



INTERSTATE
COMMISSION
FOR JUVENILES

20
24

TOP CONCERNS FOR RETURNING NON- DELINQUENT RUNAWAYS SURVEY REPORT

Top Issues with Returning Non-Delinquent Runaways pursuant to the Interstate Compact for Juveniles

Executive Summary

The Interstate Compact for Juveniles (ICJ) was created in part to ensure "the safe return of juveniles who have run away from home and in doing so have left their state of residence." See Interstate Compact for Juveniles, [art. I](#). The ICJ Rules provide additional requirements for returning such youths. Chief among these is the requirement that state and local officials must work together to protect the safety of the youth when abuse and/or neglect is suspected. However, the ICJ Rules are vague as to the responsibilities of law enforcement officials and child welfare agency personnel in relation to runaways.

Collaborating to address suspected abuse and/or neglect is absolutely essential when responding to interstate runaways. According to the National Runaway Safeline's [2022 Crisis Services and Prevention Report](#), most youths who leave, or are contemplating leaving their home, report stressful family dynamics and abusive environments. Therefore, returning youths to their legal guardians without addressing suspected abuse/neglect may significantly increase their risk of being harmed.

In February 2024, the Executive Committee of the Interstate Commission for Juveniles (the Commission) discussed formation of a Work Group on Returning Non-Delinquent Youth. Together with the East Region and Rules Committee, a survey was created to determine the frequency of top issues and all state ICJ Offices were encouraged to provide input. The survey response rate was 94 percent, with 49 out of 52 Compacting States responding to the 13-question survey.

This report summarizes top concerns and recommends next steps. In brief, the top 3 issues were:

- 1: Lack of communication between state ICJ Offices about the circumstances in which the youth was located.
- 2: Lack of understanding or alignment between ICJ Rules and child welfare agency requirements and practices.
- 3: Lack of clarity about ICJ requirements related to pick-up and detention of runaways.

To address these issues at the national level, the Commission will convene a Work Group on Returning Non-Delinquent Youths comprised of a diverse mix of ICJ personnel, ex officio members, and other key stakeholders. The Work Group will be charged with reviewing related ICJ reports, conducting further analysis, and prioritizing strategies for addressing top concerns. ICJ personnel and ex officio members will be invited to volunteer in fall 2024, as part of the annual committee formation process. The other standing committees will also play essential roles in improving responses to non-delinquent runaways

To address these issues at the state level, Compact Administrators and Commissioners are encouraged to work closely with State Councils on Interstate Juvenile Supervision. With representatives from legislative, judicial, and executive branches of government, state councils are charged with providing oversight and governance to the state's participation in the ICJ. Additional engagement with child welfare agency leaders, runaway and homeless youth program leaders, and other stakeholders is also encouraged.

Through our combined efforts, we can improve our systems for safely returning non-delinquent runaways, particularly when abuse and/or neglect is suspected.

Top Issues and Recommendations

Issue 1: Lack of communication between state ICJ Offices about the circumstances in which the youth was located.

The majority of state ICJ Offices reported the holding state “sometimes” or “usually” did not provide information about circumstances in which the youth was located.

The survey did not provide information to explain this communication gap. Therefore, further investigation is warranted to determine whether it would be best addressed by adaptive or technical solutions. It is noteworthy that the UNITY data management system may provide viable opportunities for addressing this issue. UNITY was launched in 2021 as the primary mechanism for documenting essential case information. However, it does not require states to enter information regarding the circumstances in which the youth was located; suspected abuse/neglect; reports to child welfare agencies; or human trafficking. Other strategies for addressing this concern may include developing a checklist, “best practice” guide, or other written guidance and/or training for ICJ Offices regarding what information should be communicated and/or documented.

Recommendation:

1. Conduct additional research on underlying issues and determine whether the issues would be best addressed by adaptive or technical solutions. Research could be led by the Work Group or a subcommittee of the Training Committee, as determined by the Executive Committee.

