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Final Report:
**Governor's Task Force on
Juvenile Corrections Alternatives**

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**Governor's Task Force on Juvenile
Corrections Alternatives**

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**Recommendations
for Oregon's
Juvenile Justice
System**

February 1985

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Final Report:

Governor's Task Force on

Juvenile Corrections Alternatives

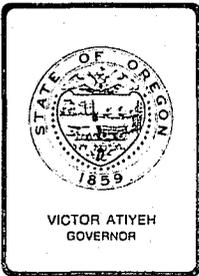
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ACQUISITIONS

February 1985

Salem, Oregon



*Governor's Task Force
on Juvenile Corrections Alternatives*

ROOM 320, PUBLIC SERVICE BUILDING, SALEM, OREGON 97310 PHONE (503) 378-3154

February 20, 1985

The Honorable Victor Atiyeh
Governor of the State of Oregon
State Capitol
Salem, Oregon 97310

Dear Governor Atiyeh:

The 1983 Legislature, through its Human Resources Subcommittee of the Joint Ways and Means Committee, established the Governor's Task Force on Juvenile Corrections Alternatives to study the feasibility of further reducing juvenile training school populations. For the past year the Task Force deliberated over Oregon's complex juvenile justice issues and arrived with the attached recommendations for your consideration.

Sincerely,


Gerry Thompson, Chairperson

GT:jb

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GOVERNOR'S TASK FORCE ON JUVENILE CORRECTIONS ALTERNATIVES

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ACKNOWLEDGEMENTS

The Governor's Task Force on Juvenile Corrections Alternatives expresses its appreciation to those individuals and organizations who assisted with Task Force deliberations. Without their cooperation and information the Task Force would not have been able to complete its task.

The Task Force is especially indebted to the following individuals and their respective organizations: Alan Baily, attorney for the Juvenile Rights Project; Mike Greenfield, Marion County Juvenile Court director; Geoff Guilfoy, budget analyst, Budget and Management Division, Executive Department; Eva Hunter, executive director of the Oregon Juvenile Court Judges Association; Jeff Milligan, executive director of the Juvenile Services Commission; Len Munks, assistant administrator, Office of Correctional Services, Children's Services Division; and Paul Snider, legal counsel for the Association of Oregon Counties.

The Task Force also acknowledges Jim Heuser, Ph.D., researcher for the Crime Analysis Center, Department of Justice, who provided the first state-wide needs assessment of Oregon's juvenile court wards. Marion County Family Court sponsored this study.

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EXECUTIVE SUMMARY

INTRODUCTION

In examining the present it is often helpful to look at the past. Beginning with the 1968 Greenleigh Report (Child Welfare Needs and Services in Oregon: Report to the Governor's Child Welfare Study Committee, December, 1968), Oregon's juvenile justice system came under scrutiny. The Greenleigh Report found: 1) the responsibility for state-supported services to children was distributed to a number of different state agencies; 2) there were significant differences in the availability and quality of services to children at the county level which resulted in service provision inequities and fragmentation; and 3) there was a lack of defined objectives for children and Oregon law did not delineate the state's responsibilities for children. The 1971 Legislature responded to these findings by creating a single state agency to provide state-supported services to Oregon's children and their families-- Children's Services Division. The Legislature gave Children's Services Division broad statutory powers in planning and providing public services for dependent and delinquent children.

With the creation of the Children's Services Division, the State of Oregon moved from a county based system for caring for juveniles to a combined state/county relationship. The juvenile court judge has the power to commit children to the state to provide care. The state, through the Children's Services Division, by law must accept this responsibility.

The marriage between the state Children's Services Division and the county juvenile courts has not always been harmonious. Over the past 14 years, the state's governors asked different task forces to assess the system and to recommend changes. In 1976, the Governor's Task Force on Early Childhood Development recommended the creation of an Office for Children to increase child advocacy and coordination between the state and local communities in planning and policy-making. (What Is It That We Have to Do to Let Our Children Grow? Planning for Oregon's Future: Making Policies Affecting Children, December 1976.)

The 1977 Legislature established a governor's task force to study Oregon's high juvenile training school commitment rate. It recommended passage of the Juvenile Services Act which established state and local commissions to develop state-wide standards for juvenile services and to encourage coordination of state and local juvenile justice systems. (Report of Governor's Task Force on Juvenile Corrections, Volume 1, November 1978.)

In addition, the 1979 Legislature appropriated funds that flowed from the state commission to local commissions to assist in developing and strengthening local juvenile delinquency prevention and treatment programs.

Increased training school populations were also the subject of an Executive Department study in 1981. (Increases in the Population at the Training Schools: Causes and Recommendations, April, 1981.) The Department recommended: 1) increased communication among the various organizations including a state policy on the use of secure facilities (Hillcrest and MacLaren) and that they "are appropriate only for children who constitute a danger to society"; 2) increased planning by the local Juvenile Services Commissions "to assure that county plans include services to adjudicated delinquents, as well as preventive programs" and Children's Services Division "to assure the services it is purchasing are the most needed services"; and 3) "giving counties responsibilities for some residential programs . . . in order to improve planning, remove access barriers and give communities a stake in the success of programs." (See Appendices F and G for Training School Commitment/Population Data from 1978-1984.)

In response to the 1983-85 Governor's Recommended Budget proposal to close Hillcrest, the Human Resources Subcommittee of the Joint Committee on Ways and Means established the Governor's Task Force on Juvenile Corrections Alternatives with a budget note in the Children's Services Division's 1983-85 Legislatively Approved Budget.

This report summarizes the findings and recommendations of this Task Force. The report will focus on the juvenile criminal offender.

FINDINGS

Responses to Budget Note

1. To recommend policies, priorities and standards for the state's delivery of services to youth.

The Task Force found that there is a lack of clearly defined policies concerning Oregon's youth primarily due to the complexity of the issues with the resulting divided stances of juvenile justice professionals, child advocacy groups, county and state governments and other interested individuals.

RECOMMENDATION: ESTABLISH AN AD HOC TRANSITION TEAM TO DEVELOP STATE GUIDELINES FOR LOCAL PLANNING. ONCE THE TRANSITION TEAM COMPLETES ITS WORK, NAME A STATE GUIDELINES COMMITTEE COMPRISED OF REPRESENTATIVES FROM COUNTY JUVENILE DEPARTMENTS, LOCAL JUVENILE SERVICES COMMISSIONS AND CHILDREN'S SERVICES DIVISION TO DETERMINE MINIMAL LEVELS OF SERVICE REQUIREMENTS FOR LOCAL JUVENILE SERVICES COMMISSION PLANS ON AN ONGOING BASIS.

2. To define the roles, responsibilities, resource allocation formulae and systemic relationships of private and public agencies, both at the state and local levels, which provide services to youth.

The Task Force found that the current fragmentation results in a poorly defined sense of direction within the state's juvenile justice system. The fragmentation results in unevenness of services in some areas of the state and total gaps in other areas. The roles and responsibilities of Oregon's three juvenile justice organizations - county juvenile departments, Juvenile Services Commissions, and Children's Services Division - are not always coordinated. It is necessary for roles and responsibilities to be more clearly defined and a mechanism established to facilitate funding, coordination, review and evaluation at both the state and local levels.

RECOMMENDATION: REDEFINE MAJOR AGENCY ROLES AND RESPONSIBILITIES TO ALLOW A MORE CLEARLY DEFINED AND COORDINATED JUVENILE CORRECTIONS SYSTEM.

3. To review and critique the interagency agreements of the Children's Services Division, Juvenile Services Commission, juvenile courts and departments, Mental Health Division and the Department of Education.

(a) The Task Force found that, of the 30 counties which provided information, 13 do not have operative agreements between the county juvenile department and the local Children's Services Division branch. Although 17 counties do have records of such agreements, only 10 are current--seven are outdated from between 6 to 12 years. The existence of an interagency agreement, designating who does what, does not mean that it is followed. There were several instances where county juvenile department directors wrote cover letters stating that their respective relationships with the other agencies were "disasters" despite the intent of the agreements. It should also be stated that some counties without formal agreements did not feel such documents were needed and that they enjoyed good working relationships with Children's Services Division and other community agencies.

RECOMMENDATION: REQUIRE REPRESENTATION OF JUVENILE COURT JUDGES, COUNTY MENTAL HEALTH DEPARTMENT DIRECTORS, SCHOOL OFFICIALS, COUNTY COMMISSIONERS AND CHILDREN'S SERVICES DIVISION BRANCH MANAGERS ON LOCAL JUVENILE SERVICES COMMISSIONS. RETAIN A MAJORITY OF LAY MEMBERS AND STIPULATE THAT THE CHAIRPERSON SHALL BE A LAY MEMBER.

(b) The Task Force found that although there are specific interagency agreements at the state level, there are no broad, overall working agreements among the cited divisions and departments.

