

JOSEPHINE COUNTY JUVENILE JUSTICE PUBLIC SAFETY SERVICES

Conceptual Prototype

**Jon Whalen & Mike Walker, Members
JS&PSS Exploratory Committee**

Hugo Neighborhood Association & Historical Society



First Draft - April 27, 2016

JOSEPHINE COUNTY JUVENILE JUSTICE PUBLIC SAFETY SERVICES

Draft April 27, 2016

By Jon Whalen and Mike Walker, Co-Authors
Justice System & Public Safety Services Study Design: 2015 (Study Design)

JS&PSS Exploratory Committee

Hugo Neighborhood Association & Historical Society

Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Josephine County Juvenile Justice Public Safety Services

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 27, 2016. *Josephine County Juvenile Justice Public Safety Services*. Hugo Neighborhood Association & Historical Society. Hugo, OR. (This Document).

Purpose/Outline

Web Links By Chapter

Understanding The Juvenile Justice Josephine County Budget: FY 2015-16

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 27, 2016. *Understanding The Juvenile Justice Josephine County Budget: FY 2015-16*. Hugo Neighborhood Association & Historical Society. Hugo, OR.

Purpose/Outline

Web Links By Chapter

Understanding The Juvenile Justice Josephine County Budget: FY 2010-11

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 22, 2016. *Understanding The Juvenile Justice Josephine County Budget: FY 2010-11*. Hugo Neighborhood Association & Historical Society. Hugo, OR.

Purpose/Outline

Web Links By Chapter

JOSEPHINE COUNTY JUVENILE JUSTICE PUBLIC SAFETY SERVICES

Outline

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V. STANDARDS & CRITERIA: JJ ELECTIVE, NECESSARY, AND/OR MANDATED PUBLIC SAFETY SERVICES (PSS)

- A. JJ Law (Oregon Revised Statutes)
 - 1. ORS 419A.010-020: Juvenile Court and Field Services
 - 2. ORS 418.746-796: Child Abuse Multidisciplinary team (MDT)
 - 3. ORS 107.775: Court Mediation to Assist Families to Develop Child Custody and Parenting Plans
 - 4. Oregon Ballot Measure 11 (1994)
 - a) Measure 11 Mandatory Minimum Sentencing
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- C. JJ Josephine County Policy/Law
- D. Federal
 - 1. Office of Juvenile Justice & Delinquency Prevention
- E. Other (e.g., Federal, courts, etc.)
 - 1. U.S. Code on Juvenile Delinquency (18.U.S.C.A. §§ 5031 et seq.)
 - 2. American Correctional Association
 - 3. Juvenile Detention Standards in Washington State
 - 4. Juvenile Justice Standards: For Institute of Judicial Administration and the American Bar Association

VI. JJ RESOURCES

- A. Government
 - 1.a Oregon Juvenile Department Directors Association
 - 1.b. About Us, Oregon Juvenile Department Directors Association
 - 1.c. Policies, Oregon Juvenile Department Directors Association
 - 1.d. Juvenile Crime Prevention, JCP Risk Assessment Tool
 - 2. Oregon Youth Authority
 - 3. Oregon Commission on Children and Families
 - 4. Oregon Department of Human Services
 - 3. Oregon Commission on Children and Families
 - 4. Oregon Department of Human Services
 - 5. Oregon Health Authority
 - 6. Department of Education
 - 7. Employment Department
 - 8. Oregon State Police
 - 9. Oregon's 36 County Juvenile Departments
 - 10. Oregon Department of Corrections
- B. State & Local Service Providers
- C. Advocacy Groups/Partners
- D. Programs
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 - 2.

