

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 904**

1 Delete lines 4 through 26 of the printed bill and insert:

2 **“SECTION 1.** ORS 420.081 is amended to read:

3 “420.081. (1) The total population of adjudicated youths confined in the  
4 youth correction facilities may not exceed the design capacity of the facili-  
5 ties designated for close custody purposes by the Director of the Oregon  
6 Youth Authority. The total population limit shall include [*adjudicated youths*  
7 *in the youth correction facility who were waived by the juvenile court to be*  
8 *prosecuted as adults.*] **persons placed in the physical custody of the**  
9 **Oregon Youth Authority under ORS 137.124.**

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

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

18 **“(b) Must be** limited by the ability of the facility to meet the standard  
19 of care and treatment established by rule under this subsection, protect  
20 communities, hold adjudicated youths accountable for their behavior and  
21 improve the competency of adjudicated youths to become responsible and

1 productive members of their communities[.]; and

2 **“(c) Must take into consideration the ratio of population to staff**  
3 **assigned primarily or exclusively for supervision and control of adju-**  
4 **dicated youth.**

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

9 “(4) After conferring with the juvenile court judges, the director shall  
10 develop and implement by rule, a method of controlling admissions to the  
11 youth correction facilities so as not to exceed maximum levels determined  
12 under subsections (1) and (2) of this section.”

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