RECOMMENDATION: THE GOVERNOR SHALL APPOINT REPRESENTATIVES TO THE STATE JUVENILE SERVICES COMMISSION TO INCLUDE THE FOLLOWING: A REPRESENTATIVE OF THE OREGON JUVENILE COURT JUDGES ASSOCIATION, A REPRESENTATIVE OF THE OREGON JUVENILE COURT DIRECTORS ASSOCIATION, THE ADMINISTRATOR OF CHILDREN'S SERVICES DIVISION, A REPRESENTATIVE FROM THE ASSOCIATION OF OREGON COUNTIES, AND FIVE LAY MEMBERS, EACH REPRESENTING A CONGRESSIONAL DISTRICT.

4. To develop proposed policy guidelines relating to the institutionalization of juveniles versus the provision of community juvenile services.

The Task Force found that there were no clearly defined criteria for out-of-home placement of youth. Training school admission criteria is broadly defined: a youth must be between 12-18 years of age, within the jurisdiction of the juvenile court per ORS 419.509 and placed in Children's Services Division's custody. (ORS 420.011)

RECOMMENDATION: DEFINE TRAINING SCHOOL ADMISSION CRITERIA.

5. To develop the underlying values and direction for Oregon's juvenile corrections system and make recommendations.

The Task Force found that the values and direction stated in the Juvenile Services Act are sound. The Task Force also found, that although the Juvenile Services Act promotes the use of the least restrictive, most appropriate resources for a youth, this policy is not consistently followed.

Judges would use community resources if such services were available in lieu of training school placements. The problem is that many judges, for a variety of reasons, including a lack of available bed space and specialized services, commit youth to training schools as "the treatment of choice."

In many instances, there is a lack of appropriate resources at the local level to which a juvenile court judge can make appropriate dispositional decisions. Problems are left untreated because there are no resources. Family and youth problems are exacerbated until an out-of-home placement becomes necessary for the youth.

RECOMMENDATION: ENCOURAGE AND FACILITATE THE DEVELOPMENT OF ADDITIONAL RESOURCES AT THE LOCAL LEVEL WITH PROFESSIONAL AND CITIZEN INVOLVEMENT IN PLANNING THESE RESOURCES.

OTHER TASK FORCE RECOMMENDATIONS

In response to the broad areas listed in the budget note, the Task Force also recommended the following:

1. ESTABLISH STATE-WIDE, OUTCOME ORIENTED EVALUATION OF ALL PUBLICLY FUNDED JUVENILE CORRECTIONS PROGRAMS INCLUDING THOSE OF LOCAL JUVENILE SERVICES COMMISSIONS, COUNTY JUVENILE DEPARTMENTS AND STATE CHILDREN'S SERVICES DIVISION.
2. ESTABLISH EARLY INTERVENTION AND DIVERSION PROGRAMS AT THE LOCAL LEVEL.
3. DEVELOP A COORDINATED DATA BASE FOR CHILDREN'S SERVICES DIVISION, JUVENILE SERVICES COMMISSIONS AND COUNTY JUVENILE DEPARTMENTS WITH THE PRIMARY PURPOSE OF IMPROVING THE ABILITY TO PROVIDE AND EVALUATE SERVICES FOR YOUTH.

4. REQUIRE THAT A SINGLE JUVENILE COURT JUDGE BE ADMINISTRATIVELY RESPONSIBLE FOR JUVENILE DEPARTMENTS FOR A MINIMUM OF TWO YEARS. THE JUDGE WOULD ALSO BE RESPONSIBLE FOR HEARING JUVENILE COURT CASES DURING THE SAME TIME PERIOD.
5. ESTABLISH REGIONAL DETENTION FACILITIES ON A STATE-WIDE BASIS AND USE THE FACILITIES FOR YOUTH WHO VIOLATE PAROLE, AS SHORT-TERM BACK-UP FOR YOUTH CARE CENTERS AND PRIVATE AGENCIES AND POST DISPOSITIONAL DIAGNOSIS AND EVALUATION IN LIEU OF MACLAREN RECEPTION ON A LOCAL OPTION BASIS.

Throughout its deliberations, the Task Force repeatedly emphasized the need to more actively involve local Juvenile Services Commissions in the decision-making process in providing local services for youth and their families.

SCOPE OF THE TASK FORCE'S WORK

In response to the 1983-85 Governor's Recommended Budget proposal to close Hillcrest School of Oregon for youth offenders, the Human Resources Subcommittee of the Joint Committee on Ways and Means established the Governor's Task Force on Juvenile Corrections Alternatives with a budget note in the Children's Services Division's 1983-85 Legislatively Approved Budget.

Although the Subcommittee did not support the closure of Hillcrest during the 1983 Legislative session, it did recommend population reductions for MacLaren School for Boys, the state's other juvenile training school.

The Legislature directed the Task Force "to review the state's policy in regard to juvenile offenders."

TASK FORCE OBJECTIVES

The budget note stated the following:

The Task Force studies shall include, but need not be limited to review and recommendations, including proposed legislation, concerning the following subjects:

- A. The roles/responsibilities, resource allocation formulae and systemic relationships of public and private agencies, both at the local and state-wide levels, which provide services to youth, including a review and critique of the interagency agreements among the Children's Services Division, Juvenile Services Commission, juvenile courts and departments, Mental Health Division and the Department of Education; and
- B. Developing proposed policy guidelines relating to the institutionalization of juveniles versus the provision of community juvenile services.

Specifically:

the Task Force shall develop the underlying values and direction for Oregon's Juvenile Corrections system and will make recommendations.

The Governor's Task Force on Juvenile Corrections Alternatives is not intended to replicate work previously done in the area of juvenile corrections.

PROCESS

The Task Force met 17 times beginning in January of 1984 and ending in February of 1985. In addition, Chairperson Thompson appointed three subcommittees.

At its first meeting, the Task Force adopted a work plan which focused on the above-stated objectives. For the next five months, the Task Force heard agency presentations and public testimony concerning Oregon's current juvenile justice system. From that information, the Task Force identified some 35 issues/problems facing the state. (See Appendix C.) The Task Force also examined current juvenile corrections services and functions and identified responsible agencies for providing these services and their funding. (See Appendix D.)

In August, a subcommittee reported on "A Preliminary Proposal for Oregon's Juvenile Justice System". This proposal was based on Task Force discussions and direction to that point and incorporated a number of the issues mentioned above. It clearly identified roles and responsibilities of the respective organizations including county juvenile departments, state Juvenile Services Commission and Children's Services Division. In meeting the Task Force goal of further reducing training school populations, the report proposed transferring certain Children's Services Division responsibilities to the local level, i.e. county juvenile departments. The basis for this transfer was that local decision-making and involvement would provide intervention more effectively at an earlier age in the lives of youth who demonstrate a pattern of crime activity.

The Task Force discussed this report and explored other mechanisms for providing local decision-making. The Task Force also developed proposals concerning the state level functions of the Juvenile Services Commission and Children's Services Division.

The Task Force then heard public testimony on its November recommendations. Chairperson Thompson set a January meeting for the Task Force to review its recommendations and develop its final report.

Throughout its discussions, the Task Force emphasized the importance of local involvement and ownership in planning and implementing services for youth offenders.

VALUES AND PRINCIPLES

The primary goal of the Governor's Task Force on Juvenile Corrections Alternatives was to examine the feasibility of further reducing juvenile training school populations and providing additional treatment resources for young offenders and their families in their respective communities. The Task Force recognized the necessity of providing a continuum of care to meet the needs of youth and their families while maintaining the community's safety.

In discussing its values and philosophies concerning the juvenile justice system, the Task Force identified the following principles:

1. Provide the least restrictive, most appropriate treatment resources for adjudicated delinquent youth and their families while maintaining the community's safety.
2. Provide a secure, humane, treatment-oriented environment in the state training schools to youth who are a danger to themselves and the community.
3. Transfer certain state funded resources to the local level for local planning and decision-making to better meet the needs of youth.
4. Keep youth with their own families whenever possible.
5. Provide services whenever possible and appropriate for youths in their own communities.
6. Promote local coordination of services creating the most beneficial and efficient use of resources.
7. Promote increased citizen awareness and participation with the juvenile justice system.
8. Provide a continuum of services at the local level for juvenile court dispositions.
9. Emphasize programs for delinquency prevention, diversion and status offenders at the local level in an effort to keep youth and their families from entering the juvenile corrections system.
10. Conduct regular program evaluations and report to key parties in the system in accordance with Oregon's Open Records Law. (ORS 192.420 - 192.430)

In order to achieve these principles, the Task Force identified the following Findings and Recommendations.

FINDINGS AND RECOMMENDATIONS

Roles and Responsibilities

The Task Force found that Oregon presently gives three governmental entities responsibilities for providing services, either directly or by contract, for its youth and their families. Two state agencies--Children's Services Division and Juvenile Services Commission--fund services. County boards of commissioners fund juvenile departments with county general fund dollars. (See Appendix D.)

Children's Services Division has approximately 83% of the total state and federal dollars (this includes administration costs and resources for both delinquent and dependent children) with county juvenile departments at approximately 13% and Juvenile Services Commissions at approximately 4%.