VII. JJ STUDIES/INVENTORIES

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- B. Vetted Studies/Inventories
- C. Further Readings

VIII. MALPSS

IX. COURTS

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TABLES

Table IV-1. Josephine County Juvenile Justice FY 2015-16 JO CO Budget

ACRONYMS

ABA	American Bar Association
ACA	American Correctional Association
BCC	Josephine County Board of County Commissioners
CFYJ	Campaign for Youth Justice
CHA	Community Health Assessment
Committee	Justice System Public Safety Services (JS&PSS) Exploratory Committee
DOC	Oregon Department of Corrections
DHS	Oregon Department of Human Services
Exploratory Committee	Justice System Public Safety Services (JS&PSS) Exploratory Committee
FFT	Functional Family Therapy
FTE	Full-time equivalent
FY	Fiscal Year
JBC	Juvenile Correctional Boot Camp Programs
JCF	Juvenile Correctional Facilities
JCP	Juvenile Crime Prevention
JCRF	Juvenile Community Residential Facilities
JDF	Juvenile Detention Facilities
JDTP	Juvenile Day Treatment Programs
JJ	Juvenile Justice
JJIS	Oregon's Juvenile Justice Information System
JJ Dept.	Juvenile Justice Department
JJ SPF	JJ Special Programs Funds
JJ SRF	JJ Special Revenue Funds
JS&PSS	Justice System Public Safety Services
JS&PSS Com.	Justice System Public Safety Services Exploratory Committee
JO CO	Josephine County
MALPSS	Minimally Adequate Levels of Public Safety Services
MDT	Child Abuse Multidisciplinary team
NIJJD	National Institute for Juvenile Justice and Delinquency Prevention
OAR	Oregon Administrative Rules
OJDDA	Oregon Juvenile Department Director's Association
OJJDP	Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice
OPMS	OYA Performance Management System
ORS	Oregon Revised Statutes
OYA	Oregon Youth Authority
PREA	Prison Rape Elimination Act
PSF	Public Safety Fund
PSJ	Partnership for Safety and Justice
SPF	Special Programs Funds
SRF	Special Revenue Funds
SRS	Secure Rural Schools and Community Self-Determination Act
Reviewers	Jon Whalen & Mike Walker, Members of the JS&PSS Exploratory Committee
Scope of Work	Justice System & Public Safety Services Issue Scope Of Work: 2013
Study Design	Justice System & Public Safety Services Study Design: 2015
TARP	Troubled Assets Relief Program
TGPDC	The Grants Pass Daily Courier
YRS	OYA Youth Reformation System

JOSEPHINE COUNTY JUVENILE JUSTICE PUBLIC SAFETY SERVICES

PURPOSE: Conceptual Prototype

Purpose The Josephine County (JO CO) Juvenile Justice (JJ) Department provides public safety services. The purpose is to describe the JO CO JJ Department: 1. Full-time equivalent (FTE), 2. Budget, and 3. Program Text Descriptions.

Conceptual This paper is a conceptual prototype for the Justice System Public Safety Services (JS&PSS) Exploratory Committee's analysis of JO CO budget documents for all public safety service programs. Testing a prototype/developed design process is a very important part of the design process. Testing and evaluation, simply confirms that the process will work as it is supposed to, or if it needs refinement. In general, testing a prototype allows the user to assess the viability of a design. Will it be successful? Testing also helps identify potential faults, which in turn allows the designer to make improvements.

- Of, relating to, or based on mental concepts, "philosophy deals with conceptual difficulties."
- Simple Definition of Conceptual: based on or relating to ideas or concepts. Full Definition of Conceptual: of, relating to, or consisting of concepts <conceptual thinking> (Merriam-webster).
- Conceptual. A definition in terms of concepts, such as the one found in a dictionary, instead of in terms of the results of measuring procedures.
- Conceptual Skill. The ability to think creatively about, analyze and understand complicated and abstract ideas.

Prototype A first, typical or preliminary model of something, from which other forms are developed or copied.

- A prototype is an early sample, model, or release of a product built to test a concept or process or to act as a thing to be replicated or learned from. It is a term used in a variety of contexts, including semantics, design, electronics, and software programming. A prototype is designed to test and try a new design to enhance precision by system analysts and users. Prototyping serves to provide specifications for a real, working system rather than a theoretical one. In some workflow models, creating a prototype (a process sometimes called materialization) is the step between the formalization and the evaluation of an idea (Wikipedia).
- Planning of the Prototype Process Description. A prototype is an unfinished and physical test version of a product, a service or a process and prototypes may be used in order to develop, test and communicate ideas and concepts.

