

 <b>Interstate Commission for Juveniles</b>	<b>Policy Number:</b> 01-2017	<b>Page Number:</b> 1
<b>ICJ Administrative Policy</b>  Code of Conduct	<b>Dated:</b> May 25, 2017  <b>Revised:</b> December 16, 2021	

## I. Introduction

As a joint government entity created by the enactment of the Compact by the member states, the Commission affords great deference to its member states in selecting Commissioners to represent them. The diverse personal, educational, and professional backgrounds of Commissioners are one of the Commission’s greatest assets. However, this diversity means that some Commissioners may have personal pecuniary interests which are affected by the outcomes of management and other decisions which must be made concerning the administration of the Compact Commission at times. This policy was implemented to ensure transparency, accountability, and integrity in the Commission’s decision-making process.

## II. Code of Conduct

Commissioners and their Designees appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner shall engage in criminal or disgraceful conduct prejudicial to the Commission, any other Commissioner or any other state.

No Commissioner shall vote or participate in debate upon a matter in which the Commissioner has a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner’s home state.

## III. Definition

A Conflict of Interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary personal interest economic or otherwise.

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#### **IV. Disclosure of Conflicts of Interest**

- A. All Commissioners and Designees are required to complete a Code of Conduct form. The form constitutes an agreement by each Commissioner and Designee to disclose personal interests that may impact the ability of a Commissioner or Designee to conduct business in a “fair and impartial” manner and that the Commissioner or Designee will recuse from debating or voting on such a matter in fulfilling the duties of an ICJ Commissioner or Designee.
- B. Completed Code of Conduct forms must be submitted to the Executive Director prior to participation in a Commission meeting. For the first year of implementation of this policy, all Commissioners and Designees must complete the form prior to the 2017 Annual Business Meeting.
- C. Completed Code of Conduct forms are considered to be public documents which may be disclosed by the Commission upon request.

#### **V. Commissioner and Designee Recusal**

Prior to the discussion of an issue in which a Commissioner or Designee believes a conflict of interest may exist, the Commissioner or Designee must announce to the Committee or Commission meeting that he/she is recusing himself/herself from participating in the caucus and voting. Once recused, the Commissioner or Designee will not be able to participate in the debate or the vote concerning the matter which led to the recusal.

#### **VI. Concerns over Financial Disclosure and Conflict of Interest**

Concerns over conflicts of interest should be brought to the attention of the Chair of the Commission for consideration by the Executive Committee. The Executive Committee will determine if any of the provisions of the Commission’s Policy on Conflicts of Interest have been violated and decide the appropriate action, if any.

#### **VII. Notification of Home State Appointing Authority**

If any of the following conditions are met, the Commission may notify the appropriate appointing authority in the home state of the Commissioner or Designee regarding its

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concern about the ability of the Commissioner or Designee to perform his/her duties in a fair and impartial manner.

1. The Commissioner or Designee has a substantial financial conflict of interest in the outcome of the matter, such as the awarding of a contract for services or employment;
2. The Commissioner or Designee has been found in violation of criminal or civil state or federal statute or regulation pertaining to the administration of the juvenile justice system; or
3. The Executive Committee determines that a Commissioner or Designee is not performing his/her duties consistent with this policy.

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**Code of Conduct Form**

Commissioners appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner shall engage in criminal or disgraceful conduct prejudicial to the Commission, any other Commissioner or any other state. No Commissioner shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner’s home state.

I, \_\_\_\_\_, \_\_\_\_\_  
*(Print Name)* *(Title - Commissioner or Designee)*

for the State of \_\_\_\_\_, hereby swear or affirm that I have read and understand the ICJ Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Commissioner, Designee, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.

\_\_\_\_\_  
*(Signature)*

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_.