1. To promote clearly defined roles of state and local juvenile justice organizations, the Task Force recommends the following division of responsibilities:

⊙ COUNTY JUVENILE COURTS/DEPARTMENTS - ASSUME SUPERVISION OF CHILDREN'S SERVICES DIVISION PAROLE OFFICERS AND CASEWORKERS PROVIDING SERVICES TO ADJUDICATED DELINQUENT YOUTH/FAMILIES, AND PARTICIPATE ON THE AD HOC TRANSITION TEAM AS WELL AS STATE AND LOCAL JUVENILE SERVICES COMMISSION AND THE STATE GUIDELINES COMMITTEE.

LOCAL JUVENILE SERVICES COMMISSIONS - PROVIDE PLANNING, COORDINATING AND CONTRACTING APPROVAL OF SERVICES FOR JUVENILES AT THE LOCAL LEVEL;

STATE JUVENILE SERVICES COMMISSION - PROVIDE, EITHER DIRECTLY OR BY CONTRACT, JUVENILE JUSTICE PROGRAM AND SYSTEM EVALUATIONS AT BOTH THE LOCAL AND STATE LEVELS AND DEVELOP A COORDINATED DATA BASE;

AND CHILDREN'S SERVICES DIVISION - ESTABLISH STANDARDS AND GUIDELINES BY ADMINISTRATIVE RULE FOR PUBLICLY FUNDED JUVENILE PROGRAMS, REVIEW, APPROVE AND FUND LOCAL JUVENILE SERVICES COMMISSION PLANS. PROVIDE TRAINING SCHOOLS AND CONTRACT FOR REGIONAL DETENTION FACILITIES.

STATE STANDARDS AND GUIDELINES FOR LOCAL PLANS SHALL BE DEVELOPED BY A COMMITTEE COMPRISED OF REPRESENTATIVES OF LOCAL JUVENILE SERVICES COMMISSIONS, JUVENILE DEPARTMENTS AND CHILDREN'S SERVICES DIVISION.

See Page 14 for a schematic of the proposed system.

2. The Task Force found that, in order to reduce training school populations, more resources are needed in the community with local citizen involvement in decision making. In an effort to respond to a youth's service needs at the point of entry to the system, community services need to be more accessible.

- THE EXISTING PLANNING PROCESS SHALL BE MODIFIED TO INCLUDE THE FOLLOWING STEPS: A) LOCAL JUVENILE SERVICE COMMISSIONS SHALL COORDINATE AND DEVELOP A PLAN FOR LOCAL DELIVERY OF JUVENILE JUSTICE SERVICES TO YOUTH AND THEIR FAMILIES. PROGRAM PLANNING FOR COUNTY JUVENILE DEPARTMENTS SHALL BE INCORPORATED INTO THE LOCAL JUVENILE SERVICES COMMISSION PLAN; B) WITH THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS AND THE JUVENILE COURT JUDGE, THE PLAN THEN GOES TO THE CHILDREN'S SERVICES DIVISION FOR REVIEW, APPROVAL AND FUNDING.
3. The Task Force found that in order to coordinate state-funded children's programs, as well as to represent the juvenile court judges and directors associations in the state-wide monitoring and evaluation of publicly funded juvenile programs, the composition of the state Juvenile Services Commission should be changed.
- THE GOVERNOR SHALL APPOINT REPRESENTATIVES TO INCLUDE THE FOLLOWING: A REPRESENTATIVE OF THE OREGON JUVENILE COURT JUDGES ASSOCIATION, A REPRESENTATIVE OF THE OREGON JUVENILE COURT DIRECTORS ASSOCIATION, THE ADMINISTRATOR OF CHILDREN'S SERVICES DIVISION, A REPRESENTATIVE FROM THE ASSOCIATION OF OREGON COUNTIES, AND FIVE LAY MEMBERS, EACH REPRESENTING A CONGRESSIONAL DISTRICT.
4. The Task Force found that, in order to improve information for needs assessments, policy development and program accountability, a single state-wide information system shall be developed.
- THE STATE JUVENILE SERVICES COMMISSION SHALL BE RESPONSIBLE FOR DEVELOPING A COORDINATED DATA BASE TO BE USED BY THE STATE AND COUNTIES TO PROVIDE FOR THE NEEDS OF ALL JUVENILE SERVICES COMMISSION EVALUATIONS, AS WELL AS CHILDREN'S SERVICES DIVISION'S NEED TO MEET FEDERAL REQUIREMENTS. THE JUVENILE SERVICES COMMISSION SHALL, WHENEVER POSSIBLE, USE EXISTING DATA BASES.
5. The Task Force found that youth care centers are sometimes forced to refuse admission to youth who exhibit firesetting or assaultive behaviors. This in turn creates access problems for youth who could otherwise remain in the community.
- CHILDREN'S SERVICES DIVISION SHALL IMPLEMENT A NO DECLINE POLICY IN CONTRACTING WITH YOUTH CARE CENTERS AND PRIVATE AGENCIES. THE TASK FORCE ENCOURAGES THE DIVISION TO WORK WITH THE CHILD CARE INDUSTRY TO RESOLVE INHERENT LIABILITY AND INSURANCE ISSUES AND SHALL TAKE INTO CONSIDERATION ADDITIONAL LIABILITIES THAT MAY BE PLACED UPON THE PROVIDER.
6. The Task Force found that in some areas of the state there needs to be more coordination and communication within the juvenile justice community. To encourage coordination and communication among the juvenile court judges, the board of county commissioners, the schools, the local Children's Services Division branches and county mental health departments, representation of the local Juvenile Services Commissions shall be increased.

- OF THE EXISTING REPRESENTATION THE FOLLOWING SHALL BE INCLUDED: A JUVENILE COURT JUDGE, A COUNTY COMMISSIONER, THE CHILDREN'S SERVICES DIVISION BRANCH MANAGER, A SCHOOL ADMINISTRATOR AND THE COUNTY MENTAL HEALTH DEPARTMENT DIRECTOR. THERE SHALL BE A MAJORITY OF LAY MEMBERS AND THE CHAIRPERSON SHALL BE A LAY PERSON.

The Task Force recognizes that in some counties there may not be a county mental health director. It, therefore, recommends that the local Juvenile Services Commission designated professional slots be filled whenever possible.

7. The Task Force found that although the statutes give all three governmental agencies responsibility for prevention and diversion, these functions are not fully funded; most funds are targeted for services to youth who are already in the juvenile justice system.

The Task Force also discussed the importance of early identification and intervention programs in the schools and their relationship in preventing a child's entry to the juvenile justice system.

RECOMMENDATION: ESTABLISH EARLY INTERVENTION AND DIVERSION PROGRAMS AT THE LOCAL LEVEL THROUGH LOCAL JUVENILE SERVICES COMMISSIONS.

8. The Task Force found in some areas of the state there is a practice of rotating juvenile court judges and that such practice may result in a lack of consistency and continuity in planning for youth. The Task Force recognizes that there are counties where the juvenile court workload or geographical distances exceed the capacity of one judge. In those instances, other circuit court judges may hear juvenile court cases, but only one judge shall be administratively responsible.

- ⊙ TO PROMOTE CONSISTENCY AND CONTINUITY IN THE JUVENILE JUSTICE SYSTEM, ONE JUDGE SHALL BE DESIGNATED FOR A MINIMUM OF TWO YEARS TO HEAR JUVENILE COURT CASES AND ADMINISTER JUVENILE COURT SERVICES.

9. The Task Force found that currently juvenile court judges do not have access to funds for youth who require unique services.

- ⊙ JUVENILE COURT JUDGES SHALL HAVE ACCESS TO DISCRETIONARY FUNDS AS PROVIDED IN THE LOCAL JUVENILE SERVICES COMMISSION PLAN WHICH WOULD ALLOW HIM/HER TO PURCHASE SERVICES FOR "HARD TO PLACE YOUTH" WHEN THERE ARE NO APPROPRIATE AVAILABLE SERVICES TO MEET TREATMENT NEEDS.

Transition Process

The Task Force anticipates that the transition from state planning to local planning and responsibility will be difficult.

- ⊙ TO BEGIN REFINEMENT OF A SYSTEM THAT IS WORKABLE FOR ALL AGENCIES, AN AD HOC TRANSITION TEAM COORDINATED BY CHILDREN'S SERVICES DIVISION SHALL PROVIDE PRELIMINARY GUIDELINES AND LEVELS OF SERVICE BY JANUARY 1986, AND SHALL RECOMMEND

REDUCTION IN THE POPULATIONS OF THE TRAINING FACILITIES BY NO LATER THAN JULY OF 1986. TO ACCOMPLISH THIS, LOCAL JUVENILE SERVICES COMMISSIONS SHALL DEVELOP AND SUBMIT PLANS TO BE REVIEWED BY CHILDREN'S SERVICES DIVISION ACCORDING TO THE FOLLOWING TIMETABLE:

Deadline Date	Action Required
January 1986	Transition Team completes local planning guidelines
April 1986	Local JSC's start sending plans to Children's Services Division for review
July 1986	Local JSC's begin implementing plans, population reduction begins, Executive and Emergency Board review begins
January 1989	Population reduction completed

In establishing state guidelines for local planning, the Transition Team shall assure that a continuum of care model, which includes a range of services from prevention to out-of-home care intervention, be used to meet the individual needs of the youth in the community. The Task Force recommends that the state continue to contract for those services which require state-wide access according to local Juvenile Services Commission plans. Such services would include private agencies, youth care centers and residential programs such as alcohol and drug treatment. This does not preclude the local Juvenile Services Commission from contracting for such services. In addition, Children's Services Division shall continue its responsibilities for training schools and camps.

