

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Kwame R. Brown
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: May 31, 2011

SUBJECT: Fiscal Impact Statement - "Interstate Compact for Juveniles
Amendment Act of 2011"

REFERENCE: Bill 19-13, As Introduced

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. Implementing the proposed legislation would cost nothing in FY 2011 and an estimated \$36,000 over the budget and financial plan period. This cost has been incorporated into the proposed FY 2012 through FY 2015 budget and financial plan.

Background

The proposed bill would amend the Interstate Compact for Juveniles ("Compact")¹ by adopting the revised Compact issued in 2002² and developed by the Office of Juvenile Justice and Delinquency Prevention³, the Council of State Governments, the Association of Juvenile Compact Administrators and state officials. To date 42 states have adopted this revised language.

¹ As detailed in Section 402 of An Act to reorganize the courts of the District of Columbia, to revise the procedures for handling juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes, approved July 29, 1970 (84 Stat. 658: D.C. Official Code § 24-1102). This language in this Compact was developed in 1955.

² However, the new Compact was not active until 2008 after the 35th state enacted it.

³ The Office of Juvenile Justice and Delinquency Prevention is part of the U.S. Department of Justice.

Emergency and temporary versions of this bill were passed in Session 18. The emergency has since expired,⁴ but the temporary version—Act 18-713, "Interstate Compact for Juveniles Temporary Amendment Act of 2010"—will not expire until November 19, 2011.

The Compact, which contains 13 Articles,⁵ establishes an Interstate Commission for Juveniles ("Interstate Commission") that is a body corporate and joint agency of the compacting states. Its membership consists of commissioners appointed by the appropriate appointing authority in each state and members of interested organizations.⁶ The Compact details the powers, duties and organization of this Interstate Commission. It also specifies that the Interstate Commission will levy and collect an annual assessment from each compacting state to cover the cost of its internal operations and activities.

The Compact also requires that each member state create a State Council for Interstate Juvenile Supervision, whose membership must include at least one representative from the legislative, judicial, and executive branches of government, victims groups, and the compact administrator, deputy compact administrator or designee. Each state council will advise and may exercise oversight and advocacy concerning that state's participation in Interstate Commission activities and other duties.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed title. Implementing the proposed legislation would cost nothing in FY 2011 and an estimated \$36,000 over the budget and financial plan period. This cost has been incorporated into the proposed FY 2012 through FY 2015 budget and financial plan.

There would be no cost in FY 2011 because this bill would likely not be effective until FY 2012. Starting in FY 2012, the District would be required to pay the \$12,000 annual assessment for its participation in the Interstate Commission. There would be no cost to create a State Council, as it is envisioned that an existing agency, such as the Criminal Justice Coordinating Council, could take on this role without the need of additional resources.

⁴ Act 18-695 "Interstate Compact for Juveniles Emergency Amendment Act of 2010" expired on April 19, 2011.

⁵ I. Purpose; II. Definitions; III. Interstate Commission for Juveniles; IV. Powers and Duties of the Interstate Commission; V. Organization and Operation of the Interstate Commission; VI. Rulemaking Functions of the Interstate Commission; VII. Oversight, Enforcement and Dispute Resolution by the Interstate Commission; VIII. Finance; IX. The State Council; X. Compacting States, Effective Date and Amendment; XI. Withdrawal, Default, Termination and Judicial Enforcement; XII. Severability and Construction; and XIII. Binding Effect of Compact and Other Laws.

⁶ Such non-commissioner members include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact for the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims.