

LC 416
2023 Regular Session
41500-008
8/22/22 (LAS/ps)

D R A F T

SUMMARY

Directs Oregon Youth Authority to maintain certain demographic data. Directs authority to consider demographic disparities among adjudicated youths and between adjudicated youths and authority employees when developing culturally responsive programs.

A BILL FOR AN ACT

1
2 Relating to diversity of Oregon Youth Authority staff; amending ORS
3 420A.010.

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

5 **SECTION 1.** ORS 420A.010, as amended by section 3, chapter 39, Oregon
6 Laws 2022, is amended to read:

7 420A.010. (1) The Oregon Youth Authority is established. The youth au-
8 thority shall:

9 (a) Supervise the management and administration of youth correction fa-
10 cilities, state parole and probation services, community out-of-home place-
11 ment for adjudicated youths committed to its legal custody and other
12 functions related to state programs for youth corrections;

13 (b) Provide capital improvements and capital construction necessary for
14 the implementation of all youth correction facilities;

15 (c) Carry out dispositions of adjudicated youths committed to its legal
16 custody;

17 (d) Exercise custody and supervision over those adjudicated youths com-
18 mitted to the youth authority by order of the juvenile court and persons
19 placed in the physical custody of the youth authority under ORS 137.124 or

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.

1 other statute until the time that a lawful release authority authorizes release
2 or terminates the commitment or placement;

3 (e) Provide adequate food, clothing, health and medical care, sanitation
4 and security for confined adjudicated youths and others in youth authority
5 custody;

6 (f) Provide adjudicated youths and others in youth authority custody with
7 opportunities for self-improvement and work; and

8 (g) Conduct investigations and prepare reports for release authorities.

9 (2) To meet the individual circumstances of each person committed to its
10 custody, the youth authority shall:

11 (a) Develop a flexible fee-for-service provider system that can respond
12 quickly to each person's identified and changing circumstances; and

13 (b) Develop a process for joint state and county review of contracts en-
14 tered into under subsection (6)(b) of this section and paragraph (a) of this
15 subsection based on:

16 (A) Measurable outcomes, which must include in dominant part the re-
17 duction of future criminal or antisocial conduct and which also must include:

18 (i) Academic progress;

19 (ii) Social adjustments;

20 (iii) Behavioral improvements;

21 (iv) Rearrests; and

22 (v) Other measurements as determined by the youth authority;

23 (B) Performance measurements including:

24 (i) Fiscal accountability;

25 (ii) Compliance with state and federal regulations;

26 (iii) Record keeping, including data collection and management; and

27 (iv) Reporting; and

28 (C) Provision of services identified under the reformation plan.

29 (3) In order to measure performance as required in subsection (2) of this
30 section, the youth authority shall require parties to the contracts to compile,
31 manage and exchange data to the extent of available information systems

1 resources to facilitate the measurement of outcomes including, but not lim-
2 ited to, reduction in future criminal or antisocial conduct.

3 (4) The youth authority may administer a program of state assistance to
4 counties for the construction and operation of local youth detention facilities
5 or to purchase detention services.

6 (5) The youth authority shall accept and exercise legal or physical cus-
7 tody of adjudicated youths and others 12 years of age and over and under
8 25 years of age who are committed to, or placed with, the youth authority
9 pursuant to:

10 (a) A juvenile court adjudication and disposition under ORS chapter 419C;
11 or

12 (b) ORS 137.124.

13 (6)(a) The youth authority shall cooperate with and assist county gov-
14 ernments and juvenile departments in carrying out the principles and pur-
15 poses of the juvenile justice system as provided in ORS 419C.001.

16 (b) The youth authority is authorized to contract with counties, groups
17 of counties or private providers to administer juvenile corrections programs
18 and services as provided in ORS 420.017, 420.019, 420A.145 and 420A.155 (1)
19 to (4).

20 (c) The youth authority may provide consultation services related to the
21 juvenile justice system to local or statewide public or private agencies,
22 groups and individuals or may initiate such consultation services. Consulta-
23 tion services include, but are not limited to, conducting studies and surveys,
24 sponsoring or participating in educational programs and providing advice
25 and assistance. Nothing in ORS 419C.001 and 420A.005 to 420A.155 is in-
26 tended to diminish the state's efforts to plan, evaluate and deliver effective
27 human services programs to adjudicated youths, either in a youth correction
28 facility or on probation or parole. Therefore, the Oregon Youth Authority
29 and the Department of Human Services shall jointly develop and implement
30 needed social and rehabilitative services.

31 (7) The youth authority is the recipient of all federal funds paid or to be

1 paid to the state to enable the state to provide youth correction programs
2 and services assigned to the Department of Human Services prior to January
3 1, 1996.

4 (8) The youth authority shall report its progress in implementing the
5 provisions of chapter 422, Oregon Laws 1995, to the Legislative Assembly at
6 each odd-numbered year regular session.

7 (9) The equal access provisions of ORS 417.270 apply to the youth
8 authority's development and administration of youth correction facilities,
9 programs and services, including the development and implementation of the
10 diversion plan described in ORS 420.017.

11 (10)(a) The youth authority shall:

12 [(a)] (A) Be cognizant of and sensitive to the issue of overrepresentation
13 of minority adjudicated youths in youth correction facilities;

14 [(b)] (B) Endeavor to develop and operate, and require its subcontractors
15 to develop and operate, culturally appropriate programs for adjudicated
16 youths; and

17 [(c)] (C)(i) Keep data reflecting the **demographics, including race,**
18 ethnicity and gender, of all adjudicated youths committed to its care[.];

19 **(ii) Keep data reflecting the demographics, including race, ethnicity**
20 **and gender, of youth authority employees;**

21 **(iii) Keep data as necessary to monitor the measurable outcomes**
22 **described in subsection (2)(b)(A) of this section; and**

23 **(iv) Regularly review and compare the measurable outcomes de-**
24 **scribed in subsection (2)(b)(A) of this section with rates of recidivism,**
25 **as defined by the youth authority under ORS 420A.012, and analyze the**
26 **disparities in outcomes based on the demographics of the persons in**
27 **the youth authority's custody.**

28 **(b) In the development of the programs described in paragraph**
29 **(a)(B) of this subsection, the youth authority shall take into consid-**
30 **eration the demographic disparities among adjudicated youths and**
31 **between adjudicated youths and youth authority employees and how**

1 **those disparities may affect the cultural appropriateness of the pro-**
2 **grams.**

3 (11) The youth authority may make financial grants to local units of
4 government, nonprofit organizations and individuals from funds appropriated
5 to the youth authority by the Legislative Assembly to meet the treatment
6 and care needs of adjudicated youths committed to the custody of the youth
7 authority to be able to respond quickly to each adjudicated youth's identified
8 and changing circumstances.

9 (12) The youth authority is a designated agency as defined in ORS
10 181A.010.

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