



SB 904 -1 – Youth Correction Facility Staffing Levels

Senate Committee on Judiciary | March 15, 2023

Support SB 904 -1

[SB 904-1](#) modifies the criteria for determining the maximum allowable population levels for youth correction facilities and allows all youth in care to be considered in setting the maximum population.

What the bill does

SB 904-1 updates the statute for Oregon Youth Authority (OYA) to include consideration of staffing ratios when determining a maximum population in youth correction facilities. The update in SB 904-1 increases transparency and alignment of law, rule and policy. It also allows for better adaptability of maximum population to changes in regulations, population, and budget.

Current law — found in Juvenile Corrections Population ORS 420.081: Population limits; controlling admissions; rules — directs the OYA director to determine a maximum population level and includes the factors to consider, as well as direction to set forth more detail in rule. Current factors limiting population include design capacity and reasonable standards for care and treatment of youth. The criteria used to establish a maximum population level must protect communities, hold youth accountable for their behavior, and improve the competency of youth to become responsible and productive members of their communities.

SB 904-1 adds that the maximum population level, “Must take into consideration the ratio of population to staff assigned primarily or exclusively for supervision and control of adjudicated youth.” This language encompasses and solely speaks to front-line staff, referred to as Group Life Coordinators or GLCs. The language comes from the Prison Rape Elimination Act (PREA), a federal law intended to deter sexual assault of people in custody. The staff-to-youth ratio is a component of federal PREA audits.

In addition, SB 904-1, makes a technical fix. Over the last few years as the term youth offender was changed to adjudicated youth and changes were made in juvenile sentencing laws, OYA statutes were changed and resulted in an error - the ability for the OYA director to consider the DOC youth population was dropped from statute. SB 904-1 allows for all youth that are committed to OYA to be included in reviewing youth needs and in the factors to set the maximum capacity.

Background

OYA sets the maximum allowable close-custody youth population level and operating capacity by living unit and facility. OYA policy also puts in place a process to monitor levels and approve temporary adjustments.



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OYA and the Oregon Legislature, through the Ways and Means Subcommittee on Public Safety, monitor population levels and staffing when adopting the biennial budget. Our direction is to bring Oregon into alignment and compliance with PREA staffing standards and monitor for impacts on safety and youth outcomes in having fewer youth per unit.

Current national best practice in juvenile justice settings is to have no more than 12 to 14 youth living together in a living unit. Staff-to-youth ratio requirements in national PREA standards also emphasize smaller youth group settings with 1:8 during youth waking hours, and 1:16 during youth sleeping hours. OYA further recognizes the positive physical health impacts of having smaller numbers of youth living together to control the potential spread of communicable diseases or infections (e.g., during a pandemic or flu season).

In accordance with ORS 420.081 and OAR 416-410-0060, the OYA director has set a maximum allowable population level for each youth correction facility within its design capacity while striving to follow the guidelines mentioned above without adding buildings/structures or hiring more staff.

The operating capacity may change due to statewide juvenile justice system and funding impacts. It will need to be adjusted should population increase in total, and/or if a certain population increase creates a demand on types of units by treatment or gender, or as the budget allocation of staff and/or beds changes within the legislative process. While there are criteria to use to set the maximum population level, it is also reactive to juvenile justice system and funding impacts.

Other Resources

- [OAR 416-410-0060](#): Standards of Care and Treatment
- [OYA Policy II-E-3.2](#): Maximum Allowable Population Levels within Close-custody Facilities
- Information on Small and Safe Budget Note and Outcome Measures to Ways and Means Joint Subcommittee on Public Safety – 2022 reports.
 - <https://olis.oregonlegislature.gov/liz/2022R1/Downloads/CommitteeMeetingDocument/253185>
 - <https://olis.oregonlegislature.gov/liz/2022R1/Downloads/CommitteeMeetingDocument/253330>



OREGON YOUTH AUTHORITY
Policy Statement
Part II – Youth Services (Facilities)



Subject:

