 <p><b>Interstate Commission for Juveniles</b></p>	<p><b>Policy Number</b>  02-2017</p>	<p><b>Page Number:</b>  1</p>
<p><b>ICJ Compliance Policy</b> Sanctioning Guidelines</p>		<p><b>Dated:</b> November 16, 2017</p>

**I. Objective**


The objective of this policy is to define sanctioning guidelines for addressing substantial or persistent violations of the Compact, its rules, and Bylaws when all other efforts to assist the alleged violating state to come into compliance are exhausted or in cases where such alleged violations warrant immediate action. This policy is to be used in conjunction with administrative policies 01-2009, 02-2009 and 03-2009, which also address matters of compliance.

**II. Application**

In addition to a state being required to complete remedial training or technical assistance (which may include a corrective action plan), alternative dispute resolution, or suspension/termination of membership in the compact, monetary penalties may also be assessed in accordance with ICJ Statute (Article XI, Section B). The Compliance Committee shall review matters of non-compliance and make recommendations to the Executive Committee based on the factors described in the next section. The Executive Committee shall make a final determination regarding penalties assessed to a non-compliant state.

**III. Determining Factors**

<p><b>Factors to consider in determining appropriate sanction within range</b></p>	
Whether the violation resulted in serious physical injury or death	
The state's history of non-compliance	
Whether the state accepted responsibility prior to detection and intervention and employed corrective measures	
Whether the state was cooperative with ICJ in its examination and/or investigation of the underlying misconduct	
Whether the state engaged in the violation over an extended period of time	
Whether the state engaged in numerous acts and/or a pattern of non-compliance	
Whether the state's violation was the result of an intentional act or negligent failure to comply	

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**(A) Type I: Administrative Violations**

Violations of the Compact’s administrative legal requirements or policies, including but not limited to:

- Failure to appoint a Commissioner or a state council
- Failure to adhere to an administrative policy approved by the Commission
- Failure to pay dues

**(B) Type II: Minor Violations**

Violations of the Compact’s legal requirements, which are important but incidental to the protection of public safety and the Commission’s mission, including but not limited to:

- A state’s repeated non-compliance with Compact rules and timeframes related to completing home evaluations, progress reports, or other requested documentation
- A state’s documented pattern of lack of responsivity to Compact matters

**(C) Type III: Moderate Violations**

Violations of the Compact’s legal requirements, which are important but indirectly related to the protection of public safety and the Commission’s mission, including but not limited to:

- A state permitting a juvenile to move to another state without an ICJ transfer leading to public safety consequences
- Failure of a layover state to provide layover supervision as agreed or arranged

**(D) Type IV: Major Violations**

Violations of the Compact’s legal requirements, which are of major importance and directly related to the protection of public safety and the Commission’s mission, including but not limited to:

- A state permitting a juvenile sex offender to be in another state without approval
- A state releasing a runaway in violation of the rules resulting in an injury to the juvenile
- A state failing to arrange layover supervision resulting in harm to the juvenile, related absconding, or public safety consequences

Rule or Statutory Violation	Type I	Type II	Type III	Type IV
	Up to \$10,000	Up to \$25,000	Up to \$50,000	Up to \$75,000