Issue 2: Lack of understanding or alignment between ICJ Rules and child welfare agency requirements and practices

The majority of state ICJ Offices reported “sometimes” or “usually” facing challenges related to child welfare agencies and courts when abuse and/or neglect is suspected. Issues reported as most frequently arising were:

1. Child welfare agencies are unable/unwilling to:
 - a. complete investigations within 5-days (i.e. the timeframe for ICJ returns)
 - b. accept reports when youths are out-of-state
 - c. assist with ICJ return cases
 - d. provide information about status of investigations
 - e. assist with safety planning where runaways are returned before CWA investigation
2. Courts are concerned about:
 - a. returning youth without a home state child welfare investigation
 - b. determining the "best interest" of the child

Considering the strong correlations between child abuse/neglect and running away, effective responses to suspected abuse/neglect are absolutely essential. For the last two years, the Commission has explored challenges that arise in interstate return cases where abuse/neglect is disclosed or suspected. The [ICJ Toolkit: Returns and Child Welfare](#) (2023) provides additional discussion of legal issues, challenges, and strategies for addressing concerns. Though this resource was published in 2024, minimal efforts have been

made to ensure implementation of recommended strategies. State ICJ Offices are encouraged to partner with State Councils on Interstate Juvenile Supervision to explore and implement recommended strategies. The Commission could also provide additional training through the *Wednesday Workshop Series* and targeted technical assistance for states.

Moreover, state ICJ Offices and the Commission must work closely with child welfare agencies, programs for runaway and homeless youths, and other key stakeholders. Historically, there has been little engagement between the Commission and child welfare agencies. The Commission does not include an ex officio member representing child welfare agencies, nor are child welfare agencies listed among the required participants for State Councils on Interstate Juvenile Supervision. Fortunately, some states do routinely collaborate with child welfare agencies, and some have added child welfare agency representatives to their state councils. On the national level, the Commission began building relationships with the Administration for Children and Families in 2023 and has re-established relations with the National Runaway Safeline. However, there is much room for growth.

In addition, ICJ Rules related to returns and abuse/neglect are minimal and lack clarity. The ICJ Rules are silent on several key issues related to returns when abuse/neglect is suspected, including responsibilities of child welfare agencies and the application of the “best interest” standard.

The ICJ Rules could be clarified to more specifically address roles and requirements. For example, the ICJ Rules could:

- A. permit extensions of the timeframe for returns when abuse/neglect is reported in order to allow time for evaluation of safety concerns and/or arrangements to be made for the youth to return to an alternative placement;
- B. provide a mechanism for holding state authorities to provide information regarding suspected abuse/neglect to home/demanding courts for their consideration;
- C. clarify that the home/demanding state’s role includes consideration related to the best interest of the youth;
- D. authorize conferences between judges in the home and holding states to collaboratively determine the best course of action, similar to UCCJEA hearings (perhaps based on a “best interest” standard).
- E. permit child welfare agencies to share information regarding the status of reports or investigations; and/or
- F. require child welfare agencies to assist with returns in cases where child abuse/neglect has been reported, perhaps by helping to address needs for safety planning and/or emergency guardianship.

Recommendations:

2. Form a Training Subcommittee to develop additional training resources based on [ICJ Toolkit: Returns and Child Welfare](#).
 3. Foster collaboration with child welfare agencies through state councils and Commission collaborations.
 4. Amend ICJ Rules to promote more effective responses to suspected child abuse and/or neglect.
-

Issue 3: Lack of clarity about ICJ requirements related to pick-up and detention

Most state ICJ Offices reported they “sometimes” or “usually” face challenges related to pick-up and/or detention of non-delinquent runaways. Issues reported as most frequently arising were:

- Courts are concerned about detaining runaways in secure facilities, particularly after the youth signs a Form III (Consent to Voluntarily Return)
- Use of the "danger to themselves or others" standard to determine when youths are securely detained
- Law enforcement officers are reluctant to pick-up/detain if no NCIC report is available and/or if youth can be released to a shelter, relative, or other setting.

