

A-Engrossed
Senate Bill 736

Ordered by the Senate March 23
Including Senate Amendments dated March 23

Sponsored by COMMITTEE ON EDUCATION

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.

Establishes Task Force on Restorative Justice. Prescribes membership and duties of task force.
Sunsets task force on December 31, 2022.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to restorative justice; and prescribing an effective date.

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

4 **SECTION 1. (1) The Task Force on Restorative Justice is established.**

5 **(2) The task force consists of 24 members appointed as follows:**

6 **(a) The President of the Senate shall appoint one member from among members of the**
7 **Senate.**

8 **(b) The Speaker of the House of Representatives shall appoint one member from among**
9 **members of the House of Representatives.**

10 **(c) The Governor shall appoint 21 members as follows:**

11 **(A) One member who is a representative of a statewide association for school boards;**

12 **(B) One member who is a representative of a statewide association for school adminis-**
13 **trators;**

14 **(C) One member who is a representative of a statewide organization for teachers;**

15 **(D) One member who is a school-based mental health professional;**

16 **(E) One member who is a nonlicensed education staff;**

17 **(F) One member who is a student who has been subjected to harassment, intimidation**
18 **or bullying in school;**

19 **(G) One member who is a student or former student who was subjected to out-of-school**
20 **suspension or expulsion;**

21 **(H) One member who is a parent of a public school student;**

22 **(I) One member who is a county juvenile department director;**

23 **(J) One member who is a public defender who practices in juvenile court;**

24 **(K) One member who is a prosecutor who practices in juvenile court;**

25 **(L) One member who is a mental health professional with experience in the juvenile jus-**
26 **tice system;**

27 **(M) One member who is a representative of law enforcement;**

28 **(N) One member who is a juvenile impacted by the juvenile justice system;**

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 **(O) One member who is a victim of a crime or who is a victims' advocate;**
2 **(P) One member who is a representative of a statewide coalition committed to restorative**
3 **justice;**
4 **(Q) One member who was a member of the Task Force on School Safety;**
5 **(R) One member who is a representative of the Oregon Youth Authority;**
6 **(S) One member who is a representative of the Youth Development Division; and**
7 **(T) Two members who are representatives of the Department of Education.**
8 **(d) The Chief Justice of the Supreme Court shall appoint one member who is a juvenile**
9 **court judge.**
10 **(3) The task force shall make recommendations to achieve the following goals:**
11 **(a) Reducing exclusionary discipline in schools;**
12 **(b) Reducing juvenile incarceration; and**
13 **(c) Reducing racial disparities in both education and juvenile justice.**
14 **(4) For the purpose of making the recommendations described in subsection (3) of this**
15 **section, the task force shall:**
16 **(a) Study restorative justice systems and requirements in other states, both in education**
17 **and juvenile justice.**
18 **(b) Study restorative justice oversight in other states, both in education and juvenile**
19 **justice.**
20 **(c) Consult with national experts on restorative justice and restorative practices, both**
21 **in education and juvenile justice.**
22 **(d) Consult with researchers from the Oregon Criminal Justice Commission.**
23 **(e) Recommend statutory definitions for restorative justice for both the public education**
24 **system and the juvenile justice system of this state.**
25 **(f) Recommend policies for implementing restorative justice in both the public education**
26 **system and the juvenile justice system of this state.**
27 **(g) Recommend the scope, duties and membership of a permanent, independent**
28 **restorative justice council to oversee restorative justice programs throughout this state,**
29 **both in the public education system and the juvenile justice system.**
30 **(5) A majority of the voting members of the task force constitutes a quorum for the**
31 **transaction of business.**
32 **(6) Official action by the task force requires the approval of a majority of the voting**
33 **members of the task force.**
34 **(7) The task force shall elect one of its members to serve as chairperson.**
35 **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
36 **ment to become immediately effective.**
37 **(9) The task force shall meet at times and places specified by the call of the chairperson**
38 **or of a majority of the voting members of the task force.**
39 **(10) The task force may adopt rules necessary for the operation of the task force.**
40 **(11) The task force shall submit a report in the manner provided by ORS 192.245, and**
41 **may include recommendations for legislation, to the appropriate interim committees of the**
42 **Legislative Assembly no later than September 15, 2022.**
43 **(12) The Legislative Policy and Research Office shall provide support to the task force**
44 **with staff from both the education and judiciary policy areas.**
45 **(13) Members of the Legislative Assembly appointed to the task force are nonvoting**

1 **members of the task force and may act in an advisory capacity only.**

2 **(14) Members of the task force who are not members of the Legislative Assembly are not**
3 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
4 **force.**

5 **(15) All agencies of state government, as defined in ORS 174.111, are directed to assist**
6 **the task force in the performance of the duties of the task force and, to the extent permitted**
7 **by laws relating to confidentiality, to furnish information and advice the members of the task**
8 **force consider necessary to perform their duties.**

9 **SECTION 2. Section 1 of this 2021 Act is repealed on December 31, 2022.**

10 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**
11 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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