

D R A F T

SUMMARY

Establishes definition of “recidivism” for purposes of tracking and compiling data regarding recidivism of youth and youth offenders.

A BILL FOR AN ACT

Relating to youth recidivism; amending ORS 420A.005 and 420A.012.

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

SECTION 1. ORS 420A.005 is amended to read:

420A.005. As used in ORS 420A.005 to 420A.155, unless the context requires otherwise:

(1) “Cognitive restructuring” means any rehabilitation process that redirects the thinking of an offender into more socially acceptable directions and that is generally accepted by rehabilitation professionals.

(2) “Director” means the Director of the Oregon Youth Authority.

(3) “Reformation plan” means a written plan prepared by the Oregon Youth Authority that is tailored to the youth offender’s unique requirements as identified by the initial assessment. “Reformation plan” includes, but is not limited to, a plan for medical, educational, vocational, social and psychological services and training as well as other rehabilitative services designed to reduce future criminal and antisocial conduct and to provide the youth offender with clear expectations about what programs must be successfully completed by the youth offender.

(4) “Youth” has the meaning given that term in ORS 419A.004.

~~(4)~~ **(5)** “Youth authority” means the Oregon Youth Authority.

~~(5)~~ **(6)** “Youth correction facility” has the meaning given that term in

1 ORS 420.005.

2 [(6)] (7) “Youth offender” has the meaning given that term in ORS
3 419A.004.

4 **SECTION 2.** ORS 420A.012 is amended to read:

5 420A.012. (1) [*The Oregon Youth Authority, in consultation with the Oregon*
6 *Juvenile Department Directors’ Association, shall adopt one or more defi-*
7 *nitions of recidivism and establish a recidivism reporting system applicable to*
8 *youth offenders. The definition must be designed to address outcomes includ-*
9 *ing, but not limited to, community safety and rehabilitation.*] **For purposes**
10 **of this section, “recidivism”:**

11 (a) **Means any new referral to juvenile court or arrest that occurs**
12 **within three years after a youth or youth offender was previously re-**
13 **ferred to juvenile court;**

14 (b) **Means any new referral to juvenile court or arrest that occurs**
15 **within three years after a youth was released from close custody; and**

16 (c) **Includes any new arrest as an adult after a youth or youth**
17 **offender becomes 18 years of age that occurs within the three years**
18 **described in paragraphs (a) or (b) of this subsection.**

19 (2) **When statistical data regarding recidivism is required to be**
20 **tracked and submitted under this section, the data regarding new re-**
21 **ferrals, new adjudications and returns to close custody shall be kept**
22 **and provided as three separate measures of recidivism.**

23 [(2)] (3) The juvenile department of a county annually shall submit to the
24 Oregon Youth Authority, [*in the form established under subsection (1) of this*
25 *section*] **in accordance with rules adopted by the youth authority,** sta-
26 tistical data relating to the recidivism of [*delinquent youths*] **youth and**
27 **youth offenders** experienced by the county during the previous year.

28 [(3)] (4) The Oregon Youth Authority shall publish an annual compre-
29 hensive report that includes the data provided by the counties under sub-
30 section [(2)] (3) of this section and similar data that measures the recidivism
31 of [*youths*] **youth and youth offenders** supervised by the youth authority

1 who are on probation or parole.

2 (4) The Oregon Youth Authority shall cooperate and, to the extent of
3 available information systems resources, shall share data with the Depart-
4 ment of Corrections to enable the department to track **youth and** youth
5 offenders who later enter the adult corrections system and to assess the ef-
6 fect of juvenile corrections on future criminal conduct that occurs during
7 and after supervision by the Oregon Youth Authority and county juvenile
8 departments. The Department of Corrections shall manage data under this
9 subsection in a manner consistent with the confidentiality of juvenile court
10 records and the effectiveness of orders of expunction.

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