Paper Status This paper is also likely to remain a draft in terms of addressing the review questions, standards and criteria. It is be the final for an understanding of the Juvenile Justice programs by the authors at the time they reviewed the applicable budget documents.

I. PUBLIC SAFETY PROBLEM/ISSUE

A. Josephine County (JO CO)/City Of Grant Pass Levies/Tax Proposals

The 2012 expiration of Federal Secure Rural Schools and Community Self-Determination Act (SRS) payments to JO CO, used mostly for public safety services, resulted in four county tax levies and one city sales tax as solutions. They all failed. However, there is a high probability for another levy to be on a future ballot. This is reasonable, as public safety services are needed, even though the form and the cost are issues.

1. May 15, 2012 JO CO-wide Primary Election Measure 17 - 43, Criminal Justice System Operations Four Year Local Option Tax (i.e., \$1.99 per \$1,000 of assessed value), failed 57 - 43 percent, Voter Turnout - Total 52.59%; 25,405 votes for Measure 17 - 43/ 49,561 registered voters = 51%.
2. May 21, 2013 JO CO-wide Special Election Measure 17 - 49, Criminal Justice and Public Safety Three Year Local Option Tax (i.e., \$1.48 per \$1,000 of assessed value), failed 51 - 49 percent, Voter Turnout - Total 51.97%; 26,331 votes for Measure 17 - 49/ 50,944 registered voters = 52%.
3. May 20, 2014 JO CO-wide Primary Election Measure 17 - 59, Criminal Justice and Public Safety Three Year Local Option Tax (i.e., \$1.19 per \$1,000 of assessed value), failed 53 - 48 percent, Voter Turnout - Total 56.51%; 27,991 votes for Measure 17 - 59/ 50,655 registered voters = 55%.
4. May 19, 2015 JO CO-wide Special Election Measure 17-66, For Patrol, Jail, Shelter of Abused Youth; Five Year Levy (i.e., \$1.40 per \$1,000 of assessed value), failed 54 - 46 Percent, Voter Turnout - Total 50.65%; 25,824 votes for Measure 17 - 59/ 51,143 registered voters = 51%.
5. November 3, 2015 Grants Pass City-wide Special Election Measure 17-67 2 Percent Sales Tax for City Public Safety and Criminal Justice Services, failed 78 - 22 Percent

B. Study Design

1. Justice System & Public Safety Services Study Design: 2015 (Study Design)

Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

- Hugo Justice System & Public Safety Services Exploratory Committee. Draft 2015. *Justice System & Public Safety Services Study Design: 2015*. Hugo Neighborhood Association & Historical Society. Hugo, OR.

2. Justice System & Public Safety Services Issue Scope Of Work (2013; Scope of Work)

Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

- Hugo Justice System & Public Safety Services Exploratory Committee. Draft July 18, 2013. *Justice System & Public Safety Services Issue Scope Of Work* (Scope). Hugo Neighborhood Association & Historical Society. Hugo, OR.

C. JO CO Juvenile Justice (JJ) News

- ***County Struggling to Keep Youth Suspects Locked up***, October 13, 2015, Melissa McRobbie, The Grants Pass Daily Courier (TGPDC), Front Page News.
According to county Juvenile Justice Director Jim Goodwin, "We're in pretty rough shape." The beds are rented, and the problem is that the need outweighs bed availability, meaning that right now, some youths suspected of committing serious crimes are being cited and released rather than booked into detention because there's no room for them.
- ***Justice Officials Outline Fiscal Cuts***, May 8, 2015, Jim Moore, TGPDC, Community News.
Meanwhile, Juvenile Justice, with a budget of \$1,019,700, is facing a cut of \$81,000. Prior budget cuts forced the closure of the county's juvenile detention unit. Instead Director Jim Goodwin contracts with other counties for jail beds for youths.

