

Proposal Narrative

a. Description of the Issue

Analysis of juvenile delinquency problems (youth crime) and needs.

Oregon's juvenile justice system has made significant strides towards community safety through the implementation of developmentally appropriate and trauma informed best practices supported by research in the juvenile justice field. Oregon's juvenile justice system is risk-based, which provides a continuum of interventions for low-, medium-, and high-risk offenders. Oregon conducts risk assessments and implements evidence-based practices, which may have contributed to a decline in juvenile crime. Oregon's Juvenile Justice Information System (JJIS) <http://www.oregon.gov/oia/pages/jjis.aspx> provides comprehensive case information about juvenile offenders and the services they receive from Oregon's state and county juvenile justice agencies. The JJIS tracks all juvenile offenders and reports on juvenile crime, treatment, sanctions, accountability and outcomes at every level. It assists agencies and providers in managing individual juvenile offender cases and in tracking juveniles through the system; it aids in planning, developing, and evaluating services designed to reduce juvenile crime; and it recognizes and supports the partner agencies' common business needs.

The Youth Development Division contracted with by NPC Research <http://npcresearch.com/> to conduct a Statewide Juvenile Crime Analysis. The full analysis is attached – Appendix A. The analysis noted the following trends and key findings:

- Overall, juvenile referrals and arrests both decreased 27% from 2013-2019. These are statistically significant decreases.

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- However, both juvenile referrals (14%) and juvenile arrests (36%) for person crimes increased since 2015/2016, a statistically significant increase for both, after decreasing since 2013. Referrals for assaults and sex offenses seem to be accounting for the increases.
- This increase was particularly notable for Hispanic youth among referrals and Black youth within arrests. Hispanic youth had an increase of 38% in referrals for person crimes since 2016. The percentage of Black youth arrested for person-related (295% increase), property-related (294%) and behavior-related (367%) crimes significantly increased from 2013 to 2019.
- Older youth (16 or older) had fewer referrals for person crimes in 2019 than 2018, though the rates for the younger age groups increased, particularly the 13-15-year-olds. Younger youth had an increase of 36% in arrests for person crimes from 2016 to 2019.
- While approximately 36% of referrals are females, 55-60% of runaway referrals are females. Each youth referred for being a runaway has an average of 2.5-2.75 runaway referrals per year. The percentage of referrals for dependency (runaways) decreased by 23%
- Detention admissions are down (36%), with ongoing decreases each year since 2014. Most of the decreases are seen in the shorter length of stay categories. There has been a 48% reduction in 1-3 day detention stays since 2013, and a 2% reduction in the 90+ day stays over the same period. Native youth experienced the largest decrease in detention (48%) from 2014 to 2019.
- Dispositions decreased by 26% from 2013 to 2019.
- About one-third (36%) of youth with referrals in 2019 received services. This percentage is consistent over time. While the total number of youth referred, the number of service

episodes and the number of unduplicated youth receiving services has decreased over time, the average number of service episodes per youth increased by 25% since 2013.

- While mental health service episodes have stayed consistent over time, the percent of mental health services completed has decreased by 21% from 2013 to 2019. Black youth are more represented in the proportion of youth receiving mental health services in 2019 than in 2014.
- All school variables from the JCP assessment—including suspensions, expulsions, drop outs, and having any risk factor in the school domain—showed statistically significant differences by race/ethnicity, gender, and age.
- While disproportionality in the juvenile justice system is a notable problem in Oregon for minority youth, there are positive areas to note. Referrals are typically a decision point involving law enforcement and are where the greatest disproportionality is for Black youth (3.39). However, the disparities for these youth reduce at the subsequent decision points and for detention and petitions are approaching 1.0 (0.96 and 0.94). Native youth also start off overrepresented at referrals (2.59) but are underrepresented in detentions (0.36) and petitions (0.41), as well as being overrepresented in diversions (which is positive). The more troubling data involve Hispanic and Asian youth, who experience greater disproportionality at later decision points (detention and petitions) than at referral.

While some of the data presented in the report show successes and promising trends, there are certain topics that continue to illustrate areas of need for the youth of Oregon, and disparities between youth of color and White youth. Some findings raise questions and suggest additional data collection, analysis, and conversations with key partners would be beneficial to understand more fully the reason for the patterns. Other areas prompt action steps related to youth-level

(e.g., enhanced or expanded services) or system-level (e.g., staff training, policy development) responses, as well as the need for enhanced support and services for youth.

Below is a list of recommendations based on the analysis:

- Continue to fund and encourage use of culturally responsive services and supports across youth service systems for youth of color, particularly Black, Native, and Hispanic/Latino youth, and their families.
- Implement or expand culturally responsive services for Black and Hispanic/Latino youth and families, to address the increases in person-related criminal referrals and arrests. The number of services for Black youth increased significantly, which may reflect the large increase in arrests for this group. Work with community partners to identify and create opportunities for culturally responsive resources, including prevention and early intervention programs, with the goal of reducing these arrests.
- Implement or expand culturally responsive services for Native youth, particularly in partnership with schools and Tribes, to reduce the number of expulsions for this group (see school-related recommendations below).
- Runaway charges, while considered status (non-criminal) offenses, are one of the most consistent and strong predictors of future criminality and typically represent a package of traumatic experiences (such as family conflict, substance use, or child abuse) or risks for future negative outcomes (such as lack of supervision, contact with antisocial peers, or contact with peers who use substances). Identifying youth with recent or chronic runaway episodes and providing comprehensive youth and family assessments and wraparound services could improve outcomes for these youth and reduce subsequent runaway episodes.

