

# Senate Bill 904

Sponsored by COMMITTEE ON JUDICIARY

## 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 **as introduced**.

Modifies criteria for determining maximum allowable population levels for youth correction facilities.

## A BILL FOR AN ACT

1  
2 Relating to youth correction facility staffing levels; amending ORS 420.081.

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

4 **SECTION 1.** ORS 420.081 is amended to read:

5 420.081. (1) The total population of adjudicated youths confined in the youth correction facilities  
6 may not exceed the design capacity of the facilities designated for close custody purposes by the  
7 Director of the Oregon Youth Authority. The total population limit shall include adjudicated youths  
8 in the youth correction facility who were waived by the juvenile court to be prosecuted as adults.

9 (2) The director by rule shall determine reasonable standards for care and treatment of adjudi-  
10 cated youths housed in youth correction facilities[. *Within the total limit established under subsection*  
11 *(1) of this section, the Director of the Oregon Youth Authority*] **and** shall establish and impose a  
12 maximum allowable population level for each youth correction facility. The maximum allowable  
13 population [*shall*] **level:**

14 (a) **May** not exceed the design capacity for the facility [*and shall be further*];

15 (b) **Must be** limited by the ability of the facility to meet the standard of care and treatment  
16 established by rule under this subsection, protect communities, hold adjudicated youths accountable  
17 for their behavior and improve the competency of adjudicated youths to become responsible and  
18 productive members of their communities[.]; **and**

19 (c) **Must be consistent with a minimum ratio of population to staff assigned primarily or**  
20 **exclusively for supervision and control of youths, as determined by the director by rule.**

21 (3) The director by rule shall establish criteria upon which the decision to place a youth in a  
22 youth correction facility must be based, and which, in turn, shall be based upon behaviors and  
23 characteristics of youths otherwise eligible for commitment to a youth correction facility.

24 (4) After conferring with the juvenile court judges, the director shall develop and implement by  
25 rule, a method of controlling admissions to the youth correction facilities so as not to exceed max-  
26 imum levels determined under subsections (1) and (2) of this section.

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**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.