- **Local Forum Focus: Public Safety**, January 21, 2015, Melissa McRobbie, TGPDC, Front Page News.
The Juvenile Justice Center contains a 16-bed shelter and a 14-bed detention facility that are both sitting empty because the department can't afford to staff them. Criminal suspects under 18 are lodged at Jackson County's detention center, where Josephine County rents three beds. Youths who need a shelter bed because of an unstable home situation, including abusive situations, have nowhere to go, Goodwin added.
- **More Juvenile Detention Beds Sought**, Dec. 19, 2014, Melissa McRobbie, TGPDC, Front Page News.
- **Juvenile Center to Open Doors**, May 01, 2014, Shaun Hall, TGPDC, Community News.
The lights have been turned off for nearly two years in the shelter and detention area of the Josephine County Juvenile Justice Center. Opened 15 years ago at a cost of \$3.1 million, the 16-bed shelter and the 14-bed detention center closed in June 2012, due to budget cuts.
 - Location: 301 N.W. F St.
 - Built: 1999
 - Cost: \$3.1 million
 - Facility includes: 14-bed detention center; 16-bed shelter; Family Court courtroom/offices, Juvenile Justice administrative offices.

II. SOCIO-ECONOMIC & OTHER DEMOGRAPHIC CONDITIONS

Studies & Information

Justice System Exploratory Committee

Justice System & Public Safety Services Study Design: 2015

http://www.hugoneighborhood.org/JSPSS_Studies.htm

A. Potential Affected Conditions: Existing Studies & Information On Declining Federal Payments To Counties

1. 2008. Federal Land Management and County Government: 1908-2008 - A Report of the “Changing Federal County Payments Policy and Rural Oregon Counties: Impacts and Options” Project
2. 2009. Economic Impacts on Oregon Counties of the Termination of the Secure Rural Schools and Community Self-Determination Act: An Update
3. 2009. Local Government Responses to Fiscal Stress: How do Oregon Counties Compare?
4. 2009. Changing Federal County Payments and Rural Oregon Counties: Analysis of Policy Impacts and Responses from Loss of Secure Rural School Funding in Selected Oregon Counties
5. Economic Impacts on Oregon of the Termination of Secure Rural Schools Payments to Counties: 2011 Update
6. 2009. Governor’s Task Force On Federal Forest Payments And County Services
7. 2010. Report of the Reset Subcommittee On Pubic Safety
8. Oregon Criminal Justice Commission
9. Association of Oregon Counties
10. Oregon Secretary of State

B. Community Indicators: Social, Economic and Environmental

- Beleiciks, N., & Weber B. (2006). *A Guide to Oregon Community Indicators: Social, Economic and Environmental*. RSP 06-04, Rural Studies Program Working Paper Series. Corvallis, OR.

1. Social Indicator Sources

- AllCare Health Plan; Jackson Care Connect; Primary Health. November 2013. *2013 Jackson and Josephine County Community Health Assessment*. Coordinated Care Organizations
- Dewel, Jeff. May 17, 2015. *RCC Students Explore Levy-related Sociology Concepts*. The Grants Pass Daily Courier. Grants Pass, OR.
- Oregon Center For Public Health. July 24, 2015. *How Do Oregonians Rate Their [Coordinated Care Organizations] CCO?* Report. Silverston, OR.

2. Economic Indicator Sources

- Adams, V. March 2009. *Local Government Responses to Fiscal Stress: How do Oregon Counties Compare?* Rural Studies Program Working Paper Series. Corvallis, OR.

3. Environmental Indicator Sources - - -

C. Jackson and Josephine County Community Health Assessment

- AllCare Health Plan; Jackson Care Connect; Primary Health. November 2013. *2013 Jackson and Josephine County Community Health Assessment*. Coordinated Care Organizations. http://www.hugoneighborhood.org/JSPSS_Studies.htm
- Hugo Justice System & Public Safety Services Exploratory Committee. Draft December 27, 2015. *2013 Josephine County Community Health Assessment* (Public Outreach 5.7). Hugo Neighborhood Association & Historical Society. Hugo, OR.
- Hugo Justice System & Public Safety Services Exploratory Committee. Draft December 27, 2015. Summary Highlights: *Summary Highlights: 2013 Josephine County Community Health Assessment* (Public Outreach 5.8). Hugo Neighborhood Association & Historical Society. Hugo, OR.
- Kingsland, Ruth Longoria. April 5, 2015. *JoCo Still Among Unhealthiest Counties*. The Grants Pass Daily Courier. Grants Pass, OR.

