

Senate Bill 816

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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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act updates laws about youth diversion plans and basic services to prevent crimes by children. (Flesch Readability Score: 63.6).

Modifies provisions of law regarding local juvenile diversion plans and plans for juvenile crime prevention basic services.

A BILL FOR AN ACT

1
2 Relating to youth; amending ORS 420.005, 420.017 and 420.019.

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

4 **SECTION 1.** ORS 420.005 is amended to read:

5 420.005. As used in ORS 420.005 to 420.048, 420.060 to 420.275, 420.810 to 420.840, 420.905 to
6 420.915 and 420A.300 to 420A.315, unless the context requires otherwise:

7 (1) "Adjudicated youth" has the meaning given that term in ORS 419A.004.

8 (2) "Design capacity" means the number of adjudicated youths or other persons a youth cor-
9 rection facility is able to hold based on applicable safety codes and standards.

10 (3) "Director" means the Director of the Oregon Youth Authority.

11 **(4) "Youth" has the meaning given that term in ORS 419A.004.**

12 [(4)] **(5)** "Youth authority" means the Oregon Youth Authority.

13 [(5)] **(6)** "Youth correction facility" means a facility used for the confinement of adjudicated
14 youths and other persons placed in the legal or physical custody of the youth authority and includes
15 secure regional youth facilities, regional youth accountability camps, regional residential academies
16 and satellites, camps and branches of those facilities.

17 **SECTION 2.** ORS 420.017 is amended to read:

18 420.017. (1) The Oregon Youth Authority shall work collaboratively with the juvenile depart-
19 ments to divert **youths and** adjudicated youths from commitment to [the] youth correction facilities
20 to alternative community services.

21 (2) The juvenile departments shall develop [a plan] **local diversion plans** for services needed to
22 divert the commitment of [youth] **youths and adjudicated youths** from [the] youth correction facil-
23 ities, and how these services are to be administered if funds are provided. [The] **A local diversion**
24 plan must include the process the juvenile [departments] **department** will use to provide hearings
25 officers and to conduct preliminary parole revocation hearings.

26 (3) The youth authority shall administer and coordinate [the] local juvenile diversion plans and
27 **plans for** juvenile crime prevention basic services, **as described by the youth authority by rule,**
28 with county juvenile departments. Juvenile crime prevention basic services may [be used for] in-

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.

1 **clude** detention and other juvenile department services.

2 (4) The youth authority, in consultation with county juvenile departments and the Youth De-
 3 velopment Division, shall adopt rules to coordinate and align the high-risk juvenile crime prevention
 4 plans **developed under ORS 417.855[,] and** the juvenile diversion plans and *[the]* **plans for** juvenile
 5 crime prevention basic services **described in this section.**

6 **SECTION 3.** ORS 420.019 is amended to read:

7 420.019. (1)(a) The Oregon Youth Authority may contract with the governing body of a county
 8 or two or more counties, if the counties have joined together as a consortium or region, for imple-
 9 menting the diversion plan described in ORS 420.017.

10 (b) A county or counties that contract with the Oregon Youth Authority under this section shall
 11 have access to a continuum of out-of-home placement options including, but not limited to, youth
 12 correction facilities and substitute care placements, as defined by the youth authority by rule.

13 (c) The state and county may agree that the governing body of the county or counties may
 14 subcontract for services or that the state will provide services or that the county or counties may
 15 subcontract for some services and the state provide other services as stipulated in the contract with
 16 the youth authority.

17 (d) The youth authority is responsible for providing financial oversight and administration of
 18 contracts and financial oversight of subcontracts.

19 (e) The funds provided to implement the diversion plan or provide for out-of-home placement may
 20 not be used by a county to supplant moneys otherwise provided to the county juvenile department
 21 for services to **youths and** adjudicated *[youth]* **youths.**

22 (2)(a) The Oregon Youth Authority shall enter into intergovernmental agreements with a county
 23 or, if the counties have joined together as a consortium or region, two or more counties to delineate
 24 specific duties necessary to carry out the diversion plan described in ORS 420.017.

25 (b) The intergovernmental agreement must define the responsibilities of the youth authority and
 26 the county or counties and support the mission of the youth authority and the county or counties,
 27 taking into consideration public safety, equitable services for **youths and** adjudicated youths and
 28 counties, geographic considerations and staffing and funding levels for the youth authority and the
 29 county or counties.

30 (c) The intergovernmental agreement may authorize the performance or transfer of probation
 31 and parole services between the youth authority and the county or counties.

32 (3) The Oregon Youth Authority shall adopt rules, in consultation with the county juvenile de-
 33 partments, to ensure equitable access to a continuum of out-of-home placement options among con-
 34 tracting counties and to develop performance metrics for the diversion plans.