

# House Bill 2314

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

## 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**.

Deletes requirement that Oregon Youth Authority make progress reports to Legislative Assembly.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon Youth Authority; amending ORS 420A.010.

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

4 **SECTION 1.** ORS 420A.010 is amended to read:

5 420A.010. (1) The Oregon Youth Authority is established. The youth authority shall:

6 (a) Supervise the management and administration of youth correction facilities, state parole and  
7 probation services, community out-of-home placement for youth offenders committed to its legal  
8 custody and other functions related to state programs for youth corrections;

9 (b) Provide capital improvements and capital construction necessary for the implementation of  
10 all youth correction facilities;

11 (c) Carry out dispositions of youth offenders committed to its legal custody;

12 (d) Exercise custody and supervision over those youth offenders committed to the youth au-  
13 thority by order of the juvenile court and persons placed in the physical custody of the youth au-  
14 thority under ORS 137.124 or other statute until the time that a lawful release authority authorizes  
15 release or terminates the commitment or placement;

16 (e) Provide adequate food, clothing, health and medical care, sanitation and security for confined  
17 youth offenders and others in youth authority custody;

18 (f) Provide youth offenders and others in youth authority custody with opportunities for self-  
19 improvement and work; and

20 (g) Conduct investigations and prepare reports for release authorities.

21 (2) To meet the individual circumstances of each person committed to its custody, the youth  
22 authority shall:

23 (a) Develop a flexible fee-for-service provider system that can respond quickly to each person's  
24 identified and changing circumstances; and

25 (b) Develop a process for joint state and county review of contracts entered into under sub-  
26 section (6)(b) of this section and paragraph (a) of this subsection based on:

27 (A) Measurable outcomes, which must include in dominant part the reduction of future criminal  
28 or antisocial conduct and which also must include:

29 (i) Academic progress;

30 (ii) Social adjustments;

31 (iii) Behavioral improvements;

**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 (iv) Rearrests; and
- 2 (v) Other measurements as determined by the youth authority;
- 3 (B) Performance measurements including:
- 4 (i) Fiscal accountability;
- 5 (ii) Compliance with state and federal regulations;
- 6 (iii) Record keeping, including data collection and management; and
- 7 (iv) Reporting; and
- 8 (C) Provision of services identified under the reformation plan.

9 (3) In order to measure performance as required in subsection (2) of this section, the youth au-  
 10 thority shall require parties to the contracts to compile, manage and exchange data to the extent  
 11 of available information systems resources to facilitate the measurement of outcomes including, but  
 12 not limited to, reduction in future criminal or antisocial conduct.

13 (4) The youth authority may administer a program of state assistance to counties for the con-  
 14 struction and operation of local youth detention facilities or to purchase detention services.

15 (5) The youth authority shall accept and exercise legal or physical custody of youth offenders  
 16 and others 12 years of age and over and under 25 years of age who are committed to, or placed with,  
 17 the youth authority pursuant to:

- 18 (a) A juvenile court adjudication and disposition under ORS chapter 419C; or
- 19 (b) ORS 137.124.

20 (6)(a) The youth authority shall cooperate with and assist county governments and juvenile de-  
 21 partments in carrying out the principles and purposes of the juvenile justice system as provided in  
 22 ORS 419C.001.

23 (b) The youth authority is authorized to contract with counties, groups of counties or private  
 24 providers to administer juvenile corrections programs and services as provided in ORS 420.017,  
 25 420.019, 420A.145 and 420A.155 (1) to (4).

26 (c) The youth authority may provide consultation services related to the juvenile justice system  
 27 to local or statewide public or private agencies, groups and individuals or may initiate such con-  
 28 sultation services. Consultation services include, but are not limited to, conducting studies and  
 29 surveys, sponsoring or participating in educational programs and providing advice and assistance.  
 30 Nothing in ORS 419C.001 and 420A.005 to 420A.155 is intended to diminish the state's efforts to plan,  
 31 evaluate and deliver effective human services programs to youth offenders, either in a youth cor-  
 32 rection facility or on probation or parole. Therefore, the Oregon Youth Authority and the Depart-  
 33 ment of Human Services shall jointly develop and implement needed social and rehabilitative  
 34 services.

35 (7) The youth authority is the recipient of all federal funds paid or to be paid to the state to  
 36 enable the state to provide youth correction programs and services assigned to the Department of  
 37 Human Services prior to January 1, 1996.

38 *[(8) The youth authority shall report its progress in implementing the provisions of chapter 422,*  
 39 *Oregon Laws 1995, to the Legislative Assembly at each odd-numbered year regular session.]*

40 *[(9)]* (8) The equal access provisions of ORS 417.270 apply to the youth authority's development  
 41 and administration of youth correction facilities, programs and services, including the development  
 42 and implementation of the statewide diversion plan described in ORS 420.017.

43 *[(10)]* (9) The youth authority shall:

44 (a) Be cognizant of and sensitive to the issue of overrepresentation of minority youth offenders  
 45 in youth correction facilities;

1 (b) Endeavor to develop and operate, and require its subcontractors to develop and operate,  
2 culturally appropriate programs for youth offenders; and

3 (c) Keep data reflecting the ethnicity and gender of all youth offenders committed to its care.

4 ~~[(11)]~~ **(10)** The youth authority is a designated agency as defined in ORS 181.010.

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