The Task Force intends that the counties continue their current financial commitment to juvenile corrections programs. The addition of state transfer dollars for local juvenile corrections functions shall not supplant a county's former obligation to its youth. Should the state be in the position of reducing its share of funding, the local Juvenile Services Commissions and counties are not bound by statute to meet the minimum service guidelines.

The Task Force recommends that funds be distributed based on a formula of a county's juvenile population (0-17 years) with established minimum amounts for counties with low juvenile populations.

The Task Force further recommends that current Juvenile Services Commission grants, including Federal Funds, be transferred to Children's Services Division to be distributed to the local Juvenile

Services Commissions. These local commissions shall continue to fund programs for delinquency prevention, diversion and status offenders.

At the time counties move toward the proposed system, Children's Services Division's parole officers and caseworkers providing services to adjudicated delinquent youth/families shall transfer to the county juvenile departments.

The Children's Services Division, in cooperation with the local Juvenile Services Commissions, shall provide progress reports to the Governor and to the Emergency Board or the Joint Ways and Means Committee, whichever is appropriate, on at least a semi-annual basis.

Detention

The Task Force found that currently there is a lack of detention resources, especially in Eastern Oregon. As of July 1, 1984, there are only five such resources for youth in the state.

If the goal of reducing training school populations is met, local communities will need access to secure, short-term facilities for youth who are a danger either to themselves or the community. Youth who commit parole violations would enter regional detention centers instead of returning to a training school. Depending upon the violation committed, a parole officer would work with the local community in developing local resources to meet a youth's needs.

- o THE CHILDREN'S SERVICES DIVISION SHALL CONTRACT FOR REGIONAL DETENTION FACILITIES. CHILDREN'S SERVICES DIVISION SHALL FUND THE EXISTING REGIONAL DETENTION CENTERS FOR THE FOLLOWING SERVICES: DETENTION AND BACK-UP FOR COMMUNITY RESIDENTIAL PROGRAMS IN THE COUNTY WHERE THE RESOURCE IS LOCATED FOR A MAXIMUM OF EIGHT DAYS; DETENTION FOR PAROLE VIOLATORS; AND DIAGNOSIS AND EVALUATION SERVICES WHICH ARE CURRENTLY PROVIDED BY MACLAREN'S RECEPTION UNIT. A LOCAL JUVENILE SERVICES COMMISSION HAS THE OPTION OF USING ANOTHER RESOURCE IN LIEU OF A REGIONAL DETENTION FACILITY.

The state shall assist local governments in developing two new regional detention centers located in Central and Southeastern Oregon.

Youth care centers/private agencies shall have access to detention in those instances when a youth is out-of-control and poses an immediate physical danger to himself or others. A youth shall remain in detention only as long as he remains out-of-control and until the child care facility situation is stable and a responsible plan of return is developed. The maximum hold on such youth shall be eight days and a hearing shall be held in compliance with the provisions of ORS 419.577.

- o DETENTION MAY BE USED FOR A MAXIMUM OF 15 DAYS FOR YOUTH WHO VIOLATE PAROLE. PAROLE REVOCATION HEARINGS SHALL BE HELD BY THE JUVENILE COURT IN THE COUNTY WHERE THE VIOLATION OCCURRED OR A YOUTH'S COUNTY OF RESIDENCE. A HEARING SHALL BE HELD WITHIN 10 DAYS OF THE DATE OF DETENTION.

Training School Admission Criteria

The Task Force found that currently training school admission criteria are too broad. (A youth must be between the ages of 12 - 18, within the jurisdiction of the juvenile court and placed in Children's Services Division's custody.)

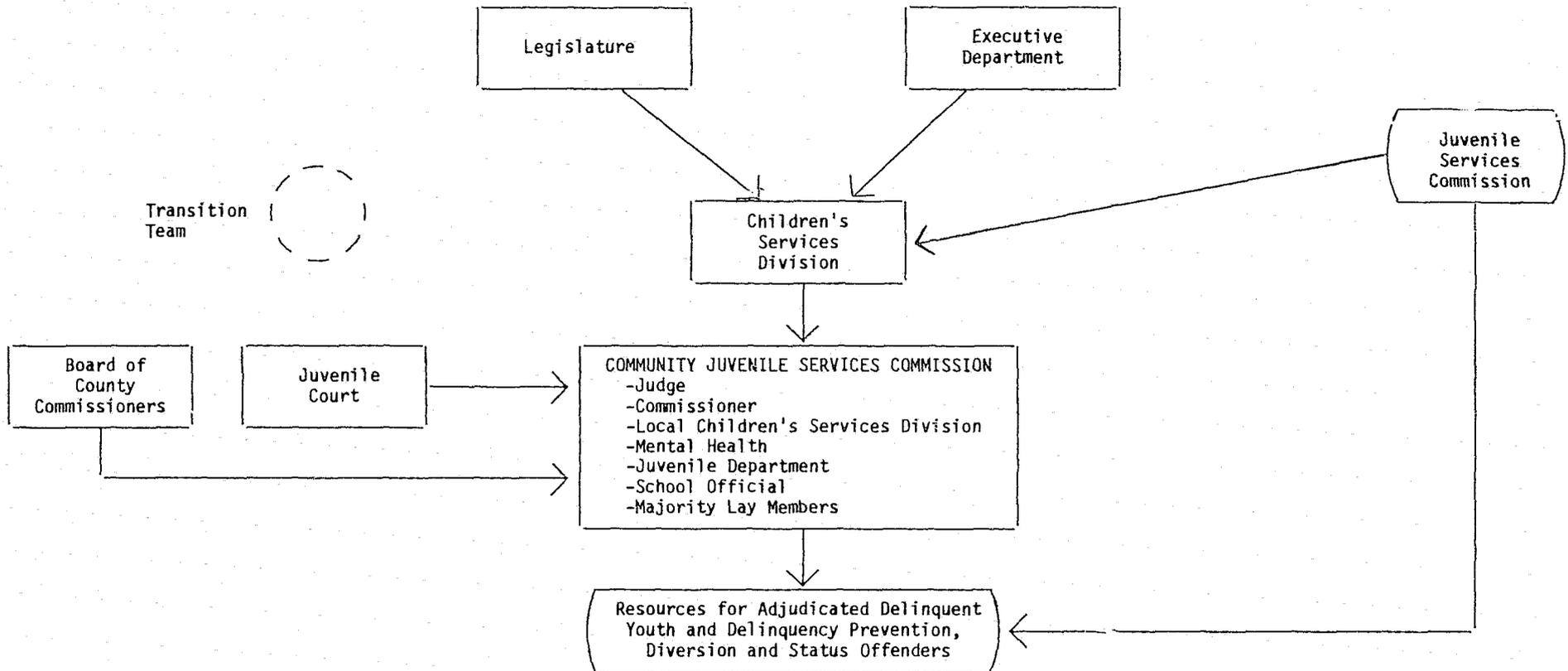
- YOUTH WHO POSE A SERIOUS DANGER TO OTHERS SHALL BE ELIGIBLE FOR COMMITMENT TO JUVENILE TRAINING SCHOOLS.

A YOUTH WHO COMMITS A PERSON-TO-PERSON FELONY, INCLUDING A, B AND C CLASSIFICATIONS (AS DEFINED BY OREGON'S CRIMINAL CODE) OR A SERIOUS PROPERTY CRIME, INVOLVING AN ARSON FELONY OR ARMED ROBBERY, WOULD MEET TRAINING SCHOOL ADMISSION CRITERIA.
- THERE SHALL BE A NO EXCEPTIONS CLAUSE TO THE RECOMMENDED CRITERIA. THE TASK FORCE DID NOT SEE A WAY TO DRAFT SUCH A CLAUSE THAT WOULD NOT ALSO PERMIT THE INAPPROPRIATE COMMITMENT OF YOUTH TO TRAINING SCHOOLS.
- THE POPULATION OF THE TRAINING SCHOOLS SHALL BE REDUCED BY ATTRITION.

Following is a schematic of the proposed system. Appendix E shows a schematic of the current system.

3239k

PROPOSED RESTRUCTURING OF OREGON'S
JUVENILE JUSTICE SYSTEM



MINORITY REPORT ON
TRAINING SCHOOL ADMISSION CRITERIA

I support the Governor's Task Force recommendations as they address the transferring of juvenile delinquency programs to the community and provide for community control. I disagree with the recommendation that placements in the institutions, i.e. MacLaren and Hillcrest, be limited according to type of crime, and for that limited purpose only I file this minority report.

