



**OREGON YOUTH AUTHORITY**  
**Policy Statement**  
**Part III – Youth Services (Community)**



*Subject:*

**Field Custody**

*Section – Policy Number:*

**C: Case Planning and Review – 1.1**

*Supersedes:*

**I-C-1.1 (7/11)**  
**I-C-1.4 (7/98)**

*Effective Date:*

**08/16/2013**

*Date of Last Review/Revision:*

**None**

**Related Standards and References:**

- [ORS 419C.080](#) (Custody; when authorized)
- [ORS 420.910](#) (Arrest and detention of escaped, absent or paroled youth offenders)
- [ORS 420.915](#) (Procedure upon apprehension of escapee, absentee or parole violator)
- [OYA Policy](#): III-A-8.0 (Use of Physical Intervention and Restraints in the Community)  
 III-D-2.1 Youth Offender Transports and Escorts in the Community

**Related Procedures:**

- None

**Policy Owner:**

Community Services Assistant Director

**Approved:**

  
 Fariborz Pakseresht, Director

**I. PURPOSE:**

The policy provides OYA field staff directives on when and how a youth offender on OYA community supervision may be taken into custody by OYA staff.

**II. POLICY DEFINITIONS:**

**Peace officer:** Any sheriff, constable, marshal, or the deputy of any such officer, any member of the state police or any member of the police force of any city. (ORS 420.905)

**III. POLICY:**

Taking a youth offender into custody is comparable to arresting an adult and may pose a risk to the youth offender and staff involved. For this reason, standardized measures must be followed to safely execute the custody process.

As part of the parole revocation process, the superintendent/camp director of the youth correction facility from which the youth offender is on parole (or the superintendent's/camp director's authorized representative) may order the "arrest and detention" of the youth offender as described in ORS 420.910. When this occurs, a juvenile parole/probation officer or juvenile parole/probation assistant may take the youth offender into custody.

OYA staff may take a youth offender on OYA probation into custody without a peace officer's assistance if the juvenile court has authorized OYA staff to do so.

Once the authority to take a youth offender into custody is verified or obtained, the process for initiating custody must comply with this policy. All field staff and field supervisors whose duties include taking youth offenders into custody are required to complete physical intervention and restraint training .

Any use of physical intervention and restraint or restraint device must follow OYA policy III-A-8.0 (Use of Physical Intervention and Restraint in the Community). Any transport of a youth offender must comply with OYA policy III-D-2.1 Youth Offender Transports and Escorts in the Community.

#### **IV. GENERAL STANDARDS:**

- A. Field supervisors must ensure appropriate field staff have successfully completed physical intervention and restraint training offered by the Juvenile Justice Training Academy (Training Academy).
- B. Staff must have supervisory approval prior to taking a youth offender into custody.
- C. Staff must use verbal intervention skills as the primary means of encouraging a youth offender to cooperate with the custody process.
- D. Staff may only take a youth offender into custody in a controlled environment (e.g., OYA field office, treatment provider's office, school principal's office, foster home), not in a public area.
- E. The following people must be involved in the custody process:
  - 1. At least two OYA staff;
  - 2. One OYA staff member and a contracted provider; or
  - 3. One OYA staff member and law enforcement.
- F. Staff **must** request law enforcement assistance if:
  - 1. The youth offender has a history of assaultive behavior;

2. It is anticipated that force may be necessary to initiate custody; or
  3. The youth offender becomes non-compliant during any stage of the custody process.
- G. Only compliance techniques taught by the Training Academy are authorized for use on youth offenders. See OYA policy III-A-8.0 (Use of Physical Intervention and Restraints in the Community).
- H. During the entire custody process, staff must continuously assess their own, the youth offender's, and the public's level of safety and must discontinue the custody process if safety is threatened.

**V. LOCAL OPERATING PROTOCOL REQUIRED: NO**