To effectively address this issue, the Commission must address both internal and external needs for clarification. The *Fact Sheet on ICJ Returns and Non-Delinquent Youths Runaways Strategies* (attached) was recently developed to address frequently asked questions. Additional focus on resources and/or related training should be pursued. More active engagement of judicial and law enforcement partners in state councils and as ex officio members of the Commission could also be very helpful.

Recommendations:

5. Conduct additional research and determine whether the underlying issue(s) should be addressed by adaptive or technical solutions.
 6. Actively engage judicial and law enforcement partners in state councils and as ex officio members of the Commission.
-

Detailed Report of Survey Results

Survey Questions and Format

State ICJ Offices were asked to consider responses to scenarios that occurred within the last year. A Likert Scale was used for 9 questions, with response options ranging from 0 to 4, where 0 indicated “unsure,” 1 indicated “no or never,” 2 indicated “once or rarely,” 3 indicated “sometimes,” and 4 indicated “yes or usually.” Weighted averages were used to identify which issues arose most frequently.

One open-ended question was included on the survey to solicit other issues that states face related to returning non-delinquent runaways.

Respondents

All 52 ICJ Offices¹ were invited to participate in the survey. The survey response rate was 94 percent, with 49 out of 52 Compacting states responding to the 13-question survey. Regarding survey participation by ICJ Region, all 11 Midwest and 13 West Region states responded, 9 out of 11 East Region states responded, and 16 out of 17 South Region states responded.

Finally, 67 percent of respondents indicated having worked in an ICJ Office for more than 5 years, while 29 percent have worked in an ICJ Office between 1 and 5 years, and 4 percent indicated having worked in an ICJ Office for less than 1 year.

¹ All 50 U.S. States, the District of Columbia, and the U.S. Virgin Islands are member states of the Interstate Commission for Juveniles.

Q1 How often does your ICJ Office collaborate with the following stakeholders when not working on a specific case? (examples: state council, joint-task force, training project)

Answered: 49 Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
Shelters or Programs for Runaways and Homeless Youths	4.08 % 2	40.82% 20	22.45 11	16.33% 8	16.33% 8	49	2.00
Judges	4.17% 2	6.25% 3	39.58% 19	27.08% 13	22.92% 11	48	2.58
Law Enforcement Officers	0.00% 0	8.16% 4	26.53% 13	38.78% 19	26.53% 13	49	2.84
Court Personnel	0.00% 0	4.17% 2	12.50% 6	45.83% 22	37.50% 18	48	3.17
Child Welfare Agencies	0.00% 0	0.00% 0	14.29% 7	48.98% 24	36.73% 18	49	3.22

Q2 Law Enforcement Officers (LEOs) in my state are/will generally...

Answered: 49 Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
familiar with ICJ	4.08% 2	10.20% 5	28.57% 14	42.86% 21	14.29% 7	49	2.53
enter an NCIC missing person report as soon as possible	18.37% 9	0.00% 0	0.00% 0	18.37% 9	63.27% 31	49	3.08
detain (non-delinquent) runaways in secure facilities	8.16% 4	0.00% 0	10.20% 5	34.69% 17	46.94% 23	49	3.12
willing to pick up runaways	2.08% 1	2.08% 1	6.25% 3	45.83% 22	43.75% 21	48	3.27

Q3 When my state is the holding state, LEOs are unwilling to pick up or detain runaways in secure facilities if...

Answered: 49 Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
no NCIC missing person report is available	20.41% 10	10.20% 5	10.20% 5	28.57% 14	30.61% 15	49	2.39
they can be released to a shelter, relative, or other setting	22.45% 11	6.12% 3	18.37% 9	36.73% 18	16.33% 8	49	2.18
youth is above or near holding state's age of majority (example: 17 years old)	20.41% 10	30.61% 15	10.20% 5	32.65% 16	6.12% 3	49	1.73
the officer believes the youth is "safe"	34.69% 17	30.61% 15	8.16% 4	20.41% 10	6.12% 3	49	1.33

Q4 When my state is the holding state, courts express concerns about...