The whole thrust of the Oregon Juvenile Code is, while protecting the public, to meet the needs of the child and to provide treatment. This concept of treatment is absolutely essential to the community's children and without it the juvenile justice system will fail. By limiting the commitments to the training schools, Oregon would be adopting the adult model for children. We would be moving from meeting the needs of the child to a "just desserts" concept. This is an inappropriate way to deal with children. We should be making commitments to the institutions and/or other treatment facilities based upon the child's actual treatment needs and what is best for that child and the community and not solely providing a "just dessert" for a particular crime. Limiting commitments to the training school could result in not treating the child who is a danger to the community and who is repeatedly committing crimes.

If we do not have a response to the repeat offender, a secure placement, the system's response is going to be an increase of the number of children remanded to adult court. If the juvenile courts are unable to respond to that child and use the treatment of choice, clearly, then, there are no services to be offered in the juvenile system and that child will be remanded to adult court and treated as an adult. This, I think, is inappropriate. Again, it does not meet the needs of the child; but enforces an adult "punitive" philosophy as opposed to treatment and rehabilitation. The system will not be able to treat the nonviolent or person to person offender such as the repeat burglar; and that child will fall through the cracks.

At this time, 39% of those minors who enter either MacLaren or Hillcrest have had a prior group care placement. In other words, 263 children during the 1983-85 biennium were placed at MacLaren or Hillcrest after they failed in a community placement. What is to become of these children? If the child continues to fail in that community placement, the community placement cannot keep him. That child will have a detrimental effect on the whole community program and the other children in it. If we say, as the Governor's Task Force proposal does, that children who have failed in community placements cannot be put in MacLaren or Hillcrest, we will have no alternative for them but to return an untreated child to the community. The child may then commit an act which qualifies for commitment to a training school or an act for which he/she is remanded. Ultimately, I could see this leading to secure private group placements. In other words, we would exchange the two open campuses of MacLaren and Hillcrest for secure locked private facilities. This has happened in other states and found to be wholly inadequate.

The other major issue is how to fund these alternatives and their cost. In January, more children were sent to MacLaren and Hillcrest than in any other month in recent history. This shows that community alternatives at this time are not adequate. By limiting the admissions to the training schools we would further overburden community resources. In 1984, the Crime Analysis Center, on behalf of the Marion County Family Court, did a statewide needs assessment; at that time the assessment determined that the unmet needs of the children in the State of Oregon included the need for an additional 730 out-of-home care beds and an additional 414 institutionalization beds, including mental health beds. If placement at the institution is limited, children who would have gone to the institutions would now be competing with other children, whose needs are already not being met, for very limited bed space. The result would be that an already overburdened system would completely fail. The proposal is to downsize the institutions by 403 beds. You add those 403 beds to that need which is not now being met, and you end up with an additional 1,540 beds in order to effect downsizing.

The average length of stay at MacLaren and Hillcrest is approximately ten months; and considering that group care costs the same or more than an institutional bed and the placements are twice as long, the costs of dealing with these 1,540 children would be double that which it would cost for institutional placements. The additional beds would cost tens of millions of dollars. This would be an additional cost to the state less any savings effectuated at the institutions. Clearly, these costs would be difficult to meet in these economic times.

I completely support downsizing of the institutions, but it should be done by providing effective alternative programs and not by limiting the placements. By limiting placements, there is no reason to provide effective alternatives. These alternatives should be in place, they should be effective, and if that is done, downsizing would automatically dry up the institutions as the juvenile justice system would have alternative placements, and clearly all those involved with children would rather use those types of placements than the institutions.

Albin W. Norblad

Juvenile Corrections

One of the major issues surrounding the CSD budget was in the area of Juvenile Corrections. Various policies and proposals were debated throughout the session on the merits of institutional care versus community-based care for juvenile offenders.

The Governor's proposed budget recommended a major shift in the Juvenile Corrections program area through the downsizing of MacLaren and the proposed closure of Hillcrest training school. While the Subcommittee did not support the closure of Hillcrest school at this time, recommendations did support the concept of downsizing the training school population with an increased emphasis on community based program placement for juvenile offenders. To assure a full review of the state's policy in regard to juvenile offenders, the Subcommittee adopted the following Budget Note and provided funding through unbudgeted Juvenile Services Commission pay-back revenues.

BUDGET NOTE

Governor's Task Force on Juvenile Corrections Alternatives

I. Funding

\$100,000 in the budget of the Children's Services Division is intended to fund a Governor's Task Force on Juvenile Corrections Alternatives. These moneys shall be used to provide actual expense reimbursement for members duly appointed, per diem expenses for elected officials appointed to serve and salary and benefits for a Task Force Administrator and one clerical support person for the duration of the 1983-85 interim. The Task Force will automatically terminate on December 31, 1984, by which time its work will have been completed.

II. Membership

The Task Force will consist of 10 members. It will be chaired by the Executive Assistant to the Governor and have three legislative members appointed by the Governor, one member from the Oregon State Senate and two members of the House of Representatives. The remaining six members shall be representatives from among the following groups, agencies and/or associations:

1. Children's Services Division;
2. Juvenile Court Judges;
3. Juvenile Services Commission;
4. Citizen volunteer groups, (to be identified), e.g., parent groups -- Hillcrest and/or MacLaren;
5. Citizen advocacy groups, (to be identified), e.g., care-for-profit providers, representatives of other private providers, etc.;

6. Department of Education;
7. Correction Education Association;
8. State Board of Education; or
9. Corrections Division.

III. Mission/Charge

There is created a Governor's Task Force on Juvenile Corrections Alternatives to recommend policies, priorities and standards for the state's delivery of services to youth. The Task Force studies shall include, but need not be limited to review and recommendations, including proposed legislation, concerning the following subjects:

- A. The roles/responsibilities, resource allocation formulae and systemic relationships of public and private agencies, both at the local and state-wide levels, which provide services to youth, including a review and critique of the interagency agreements among the Children's Services Division, Juvenile Services Commission, juvenile courts and departments, Mental Health Division and the Department of Education; and
- B. Developing proposed policy guidelines relating to the institutionalization of juveniles versus the provision of community juvenile services.

Specifically:

the Task Force shall develop the underlying values and direction for Oregon's Juvenile Corrections system and will make recommendations.

The Governor's Task Force on Juvenile Corrections Alternatives is not intended to replicate work previously done in the area of juvenile corrections.

Given the policy on the Task Force, the Subcommittee emphasized that no reorganization be made in Juvenile Corrections, per the following Budget Note:

BUDGET NOTE

No Reorganization in Juvenile Corrections

The Children's Services Division shall not change its existing juvenile corrections system organization and structure during the 1983-85 biennium without the approval of the chairperson of the Governor's Task Force on Juvenile Corrections Alternatives. Organizational alternatives for the 1985-87 biennium shall be developed in conjunction with the policy directions established by the Task Force.

GLOSSARY

ADJUDICATION: The judgment by the juvenile court determining whether a child is to remain within the court's jurisdiction.

ADJUCICATORY HEARING: In juvenile proceedings, the fact-finding process wherein the juvenile court determines whether or not there is sufficient evidence to sustain the allegations in a petition.

CHILD CARE CENTER: A private child caring agency certified under ORS 418.205 to 418.310 providing community-based residential care and treatment services for children who are delinquent or socially maladjusted. See Youth Care Center.

CHILDREN'S SERVICES DIVISION: A state agency within the Department of Human Resources. The division administers laws and programs relating to protective services to children, foster care, adoptions, Interstate Compact on Juveniles, restorative services to families with children, licensing of child care facilities and day care centers, the mental health program for children, youth employment programs and services to families and children in compliance with federal social security laws. (ORS 184.805).

COMMUNITY-BASED CARE: A nonsecure residential or non-residential program or facility located near the juvenile's home and near programs of community supervision and service which maintains community participation in the planning, operation and evaluation of their programs.

DELINQUENCY: Juvenile actions or conduct in violation of criminal law in Oregon. Does not include status offenses.

DEPENDENT: A child under jurisdiction of the court because the parent or guardian cannot or has failed to provide adequate care.

DETENTION: Temporary care of juveniles alleged to be delinquent who require secure custody in a physically restricting facility.

DISPOSITION: Is the decision by the court of what will happen following adjudication. In delinquency matters, the order of a juvenile court, concluding a disposition hearing, which defines the length and condition of probation or commitment to a correctional facility.

DIVERSION: Referral of youth to some person or public or private community-based agency outside the juvenile justice system as an alternative to court processing.

HEARING: A proceeding to determine a course of action, such as the placement of a juvenile, or to determine guilt or innocence in a disciplinary matter. Arguments, witnesses, or evidence are heard by a judicial officer or administrative body in making the determination.

HIGH RISK YOUTH: A youngster whose behavior puts him/her in imminent danger of commitment to a training school.

