

Enrolled
Senate Bill 904

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER

AN ACT

Relating to youth correction facility staffing levels; amending ORS 420.081.

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

SECTION 1. ORS 420.081 is amended to read:

420.081. (1) The total population of adjudicated youths confined in the youth correction facilities may not exceed the design capacity of the facilities designated for close custody purposes by the Director of the Oregon Youth Authority. The total population limit shall include [*adjudicated youths in the youth correction facility who were waived by the juvenile court to be prosecuted as adults.*] **persons placed in the physical custody of the Oregon Youth Authority under ORS 137.124.**

(2) The director by rule shall determine reasonable standards for care and treatment of adjudicated youths housed in youth correction facilities[. *Within the total limit established under subsection (1) of this section, the Director of the Oregon Youth Authority*] **and** shall establish and impose a maximum allowable population level for each youth correction facility. The maximum allowable population [*shall*] **level:**

(a) **May** not exceed the design capacity for the facility [*and shall be further*];

(b) **Must be** limited by the ability of the facility to meet the standard of care and treatment established by rule under this subsection, protect communities, hold adjudicated youths accountable for their behavior and improve the competency of adjudicated youths to become responsible and productive members of their communities[.]; **and**

(c) **Must take into consideration the ratio of population to staff assigned primarily or exclusively for supervision and control of adjudicated youth.**

(3) The director by rule shall establish criteria upon which the decision to place a youth in a youth correction facility must be based, and which, in turn, shall be based upon behaviors and characteristics of youths otherwise eligible for commitment to a youth correction facility.

(4) After conferring with the juvenile court judges, the director shall develop and implement by rule, a method of controlling admissions to the youth correction facilities so as not to exceed maximum levels determined under subsections (1) and (2) of this section.

Passed by Senate April 4, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 9, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State