

Oregon Youth Authority

	2019-21 Actual	2021-23 Legislatively Adopted	2021-23 Legislatively Approved *	2023-25 Current Service Level	2023-25 Governor's Budget
General Fund	323,457,915	264,390,059	272,742,971	388,645,228	381,297,981
Other Funds	14,348,925	154,743,091	154,772,236	7,708,683	33,092,781
Federal Funds	28,864,429	36,788,861	37,034,286	37,928,229	38,064,774
Total Funds	366,671,269	455,922,011	464,549,493	434,282,140	452,455,536
Positions	1,007	1,001	1,001	973	1,010
FTE	978.38	971.66	971.66	945.88	971.76

* Includes Emergency Board and administrative actions through December 2022.

Program Description

The Oregon Youth Authority (OYA) serves youth ages 12-24 who have committed crimes prior to their 18th birthday. The agency exercises legal and physical custody of youth committed to OYA by juvenile courts and physical custody of youth committed to the Oregon Department of Corrections by adult courts and placed with OYA due to their young age. As of July 2022, the number of youths under supervision at any given time was 961, with 548 youth in community placements and 413 in close custody. Roughly 11% of youth served by OYA are young women. The agency also provides direct assistance to Oregon counties by providing funding for juvenile crime prevention basic, county diversion, and gang intervention programs.

General Fund supports the majority of OYA's activities and operations. Typically, anywhere from 7-9% of the total budget comes from Federal Title XIX Medicaid reimbursement funding for the cost of community residential treatment programs and case management services for eligible youth. A small percentage of the budget is Other Funds that come from youth trust account fund reimbursements and the U.S. Department of Agriculture School Nutrition Program.

CSL Summary

The General Fund CSL is 46%, or \$125.5 million, greater than the 2021-23 legislatively approved budget. This is largely the result of \$105.4 million in American Rescue Plan Act funding that was provided in HB 5006 (2021). Of the total, \$100 million was a one-time fund shift of General Fund to Other Funds, with another \$5.4 million provided for certain deferred maintenance projects and non-bondable costs of the Juvenile Justice Information System. The total funds CSL is 4.4%, or \$20.6 million, below 2021-23 from the one-time bond funding provided for campus renovations and other building projects throughout OYA's facilities.

The Oregon Youth Authority is one of a handful of state agencies whose current service levels are adjusted for mandated caseload programs, those required by the federal government, the state constitution, or court actions. The 2023-25 General Fund current service level is reduced by \$6.3 million and 30 positions (29.00 FTE), or the equivalent of two living units plus five additional beds, for mandated caseload changes based on the October 2022 youth corrections population forecast.

Policy Issues

The Juvenile Justice Information System (JJIS) is the foundational data management system for juvenile justice in Oregon, used by all county juvenile departments and the Oregon Youth Authority for case management, contract management, and reporting. Created in 1995, JJIS has allowed the state to maintain a single record for each youth in the juvenile justice system, over time creating the database that supports the agency's data-driven approach to juvenile justice. While the database itself is fully up to date and supported by its vendor, the user interface is obsolete and is not fully functional. The JJIS interface cannot be used via the internet and therefore is not available on mobile devices, is written in a little-used computer language, and is no longer meaningfully supported by its vendor.

The JJIS Modernization project began in 2017, received its first Stage Gate approval in July 2018, and anticipates receiving its Stage Gate 3 endorsement in early 2023. This will move the project into the execution phase with an anticipated completion date of June 2025. \$7.7 million of Article XI-Q bond funding was provided in 2021-23 in addition to the ARPA funding mentioned above and the agency has another \$13.5 million request for bond funding in the 2023-25 Agency Request Budget along with \$3.4 million General Fund for non-bondable expenditures and estimated debt service.

Due in part to the COVID-19 pandemic, the population of youth detained in OYA close custody facilities is declining. The biennial average population in OYA's close custody facilities was 406, about 10% below available capacity; the population in OYA's transitional programs ("camps") averaged 55, or about 21% below available capacity. The Youth Authority's director may set living unit size by rule, and the 2021-23 budget provided OYA with the ability to utilize smaller living units of 15-20 rather than previous biennia were closer to 25 youth per living unit. This increases safety and security and staff engagement with youth, while decreasing victimization and moving OYA closer to the national best practices on youth-to-staff ratios which is 12-14 youth per living unit.

