

SENATE AMENDMENTS TO SENATE BILL 818

By COMMITTEE ON JUDICIARY

March 10

1 On page 1 of the printed bill, delete lines 4 through 28 and delete pages 2 and 3 and insert:

2 “**SECTION 1.** ORS 420A.010 is amended to read:

3 “420A.010. (1) The Oregon Youth Authority is established. The youth authority shall:

4 “(a) Supervise the management and administration of youth correction facilities, state parole
5 and probation services, community out-of-home placement for adjudicated youths committed to its
6 legal custody and other functions related to state programs for youth corrections;

7 “(b) Provide capital improvements and capital construction necessary for the implementation of
8 all youth correction facilities;

9 “(c) Carry out dispositions of adjudicated youths committed to its legal custody;

10 “(d) Exercise custody and supervision over those adjudicated youths committed to the youth
11 authority by order of the juvenile court and persons placed in the physical custody of the youth
12 authority under ORS 137.124 or other statute until the time that a lawful release authority author-
13 izes release or terminates the commitment or placement;

14 “(e) Provide adequate food, clothing, health and medical care, sanitation and security for con-
15 fined adjudicated youths and others in youth authority custody;

16 “(f) Provide adjudicated youths and others in youth authority custody with opportunities for
17 self-improvement and work; and

18 “(g) Conduct investigations and prepare reports for release authorities.

19 “(2) To meet the individual circumstances of each person committed to its custody, the youth
20 authority shall:

21 “(a) Develop a [*flexible fee-for-service provider*] system **of providers** that can respond [*quickly*]
22 to each person’s [*identified and changing*] **individual** circumstances; and

23 “(b) Develop a process for joint state and county review of contracts entered into under sub-
24 section (6)(b) of this section and paragraph (a) of this subsection based on:

25 “(A) Measurable outcomes, which must include in dominant part the reduction of future criminal
26 or antisocial conduct and which also must include:

27 “(i) Academic progress;

28 “(ii) Social adjustments;

29 “(iii) Behavioral improvements;

30 “(iv) Rearrests; and

31 “(v) Other measurements as determined by the youth authority;

32 “(B) Performance measurements including:

33 “(i) Fiscal accountability;

34 “(ii) Compliance with state and federal regulations;

35 “(iii) Record keeping, including data collection and management; and

1 “(iv) Reporting; and
2 “(C) Provision of services identified under the reformation plan.
3 “(3) In order to measure performance as required in subsection (2) of this section, the youth
4 authority shall require parties to the contracts to compile, manage and exchange data to the extent
5 of available information systems resources to facilitate the measurement of outcomes including, but
6 not limited to, reduction in future criminal or antisocial conduct.
7 “(4) The youth authority may administer a program of state assistance to counties for the con-
8 struction and operation of local youth detention facilities or to purchase detention services.
9 “(5) The youth authority shall accept and exercise legal or physical custody of adjudicated
10 youths and others 12 years of age and over and under 25 years of age who are committed to, or
11 placed with, the youth authority pursuant to:
12 “(a) A juvenile court adjudication and disposition under ORS chapter 419C; or
13 “(b) ORS 137.124.
14 “(6)(a) The youth authority shall cooperate with and assist county governments and juvenile
15 departments in carrying out the principles and purposes of the juvenile justice system as provided
16 in ORS 419C.001.
17 “(b) The youth authority is authorized to contract with counties, groups of counties or private
18 providers to administer juvenile corrections programs and services as provided in ORS 420.017,
19 420.019, 420A.145 and 420A.155 (1) to (4).
20 “(c) The youth authority may provide consultation services related to the juvenile justice system
21 to local or statewide public or private agencies, groups and individuals or may initiate such con-
22 sultation services. Consultation services include, but are not limited to, conducting studies and
23 surveys, sponsoring or participating in educational programs and providing advice and assistance.
24 Nothing in ORS 419C.001 and 420A.005 to 420A.155 is intended to diminish the state’s efforts to plan,
25 evaluate and deliver effective human services programs to adjudicated youths, either in a youth
26 correction facility or on probation or parole. Therefore, the Oregon Youth Authority and the De-
27 partment of Human Services shall jointly develop and implement needed social and rehabilitative
28 services.
29 “(7) The youth authority is the recipient of all federal funds paid or to be paid to the state to
30 enable the state to provide youth correction programs and services assigned to the Department of
31 Human Services prior to January 1, 1996.
32 “(8) The youth authority shall report its progress in implementing the provisions of chapter 422,
33 Oregon Laws 1995, to the Legislative Assembly at each odd-numbered year regular session.
34 “(9) The equal access provisions of ORS 417.270 apply to the youth authority’s development and
35 administration of youth correction facilities, programs and services, including the development and
36 implementation of the diversion plan described in ORS 420.017.
37 “(10)(a) The youth authority shall:
38 “(A) Be cognizant of and sensitive to the issue of overrepresentation of minority adjudicated
39 youths in youth correction facilities;
40 “(B) Endeavor to develop and operate, and require its subcontractors to develop and operate,
41 culturally appropriate programs for adjudicated youths; and
42 “(C)(i) Keep data reflecting the demographics, including race, ethnicity and gender, of all adju-
43 dicated youths committed to its care;
44 “(ii) Keep data reflecting the demographics, including race, ethnicity and gender, of youth au-
45 thority employees;

1 “(iii) Keep data as necessary to monitor the measurable outcomes described in subsection
2 (2)(b)(A) of this section; and

3 “(iv) Regularly review and compare the measurable outcomes described in subsection (2)(b)(A)
4 of this section with rates of recidivism, as defined by the youth authority under ORS 420A.012, and
5 analyze the disparities in outcomes based on the demographics of the persons in the youth
6 authority’s custody.

7 “(b) In the development of the programs described in paragraph (a)(B) of this subsection, the
8 youth authority shall take into consideration the demographic disparities among adjudicated youths
9 and between adjudicated youths and youth authority employees and how those disparities may affect
10 the cultural appropriateness of the programs.

11 “(11) [*The youth authority may make financial grants to local units of government, nonprofit or-*
12 *ganizations and individuals from funds appropriated to the youth authority by the Legislative Assembly*
13 *to meet the treatment and care needs of adjudicated youths committed to the custody of the youth au-*
14 *thority to be able to respond quickly to each adjudicated youth’s identified and changing*
15 *circumstances] **The youth authority may make financial grants from funds appropriated to the**
16 **youth authority to carry out the duties, functions and powers vested in the youth**
17 **authority.***

18 “(12) The youth authority is a designated agency as defined in ORS 181A.010.”.

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