Josephine County (JO CO) — and much of Southern Oregon — ranks near the bottom of the state for quality of health. Unless noted, the following community health assessment (CHA) information is from the 2013 *Jackson and Josephine County Community Health Assessment* (see the original or Public Outreach 5.7 for more information).

- AllCare Health Plan; Jackson Care Connect; Primary Health. November 2013. *2013 Jackson and Josephine County Community Health Assessment*. Coordinated Care Organizations.
- **Location and Physical Characteristics** JO CO is located in Southwestern Oregon, in a rugged part of the state with multiple climates and geography within its 1,640 square miles. The majority of residents live in over 24 unincorporated areas, creating geographic barriers to accessing medical care, services and in some communities, access to exercise facilities, grocery stores and fresh foods.
- **Migration and Growth** JO CO has experienced out migration of younger populations while seeing an influx of older populations at the same time. Both the exodus of younger and the influx of older demographic groups in the county ultimately influences the health status and burden for care on the community. According to 2012 census data, 23.6% of the county population is over 65 years old. That is nearly double the state average of 14.9%.
- **Poverty** Nearly one in three children in JO CO live in poverty, creating significant challenges to their overall health and long-term development. 18.8% of the total county population lives in poverty (2007-2011), higher than the state average of 14.8%.
- **Homelessness** continues to be a challenge for many living in JO CO. Causes of homelessness are varied, they include drug and alcohol abuse, high rents, domestic violence and unemployment.
- **Employment** Unemployment in JO CO continues to be higher than state and national averages. Although the trend shows slight decreases in the seasonally adjusted unemployment rates from the Oregon Employment Department, they continue to hover around 11.2-11.3% annually, 4% higher than the national average.
- **Crime** Crime continues to be top of mind for residents living in JO CO. The Report of Oregon Offenses known to Law Enforcement lists JO CO as 14th highest in the state for property crimes (out of 36), 14th for person crimes and 23rd for behavior crimes in 2010.

- **County Health Rankings** JO CO has one of the worst health rankings in the state, ranking 29th out of 33 Oregon counties (health outcomes category), a second year in a row. Mortality (death) was also ranked 29th out of 32, morbidity (disease) was ranked slightly better at 18th out of 32.
- **Oral and Dental Health** National and state level data shows that tooth decay is five times more common than asthma in Oregon children, making dental health a priority concern for the County and State.
- **Mental Health** 67% of residents in JO CO describe themselves as having good mental health. Although that is close to the state average, it still shows that close to 1 in 3 people don't consider themselves as having good mental health. When people don't feel as though their mental health is good, health-related quality of life is reduced.
- **Addictions** JO CO residents have significant issues with addictions of alcohol, tobacco, other drugs and gambling.
- **Food Insecurity** The USDA defines food insecurity as lack of access to enough food for all members in a household and limited or uncertain availability of nutritionally adequate foods. Over 17.8% of JO CO households, or approximately 14,650 people are food insecure. 78% of the food-insecure households in the county have incomes below the poverty level.
- **Access to Medical Care** Lack of health insurance coverage continues to be a significant barrier to accessing needed health and medical care. JO CO far exceeds the national benchmark of 11% and state percentages in all age groups - 29.7% of adults 19- to 64-years-old in the county were uninsured in 2011.

Josephine County — and much of Southern Oregon — has once again ranked near the bottom of the state for quality of health, according to the recently released 2015 County Health Rankings.

