
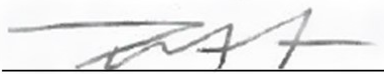


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| POLICY TITLE: INTERSTATE COMPACT FOR JUVENILES, TRAVEL PERMITS | | PAGE <u>1</u> OF <u>4</u> |
| POLICY NUMBER: 9.2.2 (JCC) | | |
| CHAPTER 9: SUPERVISION AND CASE MANAGEMENT | | |
|  | STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner:  | PROFESSIONAL STANDARDS: See Section VIII |
| EFFECTIVE DATE: December 7, 2006 | LATEST REVISION: May 8, 2025 | CHECK ONLY IF APA [] |

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A MRSA Chapter 9 Subchapter 7.

II. APPLICABILITY

Juvenile Community Corrections

III. POLICY

It is the policy of the Department of Corrections that all cases subject to the provisions of the [Interstate Compact for Juveniles](#) (ICJ) be processed and managed in accordance with the compact.

IV. DEFINITIONS

1. Emancipated juvenile – In Maine, a juvenile who has reached the age of 18 (and does not have a legal guardian); is at least 16 years of age and married with their parent(s)' or legal guardian's permission; or is at least 16 years of age and has been emancipated by court order. In other jurisdictions, these ages might be different.
2. Interstate Compact for Juveniles (ICJ) – the agreement pertaining to the legally authorized transfer of supervision and care of juveniles, as well as the return of juveniles from one state to another, which has been adopted by all member states that have enacted legislation in substantially the same language. The agreement does not include or provide for the transfer of court jurisdiction from one state to another.
3. Jurisdictions – for the purposes of this policy, this refers to all 50 states, plus the District of Columbia and the U.S. Virgin Islands.
4. Juvenile – In Maine, a person who had not attained eighteen (18) years of age at the time the person allegedly committed a juvenile crime. In other jurisdictions, this age might be different.

V. CONTENTS

Procedure A: Travel Outside of Maine

VI. ATTACHMENTS

[Form VII - Out-of-State Travel Permit and Agreement to Return](#)

[Form IX - Absconder Report](#)

VII. PROCEDURES

Procedure A: Travel Permits, General

1. Upon a juvenile's request to their Juvenile Community Corrections Officer (JCCO), a permit to travel outside of Maine may be issued by the JCCO for a juvenile being supervised in Maine for a sending jurisdiction or for a juvenile being supervised in Maine as a result of a Maine adjudication (i.e., on probation or community reintegration status) or deferred disposition.
2. If the travel out-of-state will be for a period of twenty-four (24) consecutive hours or less, and the JCCO approves of the travel, no travel permit is required, but the JCCO shall note the approval in the Department's resident and client records management system. Travel for a period of twenty-four (24) consecutive hours or less may be approved for any reason the JCCO considers appropriate.
3. If the travel will be for a period in excess of twenty-four (24) consecutive hours and the travel is approved, a Form VII - Out-of-State Travel Permit and Agreement to Return is required.
4. If a juvenile who is requesting a travel permit has an adjudication for a sex offense, the JCCO shall consult with the Maine Interstate Compact for Juveniles (ICJ) Office as to whether the jurisdiction to which they wish to travel has a requirement for the juvenile to register as a sex offender and, if so, may consider that as a factor in determining whether to issue a travel permit.
5. A travel permit may be issued for any appropriate purpose, including, but not limited to:
 - a. for a Maine juvenile to test a proposed placement in a potential receiving jurisdiction;
 - b. pending a request for transfer of supervision of a Maine juvenile to another jurisdiction;
 - c. notification of a Maine juvenile going to another jurisdiction to be admitted to a residential facility;
 - d. return of a juvenile being supervised in Maine under the ICJ to the jurisdiction from which they were transferred for the purposes of visitation;
 - e. transfer of a juvenile being supervised in Maine under the ICJ to a subsequent jurisdiction with the approval of the original sending jurisdiction;
 - f. relocation to another jurisdiction of a Maine juvenile who has fewer than ninety (90) days left on their period of supervision; and