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- Encourage juvenile justice agency partners to expand their services to include families and other positive, supportive adults. Provide training on the benefits, best practices, and strategies for engaging families. Ensure that staff and service providers have the training and resources to conduct family assessments and the case management capacity to develop service plans that address family needs.

Recommendations for System-level reform efforts:

Justice system:

- Encourage law enforcement agencies to engage patrol officers in training related to implicit bias and share data regarding the overrepresentation of Black and Native youth being referred (arrested) compared to other youth. Oregon's juvenile justice system has made remarkable progress in reducing disparities once youth reach a juvenile justice agency. The largest disparities are at the entry point. Initiate discussions with policymakers regarding incentives for police agencies that attend to this issue, implement action steps, and reduce this disparity.
- Encourage counties to participate in focus groups and strategic planning for addressing the increase in person-related referrals, with an emphasis on understanding the increase of person related referrals for youth of color.
- Explore whether police, schools, and community agencies would benefit from de-escalation training or training related to restorative justice approaches. Discuss whether there are other system-level interventions that are warranted to address this issue.

School systems:

- Since 13-15-year-olds had increases in person-related crimes, it could be beneficial for schools to develop programs related to conflict resolution techniques, especially in middle school and in preparation for the transition to high school. Work with education partners to identify resources and curricula for training school staff and community service providers who work in schools or in other settings with this age group to learn, model, and teach these techniques.
- Work with schools to identify and support their most vulnerable groups of youth. Itemize resources to support gender non-binary youth and homeless youth, and encourage them to attend school. Encourage schools to assign a staff member to connect personally with each youth and follow up with them regularly to check on their physical and emotional safety. These youth are more likely to need additional support services, such as housing.
- Work with schools to increase the use of positive youth development in responses to behavioral difficulties that keep youth connected to the learning environment and, when possible and safe, in a structured setting. Reduce the reliance on out-of-school suspensions and expulsions, where youth typically have less supervision, learning time, contact with teachers, and access to schoolwork; and increase the use of responses that keep students in the school building with structure and support to complete school assignments.
- Develop an inventory of schools that are successful in maintaining students – specifically youth of color who have traditionally been suspended or expelled at disproportionately higher rates.

b. Project Goals and Objectives

The Youth Development Council (the Council or the YDC) was created through a series of gubernatorial policy directions and legislative bills as part of the education reform and restructuring efforts which began in December of 2010. The Council's mandate is to help youth who face barriers to education/learning and the workforce find success through elementary and middle school transition, high school graduation/GED, college and/or career pathways; ensures implementation of best practices that are evidence based; are culturally, gender and age appropriate; address individual risk factors and build upon factors that improve the health and well-being of children and youth; and includes Tribal best practices.

The Youth Development Division (YDD) was established under HB3231 in 2013. It is housed within the Oregon Department of Education, operates under the direction of the YDC, and is part of the unified Oregon Education System and is an integral part of the Governor's cradle to career vision ensuring equitable educational outcomes for all youth.

The YDD supports the Oregon Education System by developing state policy and administering funding to community and school-based youth development programs, services and initiatives for youth ages 6-24 in a manner that supports educational success, focuses on juvenile crime prevention, reduces high risk behaviors and is integrated, measurable and accountable.

The Youth Development Council (YDC) and Youth Development Division (YDD) share a **vision** that all of Oregon's youth have the opportunity to thrive and achieve their full potential.

The YDC/YDD **mission** is to align systems and invest in communities to ensure equitable and effective services for youth ages 6 through 24. Throughout Oregon and Tribal Nations, Youth Development supports educational and career success, disrupts youth crime and violence, and affirms youth strengths and safety.

This Three-Year Plan will support reaching the Youth Development Strategic Plan’s goals by focusing on the following objectives. The overarching goals of the Youth Development Strategic Plan are:

1. Goal: Systems Alignment and Transformation

1) Objective: Initiate and drive juvenile justice system change through agency partnerships and community relationships by promoting Positive Youth Development Model and culturally driven frameworks for supporting youth success.

Program Area: Delinquency Prevention.

The state will invest in comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection and housing agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services. Specifically programs using responses to behavioral difficulties that keep youth connected to the learning environment and, reduce the use of out-of-school suspensions, and programs using restorative practice and conflict resolution techniques, especially in middle school and in preparation for the transition to high school.

2) Objective: Ensure that Oregon and its jurisdictions comply with the provisions of the Juvenile Justice Reform Act of 2018. Additionally, we will review how the three of the core Juvenile

Justice & Delinquency Prevention Act (JJDPDA) monitoring requirements are currently connected with racial and ethnic disparities.

Program Area: Compliance Monitoring

The state will support a full time position dedicated to data collection, on-site visits and other activities necessary to ensure compliance with the JJDPDA.

2. Goal: Youth Voice and Resilience

3) Objective: Championing a strength- and science-based approach to youth development (services, programs, policies), and amplifying youth voices and stories.

Program Area: Community-Based Programs and Services

Support culturally specific community-based programs and services to work with youth to expand their services to include families and other positive, supportive adults. Specifically, those that work with most vulnerable groups of youth, such as youth of color, indigenous youth, rural youth, youth in foster care or involved in the child welfare system, homeless youth, youth from low-income communities, youth impacted by community or gun violence as well as youth identifying as gender non-binary.

3. Goal: Community Capacity and Justice

4) Objective: Building relationships and cohesion internally and externally, and applying a lens grounded in equity, relationships, and humility. More specifically, increase system capacity by helping county juvenile departments, courts, schools and other local partners to identify potential racial and ethnic disparities, identify contributing factors, evaluate and implement strategies and trainings to address and reduce the number of youth or color and indigenous youth who referred to the juvenile justice system.

