

House Bill 2320

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Representative Jason Kropf)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Juvenile Justice Advisory Commission within Oregon Criminal Justice Commission. Specifies membership of Juvenile Justice Advisory Commission. Requires commission to conduct policy analysis based on specified criteria and make recommendations to Legislative Assembly relating to juvenile justice system.

A BILL FOR AN ACT

1
2 Relating to juvenile justice.

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

4 **SECTION 1. Establishment of commission; membership.** (1) **The Juvenile Justice Advisory Commission is established within the Oregon Criminal Justice Commission to provide**
5 **data-driven policy recommendations to strengthen public safety and improve youth outcomes**
6 **in the juvenile justice system of this state.**

7
8 (2) **The Juvenile Justice Advisory Commission consists of 17 members who are appointed**
9 **as follows:**

10 (a) **The Chief Justice of the Supreme Court shall appoint one representative of the Judicial Department.**

11
12 (b) **The Governor shall appoint, subject to confirmation by the Senate in the manner**
13 **prescribed in ORS 171.562 and 171.565:**

14 (A) **One representative of the Department of Human Services;**

15 (B) **Two representatives of the Oregon Youth Authority;**

16 (C) **One representative of the Department of Education;**

17 (D) **One practicing juvenile criminal defense attorney with experience in juvenile delin-**
18 **quency;**

19 (E) **One practicing juvenile criminal defense attorney with experience in juvenile de-**
20 **pendency;**

21 (F) **One practicing prosecutor;**

22 (G) **One pediatric physician with clinical experience with youth;**

23 (H) **One psychologist, therapist or psychiatrist with clinical experience with youth;**

24 (I) **One person who is a member of an organization that advocates for youth;**

25 (J) **Two members of the public who previously have been in the juvenile justice system;**

26 (K) **One county juvenile department director; and**

27 (L) **One person who is a member of a federally recognized Indian tribe in this state, or**
28 **that person's designee.**

29 (c) **The Senate President shall appoint one member of the Senate who shall be a non-**
30 **voting member serving ex officio.**

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 (d) The Speaker of the House of Representatives shall appoint one member of the House
2 of Representatives who shall be a nonvoting member serving ex officio.

3 (3) Of the persons appointed by the Governor under subsection (2) of this section, no
4 more than seven may belong to the same political party. For purposes of this subsection,
5 party affiliation is determined by the appropriate entry on the person's official election reg-
6 istration card.

7 (4) Members who are appointed to the Juvenile Justice Advisory Commission shall be
8 appointed with consideration to geographical, racial, ethnic and gender diversity.

9 (5) The term of office of each member of the Juvenile Justice Advisory Commission other
10 than a legislative member is four years. The term of office for a legislator who is appointed
11 ex officio under subsection (2) of section is four years or the end of the legislator's term,
12 whichever comes first. Before the expiration of the term of a member, the appointing au-
13 thority shall appoint a successor whose term begins immediately upon the expiration of the
14 term of the current member. A member is eligible for reappointment, but may serve no more
15 than two consecutive terms. If there is a vacancy for any cause, the appointing authority
16 shall make an appointment to become immediately effective for the unexpired term, which
17 shall not count toward the limitation of two consecutive terms under this subsection.

18 (6) A voting member of the Juvenile Justice Advisory Commission who is not an em-
19 ployee of the state is entitled to compensation and expenses as provided in ORS 292.495. A
20 voting member of the commission who is an employee of the state, other than a legislator
21 member, is not entitled to compensation, but may be reimbursed from funds available to the
22 commission for actual and necessary travel and other expenses incurred by the member in
23 the performance of the member's official duties in the manner and amount provided in ORS
24 292.495. Claims for compensation and expenses incurred in performing the functions of the
25 commission shall be paid out of funds appropriated to the commission for that purpose.

26 (7) A legislative member of the Juvenile Justice Advisory Commission is entitled to pay-
27 ment of compensation and expenses under ORS 171.072 from funds appropriated to the Leg-
28 islative Assembly.

29 **SECTION 2. Initial terms.** Notwithstanding the term of office specified by section 1 of
30 this 2023 Act, of the voting members first appointed to the Juvenile Justice Advisory Com-
31 mission:

32 (1) Three shall serve for a term ending January 1, 2025.

33 (2) Four shall serve for a term ending January 1, 2026.

34 (3) Four shall serve for a term ending January 1, 2027.

35 (4) Four shall serve for a term ending January 1, 2028.

36 **SECTION 3. Officers; quorum; meetings.** (1) The Governor shall select one of the voting
37 members of the Juvenile Justice Advisory Commission as a chairperson who shall serve at
38 the pleasure of the Governor. The term of the chairperson is one year. A person may be
39 reappointed as chairperson for no more than two consecutive years.

40 (2) The members of the commission shall select one of the voting members as a vice
41 chairperson.

42 (3) A majority of the members of the commission constitutes a quorum for the trans-
43 action of business.

44 (4) The commission shall meet at least four times per year at a time and place deter-
45 mined by the commission. The commission also may meet at other times and places specified

1 by the call of the chairperson or of a majority of the members of the commission.

2 (5) The Oregon Criminal Justice Commission shall provide staff support to the Juvenile
3 Justice Advisory Commission.

4 **SECTION 4. Duties.** (1) The Juvenile Justice Advisory Commission shall analyze the ju-
5 venile justice system of the state and provide recommendations for any change in law, policy,
6 practice and appropriation to improve youth outcomes. In conducting its analysis the com-
7 mission shall consider:

8 (a) Key drivers of detention and residential placement;

9 (b) Available alternatives to detention and residential placement;

10 (c) Outcomes associated with educational and skills training opportunities for youth im-
11 pacted by the juvenile justice system;

12 (d) Racial and ethnic disparities among youth impacted by the juvenile justice system;

13 (e) The efficiency and effectiveness of state and county oversight systems; and

14 (f) Opportunities for better alignment with research and constitutional mandates.

15 (2) The Juvenile Justice Advisory Commission may:

16 (a) Recommend legislation;

17 (b) Assess the impact of current legislation involving juvenile justice; and

18 (c) Develop data-driven best practices for juvenile courts and practitioners.

19 (3) The Juvenile Justice Advisory Commission shall provide a report to the Legislative
20 Assembly, in the manner provided in ORS 192.245, by September 1st of every even-numbered
21 year.

22 (4) All agencies of state government, as defined in ORS 174.111, are directed to assist the
23 Juvenile Justice Advisory Commission in the performance of its duties and, to the extent
24 permitted by laws relating to confidentiality, to furnish such information and advice as the
25 members of the commission consider necessary to perform their duties.

26 **SECTION 5. Initial report due.** The report described in section 4 (3) of this 2023 Act is
27 first due September 1, 2024, and September 1 of every even-numbered year thereafter.

28 **SECTION 6. Repeals.** (1) Section 2 of this 2023 Act is repealed on January 2, 2029.

29 (2) Section 5 of this 2023 Act is repealed on January 2, 2025.

30 **SECTION 7. Captions.** The section captions used in this 2023 Act are provided only for
31 the convenience of the reader and do not become part of the statutory law of this state or
32 express any legislative intent in the enactment of this 2023 Act.

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