

Enrolled
Senate Bill 903

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER

AN ACT

Relating to diversity of Oregon Youth Authority staff; amending ORS 420A.010.

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

SECTION 1. ORS 420A.010, as amended by section 3, chapter 39, Oregon Laws 2022, is amended to read:

420A.010. (1) The Oregon Youth Authority is established. The youth authority shall:

(a) Supervise the management and administration of youth correction facilities, state parole and probation services, community out-of-home placement for adjudicated youths committed to its legal custody and other functions related to state programs for youth corrections;

(b) Provide capital improvements and capital construction necessary for the implementation of all youth correction facilities;

(c) Carry out dispositions of adjudicated youths committed to its legal custody;

(d) Exercise custody and supervision over those adjudicated youths committed to the youth authority by order of the juvenile court and persons placed in the physical custody of the youth authority under ORS 137.124 or other statute until the time that a lawful release authority authorizes release or terminates the commitment or placement;

(e) Provide adequate food, clothing, health and medical care, sanitation and security for confined adjudicated youths and others in youth authority custody;

(f) Provide adjudicated youths and others in youth authority custody with opportunities for self-improvement and work; and

(g) Conduct investigations and prepare reports for release authorities.

(2) To meet the individual circumstances of each person committed to its custody, the youth authority shall:

(a) Develop a flexible fee-for-service provider system that can respond quickly to each person's identified and changing circumstances; and

(b) Develop a process for joint state and county review of contracts entered into under subsection (6)(b) of this section and paragraph (a) of this subsection based on:

(A) Measurable outcomes, which must include in dominant part the reduction of future criminal or antisocial conduct and which also must include:

(i) Academic progress;

(ii) Social adjustments;

(iii) Behavioral improvements;

(iv) Rearrests; and

(v) Other measurements as determined by the youth authority;

(B) Performance measurements including:

- (i) Fiscal accountability;
- (ii) Compliance with state and federal regulations;
- (iii) Record keeping, including data collection and management; and
- (iv) Reporting; and
- (C) Provision of services identified under the reformation plan.

(3) In order to measure performance as required in subsection (2) of this section, the youth authority shall require parties to the contracts to compile, manage and exchange data to the extent of available information systems resources to facilitate the measurement of outcomes including, but not limited to, reduction in future criminal or antisocial conduct.

(4) The youth authority may administer a program of state assistance to counties for the construction and operation of local youth detention facilities or to purchase detention services.

(5) The youth authority shall accept and exercise legal or physical custody of adjudicated youths and others 12 years of age and over and under 25 years of age who are committed to, or placed with, the youth authority pursuant to:

- (a) A juvenile court adjudication and disposition under ORS chapter 419C; or
- (b) ORS 137.124.

(6)(a) The youth authority shall cooperate with and assist county governments and juvenile departments in carrying out the principles and purposes of the juvenile justice system as provided in ORS 419C.001.

(b) The youth authority is authorized to contract with counties, groups of counties or private providers to administer juvenile corrections programs and services as provided in ORS 420.017, 420.019, 420A.145 and 420A.155 (1) to (4).

(c) The youth authority may provide consultation services related to the juvenile justice system to local or statewide public or private agencies, groups and individuals or may initiate such consultation services. Consultation services include, but are not limited to, conducting studies and surveys, sponsoring or participating in educational programs and providing advice and assistance. Nothing in ORS 419C.001 and 420A.005 to 420A.155 is intended to diminish the state's efforts to plan, evaluate and deliver effective human services programs to adjudicated youths, either in a youth correction facility or on probation or parole. Therefore, the Oregon Youth Authority and the Department of Human Services shall jointly develop and implement needed social and rehabilitative services.

(7) The youth authority is the recipient of all federal funds paid or to be paid to the state to enable the state to provide youth correction programs and services assigned to the Department of Human Services prior to January 1, 1996.

(8) The youth authority shall report its progress in implementing the provisions of chapter 422, Oregon Laws 1995, to the Legislative Assembly at each odd-numbered year regular session.

(9) The equal access provisions of ORS 417.270 apply to the youth authority's development and administration of youth correction facilities, programs and services, including the development and implementation of the diversion plan described in ORS 420.017.

(10)(a) The youth authority shall:

[(a)] (A) Be cognizant of and sensitive to the issue of overrepresentation of minority adjudicated youths in youth correction facilities;

[(b)] (B) Endeavor to develop and operate, and require its subcontractors to develop and operate, culturally appropriate programs for adjudicated youths; and

[(c)] (C)(i) Keep data reflecting the **demographics, including race**, ethnicity and gender, of all adjudicated youths committed to its care[.];

(ii) Keep data reflecting the demographics, including race, ethnicity and gender, of youth authority employees;

(iii) Keep data as necessary to monitor the measurable outcomes described in subsection (2)(b)(A) of this section; and

(iv) Regularly review and compare the measurable outcomes described in subsection (2)(b)(A) of this section with rates of recidivism, as defined by the youth authority under

ORS 420A.012, and analyze the disparities in outcomes based on the demographics of the persons in the youth authority's custody.

(b) In the development of the programs described in paragraph (a)(B) of this subsection, the youth authority shall take into consideration the demographic disparities among adjudicated youths and between adjudicated youths and youth authority employees and how those disparities may affect the cultural appropriateness of the programs.

(11) The youth authority may make financial grants to local units of government, nonprofit organizations and individuals from funds appropriated to the youth authority by the Legislative Assembly to meet the treatment and care needs of adjudicated youths committed to the custody of the youth authority to be able to respond quickly to each adjudicated youth's identified and changing circumstances.

(12) The youth authority is a designated agency as defined in ORS 181A.010.

Passed by Senate March 21, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 9, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M,....., 2023

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