

HB 2804 A STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/15, 4/22

WHAT THE MEASURE DOES:

The measure consolidates the adult and juvenile panels of the Psychiatric Security Review Board into one panel of five members and one alternate and requires the Board to have as a member or consult a person with specified juvenile experience when it hears juvenile cases.

Detailed Summary

Consolidates the adult and juvenile panels of the Psychiatric Security Review Board ("the Board") from two panels of five members to one panel of five members by removing the following positions from the Board:

- removes the child psychiatrist position,
- removes the child psychologist position,
- removes the juvenile parole and probation position,
- removes the juvenile law attorney position, and
- reduces the number of general public positions from two to one.

Replaces references to the juvenile panel of the Board with references solely to the Board and makes other changes to consolidate the two panels. Transfers all current cases before the juvenile Board to the single panel of the Board on passage. Requires the Board to appoint a child psychiatrist or psychologist with juvenile system experience to review exhibits and submit a report to the Board for certain Board hearings involving youth if there is not already a person with those qualifications on the Board.

Declares emergency, effective on passage.

HOUSE VOTE: Ayes, 56; Excused, 4

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Composition of the Board's two panels and scope of duties
- Modification of the measure to maintain some requirements for youth-related experience
- Appointment process for the Board members, including the opportunity for public input
- Possible differences in application of the Board's standards for adults compared to youth
- Current number of adults and youth subject to the Board's jurisdiction
- Training for and role of members as weighers of evidence
- Expertise needed in juvenile issues

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Psychiatric Security Review Board is established by ORS 161.385 and is made up of two five-member panels whose duties include the oversight of people who have been found guilty except for insanity, responsible except for insanity (for juveniles), or who have been committed as extremely dangerous persons under ORS

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426.701 and 426.702. The Board's members are appointed by the Governor and confirmed by the Oregon Senate and include psychiatrists, psychologists, lawyers, parole and probation employees, and members of the general public.

Currently, the Board's juvenile panel oversees young persons placed under the Board's jurisdiction under ORS 419C.529, while the adult panel oversees all others under the Board's jurisdiction. House Bill 2804 A would consolidate the two panels into one panel that would oversee both adult and juvenile cases and would require the Board to either have a member who is a child psychiatrist or psychologist or to appoint a child psychiatrist or psychologist to submit a report in cases involving juveniles.

PRELIMINARY