

# Senate Bill 448

Sponsored by Senators FERRIOLI, ROBLAN (Presession filed.)

## 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**.

Permits presiding judge of seventh judicial district, with approval of Chief Justice of the Supreme Court, to enter into memorandum of understanding with Confederated Tribes of Warm Springs regarding adjudication and disposition of youths and youth offenders.

## A BILL FOR AN ACT

1  
2 Relating to memoranda of understanding regarding adjudication of youth offenders in certain coun-  
3 ties; amending ORS 419C.058.

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

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

6 419C.058. (1) **With the approval of the Chief Justice of the Supreme Court**, the presiding  
7 judge of the twenty-second judicial district **and, for cases arising in Wasco County or Hood**  
8 **River County, the presiding judge of the seventh judicial district***[, with the approval of the Chief*  
9 *Justice of the Supreme Court,]* may enter into a memorandum of understanding with the Confederated  
10 Tribes of Warm Springs regarding the adjudication and disposition of youths and youth offenders.

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

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

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

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

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

23 (a) The duration of the memorandum of understanding;

24 (b) The cases that are subject to transfer;

25 (c) Who may request a transfer;

26 (d) The custody of a youth or youth offender after transfer; and

27 (e) The sharing of information about a case after it has been transferred.  
28

---

**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.