Program Area: Alternatives to Detention and Placement

Invest in community-based alternatives to incarceration and institutionalization for youth with recent or chronic runaway episodes, or technical violations of probation/supervision, and provide comprehensive youth and family assessments and wraparound services could improve outcomes for these youth and reduce subsequent referrals. Support probation reform and encourage family engagement. Support local agencies through planning and strategic leadership for a continuum of custody from home- and/or community-based supervision through shelter placement prior to placement in detention.

c. Project Design and Implementation

The Three-Year plan will strive to reach the three strategic goals of the YDD by developing and implementing an action plan aligned with the three objectives/ program areas outlined above.

The YDD will solicit applications for projects that help achieve the goals and objectives identified in the section above. All proposed projects must adhere to PYD principles, demonstrate how they intend to ensure equity in services and impact R/ED in their respective jurisdictions. Programs will include services provided through peers and professionals with lived experience.

The fourth objective of maintaining compliance will be reached by supporting a full time position dedicated to monitoring compliance and addressing any potential non-compliance issues.

Other Plan Requirements:

- 34 U.S.C. § 11133(a).

The State of Oregon recognizes the importance of applying scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents by the following actions:

- ✓ Implementing legislative changes in 2019

<https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/SB1008/Enrolled>

Senate Bill 1008 modified treatment of youth in criminal justice system, including removing the requirement that youth age 15, 16, and 17 charged with criminal offenses specified in ORS 137.707 (Ballot Measure 11, 1994) be automatically waived into adult criminal court; and making a juvenile offender convicted of a criminal offense specified in ORS 137.707 (Ballot Measure 11, 1994) eligible for a conditional release hearing pursuant to the requirements of ORS 420A.203 after serving at least one-half of the sentence imposed.

- ✓ Investing in juvenile crime and recidivism prevention services

The Youth Development Division administers Juvenile Crime Prevention (JCP) funds allocation to all 36 counties and nine federally-recognized Indian tribes. Juvenile Crime Prevention services are developed and funded through a community planning process in each county and Tribe and therefore differ greatly across the state, from involvement in traditional cultural activities, to after-school programs, mental health treatment, family counseling, and mentoring.

<https://www.oregon.gov/youthdevelopmentdivision/Juvenile-Justice/Pages/JCP-Mission-Guidelines.aspx>

- ✓ Statewide implementation of policies and protocols that require developmentally appropriate services for youth

At the request of Governor Kate Brown, OJJDP's training and technical assistance provider, the Center for Coordinated Assistance to States (CCAS), conducted an assessment of Oregon's juvenile justice system. The assessment noted that opportunity for youth to stay in the Oregon Youth Authority (OYA) until age 25 was driven by brain development research; and that the focus of the system is on rehabilitation and positive youth development.

OYA implements Positive Human Development (PHD)

<https://www.oregon.gov/oya/Publications/AtAGlance-PHD.pdf> initiative rooted in positive youth development approach, a national, research-based model for working with youth. It emphasizes creating positive environments to help youth develop their natural talents in educational and vocational pursuits, as well as skills in emotional regulation, decision-making, and cooperation.

Oregon Youth Development Division issued Oregon Juvenile Detention Facility Guidelines

<https://www.oregon.gov/youthdevelopmentdivision/Juvenile-Justice/Documents/2020%20Juvenile%20Detention%20Guidelines.pdf> that require county detention facilities to commit to ensure implementation of best practices and services for youth who are placed in the detention facility. The guidelines require that facilities must integrate culturally sensitive, gender-responsive, trauma-informed and developmentally appropriate approaches into policy, programming and practices. All detention facilities are committed to implementing best practices that teach life skills and incentivize pro-social behavior in an effort to develop the tools needed for youth to re-enter and thrive in the community.

- 34 U.S.C. § 11133(a)(6).

Oregon is diverse in terms of geography and population density. Rural counties and tribal communities are represented on the YDC and receive funding through an equitable and competitive process. 17 of the most rural counties join together into the Central and Eastern Oregon Juvenile Justice Consortium (COEJJC). COEJJC was awarded Title II grant to establish and support two part-time Educational Assessment and Transition Specialists. One position focuses on conducting educational assessment and transition planning for youth who are in the NORCOR facility (detention and secure treatment programs). The second position assists

juvenile departments and OYA workers with education and transition planning for youth who may be placed in other detention facilities, and youth transitioning from residential placements back to local communities in the region.

- 34 U.S.C. § 11133(a)(7)(B)(i).

The Juvenile Crime Analysis suggests that while approximately 36% of referrals are females, 55-60% of runaway referrals are females. Each youth referred for being a runaway has an average of 2.5-2.75 runaway referrals per year. The percentage of referrals for dependency (runaways) decreased by 23%. School attendance data were recorded for gender non-binary youth in 2018-19. Their rate of regular attenders (58%) was significantly lower than for other groups. For more information, please refer to the attached Juvenile Crime Analysis.

- 34 U.S.C. § 11133(a)(7)(B)(ii).

Oregon is committed to providing gender-specific services for the prevention and treatment of juvenile delinquency in the prevention and treatment of juvenile delinquency. In 1993, the Oregon Legislature passed a bill that became the Equal Access Law (ORS 417.270) https://oregon.public.law/statutes/ors_417.270. As a result, Oregon became the first state in the nation to pass a law requiring all state agencies providing services to children to ensure that girls have equal access to appropriate gender-specific services, treatment and facilities. On February 28, 2008, the Oregon Youth Authority's all-female Oak Creek Youth Correctional Facility was opened. In January 2005, the Department of Human Services (DHS) director signed into policy and implemented the department-wide DHS Policy on Gender-Specific Services for Children and Youth, stating, “DHS will undertake action, where appropriate, to incorporate gender-specific perspectives and practices into the program strategy, development, implementation, analysis, and DHS work culture.” The YDD requires that all funded Juvenile Crime Prevention services

provided by county and tribal programs are gender specific and address specific needs of the youth they serve. The YDD is committed to providing leadership in policies and best-practices for youth who identify as non-binary, transgender, and LGBTQ+ community.

