

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 4/3, 4/10

WHAT THE MEASURE DOES: Allows Oregon Youth Authority (OYA) to have a release program for juvenile offenders committed to the legal custody of the Oregon Department of Corrections (DOC), but placed in an OYA facility if the offender was not convicted of a Measure 11 offense. The release program would allow for the youth to: 1) work; 2) participate in drug and alcohol treatment program; 3) participate in a mental health program; and 4) go to school, or attend a program intended to develop independent living skills. Clarifies that a juvenile in the legal custody of the DOC participating in an OYA work release program is covered by the injured inmate compensation fund not workers compensation. Excludes from work release those who have received a mandatory minimum sentence, such as a sentence for a Measure 11 crime.

ISSUES DISCUSSED:

- Does not apply to Measure 11 offenders
- A juvenile who is between 15 to 17 years of age and charged with and convicted of a Measure 11 offense is under the legal custody of the DOC, but under the physical custody of the OYA

EFFECT OF COMMITTEE AMENDMENT: Excludes from work release those who have received a mandatory minimum sentence such as a sentence for a Measure 11 crime.

BACKGROUND: Juveniles charged with a Measure 11 offense are tried in adult court and, if convicted, sentenced to the legal custody of the DOC. However, they are placed in an OYA facility. Juveniles charged with certain crimes other than Measure 11 crimes may be tried in adult court. They too, if convicted, will be under the legal custody of DOC and placed in an OYA facility. Currently, these youth offenders are not eligible for work release programs.