

Enrolled
Senate Bill 448

Sponsored by Senators FERRIOLI, ROBLAN (Pre-session filed.)

CHAPTER

AN ACT

Relating to memoranda of understanding regarding adjudication of youth offenders in certain counties; amending ORS 419C.058.

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

SECTION 1. ORS 419C.058 is amended to read:

419C.058. (1) **With the approval of the Chief Justice of the Supreme Court**, the presiding judge of the twenty-second judicial district **and, for cases arising in Wasco County or Hood River County, the presiding judge of the seventh judicial district**[, *with the approval of the Chief Justice of the Supreme Court,*] may enter into a memorandum of understanding with the Confederated Tribes of Warm Springs regarding the adjudication and disposition of youths and youth offenders.

(2) A memorandum of understanding entered into under subsection (1) of this section may allow the juvenile court of the judicial district:

(a) To waive its jurisdiction over a youth and transfer the case, notwithstanding ORS 419C.005, to the jurisdiction of the tribal court of the Confederated Tribes of Warm Springs for adjudication; or

(b) After finding the youth to be within its jurisdiction under ORS 419C.005, to transfer the case to the tribal court of the Confederated Tribes of Warm Springs for disposition.

(3) A memorandum of understanding entered into under subsection (1) of this section applies only to youths or youth offenders who are enrolled members of a federally recognized tribe and who reside on the Warm Springs Reservation.

(4) A memorandum of understanding entered into under subsection (1) of this section may contain, but is not limited to, provisions relating to:

- (a) The duration of the memorandum of understanding;
- (b) The cases that are subject to transfer;
- (c) Who may request a transfer;
- (d) The custody of a youth or youth offender after transfer; and
- (e) The sharing of information about a case after it has been transferred.

Passed by Senate February 26, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 13, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State