JUVENILE: A person who is less than 18 years of age and has not been permanently remanded to criminal court pursuant to ORS 419.533 (4) or emancipated pursuant to ORS 109.555.

JUVENILE COURT: A court that has original jurisdiction over persons statutorily defined as juveniles and alleged to be delinquents, dependents, abused and/or neglected and in foster care.

JUVENILE COURT JUDGE: May be either a circuit court judge or a county court judge. One who has jurisdiction in juvenile-related matters.

JUVENILE DEPARTMENT: Provides services for county juvenile court. Funded by county government and supervised by a juvenile court judge. (See ORS 419.602.)

JUVENILE JUSTICE SYSTEM: The juvenile justice system is composed of public and private institutions and agencies with which a child may become involved as a result of wrongdoing by the child or because the adults responsible for the child are not providing him with proper care. Such institutions and agencies may include, but need not be limited to, law enforcement agencies, juvenile departments, juvenile courts, the Children's Services Division and private care providers.

JUVENILE OFFENDER: An individual who is (a) less than 18 years of age and has not been permanently remanded to adult criminal court; or (b) 18-20 years of age and is under the jurisdiction of the court.

JUVENILE PAROLE: Placement of a youth following commitment to a training school with his... "parent or guardian or to a suitable and desirable home or facility..." (ORS 420.045). Legal custody of the child is transferred to the parent, legal guardian, or person with whom the child is placed.

JUVENILE SERVICES COMMISSION: A state commission appointed by the Governor to develop statewide standards for juvenile services, assist in the provision of appropriate preventive, diversionary and dispositional alternatives for children, encourage coordination of the elements of the juvenile services system and to provide an opportunity for local involvement in developing community services for juveniles. (ORS 417.410)

MISDEMEANOR: A criminal offense less than a felony where the penalty cannot exceed a \$500 fine and/or 90 days imprisonment.

NO DECLINE: A provider would not be able to refuse to accept a youth who meets contracted admission criteria if an opening is available.

PARENS PATRIAE: The theory of the state as guardian of the child. It allows the state to act in the place of parents.

PAROLE: A conditional release of a child from a juvenile training school prior to discharge.

PAROLE REVOCATION: A change from parole or foster care status to the juvenile training schools. Revocation is an administrative procedure that incorporates procedural safeguards to protect the rights of the child.

PAROLE WITH SUSPENDED COMMITMENT: The revocable conditional release by the juvenile court, in lieu of commitment to a juvenile training school.

PETITION: A written request of a court to take a particular action.

POLICY: A definite, stated course or method of action that guides and determines present and future decisions and activities.

PREVENTION: Activities which have merit in averting or discouraging the development of specific social problems, or in delaying or controlling the growth of such problems after they have begun.

PRIVATE AGENCY: Any agency, society, institution, organization, or group under private management organized to provide residential care/treatment or to place children in foster homes or adoptive homes.

PROBATION: The application by the juvenile court of terms and restrictions with respect to a child found to be within the jurisdiction of the court for a status offense or a juvenile criminal offense.

RECIDIVISM: The repeated or habitual relapse into crime.

REFERRAL: The process by which a juvenile is introduced to an agency or service where the appropriate assistance can be obtained.

STATUS OFFENDER: A juvenile who has been adjudicated by a judicial officer of a juvenile court as having committed an act which is an offense only when committed or engaged in by a juvenile. Typical status offenses are violation of curfew, running away from home, truancy and incorrigibility.

SUSPENDED COMMITMENT: Halting the imposition of commitment of a child to CSD for placement at a training school dependent upon a successful probation adjustment.

TRAINING SCHOOL: A secure facility to which juveniles may be committed for acts which would be crimes if committed by adults. In Oregon, MacLaren School for Boys, Hillcrest and the associated camps are all classified as training schools.

WARD: A youth placed by the court under the care of a guardian.

YOUTH CARE CENTER: A facility established and operated by a public or private agency or a combination thereof, to provide care and rehabilitation services for children committed to the custody of the youth care center by the juvenile court or placed by the Children's Services Division, but does not include detention facilities established under ORS 419.602 to 419.616. (Source: ORS 420.855) See Child Care Center.

JUVENILE JUSTICE ISSUES SUMMARY
GOVERNOR'S TASK FORCE ON JUVENILE CORRECTIONS ALTERNATIVES

<u>ISSUES</u>	<u>BACKGROUND</u>	<u>MAJOR ADVANTAGES</u>	<u>MAJOR DISADVANTAGES</u>	<u>COMMENTS</u>
<u>System Issues</u>				
1. Current system--a) design and/or b) management problems.	<p>a) Oregon statutes give responsibility for services to delinquent youth to three major agencies--CSD, JSC and juvenile departments/courts.</p> <p>b) Each of the three agencies currently has management/administration problems.</p>	None. (Status quo provides comfort level for some.)	System not providing coordinated services to youth/families at the community level.	The general impression is that youth/families receive appropriate services in some areas in spite of the system not because of the system.
<u>Organizational Issues</u>				
2. One agency responsible for services to delinquent youth v. two or three agencies.	See 1 a.	Responsibility and accountability of one single agency.	Political ramifications of dissolving current system.	This may be a long range plan for service delivery to delinquent youth and families.
3. Current overlap of some functions among major county/state agencies, i.e. county juvenile departments, CSD and JSC.	Relates to statutory language which gives global responsibilities to CSD, JSC and juvenile departments/courts.	If agencies coordinated services to youth families there would be more effective use of resources.	Lends itself to conflicts among agencies with youth/families suffering.	Roles and responsibilities of respective parties need to be clearly defined.
4. State v. local program delivery.	Involves local planning and implementation of program v. state or central planning.	Central planning/program delivery allows for development of more specialized services for specific needs, e.g. residential alcohol treatment.	A centralized approach may not meet program service needs of youth in all parts of the state.	Also involves local/state government issues.
5. Supervision of juvenile departments (county commissioners, juvenile judges or state court administrator).	The juvenile department is currently under the supervision of the juvenile judge while it receives funding from the county commissioners. The concern of the commissioners is liability for juvenile department actions.	None.	The departments are funded with county dollars but are in many instances supervised by a circuit court judge who is a state employe. County commissioners view the current situation as a management problem.	Representative McCracken is introducing legislation for the 1985-87 session on this issue on behalf of the counties. Some parties see county funding problems as reason for this issue.
6. Juvenile department funding problems at county level.	With the reduction in county funding there have been cuts in many juvenile department budgets.	None.	Diminished resources to perform juvenile department functions.	There have been some innovative responses to the lack of resources, eg. the Eastern and Central Oregon Juvenile Directors Alliance with Boys and Girls Aid Society of Oregon and private non-profit organizations.

ISSUES	BACKGROUND	MAJOR ADVANTAGES	MAJOR DISADVANTAGES	COMMENTS
7. No minimal levels of services for county juvenile departments.	Oregon has 36 counties each with varying levels of services established by county commissioners and the voters.	None.	Services to youth vary according to locale.	This issue is discussed in the OR Juvenile Court Judges Association's proposals. The Juvenile Services Commission and the Judges Association have a Joint Special Committee on Juvenile Court Standards and Services.
<u>Policy Issues</u>				
8. Clarification of HB 2936. ^{1/}	The 1983 Legislature passed an omnibus juvenile bill (HB 2936). The section on detention of juveniles has created problems in some areas of the state.	This law does proceed on the basis of due process for juveniles.	There are interpretation problems which may have allowed the release of some youth who would have formerly been detained.	Several groups are working on this problem including the Secure Custody Alternatives Subcommittee of the Juvenile Services Commission and the Subcommittee on Juvenile Courts of the Joint Interim Committee on the Judiciary.
9. Confidentiality as currently ^{2/} applied hinders coordinated services to kids/families.	Confidentiality policies of various agencies, especially schools, do not allow for necessary information sharing by professionals.	None.	Does not allow for coordinated, necessary information for planning and treatment of youth.	Examine laws/policies on confidentiality and determine if changes needed.
10. Delinquency prevention--who should be responsible for providing services?	Statutes allude to prevention programs and policies for CSD, JSC and juvenile departments/courts.	Need for a priority for this activity within a lead agency.	There is no lead responsibility and accountability by one agency.	Some school districts are also involved in this area. E.g. child development specialist program.
11. Status offenders--who should be responsible for providing services?	Currently status offenders are not targeted for services by any of the three agencies.	None.	There are no coordinated treatment programs focusing on status offenders.	By targeting this population for services there may be a reduction in future criminal behavior.
12. <u>Parens patriae v. due process--where does Oregon stand?</u>	Juvenile courts founded under concept of <u>parens patriae</u> . Supreme Court rulings have swung the opposite direction making juvenile justice more like the adult corrections system.	<u>Parens patriae</u> allows for the treatment of a child versus the civil rights of an accused person.	State not upholding its parental responsibilities to treat the child.	<u>Parens patriae</u> is the heart of the juvenile justice system--treatment rather than punishment or just desserts.
13. Lack of clearly defined legislative policies concerning youth.	There has been no consensus among professionals and child advocate groups concerning policies on youth.	None.	The present system.	Funding problems have heightened conflict and competition among the various agencies and interest groups.