Answered: 49 Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
detaining runaways in secure facilities because of prohibitions against detaining "status offenders" (JJDPa compliance)	8.16% 4	18.37% 9	18.37% 9	28.57% 14	26.53% 13	49	2.47
returning runaways without a child welfare investigation of suspected abuse/neglect	10.20% 5	14.29% 7	20.41% 10	40.82% 20	14.29% 7	49	2.35
detaining runaways after they sign the Form III (Consent to Voluntarily Return)	4.08% 2	30.61% 15	20.41% 10	38.78% 19	6.12% 3	49	2.12
returning runaways without determining it is in the "best interest of the child"	12.24% 6	18.37% 9	30.61% 15	34.69% 17	4.08% 2	49	2.00

Q5 When my state is the holding state, authorities ...

Answered: 49

Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
release youths who do not sign Form III to a "friend" or on personal recognizance	14.29% 7	57.14% 28	26.53% 13	2.04% 1	0.00% 0	49	1.16
express concerns about lack of secure facilities for detaining runaways	6.12% 3	40.82% 20	8.16% 4	28.57% 14	16.33% 8	49	2.08
only detain runaways in secure facilities if authorities determined they are a danger to themselves or others	12.24% 6	26.53% 13	20.41% 10	20.41% 10	20.41% 10	49	2.10
express concerns about lack of alternatives for holding runaways in non-secure facilities	6.12% 3	22.45% 11	18.37% 9	24.49% 12	28.57% 14	49	2.47

Q6 Child welfare agencies in my state are unable/unwilling to...

Answered: 49

Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
complete an investigation within the 5-day timeframe for return	14.29% 7	10.20% 5	10.20% 5	34.69% 17	30.61% 15	49	2.57
accept reports or open investigations when the youth is out-of-state	8.16% 4	26.53% 13	12.24% 6	24.49% 12	28.57% 14	49	2.39
take action to assist with ICJ return cases	2.04% 1	36.73% 18	18.37% 9	28.57% 14	14.29% 7	49	2.16
provide information about the status of the investigation	8.16% 4	44.90% 22	6.12% 3	24.49% 12	16.33% 8	49	1.96
assist with safety planning in cases where the runaway is to be returned before suspected abuse/neglect is investigated	12.24% 6	40.82% 20	12.24% 6	14.29% 7	20.41% 10	49	1.90

Q7 Immigrant and Refugee Youth

Answered: 49

Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
In my state, we have worked on cases where there is no legal guardian for immigrant children who entered the US without authorization.	10.20% 5	36.73% 18	24.49% 12	20.41% 10	8.16% 4	49	1.80
In my state, we have worked on cases where there is no legal guardian for immigrant children placed through Office of Refugee Resettlement (ORR).	12.24% 5	38.78% 19	24.49% 12	10.20% 5	14.29% 7	49	1.76

Q8 In my state...

Answered: 49

Skipped: 0

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
Human trafficking screening is conducted when runaways are picked-up.	18.37% 9	6.12% 3	10.20% 5	34.69% 17	30.61% 17	49	2.53
A person or agency has been designated as the "appropriate authority" to initiate the requisition process if the guardian/custodial agency will not do so.	4.08% 2	30.61% 15	8.16% 4	8.16% 4	48.98% 24	49	2.67
Attorneys who advises any agency assist with complex return issues.	2.04% 1	12.24% 6	20.41% 10	24.49% 12	40.82% 20	49	2.90
Child welfare agency personnel are familiar with the ICJ.	0.00% 0	2.04% 1	14.29% 7	48.98% 24	34.69% 17	49	3.16

