

SB 134 -1 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 3/25, 4/5

WHAT THE MEASURE DOES:

Specifies that when a person is in the custody of the Department of Corrections and temporarily assigned to a youth correction facility, information or records prepared or maintained by the Oregon Youth Authority relating to that person are exempt from disclosure if the public interest in confidentiality clearly outweighs the public interest in disclosure and disclosure would interfere with rehabilitation or would substantially prejudice or prevent the carrying out of the functions of the youth authority.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Requires that information or records prepared or maintained by the Oregon Youth Authority (OYA) relating to a person committed to the custody of the Department of Corrections (DOC) and temporarily assigned to a youth correction facility are confidential and exempt from disclosure if the public interest in confidentiality clearly outweighs the public interest in disclosure and disclosure of the information would interfere with rehabilitation or disclosure would substantially prejudice or prevent the carrying out the functions OYA. Clarifies that the measure does not prevent OYA from disclosing that information to a person's counsel, the district attorney or the assistant district attorney for use in the person's criminal, juvenile or dependency case.

BACKGROUND:

In Oregon, adult offenders are housed at Department of Corrections (DOC) facilities, and youth offenders are housed at Oregon Youth Authority (OYA) facilities, including the small number of juveniles who are prosecuted as adults and sentenced to terms of imprisonment at DOC before they reach age 20. When a juvenile reaches the age of 25 while housed at OYA with time remaining on their sentence, they are transferred to DOC.

Senate Bill 134 institutes a public interest test for OYA to release information or records prepared or maintained by the Oregon Youth Authority regarding a person who is in the custody of the Department of Corrections and temporarily assigned to a youth correction facility.