Some youth adjudicated to OYA undergo court-ordered sex offense treatment. This treatment, though not a Medicaid-reimbursable service, has been provided by OYA's Behavior Rehabilitation Service (BRS) providers during their care of OYA youth. HB 2472 (2019) changed some requirements for providers of sex offense treatment, including registration, supervision, and training requirements, effective January 1, 2020, and BRS providers assert they are incurring new expenses resulting from the legislation. The agency received one-time funding in 2021-23 and a work group consisting of staff from OYA, DHS, and OHA have been meeting to work on ways to configure the service so that it is Medicaid eligible. Those agencies are still awaiting a response from Medicaid on eligibility.

While the overall population has been declining for the past several years, the needs of the youth in custody has significantly increased. More youth than ever need treatment for mental health or developmental disabilities. Additionally, it is increasingly difficult to find appropriate treatment services available in communities for certain populations of youth. Culturally specific services are rare and finding equitable services for females is also a challenge for OYA.

Finally, the agency has been dealing with significant staffing shortages for the past several months in its close-custody facilities which are 24/7/365, leading to more mandated overtime shifts, resulting in staff burnout, more sick calls, and ultimately increased staff turnover. OYA has been actively recruiting and onboarding new staff as quickly as possible, however this leads to less experienced supervision across shifts and more youth incidents. OYA managers and administrative staff have been covering shifts and the agency has utilized limited duration positions and double fills to provide short-term relief.

Governor's Budget Summary

The Governor's Budget for OYA totals \$452.5 million, an overall 4.2% increase over current service level, while General Fund totals \$381.3 million, which is slightly under 2% below current service level. General Fund reductions to the current service level include a \$10.4 million reduction from special payments for community residential treatment funding, \$1.1 million reduction for diversion and gang program funding to counties, and \$6.5 million reduction by increasing the vacancy factor for this agency to approximately 5%

The Governor's budget partially offsets the mandatory caseload adjustment from the October 2022 forecast, by providing \$3 million General Fund and restoring 15 positions (14.50 FTE) to keep the youth-to-staff ratio's lower across the close-custody facilities. Additional investments in the Governor's budget include:

- \$839,618 GF for five positions (2.50 FTE) to support DEI efforts around human resources and contracts and procurement
- \$828,159 GF for four positions (2.50 FTE) to support expansion and upgrades of the closed-circuit camera system as well as ongoing maintenance and operation and for migrating network data to the State Data Center
- \$567,729 GF for four (2.00 FTE) permanent full-time Group Life Coordinator positions at the Young Women's Transitional Program that had previously been limited duration
- \$347,400 GF for three Behavioral Health Specialist positions (1.50 FTE) to serve as qualified mental health professionals at MacLaren & Oak Creek facilities
- \$327,455 GF for two permanent full-time positions (1.00 FTE) to provide support to victims of crime survivors throughout the treatment process through case development and release planning
- \$11.3 million Other Funds limitation for new bond funded projects at Oak Creek and Rogue Valley
- \$13.4 million Other Funds limitation for new bond funding for the JJIS Modernization project
- \$2.6 million General Fund Debt Service related to the two new bonding requests
- \$3.4 million General Fund for the non-bondable costs related to the JJIS Modernization project

Other Significant Issues and Background

SB 1008 (2019) changed the way that juveniles are treated in the criminal justice system. Among other provisions, it requires all juvenile criminal cases, including for Measure 11 offenses, to start in juvenile court, but allows the prosecution to request on a case-by-case basis whether to waive the youth to adult court. It allows juveniles charged as adults to be eligible for a “Second Look” hearing halfway through the original sentence to advocate for conditional release, and it allows for a transfer hearing for youth about to transfer to an adult prison at age 25 who have less than two years remaining on their sentence to request a hearing for conditional release. This bill went into effect on January 1, 2020, and due to the COVID-19 pandemic, is not fully implemented, but is projected to increase the number of youth eligible for community-based programming or juvenile parole versus entering one of OYA’s close custody facilities and the most recent population numbers have shown a steady decline in Department of Corrections placements.

OYA owns 90 buildings with a replacement value of \$358 million that provide secure residential spaces, youth education, vocational training, recreation, administration, and support services. OYA first developed a 10-year Strategic Plan for Facilities in 2014, which was updated in 2019 to align it with best practices and deferred maintenance needs.

Key Performance Measures

A copy of the Oregon Youth Authority Annual Performance Progress Report can be found on the LFO website:

https://www.oregonlegislature.gov/lfo/APPR/APPR_OYA_2022-10-3.pdf