

## SB 924 -1 STAFF MEASURE SUMMARY

### Senate Committee On Judiciary

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**Prepared By:** Addie Smith, Counsel

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 4/4, 4/9

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#### WHAT THE MEASURE DOES:

Modifies juvenile code to prohibit the placement of children taken into protective custody in dependency cases or run away from home in detention facilities. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-1 Requires each county juvenile department to report the number of out-of-state runaways or other runaway youth and youth offenders held in detention to the Youth Development Council annually. Requires the placement of out-of-state runaways in the be the least restrictive setting necessary, including detention, that will ensure that they are not a danger to self or others pending their return to their home state. Defines "home state" and "out-of-state runaway."

##### BACKGROUND:

The Interstate Compact on Juveniles (ICJ) specifically governs the treatment of out-of-state runaways. *See* ORS 417.030. Under that compact, Oregon must be able to, when necessary, detain out-of-state runaways. *See generally*, ICJ Rules Section 600. Oregon law accounts for this requirement in ORS 419B.121 and ORS 419C.156.

Oregon law governing delinquency detention does not, otherwise, allow for youth who who have only committed status offenses or are only under the juvenile court's dependency jurisdiction to be detained. *See* ORS 419C.145. Nonetheless, chapter 419A of the Oregon code which governs juvenile court processes and definitions, and chapter 419B of the Oregon code which governs dependency cases still have provisions that appear to allow children taken into protective custody pursuant to a dependency case, including those who have run away from their homes to be placed in detention. *See, e.g.*, ORS 419B.100, ORS 419A.050; ORS 419A.059, ORS 419B.150; ORS 419B.175; ORS 419B.180; and ORS 419B.185.

Senate Bill 924 modifies the juvenile code to clarify that children taken into protective custody in dependency cases, including children who have run away, cannot be placed in detention facilities.