

SB 82 STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr.

Senate Committee On Judiciary

Action Date: 02/14/17

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Establishes state policy that Oregon Youth Authority shall not sanction or punish youth offender or other person in authority's custody for violation of rules with placement in locked room alone.

ISSUES DISCUSSED:

- Discussion of why legislative action is needed
- Discussion of enforceability of policy

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

For approximately two years, the Oregon Youth Authority (OYA) has worked to prevent and reduce the use of isolation. To achieve this goal, OYA formed two workgroups: one internal and one external. The internal workgroup is the OYA Isolation and Reintegration Steering Committee. The external workgroup is the OYA Use of Isolation Community Advisory Committee. In December 2014, OYA also began the process of implementing its Positive Human Development (PHD) initiative. PHD focuses on teaching youth offenders the skills needed to live productive and positive lives. It has been OYA's policy that isolation should not be used as punishment. Recently, OYA aligned policy and practice by updating rules and policies to reflect that isolation should not be used as punishment. Senate Bill 82 would codify into law OYA's policy and rules prohibiting the use of isolation as a sanction or punishment. SB 82 also expands existing law to include all persons in the custody of OYA and not simply youth offenders.