- 34 U.S.C. § 11133(a)(7)(B)(iii).

Central and Eastern Oregon Juvenile Justice Consortium (CEOJJC) is an organization representing 17 Oregon rural counties. CEOJJC was established through an intergovernmental agreement as a unit of government to create a self-sufficient system that addresses juvenile justice needs of youth and families served by county juvenile departments. The mission of CEOJJC is to ensure the right youth are provided the right services at the right time.

<http://www.codepublishing.com/OR/crookcounty/html/CrookCounty09/CrookCounty0908.html>

- 34 U.S.C. § 11133(a)(7)(B)(iv).

Oregon Juvenile Detention Guidelines require that children or youth charged with offenses that would not be crimes if committed by adults shall not be held in a detention facility, unless permitted by state law. ORS 419C.145 https://oregon.public.law/statutes/ors_419c.145 defines pre-adjudication detention grounds.

Youth who are survivors of commercial exploitation are referred to a number of community-based programs providing shelter and trauma-informed counseling. Oregon Department of Human Services funds and monitors a variety of residential behavioral health treatment programs. During the 2021 legislative session the Oregon Department of Human Services received funding to develop and maintain host home models for youth who are considered runaway and homeless. The funding requires community based collaboration with other system partners, education, and non-profit organizations.

- 34 U.S.C. § 11133(a)(7)(B)(v).

Oregon Juvenile Detention Facility Guidelines prohibit detaining of youth awaiting placement in residential treatment facilities with an exception of extended detention programs approved by the Youth Development Division. ORS 419C.453 https://oregon.public.law/statutes/ors_419c.453 requires that such programs provide therapeutic services and counseling to youth placed in such programs by the courts.

- 34 U.S.C. § 11133(a)(7)(B)(vi).

A priority of YDD/YDC strategic plan is to clarify and strengthen the state advisory group's purpose and collective wisdom. This will include adding more family voice and parent/family advocates as members. This will also likely include supporting transformational juvenile justice programs in probation that address disparities and engage family members in the design and delivery of supervision, treatment and post-placement services. The Oregon Youth Authority (OYA) encourages families to stay connected with their youth after they are committed to the agency's care and custody and to participate in post release planning. Family engagement is also encouraged by all county juvenile departments. Partnerships between the Oregon Youth Authority, county juvenile departments, private providers and other stakeholders promote effective communication, shared case planning, efficient service delivery, and utilizes best practice models designed to reduce recidivism. Family involvement is a high priority for field services. Families are encouraged to participate in case planning by attending multidisciplinary team meetings, family conferences, and home visit check-ins.

- 34 U.S.C. § 11133(a)(7)(B)(vii).

The Juvenile Crime Prevention funding requires evidence-informed community based planning Oregon juvenile crime prevention and diversion programs serve youth who come into contact

with the juvenile justice system. YDD's Juvenile Crime Prevention (JCP) Program provides funds to Oregon counties and Tribes to pay for community-based services supporting youth and their families, with the goal of preventing young people from engaging in criminal behavior. JCP monies fund services and programs identified by each community to meet its specific needs and focus on assessing and intervening with youth at high risk to commit crimes or recidivate.

- 34 U.S.C. §11133 (a)(7)(B)(viii).

Oregon law requires that at least 75% of all state moneys received by the Oregon Youth Authority and Youth Development Division's Juvenile Crime Prevention for programs must be expended on evidence-based programs and practices <https://www.oregonlaws.org/ors/182.515>.

Oregon invested in training on the principles of trauma-informed practices as well as implementation of such practices. The Youth Development Division, in partnership with the Oregon Health Sciences University and Oregon Youth Authority, convened *Equity in Juvenile Justice Summit* on October 16, 2019. The Summit convened advocates, key stakeholders and decision makers united by a common goal to reduce racial and ethnic disparities and promote equity in the juvenile justice system. The Summit brought together state, county, and tribal government agencies and community-based organizations representing the fields of juvenile justice, juvenile and adult corrections, educators, child-welfare, mental and behavioral health, law enforcement, courts, youth, and families. The agenda included the following presentations: *Examining the Intersection of Fear, Trauma and a Path to Healing* by Dr. Alisha R. Moreland-Capua and *Traumatic Lived Experiences* by Dr. Frank Franklin.

Each year YDD staff attend the Oregon Juvenile Department Directors Association Annual Conference. In 2019, the conference theme was *Love and Hope* and staff attended several trauma-related presentations and sessions, such as *Adverse Childhood Experiences, Risky*

Adolescent Behavior and Effects of Human Trafficking on Brain Development. The 2021 Annual conference is a virtual training focusing on equity throughout the system prevention, interventions, and workforce development.

Community-based organizations providing services to youth and families, such as Impact Northwest, implement equity and trauma based lens to decision making. The tool can be found at <https://impactnw.org/wp-content/uploads/2018/03/Equity-and-Empowerment-Lens.pdf>

Oregon Juvenile Detention Facilities Guidelines require that facility staff who have contact with youth should also be trained in:

- ✓ Adolescent development for girls and boys, including sexual health and sexual development.
- ✓ The physical, sexual and emotional abuse histories of youth and how to understand post-traumatic stress reactions and effectively interact with youth with those histories and trauma related reactions.
- ✓ Impacts of trauma and exposure to severe violence, death, or life-threatening accidents or disasters on youth development. This includes the impact of incarceration and how to recognize and respond to youth whose behavior is affected by post-traumatic stress.
 - 34 U.S.C. § 11133(a) (7)(B)(ix).