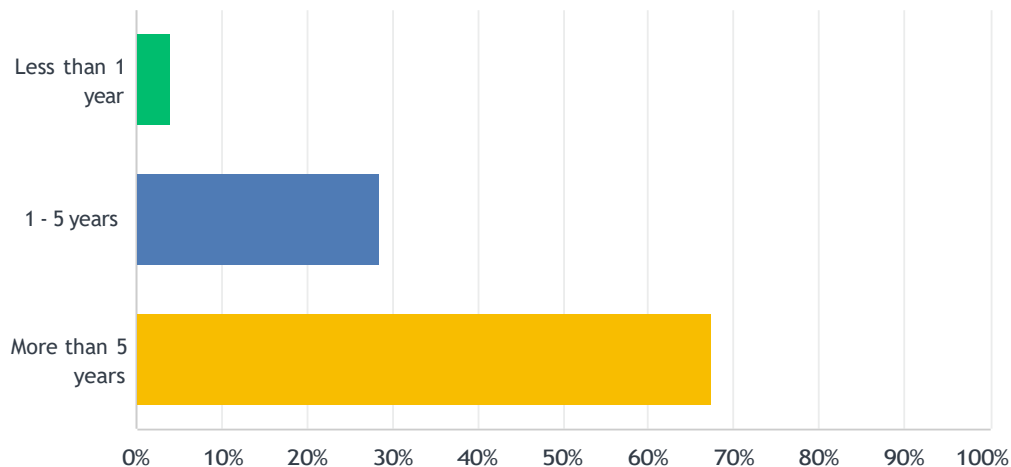
Q9 In my state we have worked on cases where...

Answered: 48 Skipped: 1

	UNSURE OR NOT APPLICABLE	NO OR NEVER	ONCE OR RARELY	SOMETIMES	YES OR USUALLY	TOTAL	WEIGHTED AVERAGE
The holding state did not provide information about circumstances in which the youth was located.	4.17% 2	20.83% 10	18.75% 9	29.17% 14	27.08% 13	48	2.54
Law enforcement officer has changed the "runaway" or "missing" status when called directly by the youth.	50.00% 24	29.17% 14	10.42% 5	10.42% 5	0.00% 0	48	0.81

Q13 How long have you worked in an ICJ Office?

Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES
Less than 1 year	4.08% 2
1-5 years	28.57% 14
More than 5 years	67.35% 33
TOTAL	49

ICJ RETURNS & NON-DELINQUENT RUNAWAYS FACT SHEET



WHEN DO THE ICJ RUNAWAY RULES APPLY?

As a preliminary matter, the youth must be considered a “runaway” as defined in the ICJ Rules:

Runaways: persons within the juvenile jurisdictional age limit established by the home state who (1) have voluntarily left their residence without permission of their legal guardian or custodial agency or (2) refuse to return to their residence as directed by their legal guardian or custodial agency, but who may or may not have been adjudicated.

IF A YOUTH HAS BEEN TOLD TO LEAVE OR NOT ALLOWED TO COME HOME, DO THE ICJ RULES REQUIRE THAT THEY BE RETURNED TO THEIR PARENT OR GUARDIAN?



No. ICJ's runaway rules only apply to youths who voluntarily left their residence without permission and those who refuse to return.



State definitions of “abandonment” vary significantly. Child welfare agencies may be unable to provide services if the situation does not align with the state's definition of “abandonment.”



Many youths are told to leave or are not allowed in the home by their legal guardians, as discussed in the National Runaway Safeline's 2022 [Crisis Services and Prevention Report](#).



These youths may receive supports through other resources, such as federally funded programs for runaway and homeless youth.

WHEN ARE LAW ENFORCEMENT OFFICERS (LEO) REQUIRED TO PICK-UP AND/OR DETAIN RUNAWAYS?

- The ICJ Rules require LEO to pick-up and detain runaways when a requisition has been issued by a home/demanding state's court.
- LEO may also be required to pick-up and detain juveniles based on NCIC entries and should contact local juvenile authorities regarding detainment options.
- Unless abuse or neglect is suspected, runaways who are detained may be released directly to their legal guardian or custodial agency within the first 24 hours (excluding weekend and holidays).
- Runaways who are detained more than 24 hours must be returned pursuant to the Compact.

