

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 818**

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

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

4 “420A.010. (1) The Oregon Youth Authority is established. The youth  
5 authority shall:

6 “(a) Supervise the management and administration of youth correction  
7 facilities, state parole and probation services, community out-of-home place-  
8 ment for adjudicated youths committed to its legal custody and other func-  
9 tions related to state programs for youth corrections;

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

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

14 “(d) Exercise custody and supervision over those adjudicated youths  
15 committed to the youth authority by order of the juvenile court and persons  
16 placed in the physical custody of the youth authority under ORS 137.124 or  
17 other statute until the time that a lawful release authority authorizes release  
18 or terminates the commitment or placement;

19 “(e) Provide adequate food, clothing, health and medical care, sanitation  
20 and security for confined adjudicated youths and others in youth authority  
21 custody;

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

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

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

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

9 “(b) Develop a process for joint state and county review of contracts en-  
10 tered into under subsection (6)(b) of this section and paragraph (a) of this  
11 subsection based on:

12 “(A) Measurable outcomes, which must include in dominant part the re-  
13 duction of future criminal or antisocial conduct and which also must include:

14 “(i) Academic progress;

15 “(ii) Social adjustments;

16 “(iii) Behavioral improvements;

17 “(iv) Rearrests; and

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

19 “(B) Performance measurements including:

20 “(i) Fiscal accountability;

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

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

23 “(iv) Reporting; and

24 “(C) Provision of services identified under the reformation plan.

25 “(3) In order to measure performance as required in subsection (2) of this  
26 section, the youth authority shall require parties to the contracts to compile,  
27 manage and exchange data to the extent of available information systems  
28 resources to facilitate the measurement of outcomes including, but not lim-  
29 ited to, reduction in future criminal or antisocial conduct.

30 “(4) The youth authority may administer a program of state assistance to

1 counties for the construction and operation of local youth detention facilities  
2 or to purchase detention services.

3 “(5) The youth authority shall accept and exercise legal or physical cus-  
4 tody of adjudicated youths and others 12 years of age and over and under  
5 25 years of age who are committed to, or placed with, the youth authority  
6 pursuant to:

7 “(a) A juvenile court adjudication and disposition under ORS chapter  
8 419C; or

9 “(b) ORS 137.124.

10 “(6)(a) The youth authority shall cooperate with and assist county gov-  
11 ernments and juvenile departments in carrying out the principles and pur-  
12 poses of the juvenile justice system as provided in ORS 419C.001.

13 “(b) The youth authority is authorized to contract with counties, groups  
14 of counties or private providers to administer juvenile corrections programs  
15 and services as provided in ORS 420.017, 420.019, 420A.145 and 420A.155 (1)  
16 to (4).

17 “(c) The youth authority may provide consultation services related to the  
18 juvenile justice system to local or statewide public or private agencies,  
19 groups and individuals or may initiate such consultation services. Consulta-  
20 tion services include, but are not limited to, conducting studies and surveys,  
21 sponsoring or participating in educational programs and providing advice  
22 and assistance. Nothing in ORS 419C.001 and 420A.005 to 420A.155 is in-  
23 tended to diminish the state’s efforts to plan, evaluate and deliver effective  
24 human services programs to adjudicated youths, either in a youth correction  
25 facility or on probation or parole. Therefore, the Oregon Youth Authority  
26 and the Department of Human Services shall jointly develop and implement  
27 needed social and rehabilitative services.

28 “(7) The youth authority is the recipient of all federal funds paid or to  
29 be paid to the state to enable the state to provide youth correction programs  
30 and services assigned to the Department of Human Services prior to January

1 1, 1996.

2 “(8) The youth authority shall report its progress in implementing the  
3 provisions of chapter 422, Oregon Laws 1995, to the Legislative Assembly at  
4 each odd-numbered year regular session.

5 “(9) The equal access provisions of ORS 417.270 apply to the youth  
6 authority’s development and administration of youth correction facilities,  
7 programs and services, including the development and implementation of the  
8 diversion plan described in ORS 420.017.

9 “(10)(a) The youth authority shall:

10 “(A) Be cognizant of and sensitive to the issue of overrepresentation of  
11 minority adjudicated youths in youth correction facilities;

12 “(B) Endeavor to develop and operate, and require its subcontractors to  
13 develop and operate, culturally appropriate programs for adjudicated youths;  
14 and

15 “(C)(i) Keep data reflecting the demographics, including race, ethnicity  
16 and gender, of all adjudicated youths committed to its care;

17 “(ii) Keep data reflecting the demographics, including race, ethnicity and  
18 gender, of youth authority employees;

19 “(iii) Keep data as necessary to monitor the measurable outcomes de-  
20 scribed in subsection (2)(b)(A) of this section; and

21 “(iv) Regularly review and compare the measurable outcomes described  
22 in subsection (2)(b)(A) of this section with rates of recidivism, as defined by  
23 the youth authority under ORS 420A.012, and analyze the disparities in out-  
24 comes based on the demographics of the persons in the youth authority’s  
25 custody.

26 “(b) In the development of the programs described in paragraph (a)(B) of  
27 this subsection, the youth authority shall take into consideration the demo-  
28 graphic disparities among adjudicated youths and between adjudicated  
29 youths and youth authority employees and how those disparities may affect  
30 the cultural appropriateness of the programs.

1       “(11) [*The youth authority may make financial grants to local units of*  
2 *government, nonprofit organizations and individuals from funds appropriated*  
3 *to the youth authority by the Legislative Assembly to meet the treatment and*  
4 *care needs of adjudicated youths committed to the custody of the youth au-*  
5 *thority to be able to respond quickly to each adjudicated youth’s identified and*  
6 *changing circumstances]* **The youth authority may make financial grants**  
7 **from funds appropriated to the youth authority to carry out the du-**  
8 **ties, functions and powers vested in the youth authority.**

9       “(12) The youth authority is a designated agency as defined in ORS  
10 181A.010.”.

11

---