The Youth Development Division is collaborating with the Oregon Youth Authority (OYA) and Oregon Juvenile Department Directors Association (OJDDA) on the development and implementation of the plan to fully eliminate the use of restraints in county juvenile detention facilities on known pregnant juveniles.

OYA policy on transport of youth with in community services states: “Restraints used on a pregnant youth must not put the pregnant youth nor the fetus at risk. Staff may consult with the pregnant youth’s healthcare provider prior to applying restraints on the pregnant youth.”

OYA policy on transport of youth in facilities states: “Staff must consult with Health Services staff prior to applying restraints on pregnant youth. Restraints used on pregnant youth must not put the pregnant youth nor the fetus at risk.”

OYA policy on interactive supervision states: “Use of restraints on youth during active labor and delivery of a child is prohibited. Any deviation from the prohibition requires approval by the medical provider and OD, and must be based on documented serious security risks”.

OYA policies can be found at https://www.oregon.gov/oia/pages/policies/policy_list.aspx

- 34 U.S.C. § 11133(a)(8).

ORS 182.525 https://oregon.public.law/statutes/ors_182.525 requires mandatory expenditures for evidence based programs for state agencies, including YDD, named in ORS 182.515 https://oregon.public.law/statutes/ors_182.515 and provides definitions of evidence-based programs.

- 34 U.S.C. § 11133(a)(18).

ORS 419A.253 <https://oregon.public.law/statutes/ors>; and ORS 419A.255 https://oregon.public.law/statutes/ors_419a.255 require that juvenile departments shall have written policy, procedure, and practice in keeping with statutory requirements on youth records and confidentiality.

- U.S.C. § 11133(a)(22).

ORS 182.515 https://oregon.public.law/statutes/ors_182.515 requires that no less than 75% of programs implemented by the YDD meet evidence-based criteria.

JCP prevention programs and/or services have been implemented in every county and Tribe located within Oregon, providing services to youth at high-risk for delinquency. JCP youth are showing reductions in risk factors and increases in protective factors after participation in JCP prevention programs and services, measured by validated risk assessment and re-assessment tools. JCP youth have shown overall decreases in dynamic risk indicators at reassessment.

NPC Research conducts biannual evaluation of the JPC services at the end of each biennium, and presents its findings to the YDD/YDC. The agency provides mandatory biennial progress reports to the Joint Judiciary Committee of the Oregon Legislative Assembly.

- 34 U.S.C. § 11133(a)(28).

The YDD provides Juvenile Crime Prevention (JCP) funds allocation to all 36 counties and nine federally recognized Indian tribes. The goal of the Juvenile Crime Prevention Program is to reduce juvenile arrests, reduce juvenile recidivism (new offenses by juvenile offenders) and reduce the need for beds in facilities operated by the Oregon Youth Authority. The Youth Development Council is responsible for approving county and tribal juvenile crime prevention plans and establishing guidelines for funding eligibility. [ORS 417.855](#) requires the county and tribal recipients to use JCP funds for services and activities for youth who: (a) Have more than one of the following risk factors: antisocial behavior; poor family functioning or poor family support; school failure; substance abuse; or negative peer association; and (b) "Are clearly demonstrating at-risk behaviors that have come to the attention of government or community

agencies, schools or law enforcement and will lead to imminent or increased involvement in the juvenile justice system."

All applicants for Federal Title II funds are required to demonstrate how the proposed project will align with the existing local JCP services.

- 34 U.S.C. § 11133(a)(29).

Oregon Juvenile Detention Facilities Guidelines

[https://www.oregon.gov/youthdevelopmentdivision/Juvenile-](https://www.oregon.gov/youthdevelopmentdivision/Juvenile-Justice/Documents/2020%20Juvenile%20Detention%20Guidelines.pdf)

[Justice/Documents/2020%20Juvenile%20Detention%20Guidelines.pdf](https://www.oregon.gov/youthdevelopmentdivision/Juvenile-Justice/Documents/2020%20Juvenile%20Detention%20Guidelines.pdf) on Use of Restraints:

Restraints should only be used, as for as long as necessary, to prevent self-injury, injury to others, severe property damage that involves imminent threat to safety, attempted escape or for transportation purposes.

ORS 169.760(2) Juvenile detention facilities shall have established comprehensive written policies providing for the least restrictive alternative consistent with the safety and security of the facility, ORS 169.076, 169.078, 169.740 and 169.750, with respect to the use of physical restraints, force, chemical agents, internal searches and isolation of or upon a detained juvenile.

Juvenile detention facilities may not impose physical restraint for the purposes of discipline or punishment. Use of physical force or other means of physical control are prohibited except as reasonably necessary and justified to prevent escape from the facility, physical injury to another person, to protect a detained juvenile from physical self-injury or to prevent destruction of property, or to effectuate the confinement of the juvenile in room lock or isolation as provided for in ORS 169.090, 169.730 to 169.800, 419A.050 and 419A.052, and for only so long as it appears that the danger exists. A use of force or other physical means of control may not employ

the use of restraining devices for a purpose other than to prevent physical injury or escape, or, in any case, for a period in excess of six hours. However, the time during which a detained juvenile is being transported to another facility pursuant to court order shall not be counted within the six hours.

