

SB 135 STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By: C. Ross, Counsel

Meeting Dates: 2/18

WHAT THE MEASURE DOES:

Adds the Oregon Youth Authority (OYA) to the list of entities that law enforcement may disclose information to, about investigations of suspected child abuse. Includes OYA within the prohibition against further disclosure, except with respect to information sharing between law enforcement and other corrections organizations and to authorized treatment providers in the interest of offender supervision. Authorizes further disclosure, for purposes of "second look" hearings, between OYA, the Department of Corrections (DOC), courts, district attorneys, and attorneys for persons in custody.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Reports and records compiled pursuant to Juvenile Code provisions governing the reporting and investigation of suspected abuse of any child are kept confidential and may only be disclosed in specific circumstances, including, for certain investigatory purposes; in certain health care and treatment contexts; to attorneys representing children, parents, or guardians in juvenile court proceedings; etc.; with particular treatment of records involving a child's death or serious injury due to abuse.

Senate Bill 135 adds the Oregon Youth Authority (OYA) to the list of entities that law enforcement may disclose information to, and includes OYA within the prohibition against further disclosure, except with respect to the exchange of information between law enforcement and other corrections organizations and to authorized treatment providers in order to supervise offenders. The measure also authorizes further disclosure between OYA and the Department of Corrections (DOC), to courts, district attorneys, and attorneys for persons in custody, for purposes of "second look" hearings. (A "second look" hearing is an automatic proceeding to review the sentence imposed on certain incarcerated youth, where courts consider conditional release.)