

House Bill 4134

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 **as introduced**.

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.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to high-risk youth; amending ORS 417.850, 417.855 and 417.857; and declaring an emergency.

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

SECTION 1. ORS 417.855 is amended to read:

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

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

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

(A) Antisocial behavior;

(B) Poor family functioning or poor family support;

(C) Failure in school;

(D) Substance abuse problems; or

(E) Negative peer association; and

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

(3)(a) The Youth Development Council shall allocate funds available to support *[the local high-risk juvenile crime prevention plans to counties based on the youth population age 18 or younger in those counties]* **community-based prevention and intervention programs and services for high-**

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 **risk youth based on indicators of need for youth from ages 6 through 20 years. Indicators**
 2 **of need shall be determined by the council based on measures of educational success, labor**
 3 **force participation and criminal involvement. The council shall allocate funds through a**
 4 **public process and review allocations biennially.**

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

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

11 417.850. The Youth Development Council established by ORS 417.847 shall:

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

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

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

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

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

25 (6) Review data and outcome information;

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

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

34 (a) Shelter care;

35 (b) Treatment services;

36 (c) Graduated sanctions; and

37 (d) Aftercare for youth offenders;

38 (9) Work to ensure broad-based citizen involvement in the planning and execution of *[high-risk*
 39 *juvenile crime prevention plans at both the state and local levels]* **community-based prevention and**
 40 **intervention programs and services for high-risk youth developed under ORS 417.855;**

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

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

45 (12) Oversee and approve funding and policy recommendations of the state advisory group as

1 required by the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601 et
 2 seq.; and

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

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

6 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with
 7 younger children than required by the Youth Development Council if the county has been granted
 8 a waiver pursuant to this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 **SECTION 4. This 2014 Act being necessary for the immediate preservation of the public**
 44 **peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect**
 45 **on its passage.**