ORS 169.740(2)(i) https://oregon.public.law/statutes/ors_169.740 Juvenile detention facilities shall make a written report, one copy of which shall be maintained in a general log, of each use of restraint, setting forth in detail the reason such action was taken and the name of the staff person taking such action. ORS 169.740(2)(j) Juvenile detention facilities shall notify the attorney and the parent or guardian of the detained youth after the use of any use of restraint upon the youth as soon as reasonable after the use and by mailing a copy of the written report within 24 hours after the use.

OYA Correctional Facilities policy can be found at <https://www.oregon.gov/oia/policies/II-B-1.1.pdf>

- 34 U.S.C. § 11133(a)(30)

Oregon Juvenile Detention Facilities Guidelines on Mental Health Services

ORS 169.740(L), ORS 169.740(2)(g) Juvenile detention facilities shall provide for counseling of any detained youth found to be within the jurisdiction of the court, and for non-dispositional counseling of any juvenile held in excess of five judicial days.

ORS 169.760(3) Juvenile detention facilities shall have established comprehensive written policies providing for the least restrictive alternative consistent with the safety and security of the facility with respect to a detained juvenile's access to counseling.

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The following best practices are encouraged:

- ✓ Facilities should ensure access to 24 hour crisis mental health services.
- ✓ Qualified mental health professionals provide services for significant mental health needs discovered during the screening and assessment of youth and for youth with significant mental health needs that arise after admission.
- ✓ Services meet or exceed the community level of care and are tailored to be appropriate for the length of time the youth is expected to stay in the facility.

OYA Substance Use Screening Policy can be found at <https://www.oregon.gov/oia/policies/III-D-3.3.pdf>. Oregon Health Authority provides Youth Behavior Rehabilitation Services (BRS) <https://www.oregon.gov/DHS/children/providers-partners/brs/Pages/index.aspx>

- 34 U.S.C. § 11133(a)(31).

The OYA Reentry (transition) planning is included in the case planning policy

<https://www.oregon.gov/oia/policies/i-a-11.0.pdf> :

Oregon Youth Authority conducts various assessments, including a risk-needs assessment, and develops a case plan based on a youth's criminogenic risks. All risk-needs assessments are conducted by trained staff using various assessments, including the OYA Risk/Needs Assessment (RNA).

The case planning process is built on assessments. It focuses on the youth's needs and strengths, and directs gender- and culturally-specific interventions to reduce risk of future criminal conduct. The major criminogenic risk factors a case plan addresses include antisocial attitudes, delinquent associations and isolation from pro-social associations, temperament and behavioral

characteristics, low educational or employment achievement, negative family factors, substance abuse, and leisure time activities.

Transition case planning:

a) The Multi-Disciplinary Team (MDT) must establish two transition placement goals when developing a youth's initial case plan: “Placement at Termination of Custody” and the “Next Placement.” The primary case manager must update these placement goals in Juvenile Justice Information System (JJIS) as they change.

b) The primary case manager must document in JJIS transition activities (specialized activities designed to ensure a smooth transition to the next placement) prior to the youth's transition to the next placement. (1) These activities may be documented prior to the youth's transfer between OYA facilities. (2) These activities must be documented when a youth returns to the community from either an OYA facility or a residential treatment facility.

- 34 U.S.C. § 11133(a)(33)

The YDD will work with the OJDDA on the development of policies and procedures for juvenile detention facilities to screen for and identify victims of human trafficking. Meanwhile a number of community-based agencies provide services to such victims across the state. A list of resources can be found at [https://www.nigc.gov/images/uploads/training/portland/4a-%20Human%20Trafficking%20Resources%20-%20Oregon%2005312017\(1\).pdf](https://www.nigc.gov/images/uploads/training/portland/4a-%20Human%20Trafficking%20Resources%20-%20Oregon%2005312017(1).pdf)

Consultation and participation of units of local government. The state plan must provide for the active consultation with, and participation of, units of local government in the development of the state plan, taking into account their needs and requests (see 34 U.S.C. §§ 11133(a)(4)).

The YDC's Juvenile Justice Committee invites county juvenile department directors to participate in all meetings and incorporates their feedback into planning and implementation strategies. Governor Brown appointed two juvenile department directors to serve on the YDC representing the Oregon Juvenile Department Directors Association (OJJDA). Oregon Association of County Commissioners (AOC) also has a permanent designation on the YDC. The juvenile justice specialist attends monthly OJJDA meetings to provide YDD updates and solicit feedback and recommendations on proposed priorities, policies and allocations.

The YDC provides Juvenile Crime Prevention (JCP) funds to counties and tribes for programs focused on youth at risk for juvenile crime and establishes assessment criteria for the local high-risk juvenile crime prevention plans. The criteria include, but are not limited to, measuring changes in juvenile crime and recidivism (ORS 417.850).

Each board of county commissioners shall designate an agency or organization to serve as the lead planning organization to facilitate the creation of a partnership among state and local public and private entities in each county. The partnership shall include, but is not limited to, education representatives, public health representatives, local alcohol and drug planning committees, representatives of the court system, local mental health planning committees, city or municipal representatives and local public safety coordinating councils. The partnership shall develop a local high-risk juvenile crime prevention plan (ORS 417.855).

Local public safety coordinating council shall develop and recommend to the county board of commissioners a plan designed to prevent criminal involvement by youth. The plan must provide for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention (ORS 423.565).