^{1/} On July 9 the task force decided not to actively pursue this issue; however, the task force need for clarification of HB 2936.

^{2/} On the same date the task force excluded this issue from its plan.

1 a letter to the respective groups endorsing the

ISSUES	BACKGROUND	MAJOR ADVANTAGES	MAJOR DISADVANTAGES	COMMENTS
14. Lack of appropriate resources in the community for young women.	There are not sufficient resources for young women who are runaways. Hillcrest has become a treatment of choice for young women who display this symptom.	If programs in the community could provide adequate and appropriate services to meet the needs of these young women, then judges would not use Hillcrest as often.	None.	Running away is often the symptom of a problem. Treatment begins with an understanding of what causes this behavior.
15. Use of institutions v. services provided in local community.	Oregon currently has a dual system, neither of which provide full resources and treatment for youth. The task force has agreed that services provided in the local community are preferable to the use of institutions.	The child's community offers the most normal environment for treatment.	Judges want assurances of accountability for services provided in the local community or they will consider placement at a training school.	There will be a continuing need for training schools for approximately 5 - 10% of the risk population.
16. Reduction of training schools' population.	Children's Services Division has initiated actions to start reducing the training school population with the New Directions program.	Allows for more normalizing treatment for youth in their own communities.	Some segments of the public prefer to have youth who commit delinquent acts out of the community.	There are groups who oppose these efforts, including professionals who support the training school programs.
17. Parole revocations without benefit of judicial review.	Currently CSD parole officers have the authority to return a youth on parole to the training school.	Does allow for immediate response to a youth's actions.	Does not allow for judicial review prior to return to the institution.	This issue has been addressed by the Oregon Juvenile Court Judges and Directors Association who are recommending judicial review.
18. No criteria for out-of-home placement of youth, including the training schools.	Current system allows for worker recommendations and judicial discretion.	This allows the judge full opportunity to review a youth's progress or lack thereof in treatment and to make a decision as to whether that youth should be placed in an out-of-home resource.	There are 36 different juvenile court judges and this may make for disparities in terms of justice for children in the state.	Possible response may place accountability for this criteria on service broker, such as CSD.
19. Need for improvements in juvenile statistics.	Per ORS 417.490, (Section e,) the Juvenile Services Commission is mandated with this task. The problem has been lack of funds to implement this law.	Improved tracking of juveniles in the system would allow for resource evaluation, program and policy planning, as well as assist in an ongoing needs assessment.	None.	At this time statistical reporting is primarily a funding problem. CSD does have a data base which would complement JSC's.
20. Current legal liabilities ^{3/} hindering restitution program for youths committed to training schools.	Currently CSD is prevented by law for obtaining restitution from youth committed to the training schools.	Would allow payment of restitution for youth who have committed property crimes.	The current system does not allow this to happen.	This is a legal issue--a training school commitment should not preclude payment of restitution.

^{3/} On July 9 the task force decided that this issue will not be a part of its plan. Discussion focused on the Juvenile Court Judges Association as the appropriate party to request statute changes in this area.

ISSUES	BACKGROUND	MAJOR ADVANTAGES	MAJOR DISADVANTAGES	COMMENTS
21. Need to identify primary agency roles for: a) a delinquent youth with emotional problems; and b) an emotionally disturbed youth with incidental delinquency problems.	The current system does not differentiate clearly between the two different problems and youth who fall in either category may not receive appropriate treatment.	Role clarification and appropriate services for youth.	None.	This is a delineation of service issue between Children's Services Division and Mental Health Division.
22. No provision for local case reviews, including professional and lay communities.	The State of Arizona has implemented a citizen review board for children in out-of-home care.	Allows for citizen participation and knowledge of juvenile justice system. Also allows feedback to agencies on how system is functioning.	Confidentiality issue needs to be assured.	The Committee for Oregon Families is currently working on this issue with CSD participation.
<u>Program Issues</u>				
23. Resource inequities in terms of access/control.	Currently youth must travel the designated routes of the system before receiving services which are often needed at the point of entry.	None.	Suffering of youth/family exacerbated by current system.	
24. Lack of resources for detention alternatives, especially in Eastern Oregon.	As of July 1 there are only five detention resources for youth in Oregon.	There are times when youth need a secure placement for a short period of time.	These resources need to be available and accessible to all regions of the State.	Detention may be needed to protect the youth and the community.
25. Need for resources to follow kids instead of kids following resources.	The current system has the bulk of the dollars at the back end for out-of-home placement resources rather than at the beginning where more resources are needed.	Resources become more responsive to youths' needs.	None.	Need to shift resources to the point of entry where diversions could help prevent out-of-home placements.
26. Need for entry level professional diagnoses and available consultation.	Current levels of professionals working with youth in this state vary.	Provide informed assessment of youth and his treatment needs.	None.	Juvenile Services Commission's Professional Standards and Training Committee working on this issue.
27. Program effectiveness and accountability--how and who evaluates?	Presently there is inadequate monitoring of programs and services which result in program usage or non-usage by reputation, not performance.	Necessary to assure continued and appropriate use of resource.	None.	Professional assessments/evaluations by independent party who is not providing direct services.
28. Need for alcohol/drug education and treatment programs.	According to one report at least half of the youth committed to training schools have a drug and/or alcohol problem. For some of the youth alcohol/drug is a primary problem and delinquency is a symptom.	Humanitarian treatment aspects to deal directly with diagnoses of addiction.	None.	

<u>ISSUES</u>	<u>BACKGROUND</u>	<u>MAJOR ADVANTAGES</u>	<u>MAJOR DISADVANTAGES</u>	<u>COMMENTS</u>
29. Need for youth sex offenders and families treatment programs.	Estimate of 615 youth in the system who have history of sexually assaultive behavior.	Appropriate treatment for youth/families. Protection of society in the present as well as the future.	None.	
30. Need for youth employment opportunities.		Employment is an important aspect of rehabilitation which helps build self worth and demonstrates competence.	None.	The Governor's Youth Coordinating Council is pursuing this issue.
31. Insufficient employment preparation training for youth who are not pursuing a formal education.		See 30 above.	None.	The Governor's Youth Coordinating Council is pursuing this issue.
32. Further develop use of private, non-profit agencies such as Boy Scouts, Girl Scouts, 4-H, Boys' Clubs, Camp Fire in working with delinquent youth.	Nationally such agencies are actively involved in working with delinquent youth.	Develop more adequate distribution of resources for delinquent youth/families. Broaden community understanding of youth who have delinquency problems.	Agencies' missions may not change with the changing needs of the system to serve delinquent youth.	The Eastern and Central Oregon Juvenile Court Directors Alliance and the Boys & Girls Aid Society of Oregon are actively pursuing these organizations as alternative resources for delinquent youth.
33. Need for programs to mainstream delinquent youth back into a non-delinquent population.	Continued programming just for delinquents does not allow for healthy adjustment back to society.	Provides a healthier, more normal environment. No stigma attached to youth.	May encounter difficulties with community attitudes.	Labeling youth as "delinquent" may establish a self-fulfilling prophecy.
34. Insufficient alternative education programs for those youth who cannot achieve in public schools.	Many youth who have delinquency problems also have educational difficulties.	Alternative education programs may make the difference between keeping a youth in the community or making an out-of-home placement.	Schools not currently providing specialized services to this population.	Examples of alternative schools include the Yamhill County CADRE program and the Marion County Court School.
35. Need for after-care resources for those youth in out-of-home care who cannot return home.	Some youth who enter the juvenile justice system do not have viable family resources for after-care placement.	Appropriate after-care resources may make the difference between a continued treatment success or a return to a training school or adult institution.	None.	Some programs which are oriented to treating the youth/family will not accept a youth who does not have an after-care resource.

