states, he has not maintained a list of these inquiries and does not know which, if any, of these potential amendments have been adopted. To fully answer this question therefore would require us to contact individual states and review their legislation that enacted the Interstate Compact for Juveniles.

At the request of Acting Chair Nancy Dahlstrom we are sending a copy of this response to the members of the House Finance Committee, the next committee of referral for HB 141.

Sincerely,


Tony Newman
Social Services Program Officer


Barb Murray
Deputy Administrator
Interstate Compact on Juveniles

Cc: The Honorable Carl Gatto, Alaska House of Representatives
The Honorable Lindsay Holmes, Alaska House of Representatives
The Honorable Nancy Dahlstrom, Alaska House of Representatives
The Honorable Bob Lynn, Alaska House of Representatives
The Honorable Max Gruenberg, Alaska House of Representatives
The Honorable Mike Hawker, Alaska House of Representatives
The Honorable Bill Thomas, Alaska House of Representatives
The Honorable Bill Stoltze, Alaska House of Representatives
The Honorable Alan Austerman, Alaska House of Representatives
The Honorable Anna Fairclough, Alaska House of Representatives
The Honorable Richard Foster, Alaska House of Representatives
The Honorable Reggie Joule, Alaska House of Representatives
The Honorable Mike Kelly, Alaska House of Representatives
The Honorable Harry Crawford, Alaska House of Representatives
The Honorable Les Gara, Alaska House of Representatives
The Honorable Woodie Salmon, Alaska House of Representatives
Jan Rutherford, Civil Division, Alaska Department of Law
Deborah Behr, Civil Division, Alaska Department of Law
Wilda Laughlin, Commissioner's Office, Alaska Department of Health and Social Services