Maximum Allowable Population Levels within Close-custody Facilities

Section – Policy Number:

E: Programming – 3.2

Supersedes:

N/A

Effective Date:

02/01/2021

Date of Last Review:

02/01/2023

Related Standards and References:

- [ORS 420A](#) Oregon Youth Authority; Youth Correction Facilities
- [ORS 420.081](#) Population limits; controlling admissions; rules.
- [OAR 416-410](#) Close Custody Population
- [OYA policy: II-E-4.0](#) Interfacility Transfer Requests
- [Attachment A](#): Close-custody Facilities – Operating Capacity
- [Attachment B](#): Close-custody Facilities – Maximum Allowable Population Level

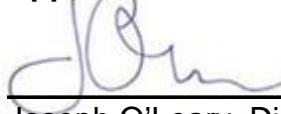
Related Procedures:

- None

Policy Owner:

Facility Services Assistant Director

Approved:



 Joseph O'Leary, Director

I. PURPOSE:

This policy sets OYA's maximum allowable close-custody youth population level and operating capacity by living unit and facility. A process to monitor levels and approve temporary adjustments is also delineated.

II. POLICY DEFINITIONS:

Agency Case Review Committee (ACR): A committee that conducts the executive-level review of all specified youth and their identified movements within and from OYA facilities, including the early transfer of DOC youth to the Department of Corrections. The committee has a minimum of two representatives from OYA's executive team comprised of at least two assistant directors.

Close custody: The OYA placement designation for youth who are committed to OYA legal custody or transferred to OYA physical custody, and reside in youth correction facilities.

Intake Review Committee (IRC): An agency committee that reviews all youth who are admitted for intake into a youth correction facility (excluding Oak Creek YCF) from the community to determine the youth's initial facility placement. The

committee voting members are the Facility Services chief of operations and the Community Services chief of parole/probation operations.

Maximum allowable population level: The maximum number of youth the OYA director has allowed to reside in a youth correctional facility while meeting an established standard of care and treatment within the facility's design capacity.

Operating capacity: The maximum number of youth authorized for a living unit's regular operations. Includes a percentage of unassigned beds in the living unit to allow for population flexibility, ensuring all youth have reasonable access to services their treatment teams have deemed required.

III. POLICY:

The Oregon Youth Authority has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. Establishing maximum allowable populations for close-custody facilities will help OYA provide services to its youth in a more equitable way by distributing staff and resources consistently across the close-custody system.

OYA's Positive Human Development (PHD) culture recognizes that appropriate use of living unit building design and numbers of youth in one living area supports physical and emotional safety and security, allows caring and supportive relationships to develop, and promotes a community connection. All of these concepts help youth develop in a positive way.

Current national best practice in juvenile justice settings is to have no more than 12 to 14 youth living together in one area. Staff-to-youth ratio requirements in national Prison Elimination Act (PREA) Standards also emphasize smaller youth group settings with 1:8 during youth waking hours, and 1:16 during youth sleeping hours. OYA further recognizes the positive physical health impacts of having smaller numbers of youth living together to control the potential spread of communicable diseases or infections (e.g., during a pandemic or flu season).

In accordance with ORS 420.081 and OAR 416-410-0060, the OYA director has set a maximum allowable population level for each youth correction facility within its design capacity while striving to follow the guidelines mentioned above without adding buildings/structures or hiring more staff. The director has also set an operating capacity for each facility as a way to incrementally reduce living unit size to ultimately operate within the guidelines mentioned above. The operating capacity may change due to statewide juvenile justice system impacts.

IV. GENERAL STANDARDS:

- A. The director has set the maximum allowable population levels and operating capacities for each close-custody facility, as listed in [Attachment A](#) and [Attachment B](#).

- B. Facility Services and Community Services management teams will collaborate with Oregon’s juvenile justice partners to maintain close-custody living unit populations at their operating capacity levels whenever possible to ensure healthy physical distancing, while increasing staff-to-youth ratios and positive relationships.
- C. The superintendent or camp director must manage the facility’s population level within the levels established by the director.