Local Juvenile Crime Prevention Plans must include information on local community juvenile justice continuum’s issues, needs, barriers, and service gaps; and a summary of key data supporting strategies recommended in the plans. Required data analyses include demographics, juvenile crime trends, risk and protective factor profiles, outcome information. Local plans also include an analysis and/or discussion of representation of youth of color and indigenous youth in the local juvenile justice system continuum and a description of how the plan addresses issues raised by local Racial and Ethnic Disparities data. The Youth Development Council works with tribal governments to develop tribal high- risk juvenile crime prevention plans (ORS 417.850) Oregon statute <https://www.oregonlaws.org/ors/417.847> requires YDC to have a tribal representative on the council. ORS <https://www.oregonlaws.org/ors/182.164> requires agencies to consult with the nine federally recognized Indian tribes on all proposed policies and funding opportunities. The consultations occur during quarterly face-to-face cluster meetings with respective tribal agencies and an annual Government-to-Government Summit. The juvenile justice specialist is in ongoing consultation with the tribal governments acting through their respective tribal Juvenile Crime Prevention Coordinators. The juvenile justice specialist and compliance monitor participate in quarterly Tribal Public Safety Cluster meetings.

Collecting and sharing juvenile justice information.

JJDP Act at 34 U.S.C. §§ 11133(a) (4), (5), (7), (8), (9), (26), (27), and (28).

ORS 420A.223 <https://www.oregonlaws.org/ors/420A.223> requires establishment and maintenance of the Juvenile Justice Information System (JJIS) JJIS, an electronic information system, is administered by the state through a partnership of the 36 county juvenile departments

and the Oregon Youth Authority (OYA). The JJIS Steering Committee establishes rules governing the administration of the JJIS including, but not limited to:

(a) Confidentiality of information;

(b) State and county roles and costs; and

(c) County reporting requirements.

(2) The OYA maintains the Juvenile Justice Information System according to the Criminal Justice Information Standards program established under ORS 181.715.

(3) Counties participate with the OYA with required data elements in the format required by the rules of the OYA at no cost to the state. [1999 c.595 §1]

Senate Bill 1, which created the Oregon Youth Authority (OYA) in 1995, stated that the juvenile justice system “shall be open and accountable to the people of Oregon and their elected representatives.” A centralized juvenile justice data system provides accurate and timely information to assist decision-makers in making key decisions, such as those relating to program direction and the allocation of resources to areas that appear to have the greatest effect on reducing juvenile crime. A centralized system, such as JJIS, also provides access, for authorized users, to individual youth records which are important for informed and coordinated decisions affecting custody, diversion, and service/treatment planning. Oregon’s JJIS has centrally tracked and provided information about youths in the juvenile justice system across state, county and local agencies since 1999. The OYA uses JJIS data to produce annual reports for the state and each of the 36 counties on detention, referrals, dispositions, recidivism, and restitution/community service. The reports are available on this website:

http://www.oregon.gov/oya/Pages/jjis_data_eval_rpts.aspx

JJIS data include a series of annual reports providing information that supports public safety and reduction of juvenile crime. Statewide and county-specific reports are produced for recidivism, referrals, dispositions, detention and length of stay, restitution, community service, and programs and services. Reports enable tracking of such factors as admission reason and detention length by demographics and detention length by admission reason. The reports aid researchers, juvenile justice and corrections agencies, and public safety partners in planning, developing and evaluating programs designed to reduce juvenile crime. JJIS maintains confidentiality and protection of information contained in the database.

All JJIS reports, statewide and individual counties, are located at:

http://www.oregon.gov/oia/Pages/jjis_data_eval_rpts.aspx

In addition to the published reports, JJIS users have access to more than 250 special reports that can be customized for their particular needs. Data from JJIS reports are incorporated in Oregon's Three-Year Plan and annual updates in three ways:

- Demographic, referral, and offense data for the analysis of juvenile crime problems and juvenile justice system needs
- Detention data for compliance monitoring, and
- Detailed data about race and ethnicity of youth at all decision points (except arrest) for the identification and analysis of disproportionate minority contact.

ORS 419A.255 establishes access and disclosure requirements for transcripts and other records of juvenile court proceedings. The statute applies to the “legal file” and to the “social file” which involves reports or material provided to the court for consideration but not admitted as exhibits.

It makes clear that the following entities have access to juvenile records: district attorney, assistant attorney general, Department of Human Services, and OYA; it provides for sharing of juvenile records among those agencies.

Oregon Department of Human Services Child Welfare “Responding to Subpoenas, Summons and Court Order” Policy can be found at

http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b12.pdf

Pursuant to Section 223(a) (28) of the JJDP Act, the state must provide an assurance that juvenile offenders whose placement is funded through Section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in Section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in Section 475 of such Act (42 U.S.C. 675).

This requirement applies only to placements supported with funds from Title IV-E of the Social Security Act. Oregon juvenile courts place youth offenders in the physical custody of the Oregon Youth Authority (OYA). That agency does not use Title IV-E funds.

ORS 418.030 <https://www.oregonlaws.org/ors/418.030> directs the Oregon Department of Human Services to provide consultation services related to the prevention, control and treatment of juvenile delinquency to local and statewide public and private agencies, groups and individuals or may initiate such consultation services.

2. The OYA is leading a Feeder System Project that will gather and cross-analyze data from Oregon’s social/human service agencies, the education system, and criminal justice agencies. Official data-sharing agreements are in place or being developed with the Oregon Department of Human Services (DHS), Oregon Health Authority (OHA), Oregon Department of Education (ODE), and Oregon State Police (OSP). Staff from the Integrated Client System Data Warehouse

(ICS), a unit within DHS, are facilitating data matching across the multiple data systems. Once all data are merged, ICS staff will remove all individual- and family-level identifiers before data are delivered to OYA and Department of Corrections (DOC) researchers. This will ensure that no individual or family can be identified.

