

Enrolled House Bill 2320

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Representative Jason Kropf)

CHAPTER

AN ACT

Relating to juvenile justice.

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

SECTION 1. Establishment of commission; membership. (1) The Juvenile Justice Policy Commission is established within the Oregon Criminal Justice Commission to provide data-driven policy recommendations to strengthen public safety and improve youth outcomes in the juvenile justice system of this state.

(2) The Juvenile Justice Policy Commission consists of 17 members who are appointed as follows:

(a) The Governor shall appoint, subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565:

- (A) One representative of the Oregon Youth Authority;**
- (B) One representative of the Department of Human Services;**
- (C) One representative of the Department of Education;**
- (D) Two directors of county juvenile departments;**
- (E) One representative of the office of public defense services with experience in juvenile delinquency, or that person's designee;**
- (F) One representative of the Oregon District Attorneys Association with experience prosecuting juvenile delinquency, or that person's designee;**
- (G) One representative of a youth advocacy organization;**
- (H) One representative of a victim advocacy organization;**
- (I) One person who is a member of a federally recognized Indian tribe in this state, or that person's designee; and**
- (J) Two members of the public, one member having experience with the juvenile justice system as a youth and one member having experience as the family member of a youth in the juvenile justice system.**

(b) The President of the Senate shall appoint two members of the Senate, each member being of a different political party, who shall be nonvoting members serving ex officio.

(c) The Speaker of the House of Representatives shall appoint two members of the House of Representatives, each member being of a different political party, who shall be nonvoting members serving ex officio.

(d) The Chief Justice of the Supreme Court shall appoint one representative of the Judicial Department.

(3) Members who are appointed to the Juvenile Justice Policy Commission shall be appointed with consideration to geographical, racial, ethnic and gender diversity.

(4) The term of office of each member of the Juvenile Justice Policy Commission other than a legislative member is four years. The term of office for a legislator who is appointed ex officio under subsection (2) of section is four years or the end of the legislator's term, whichever comes first. Before the expiration of the term of a member, the appointing authority shall appoint a successor whose term begins immediately upon the expiration of the term of the current member. A member is eligible for reappointment, but may serve no more than two consecutive terms. If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term, which shall not count toward the limitation of two consecutive terms under this subsection.

(5) A voting member of the Juvenile Justice Policy Commission who is not an employee of the state is entitled to compensation and expenses as provided in ORS 292.495. A voting member of the commission who is an employee of the state, other than a legislator member, is not entitled to compensation, but may be reimbursed from funds available to the commission for actual and necessary travel and other expenses incurred by the member in the performance of the member's official duties in the manner and amount provided in ORS 292.495. Claims for compensation and expenses incurred in performing the functions of the commission shall be paid out of funds appropriated to the commission for that purpose.

(6) A legislative member of the Juvenile Justice Policy Commission is entitled to payment of compensation and expenses under ORS 171.072 from funds appropriated to the Legislative Assembly.

SECTION 2. Initial terms. Notwithstanding the term of office specified by section 1 of this 2023 Act, of the voting members first appointed to the Juvenile Justice Policy Commission:

(1) Three shall serve for a term ending January 1, 2025.

(2) Five shall serve for a term ending January 1, 2026.

(3) Five shall serve for a term ending January 1, 2027.

SECTION 3. Officers; quorum; meetings. (1) The Governor shall select one of the voting members of the Juvenile Justice Policy Commission as a chairperson who shall serve at the pleasure of the Governor. The term of the chairperson is one year. A person may be reappointed as chairperson for no more than two consecutive years.

(2) The members of the commission shall select one of the voting members as a vice chairperson.

(3) A majority of the members of the commission constitutes a quorum for the transaction of business.

(4) The commission shall meet at least four times per year at a time and place determined by the commission. The commission also may meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission.

(5) The Oregon Criminal Justice Commission shall provide staff support to the Juvenile Justice Policy Commission.

SECTION 4. Duties. (1) The Juvenile Justice Policy Commission shall analyze the juvenile justice system at the state and local levels and across branches of government in this state to provide recommendations for improvements in law, policy, practice and appropriation to improve public safety, youth outcomes and system disparities. In conducting its analysis the commission shall oversee data-driven and qualitative analysis to examine:

(a) Key drivers of system involvement and opportunities for improved diversion and restorative justice;

(b) Drivers of detention and residential placement and any available or needed alternatives to detention and residential placement;

(c) Policies and practices of assessment, court process, community supervision and re-entry;

(d) Service delivery for youth under system supervision, including the provision of behavioral health, education, workforce development and other needed services, with evaluation of whether program and support resources are used efficiently and whether collaboration is efficient across service systems;

(e) Racial, ethnic and other forms of disparities among youth impacted by the juvenile justice system;

(f) Efficiency and effectiveness of state and county quality assurance, data collection and reporting and oversight systems;

(g) Opportunities for better alignment with constitutional mandates, local and national best practices and research;

(h) Public safety within the context of personal responsibility, accountability and reformation; and

(i) Victim rights.

(2) Using the analysis described in subsection (1) of this section, the Juvenile Justice Policy Commission may:

(a) Recommend legislation, appropriations and administrative policies and practices for statewide adoption;

(b) Assess the impact of current legislation involving juvenile justice and related initiatives;

(c) Develop data-driven best practices, guidance, training and materials for state agencies, juvenile courts, county juvenile departments and practitioners; and

(d) Oversee state and private funding for pilot projects, system innovations and other initiatives through competitive selection processes.

(3) The Juvenile Justice Policy Commission shall provide a report to the Legislative Assembly, in the manner provided in ORS 192.245, by September 1st of every even-numbered year.

(4) All agencies of state government, as defined in ORS 174.111, are directed to assist the Juvenile Justice Policy Commission in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the commission consider necessary to perform their duties.

SECTION 5. Initial report due. The report described in section 4 (3) of this 2023 Act is first due September 1, 2024, and September 1 of every even-numbered year thereafter.

SECTION 6. Appropriation. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Criminal Justice Commission, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$397,532, which may be expended for research, policy consultation and support for the Juvenile Justice Policy Commission.

SECTION 7. Repeals. (1) Section 2 of this 2023 Act is repealed on January 2, 2029.

(2) Section 5 of this 2023 Act is repealed on January 2, 2025.

SECTION 8. Captions. The section captions used in this 2023 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.

Passed by House June 7, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 22, 2023

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Rob Wagner, President of Senate

Received by Governor:

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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