ICJ RETURNS & NON-DELINQUENT RUNAWAYS FACT SHEET



DOES THE ICJ REQUIRE THAT RUNAWAYS BE DETAINED IN SECURE FACILITIES?



Holding states have discretion to hold runaways and accused status offenders at a location they deem appropriate.



Runaways must be detained in secure facilities when they are a “danger to themselves or others.”



While the Juvenile Justice and Delinquency Prevention Act (JJDP A) prohibits detention of status offenders, it includes an ICJ exemption that permits detention when held in accordance with the ICJ.

Under what circumstances can a non-delinquent runaway be released without being formally returned pursuant to the Compact?

- Unless abuse or neglect is suspected, a non-delinquent runaway may be released to their legal guardian/custodial agency within the first 24 hours (excluding weekends and holidays).
- Due to the correlations between abuse/neglect, running away, and human trafficking, LEO should proceed carefully when considering the release of youths taken into custody.

WHAT SHOULD BE DONE IF ABUSE OR NEGLECT IS SUSPECTED?



The holding state’s ICJ office must advise the home/demanding state’s ICJ office of the suspected abuse/neglect. Abuse/neglect must also be reported to authorities in the home state, in accordance with their laws. The home/demanding state’s ICJ office should provide information about their state’s reporting requirements to the holding state’s ICJ office.



The home state’s ICJ office, court, child welfare agency, and others must work together to ensure the youth is returned to a safe environment. This requires prompt assessment, safety planning, emergency guardianship, and/or other measures.

WHAT IF A NON-DELINQUENT YOUTH DOES NOT VOLUNTARILY AGREE TO RETURN?

- The ICJ requisition process can be used to initiate the return, as outlined in the ICJ Rules.
- If the home/demanding state’s court determines the youth should be returned, a Requisition (Form I) is issued and forwarded to the holding state.
- The holding state court conducts a hearing to “determine proof of entitlement,” i.e. whether evidence establishes the authority of the requisitioner to the return of the youth.

ICJ RETURNS & NON-DELINQUENT RUNAWAYS FACT SHEET



Who should determine what is in the best interest of the juvenile?



The home/demanding state is responsible for determining the best interest of the youth.



All information related to the safety/best interest of the youth should be provided to the home/demanding state's authorities through the ICJ offices.



Information related to abuse/neglect should be provided to the home/demanding state's child welfare agency.



If there is a pending requisition, information should also be provided to the home state's court.

HOW CAN A HOLDING STATE ENSURE CONCERNS ABOUT SAFETY/ BEST INTEREST ARE ADDRESSED?

- Collaboration between states is essential. Communications must be transmitted between the ICJ offices, unless both ICJ offices authorize direct communication between local authorities.
- The holding state's court should ensure relevant information is communicated to the home/demanding state's child welfare agency and court through the state ICJ offices.
- The holding state's court may appoint a counsel or guardian ad litem.
- Allegations of abuse/neglect do not alleviate a state's responsibility to return a juvenile.
- In consultation with the home/demanding state, the holding state may temporarily delay the "Form III hearing" while the home/demanding state assesses safety concerns and and/or determines to whom the youth should be returned. Other hearings related to detention may be conducted.

WHICH ICJ RULES REGULATE NON-DELINQUENT RETURNS?

- [Rule 1-101: Definitions](#)
- [Rule 2-104 Communication Requirements Between States](#)
- [Rule 6-101: Release of Non-delinquent Runaways](#)
- [Rule 6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders](#)
- [Rule 6-103: Non-voluntary Return of Runaways and/or Accused Status Offenders](#)
- [Rule 6-105: Return of Juveniles when Abuse or Neglect is Reported](#)
- [Rule 7-101: Financial Responsibility](#)
- [Rule 7-102: Public Safety](#)
- [Rule 7-105: Detention and Hearing on Failure to Return](#)
- [Rule 7-106: Transportation](#)
- [Rule 7-107: Airport Supervision](#)