OYA will include data from any other state and local social/human service agencies and criminal justice departments (e.g., county juvenile agencies, local law enforcement, and county human services agencies) that are interested in participating in this project. The more data that can be compiled regarding individual- and family-level social service access, school attendance, and contact with the criminal justice system, the more accurate and useful the eventual analyses and recommendations will be.

d. Plan for Collecting the Data Required for This Solicitation’s Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under “Goals, Objectives, and Deliverables.”

Applicants can also visit OJP’s performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

All Title II sub-grant recipients will be required to provide quarterly progress reports and submit quarterly requests for reimbursement to the YDC. Projects selected for funding must, at a minimum, designate a qualified staff person, to ensure that federal performance measures are collected and reported. A submission of a logic model that clearly states objectives, activities, output measures short-term and long-term outcome measures, and includes target figures – is a funding requirement under Oregon Formula Grant Program.

Each project’s logic model will identify the federal Formula Grant program area and will include the mandatory output and outcome measures and one or two additional output and outcome measures, if applicable. The applicants must indicate the data sources that will be available for outcomes and outputs reporting. Applicants will be advised that federal funds may not be used to supplant the level of state or other funds. The state will monitor progress and evaluate outcomes of individual programs. The state will compile and submit annual progress reports and Performance Measurement Tool (PMT).

Evidence-based, emerging and tribal best practices will be given a priority in funding pursuant to the state statute and the requirements of this grant in sub-award selections. Second and third year awards will be subject to the sub-grantee’s performance evaluation and progress in meeting the goals specified in the original sub-grant application. Failure to demonstrate substantial progress in two years will result in ineligibility for a third year award.

Designated State Agency information

The Youth Development Division is Oregon’s designated state agency responsible for preparation and administration of the 3-year plan.

In 2012, in a letter to the OJJDP Administrator, the Governor designated the Youth Development Division as the sole agency responsible for the administration of the Formula Grants Funds Oregon receives from the OJJDP and for supervising the preparation of the Three Year Plan and its implementation. [ORS 417.847](#) established Youth Development Council and states that “the council consists of no fewer than 15 members who are appointed by the Governor. The Governor shall ensure that membership of the council satisfies any federal requirements for membership of a state advisory committee on juvenile justice.” [ORS 417.850](#) describes other duties, among them to “oversee and approve

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funding and policy recommendations of the state advisory group as required by the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601 et seq.” In 2018, Governor Brown signed a letter confirming designation of the YDD as the agency responsible for the administration and compliance monitoring.

The Youth Development Council has met the requirements of a State Advisory Group advising the Youth Development Division, the Designated State Agency.

The Youth Development Council (YDC), Oregon’s SAG, has been provide an opportunity to review and comment on the Three-Year Plan.

The Juvenile Justice Committee of the YDC participated in the development of the 2021-2023 Oregon’s three year plan at a series of committee meetings. The Plan is based on the findings of the Oregon Youth Crime Analysis and supports the goal identified in the YDD Strategic Plan. The Juvenile Justice Committee met on December 7, 2020, January 4, 2021, February 1, 2021, March 1, 2021, April 5, 2021, and June 7, 2021, to review Juvenile Crime Analysis data work on the development of the 3-year plan. The committee’s recommendations were presented to the Youth Development Council for approval.

YDD’s Juvenile Justice Specialist drafts a Request for Proposals (RFP) packet based on the priority program area approved by the YDC. The packet includes: information for applicants regarding eligibility for funding, application deadline, proposed project and reporting requirements, and proposals review process; application form and corresponding scoring sheet. Draft RFP packets are reviewed by the Juvenile Justice Committee prior to the approval by the YDC. Once approved, the RFP is posted on the YDD website and sent out to the YDD listserv and shared with all partnering networks. Once applications are received, the Juvenile Justice Committee and invited experts from other state agencies review and

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score the proposals. The results of the review and selection process are sent to the YDC full membership for a final review and approval at the next consecutive meeting. The application review, selection and approval process takes between 30 and 60 days depending on the number of applications received and council schedule.

The YDD submits reports on the status of state compliance with the requirements of paragraphs (11), (12) and (13) to the Governor's Public Safety Advisor. The reports include the annual compliance data report submitted to the OJJDP and a letter of compliance determination received from the OJJDP. Oregon has been found to be in full compliance with the aforementioned paragraphs for the last several years. YDD staff also reports to the Legislature during legislative sessions on the status of all funds administered by the agency, including the funds received from the OJJDP.

Oregon affirms that contact and input are sought from youth currently under the jurisdiction of the juvenile justice system through the process described below. The Oregon Youth Authority (OYA) leadership participates in the Juvenile Justice Committee meetings and provides opportunities for contact and participation. Two county juvenile department directors serve on the YDC and also provide a venue for the committee members to communicate with youth in local juvenile justice systems. An YDD staff member serves on the African American Advisory Committee and Native American Advisory Committees of the OYA and connects the youth voices to the YDC. Additionally, the YDC is responsible for the development of the Juvenile Detention Guidelines for the operation of all detention facilities in the state.

Oregon Department of Education, Youth Development Division, has strong internal fiscal controls and fund accounting procedures necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title. The Financial Management and Internal Controls

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questionnaire has been completed and signed by the Financial Point of Contact and submitted as part of the application.

Oregon has compared the amount received in FY 2000 (\$600,000) with the amount to be received in FY 2021 (\$600,000), and the FY 2020 (\$623,981) amount does not exceed 105 percent of the FY 2000 amount.

The State will reserve 0% of funds received to provide incentives to grants to units of local government that reduce the case load of probation officers.