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- g. vacation with family.
- 6. Generally, a JCCO is not required to permit a juvenile to travel outside of Maine and when making the decision whether to issue a travel permit shall consider, among other relevant factors, whether the travel would be beneficial to the juvenile.
- 7. However, the JCCO must permit travel outside of Maine if:
 - a. the juvenile, regardless of whether they are a Maine juvenile or a juvenile being supervised for another jurisdiction, is not emancipated and their parent(s), guardian, or legal custodian with whom the juvenile resides is moving out of Maine; or
 - b. in the case of a juvenile being supervised for another jurisdiction, the sending jurisdiction has provided written notice to Maine that they are retaining the authority to approve travel permits and they have given approval prior to the juvenile travelling outside of Maine.
- 8. For a Maine juvenile being supervised in another jurisdiction, if the JCCO wishes to retain authority to approve travel, they shall request the Regional ICJ Designee to seek approval from the Maine ICJ Office. If the Regional ICJ Designee agrees to seek approval and the Maine ICJ Office grants the approval, the Maine ICJ Office shall notify the receiving jurisdiction's ICJ Office using the ICJ electronic information system. The requirements in this policy for travel outside of Maine shall be followed for travel outside of the receiving jurisdiction to the extent applicable.
- 9. Travel to Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and foreign countries is not governed by the rules of the ICJ. Any request to travel to these places, especially foreign countries, shall be scrutinized carefully and only granted after review by the Regional Correctional Administrator, or designee. If granted, the juvenile and their parent/guardian/legal custodian (if the juvenile is not emancipated) shall be informed that the travel is subject to the rules and regulations of the United States Government and all applicable rules of the jurisdictions they wish to travel to.

Procedure B: Travel Permits, Process

- 1. Every reasonable effort shall be made by the Juvenile Community Corrections Officer (JCCO) to have the juvenile sign the travel permit and to give the juvenile a copy. Except where a travel permit is being issued for a Maine juvenile being supervised by another jurisdiction, if the JCCO is unable to get the juvenile's signature, they shall provide an explanation to the Regional Interstate Compact for Juveniles (ICJ) Designee.
- 2. In every case, the JCCO shall sign the travel permit, and the original of the permit shall remain in the juvenile's file.
- 3. All travel permits shall be submitted by the JCCO to the Regional ICJ Designee prior to the juvenile's travel. The Regional ICJ Designee shall enter the travel permit into the ICJ electronic information system. The Maine ICJ Office shall send a Form VII - Out-of-State Travel Permit and Agreement to Return to the other jurisdiction.
- 4. If a juvenile who is approved for a travel permit has an adjudication for a sex offense and the jurisdiction to which they wish to travel has a requirement for the juvenile to register as a sex offender, the JCCO shall instruct the juvenile to comply with the registration requirements.

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5. In every case, the JCCO shall instruct the juvenile to call the JCCO in the event they are not able to return on the date specified in the travel permit. The JCCO may request the Maine ICJ Office to adjust the date in the ICJ electronic information system if warranted.
6. If a juvenile does not return to Maine on the specified date or the adjusted date, if applicable, and the juvenile is a Maine juvenile, the JCCO shall request an arrest warrant. If the juvenile is being supervised in Maine for another jurisdiction, the JCCO shall inform the Maine ICJ Office, which shall submit a Form IX - Absconder Report. See Department Policy 9.2 (JCC) Interstate Compact for Juveniles, Transfers and Supervision.
7. When a travel permit exceeds thirty (30) calendar days, the JCCO shall provide specific instructions for the juvenile to maintain contact with the JCCO.
8. The travel permit shall not exceed ninety (90) calendar days.
9. If a permit is issued pending a request for transfer of supervision of a Maine juvenile to another jurisdiction and the juvenile has already moved out of Maine, a transfer of supervision referral is to be sent to the receiving jurisdiction's ICJ Office within ten (10) calendar days of the effective date of the travel permit. See Department Policy 9.2 (JCC) Interstate Compact for Juveniles, Transfers and Supervision.
10. If a permit is issued for the purposes of testing a proposed placement, a transfer of supervision referral is to be sent to the receiving jurisdiction's ICJ Office within thirty (30) calendar days of the effective date of the travel permit. The JCCO shall instruct the juvenile to immediately report any change in status during that period. See Department Policy 9.2 (JCC) Interstate Compact for Juveniles, Transfers and Supervision.

VIII. PROFESSIONAL STANDARDS

None

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