D. Income Inequality: *Gini Coefficient*

- Duewel, Jeff. July 19, 2015. *USA Today Says GP Has Huge Income Gap*. Front Page, TGPDC. Grants Pass, OR. http://www.hugoneighborhood.org/JSPSS_Studies.htm

The Grants Pass Metropolitan Statistical Area (MSA) (i.e., JO CO) has the third-largest gap between the haves and the have-nots in the U.S. Out of 381 MSAs in the entire U.S., only two are higher (worse) than JO CO. For example, nearly 30 percent of all income in JO CO goes to just 5 percent of area households, while the lowest-earning 20 percent of households take home just 3.2 percent of all income generated. Even though the cost of living is lower than the national level, 24.3 percent of the population still was on food stamps. The conclusion is drawn from the Gini coefficient, a measure of statistical dispersion intended to represent the income distribution of a nation's residents, and is the most commonly used measure of inequality.

Such a gulf is worrying in part because of the apparent correlations between a country's level of income inequality and a host of social health and civic problems.

III. JJ JO CO DEPARTMENT WEB PAGE

Josephine County, Oregon

<http://www.co.josephine.or.us/SectionIndex.asp?SectionID=163>

A. Josephine County Juvenile Justice

1. Juvenile Justice Facilities

- a) Court & Field Services Facility (1999)
- b) Detention Facility: 14 Beds (1999)
- c) Shelter Facility 16 Beds (1999)

2. Schedule A - Office/Division Summary of Programs, Josephine County FY 2015-16 Budget

Total For Fund. Program Name: Court & Field

FY 2014-15 Budget

Full-Time Equivalent (FTE)	8.00
Resources	\$283,000
Requirements	\$1,100,800
Net	(\$817,800)

FY 2015-16 Budget

Full-Time Equivalent (FTE)	8.60
Resources	\$201,900
Requirements	\$1,019,700
Net	(\$817,800)

B. Court & Field Services

James Goodwin, Director
Josephine County Juvenile Justice
301 N.W. F Street
Grants Pass, OR 97526
541-474-5186
Fax: (541) 474-5181
Email: jgoodwin@co.josephine.or.us
Contact: James Goodwin
Hours: Monday - Friday 8:00 AM - 5:00 PM

Josephine County Juvenile Justice Department

<http://www.co.josephine.or.us/SectionIndex.asp?SectionID=163>

Josephine County Juvenile Justice provides the following services:

- Intake of all Law Enforcement Referrals
 - Informal Intervention
 - Diversion
 - Petition Filed in Juvenile Court
- Juvenile Court Investigations
- Risk/Need Assessments
- Courtroom Case Presentation
- Probation Supervision
- Formal Accountability Agreements
- Counseling
 - Aggression Replacement Training
 - Functional Family Therapy (through OPTIONS)
- Custody Services for youth who are pending Court or serving Probation Violation Sanctions. This service is contracted through the Douglas County Juvenile Department (<http://www.co.douglas.or.us/Juvenile/>). For Detention Program information, call (541) 440-4409.
 - Community Protection
 - Accountability

C.1. Custody Services

<http://www.co.josephine.or.us/Page.asp?NavID=623>

Custody services provide shelter and detention to youth. The Shelter/Detention facility operates as a 24 hour a day program which houses both youth charged with criminal conduct and youth in need of shelter care. Intake, assessment, and custody decisions are made on all youth entering the facility and program services are provided as appropriate. Youth who are admitted to shelter receive health care, education services, treatment services and recreational opportunities. Detention, while a secure lock down facility, also provides these services in a separate section of

the building. Custody services are provided through licensing with the state Department of Human Services and are within state guidelines and regulations.

Objectives

- House and detain delinquent youth
- Provide Shelter Services for dependant youth
- Provide assessment and intake on youth brought to the facility by law enforcement.
- Provide education, treatment, health care and recreational opportunities for youth in the facility

Shelter Detention admissions are based on law enforcement and Department of Human Services referral.

