

SENATE AMENDMENTS TO SENATE BILL 924

By COMMITTEE ON JUDICIARY

April 24

1 On page 1 of the printed bill, line 5, after “419B.185,” delete the rest of the line and insert
2 “419C.156 and”.

3 On page 5, delete lines 1 through 4 and insert:

4 “**SECTION 3.** ORS 419A.014 is amended to read:

5 “419A.014. The juvenile department of a county shall report annually to the [*Oregon Criminal*
6 *Justice Commission*] **Youth Development Council** the frequency with which [*runaway children held*
7 *under ORS 419C.156, youths and youth offenders*] **the following persons** are held in preadjudicative
8 detention and the duration of the detention:

9 “**(1) Out-of-state runaways, as defined in ORS 419C.156; or**

10 **“(2) Runaway youth and youth offenders.”.**

11 On page 6, delete lines 24 through 29 and insert:

12 “**SECTION 7.** ORS 419B.121 is amended to read:

13 “419B.121. [*Notwithstanding ORS 419C.145, the court may order the detention of a child who re-*
14 *sides in another state if the court finds probable cause to believe that the child has run away from*
15 *home or from a placement. If a child is ordered detained under this section, the court shall make such*
16 *orders as are necessary to cause the child to be immediately returned to the child’s state of*
17 *residence.*]

18 “**(1) As used in this section, ‘home state’ and ‘out-of-state runaway’ have the meanings**
19 **given those terms in ORS 419C.156.**

20 “**(2) Notwithstanding any provisions in ORS chapter 419A, 419B or 419C prohibiting the**
21 **detention of children or wards, if the court determines that a child or ward is an out-of-state**
22 **runaway, the court may place the out-of-state runaway in a placement that the court de-**
23 **termines to be the least restrictive setting, including detention, necessary to ensure that the**
24 **out-of-state runaway is not a danger to self or others pending the return of the out-of-state**
25 **runaway to the out-of-state runaway’s home state.”.**

26 On page 7, after line 39, insert:

27 “**(4) Nothing in this section prohibits the detention of a child or ward under a material witness**
28 **order, as defined in ORS 136.608.”.**

29 On page 9, lines 15 through 17, restore the bracketed material.

30 On page 10, delete lines 33 through 45 and delete pages 11 and 12.

31 On page 13, delete lines 1 through 6 and insert:

32 “**SECTION 17.** ORS 419C.156 is amended to read:

33 “419C.156. [*Notwithstanding ORS 419C.145 (1) and (2), the court may order the detention of a*
34 *youth who resides in another state if the court makes written findings that there is probable cause to*
35 *believe that the youth has run away from home or from a placement and that describe why it is in the*

1 *best interests of the youth to be placed in detention. If a youth is ordered detained under this section,*
2 *the court shall make such orders as are necessary to cause the youth to be immediately returned to the*
3 *youth's state of residence.]*

4 **“(1) As used in this section:**

5 **“(a) ‘Home state’ means any other state, territory or outlying possession of the United**
6 **States where an out-of-state runaway’s parent, legal guardian or custodial agency is located.**

7 **“(b) ‘Out-of-state runaway’ means a person who is younger than the juvenile jurisdic-**
8 **tional age limit established by the person’s home state, who has voluntarily left the home**
9 **state without the permission of the person’s parent, legal guardian or custodial agency and**
10 **who may or may not have been adjudicated in the home state.**

11 **“(2) Notwithstanding any provisions in ORS chapter 419A, 419B or 419C prohibiting the**
12 **detention of youths, if the court determines that a youth is an out-of-state runaway, the**
13 **court may place the out-of-state runaway in a placement that the court determines to be the**
14 **least restrictive setting, including detention, necessary to ensure that the out-of-state run-**
15 **away is not a danger to self or others pending the return of the out-of-state runaway to the**
16 **out-of-state runaway’s home state.**

17 **“(3) Nothing in ORS chapter 419A, 419B or 419C limits or affects the ability of a court to**
18 **place an out-of-state runaway in detention in accordance with the Interstate Compact on**
19 **Juveniles.”.**

20 In line 7, delete “23” and insert “18”.

21 In line 38, delete “24” and insert “19”.

22 On page 14, line 21, delete “25” and insert “20”.

23 In line 36, delete “26” and insert “21”.

24 In line 45, delete “27” and insert “22” and delete “26” and insert “21”.

25 On page 15, line 3, delete “28” and insert “23”.