Prepared by staff of the Governor's Task Force on Juvenile Corrections Alternatives

2350k
Revised 7/17/84

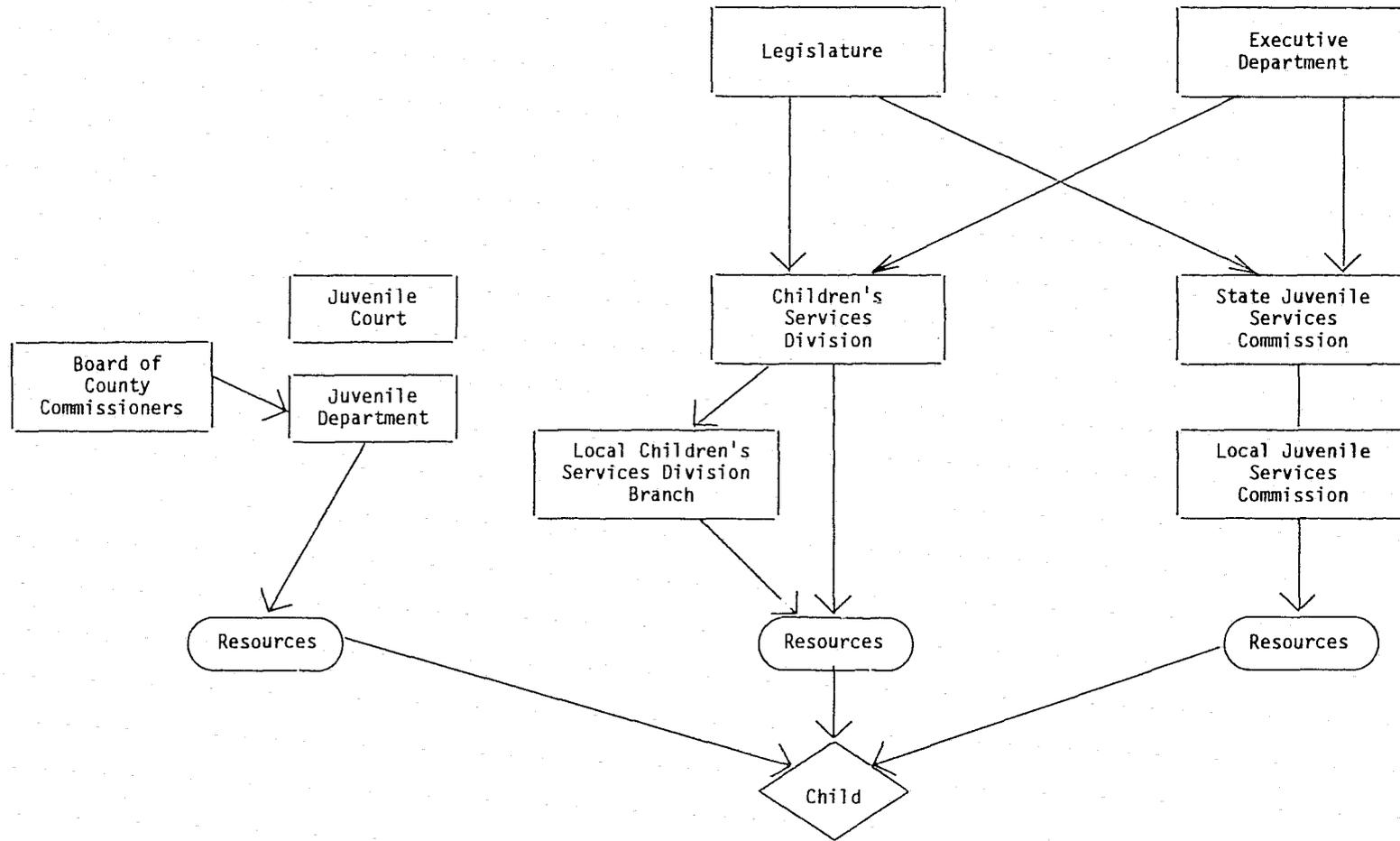
CURRENT JUVENILE CORRECTIONS SERVICES/FUNCTIONS
RESPONSIBLE AGENCIES/FUNDING

SERVICES	CHILDREN'S SERVICES DIVISION		JUVENILE COURTS/ DEPARTMENTS		JUVENILE SERVICES COMMISSION ^{1/}		OTHER		COMMENTS
	Responsible/Agency	Funding	Responsible/Agency	Funding	Responsible/Agency	Funding	Responsible/Agency	Funding	
1. Prevention a. Early Identification b. Early Intervention		X X		X X	X X	X X		X (Private X Providers)	
2. Diversion		X	X	X		X			Courts are responsible agency. In addition to the courts there are two other funding agencies.
3. In-Home Probation	X	X	X	X		X			Two agencies are responsible for this service and funding comes from three primary sources.
4. Diagnostic Services		X	X	X		X		X (Local Mental Health Departments and Schools)	
5. Family Crisis Counseling		X	X	X		X		X (Local Mental Health Departments and Private Providers)	
6. Treatment Program		X		X		X		X (Local Mental Health Departments)	
7. Regional Detention			X	X					
8. Shelter Care	X	X	X ^{2/}	X	X	X ^{3/}			All three agencies are operating shelter care programs. In addition there are several private providers, e.g. Harry's Mother.
9. Foster Care	X	X						X (Private Providers, eg. Latter Day Saints, Casey Foundation)	
10. Group Care	X	X	X ^{4/}	X		X ^{5/}			
11. Training Schools	X	X							
12. Camps	X	X							
13. Parole	X	X							

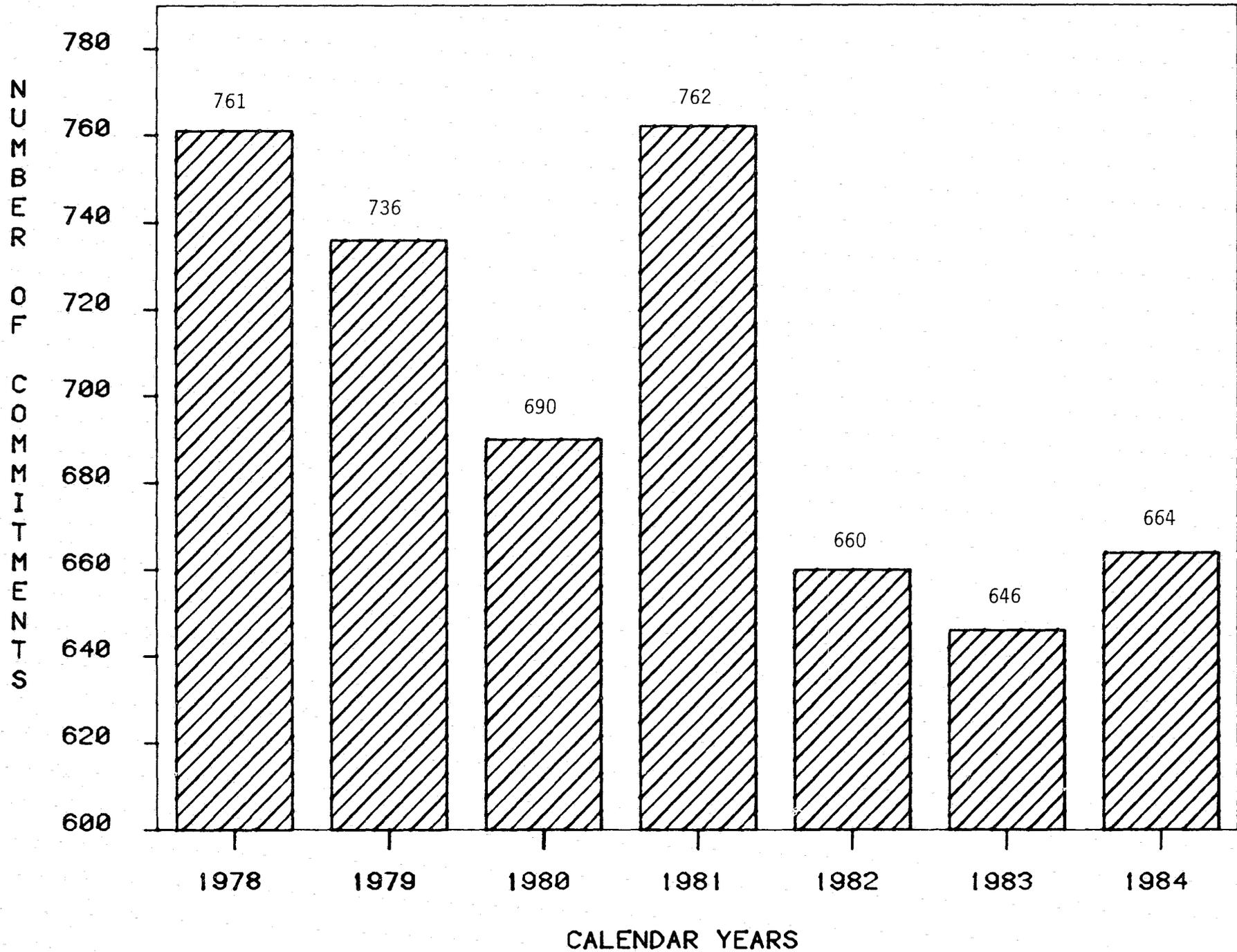
Footnotes:

- ^{1/} Juvenile Services Commission is a broker for these services.
- ^{2/} Lincoln County Juvenile Department has a shelter care program.
- ^{3/} Juvenile Services Commission currently funds 29 shelter care programs statewide, 16 programs with State Funds and 13 programs with Federal Funds.
- ^{4/} Douglas County funds and operates Pitchford Boys Ranch.
- ^{5/} Juvenile Services Commission currently funds some aftercare resources. The Commission may also fund group care positions, e.g. community Coordinator position at Mid-Valley Adolescent Center.

OREGON'S CURRENT
JUVENILE JUSTICE SYSTEM



TRAINING SCHOOL COMMITMENTS*
1978 - 1984



* Includes New Commitments and Recommitments Only

CLOSE CUSTODY POPULATION
HILLCREST AND MACLAREN