- 1. Superintendents and camp directors may authorize youth living unit movements within their own facilities if the living unit population level remains at or below the established operating capacity listed in [Attachment A](#).
- 2. If a superintendent or camp director needs to increase the operating capacity of a living unit, they must submit a written request to the Intake Review Committee (IRC).

The request must contain the following information:

- a) The reason for the request;
 - b) The expected length of time that the increase will be needed; and
 - c) Any alternative options or proposed solutions to resolve the operating capacity increase.
- 3. The IRC must document any approved changes to the operating capacity in a tracking document.

- D. The IRC must manage the youth close-custody intake population and movements to maintain equity across the close-custody system.

- 1. Each week the IRC must:
 - a) Review the close-custody population level (each facility, and each living unit population) prior to making new assignments from intake; and
 - b) Make every effort to maintain the population principles of family and regional preference, attaching and belonging, effective transitions, MDT recommendations, and data-informed decisions.
- 2. The IRC must submit any requests to increase a living unit or facility’s maximum allowable population level ([Attachment B](#)) to the Agency Case Review Committee (ACR) for approval.

The request must contain the following information:

- a) The reason for the request;

- b) The expected length of time that the increase will be needed; and
 - c) Any alternative options or proposed solutions to resolve the maximum allowable population level increase.
- E. The ACR committee must consider the following when deciding whether to forward a recommendation to increase a maximum allowable population level(s) to the OYA director:
 - 1. Total number of youth in the close-custody population;
 - 2. Total number of youth in residential substitute care;
 - 3. Total number of youth in each close-custody facility;
 - 4. Number of potential youth entering the system (e.g., in juvenile detention, or by parole revocation);
 - 5. Individual youth needs;
 - 6. MDT recommendations;
 - 7. IRC recommendations;
 - 8. Potential negative impact on youth from underserved communities;
 - 9. Potential duration of population level increase; and
 - 10. Potential for long- or short-term trends.
- F. The OYA director must approve or deny requests submitted by the ACR committee to temporarily change a facility's maximum allowable population level listed in [Attachment B](#).

The IRC must document any approved changes to the maximum allowable population in a tracking document.
- G. This policy must be reviewed by the policy owner every six months for any needed revisions.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO

Attachment A: Close-custody Facilities – Operating Capacity

Facility/Living Unit	Facility Operating Population	Living Unit Operating Population
Camp Florence	18	18
Camp River Bend	20	20
Camp Tillamook	18	18
Oak Creek YWTP	14	14
Eastern Oregon	36	
Unit A		18
Unit B		18
MacLaren	216	
Crater		18
Dunes		18
Fossil		18
Granite		18
Haystack		18
Jasper		18
Lake		18
Maple		15
Noble		15
Oak		15
Pacific		15
Rockaway		15
Summit		15
Oak Creek YCF	40	
Aspen		20
Cedar		20
Rogue Valley	72	
Alpha		18
Bravo		18
Charlie		18
Delta		18
Tillamook	36	
Orca		18
Trask		18
Total Male	416	
Total Female	54	
Total Operating Capacity	470	470

Attachment B: Close-custody Facilities - Maximum Allowable Population Level

Facility/Living Unit	Facility Maximum Population	Living Unit Maximum Population
Camp Florence	20	20
Camp River Bend	25	25
Camp Tillamook	20	20
Oak Creek YWTP	14	14
Eastern Oregon	40	
Unit A		20
Unit B		20
MacLaren	236	
Crater		20
Dunes		20
Fossil		20
Granite		20
Haystack		20
Jasper		20
Lake		20
Maple		16
Noble		16
Oak		16
Pacific		16
Rockaway		16
Summit		16
Oak Creek YCF	50	
Aspen		25
Cedar		25
Rogue Valley	80	
Alpha		20
Bravo		20
Charlie		20
Delta		20
Tillamook	40	
Orca		20
Trask		20
Total Male	461	
Total Female	64	
Total Allowable Population	525	525