

**A-Engrossed**  
**House Bill 4134**

Ordered by the House February 13  
Including House Amendments dated February 13

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D.)

**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 Youth Development Council to allocate funds available to support community-based prevention and intervention programs and services based on indicators of need for youth ages 6 through 20. Requires allocation to take place by public process and be reviewed biennially. **Becomes operative July 1, 2015.**

**Creates Juvenile Crime Prevention Funding Committee to make findings regarding funding issues, recommend changes to policies and practices adopted and utilized by Youth Development Council and report to Legislative Assembly on or before January 1, 2015. Sunsets June 30, 2015.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to high-risk youth; creating new provisions; amending ORS 417.850, 417.855 and 417.857; and  
3 declaring an emergency.

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

5 **SECTION 1.** ORS 417.855 is amended to read:

6 417.855. (1) Each board of county commissioners **and tribal government** shall designate an  
7 agency or organization to serve as the lead planning organization to *[facilitate the creation of a*  
8 *partnership among]* **partner with** state and local public and private entities in each county. *[The*  
9 *partnership]* **Partnerships** shall include, but *[is]* **are** not limited to, **community-based organiza-**  
10 **tions, parents, youth,** education representatives, public health representatives, local alcohol and  
11 drug planning committees, representatives of the court system, local mental health planning com-  
12 mittees, city or municipal representatives and local public safety coordinating councils. *[The part-*  
13 *nership]* **Partnerships** shall develop *[a local high-risk juvenile crime prevention plan]* **priorities for**  
14 **community-based prevention and intervention programs and services for high-risk youth.**

15 (2) *[The local high-risk juvenile crime prevention plans shall use services and activities to]* **The**  
16 **priorities for community-based prevention and intervention programs and services for high-**  
17 **risk youth developed under this section must** meet the needs of a targeted population of youths  
18 who:

19 (a) Have more than one of the following risk factors:

20 (A) Antisocial behavior;

21 (B) Poor family functioning or poor family support;

22 (C) Failure in school;

23 (D) Substance abuse problems; or

**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 (E) Negative peer association; and

2 (b) Are clearly demonstrating at-risk behaviors that have come to the attention of government  
3 or community agencies, schools or law enforcement and will lead to imminent or increased involve-  
4 ment in the juvenile justice system.

5 (3)(a) The Youth Development Council shall allocate funds available to support *[the local high-*  
6 *risk juvenile crime prevention plans to counties based on the youth population age 18 or younger in*  
7 *those counties]* **community-based prevention and intervention programs and services for high-**  
8 **risk youth based on indicators of need for youth from ages 6 through 20 years. Indicators**  
9 **of need shall be determined by the council based on measures of educational success, labor**  
10 **force participation and criminal involvement. The council shall allocate funds through a**  
11 **public process and review allocations biennially.**

12 (b) **Notwithstanding paragraph (a) of this subsection,** the Youth Development Council shall  
13 *[award a minimum grant to small counties. The minimum grant level shall be determined by the council*  
14 *through a public process and reviewed by the council biennially]* **ensure that minimum grants for**  
15 **community-based prevention and intervention programs and services for high-risk youth are**  
16 **available for each county and tribe.**

17 **SECTION 2.** ORS 417.850 is amended to read:

18 417.850. The Youth Development Council established by ORS 417.847 shall:

19 (1) Review the budget and allocation formula for appropriations for the purpose of juvenile crime  
20 prevention;

21 (2) Review the *[components of local high-risk juvenile crime prevention plans]* **priorities for**  
22 **community-based prevention and intervention programs and services for high-risk youth de-**  
23 **veloped under ORS 417.855 and make recommendations to the Governor about the** *[local plans]*  
24 **programs and services;**

25 (3) Ensure that high-risk juvenile crime prevention planning criteria are met by state and local  
26 public and private entities;

27 (4) Recommend high-risk juvenile justice and juvenile crime prevention policies to the Governor  
28 and the Legislative Assembly;

29 (5) Ensure initiation of contracts based on approved *[local high-risk juvenile crime prevention*  
30 *plans]* **community-based prevention and intervention programs and services for high-risk**  
31 **youth developed under ORS 417.855** and oversee contract changes;

32 (6) Review data and outcome information;

33 (7) Establish and publish review and assessment criteria for the *[local high-risk juvenile crime*  
34 *prevention plans]* **community-based prevention and intervention programs and services for**  
35 **high-risk youth developed under ORS 417.855.** The criteria shall include, but not be limited to,  
36 measuring changes in juvenile crime and juvenile recidivism;

37 (8) Review and coordinate county youth diversion plans and basic services grants with the *[local*  
38 *high-risk juvenile crime prevention plans]* **community-based prevention and intervention pro-**  
39 **grams and services for high-risk youth developed under ORS 417.855.** Basic services grants may  
40 be used for detention and other juvenile department services including:

41 (a) Shelter care;

42 (b) Treatment services;

43 (c) Graduated sanctions; and

44 (d) Aftercare for youth offenders;

45 (9) Work to ensure broad-based citizen involvement in the planning and execution of *[high-risk*

1 *juvenile crime prevention plans at both the state and local levels*] **community-based prevention and**  
2 **intervention programs and services for high-risk youth developed under ORS 417.855;**

3 (10) Develop a funding policy that provides incentives for flexible programming and promotes  
4 strategies that stress reinvestment in youth;

5 (11) Periodically report to the Governor and the Legislative Assembly on the progress of the  
6 council;

7 (12) Oversee and approve funding and policy recommendations of the state advisory group as  
8 required by the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601 et  
9 seq.; and

10 (13) Work with tribal governments to develop tribal [*high-risk juvenile crime prevention plans*]  
11 **community-based prevention and intervention programs and services for high-risk youth.**

12 **SECTION 3.** ORS 417.857 is amended to read:

13 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with  
14 younger children than required by the Youth Development Council if the county has been granted  
15 a waiver pursuant to this section.

