

**SB 708 STAFF MEASURE SUMMARY**

**Senate Committee On Human Services, Mental Health and Recovery**

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**Action Date:** 02/25/21

**Action:** Without recommendation as to passage and be returned to President's desk for referral to another committee.

**Vote:** 5-0-0-0

**Yeas:** 5 - Anderson, Gelser, Lieber, Robinson, Taylor

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** C. Ross, Counsel

**Meeting Dates:** 2/25

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**WHAT THE MEASURE DOES:**

Removes private youth corrections facilities from provisions governing placement of youth offenders. Retools Oregon Youth Authority (OYA) discretion to contract with local governments to implement youth diversion plans by: replacing specified care and placements with substitute care defined by OYA in rule; clarifying OYA responsibility for financial oversight and contract administration; removing references to parole and probation services and to employment matters; and requiring intergovernmental agreements instead to address specified responsibilities. Requires OYA to adopt rules in consultation with county juvenile departments to provide equitable access to a continuum of placement alternatives to implement diversion plans.

**ISSUES DISCUSSED:**

- No discussion; measure scheduled solely for re-referral to another committee

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Juvenile Code provisions governing delinquency generally, currently provide for the use of private corrections facilities to hold and confine youth offenders, including the appointment of private facilities as guardians or legal custodians.

The Oregon Youth Authority (OYA) is currently authorized to contract with local governments to implement youth offender diversion plans. Such contracts may contemplate parole and probation services, and out-of-home placements, and if so, the local government is responsible for parole decisions, with transfer of this responsibility to OYA when caps at youth corrections facilities are exceeded. Contracts are also required to contemplate employment matters if the local government assumes responsibility for services previously provided by OYA.

Senate Bill 708 removes private facilities from the Juvenile Code that are currently used to hold or confine youth offenders. With respect to the implementation of youth diversion plans, the measure also retools provisions governing discretionary contracting between OYA and local governments; adds requirements for intergovernmental agreements; and requires collaborative rulemaking by OYA to ensure equitable access to a continuum of placement alternatives for youth in diversion programs.