

**A-Engrossed**  
**House Bill 3420**

Ordered by the House May 10  
Including House Amendments dated May 10

Sponsored by Representative BARKER; Representatives BOONE, CAMERON, FLORES, HANNA, KRIEGER, SCHAUFLEER, WHISNANT (at the request of Crime Victims United)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Directs Secretary of State to conduct regular statewide audits of county juvenile departments. Requires audits of no fewer than eight departments per biennium for audit period beginning July 1, 2007. Requires audits of no fewer than four departments per biennium for audit periods after initial statewide audits are complete.]*

**Directs Secretary of State to regularly review programs, policies and services of county juvenile departments. Requires audits of no fewer than four counties per biennium through 2009-2011 biennium. Requires Secretary of State to pay for audits, report on results of audits and make recommendations for future audit data collection.**

Declares emergency, effective July 1, 2007.

**A BILL FOR AN ACT**

1  
2 Relating to juvenile departments; creating new provisions; amending ORS 419C.001; and declaring  
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 419C.001 is amended to read:

6 419C.001. (1) The Legislative Assembly declares that in delinquency cases, the purposes of the  
7 Oregon juvenile justice system from apprehension forward are to protect the public and reduce ju-  
8 venile delinquency and to provide fair and impartial procedures for the initiation, adjudication and  
9 disposition of allegations of delinquent conduct. The system is founded on the principles of personal  
10 responsibility, accountability and reformation within the context of public safety and restitution to  
11 the victims and to the community. The system shall provide a continuum of services that emphasize  
12 prevention of further criminal activity by the use of early and certain sanctions, reformation and  
13 rehabilitation programs and swift and decisive intervention in delinquent behavior. The system shall  
14 be open and accountable to the people of Oregon and their elected representatives.

15 (2)(a) Programs, policies and services shall be regularly and independently audited. *[as to their*  
16 *effectiveness in providing public safety and preventing a youth's return to criminal behavior. The Sec-*  
17 *retary of State shall select and oversee the auditors.]* Audits performed under this subsection must  
18 include program audits and performance audits, as defined in ORS 297.070. Programs, policies and  
19 services that were established before, on or after June 30, 1995, are subject to audit under this  
20 subsection.

21 (b) The programs, policies and services of county juvenile departments shall be *[audited]* **subject**  
22 **to regular review** pursuant to this subsection.

23 **(c) The Secretary of State shall perform an audit that includes the performance of county**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **juvenile departments.**

2 [(c)] (d) ORS 297.405 to 297.555 do not apply to an audit conducted pursuant to this subsection.

3 (e) **Notwithstanding ORS 297.040, the costs and expenses of audits conducted under this**  
4 **subsection may not be charged to the county juvenile departments. The Secretary of State**  
5 **shall pay the costs and expenses of audits conducted under this subsection from funds**  
6 **available to the Secretary of State.**

7 (3) To facilitate an audit under subsection (2) of this section:

8 (a) The Secretary of State may subpoena witnesses, require the production of books and papers  
9 and the rendering of reports in such manner and form as the Secretary of State requires and may  
10 do all things necessary to secure a full and thorough investigation.

11 (b) The custodian of information that the Secretary of State deems necessary to conduct the  
12 audit shall provide the Secretary of State or the auditor selected by the Secretary of State access  
13 to the information notwithstanding the fact that the information may be made confidential or access  
14 to the information restricted by ORS 419A.255 or another law. Information obtained by the Secretary  
15 of State or the auditor pursuant to this paragraph and made confidential by ORS 419A.255 or an-  
16 other law may be used by the Secretary of State, the officers and employees of the Secretary of  
17 State or the auditor solely for the purpose of performing the audit required by subsection (2) of this  
18 section and may not be used or disclosed for any other purpose.

19 **SECTION 2. (1) The Secretary of State shall perform an audit that includes no fewer than**  
20 **four counties each biennium during the 2007-2009 and 2009-2011 biennia.**

21 (2) **No later than September 1, 2010, the Secretary of State shall submit to the Legislative**  
22 **Assembly a report containing the results of the audits of county juvenile departments and**  
23 **including recommendations for the most efficient collection of future audit data.**

24 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**  
25 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
26 **July 1, 2007.**

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