16 (2) The Youth Development Council shall develop an objective process, review criteria and  
17 timetable for consideration of a waiver request. A waiver granted under this section applies to the  
18 requirements for basic services grants described in ORS 417.850 (8) and high-risk juvenile crime  
19 prevention resources managed by the Youth Development Division. The waiver shall be consistent  
20 with the goals of ORS 417.705 to 417.800, 417.850 and 417.855.

21 (3) Any documentation required for a waiver under this section shall be obtained to the greatest  
22 extent possible from [*material contained in the county's juvenile crime prevention plan*] **the county's**  
23 **community-based prevention and intervention programs and services for high-risk youth**  
24 **developed under ORS 417.855** and from material as determined through biennial intergovernmental  
25 agreements. The Youth Development Council may ask the county to submit additional information  
26 regarding how the county intends to use crime prevention funds under the waiver.

27 (4) The Youth Development Council shall grant a waiver or continue a waiver based on criteria  
28 that include:

29 (a) The rate of Oregon Youth Authority discretionary bed usage compared to other counties;

30 (b) The county's rates of first-time juvenile offenders, chronic juvenile offenders and juvenile  
31 recidivism compared to other counties;

32 (c) The amount and allocation of expenditures from all funding sources for juvenile crime pre-  
33 vention, including prevention and early intervention strategies, and how the requested waiver ad-  
34 dresses the needs and priorities for the target population described in ORS 417.855 and for the  
35 target population described in the waiver;

36 (d) Inclusion of prevention or early intervention strategies in the [*juvenile crime prevention*  
37 *plan*] **community-based prevention and intervention programs and services for high-risk**  
38 **youth developed under ORS 417.855;**

39 (e) Investments in evidence-based crime prevention programs and practices;

40 (f) Support of the local public safety coordinating council and the board of county commission-  
41 ers;

42 (g) Local integration practices including citizens, victims, courts, law enforcement, business and  
43 schools;

44 (h) Identification of the risk factors for the target population described in the waiver; and

45 (i) Changes in the risk factors for the target population described in the waiver.

1 (5) The Youth Development Council shall review and act on any request for a waiver within 90  
2 days after receipt of the request.

3 (6) The duration of a waiver granted under this section is four years. Before the expiration of  
4 a waiver granted under this section, the county may submit a request for another waiver.

5 **SECTION 4. (1) The Juvenile Crime Prevention Funding Committee is created. The com-  
6 mittee consists of six members to be appointed as follows:**

7 (a) The President of the Senate and the Speaker of the House of Representatives shall  
8 appoint two legislators to the committee. One shall be a Senator appointed by the President  
9 and one shall be a Representative appointed by the Speaker.

10 (b) The Governor shall appoint four members, two of whom shall be members of the  
11 Youth Development Council and two of whom shall represent counties.

12 (2)(a) The members of the committee shall select from among themselves a chairperson.

13 (b) The committee shall meet at such times and places as determined by the chairperson.

14 (3) Legislative members shall not be entitled to payment of compensation or expense re-  
15 imbursement for their service on the committee.

16 (4) The committee shall:

17 (a) Identify how the funding currently allocated to counties pursuant to ORS 417.855 for  
18 juvenile crime prevention is being spent, with a breakdown of the percentage of activities and  
19 services spent on prevention as compared to activities and services spent to reduce  
20 recidivism once high-risk youth connect with the juvenile justice system;

21 (b) Identify activities and services that are currently funded and that would not be  
22 funded under the current policies and practices adopted and utilized by the Youth Develop-  
23 ment Council to allocate funding as required under ORS 417.855; and

24 (c) Recommend changes to the current policies and practices adopted and utilized by the  
25 Youth Development Council to allocate funding as required under ORS 417.855 to ensure that  
26 programs, activities and services with demonstrated outcomes related to juvenile crime  
27 recidivism are eligible to compete for continued and future funding.

28 (5) The committee shall report to the committees of the Legislative Assembly with sub-  
29 ject matter jurisdiction over juvenile crime prevention and high-risk youth regarding the  
30 findings and recommendations of the committee under subsection (4) of this section on or  
31 before January 1, 2015.

32 **SECTION 5. Section 4 of this 2014 Act is repealed on June 30, 2015.**

33 **SECTION 6. The amendments to ORS 417.850, 417.855 and 417.857 by sections 1 to 3 of this  
34 2014 Act become operative on July 1, 2015.**

35 **SECTION 7. This 2014 Act being necessary for the immediate preservation of the public  
36 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect  
37 on its passage.**

38