C.2. Douglas County Juvenile Department

<http://www.co.douglas.or.us/Juvenile/>

D. Budget

Budgets: Josephine County, Oregon

Josephine County Finance Department

<http://www.hugoneighborhood.org/budgets.htm>

E. Court Appointed Special Advocate Program (CASA)

Juvenile Justice

Court Appointed Special Advocate Program (CASA)

CASA of Josephine County

<http://www.co.josephine.or.us/Links.asp?SectionID=163>

F. Resource Links

<http://www.co.josephine.or.us/Links.asp?SectionID=163>

- ADAPT Substance Abuse Counseling <http://www.adaptoregon.org/>
- Jackson County Juvenile Detention Center
<http://jacksoncountyor.org/community-justice/Juvenile-Services/Overview>
- National Gang Center http://www.iir.com/WhatWeDo/Gang_Initiatives/NGC/
- National Inhalant Prevention Coalition <http://www.inhalants.org/nipaw.htm>
- National Institute of Corrections <http://nicic.gov/>
- National Institute of Justice <http://www.nij.gov/Pages/welcome.aspx>
- National Institute on Drug Abuse <https://www.drugabuse.gov/>
- National Mental Health Association <http://www.nmha.org/>
- Office of Juvenile Justice and Delinquency Prevention <http://www.ojjdp.gov/>
- On Track Substance Abuse Counseling <http://www.ontrackrecovery.org/>
- Options for Southern Oregon <http://www.optionsonline.org/>
- Oregon Juvenile Department Directors Association <http://www.ojdda.org/>
- Oregon Partnership <http://www.linesforlife.org/>
- Oregon Youth Authority <http://www.oregon.gov/OYA/pages/index.aspx>
- Partnership For a Drug Free America <http://www.drugfree.org/>
- Southern Oregon Adolescent Study and Treatment Center (SOASTC) <http://kairosnw.org/>
- Theft Talk/Theft Education Class <http://www.thefttalk.com/index.htm>

IV. JUVENILE JUSTICE JO CO BUDGET

A. Public Safety Fund Description (PSF, quotes from page 160/764)

The Public Safety Fund was formed in 2006. It was comprised of three departments: Sheriff, District Attorney, and Community Justice, which had previously been in the General Fund. The Community Justice Department was further reorganized into Juvenile Justice and Adult Corrections. In 2007, Adult Corrections was moved to a separate fund. The Sheriff and District Attorney are elected officials. The manager of the Juvenile Justice Department reports to a liaison County Commissioner. The departments within this fund provide support for the criminal justice system utilized by city, county and state law enforcement. County wide services include court prosecution, civil services, the jail and juvenile facility.

The budget is in balance, which means that the budgeted requirements (expenditures and ending fund balance) are equal to the resources (beginning fund balance and revenues) that are estimated to be available during the budget year. The primary source of revenue to operate the departments in this Fund had been monies received under the Troubled Assets Relief Program (TARP) and a transfer from the General Fund. Additionally, programs operated by the three departments generate revenues for specific program purposes. The TARP "county payments" money replaced the O&C distributions that the County received for many years.

In the pages that follow, a summary of the Public Safety Fund (Resources and Requirements) is presented first followed by sections for each of the three departments. The money available for them is equal to total resources of the fund, less the requirement for Internal Service Fund charges. Major reductions in programs occurred in FY 2012-13 due to the loss of funding and five percent reductions have been occurring annually since.

For each department, there is a summary of its programs (Schedule A), which in turn is supported by a Program Worksheet (Schedule B) for each program. Schedule B provides information about the purpose of the program, how much revenue it is expected to generate during the budget year, and a breakdown of its expenditure budget by the categories specified in Oregon Local Budget Law.

Schedules C, D, and E provide details of resources, personal services and other expenditures, respectively.

B. JJ FY 2015-16 JO CO Budget (June 17, 2015 Josephine County, Oregon Adopted Budget: FY 2015-16)

- Josephine County (JO CO) Board of County Commissioners (BCC). June 17, 2015. Josephine County, Oregon Adopted Budget FY 2015-16. JO CO BCC Resolution Number 2015-026. Grants Pass, OR.

PUBLIC SAFETY FUND, JOSEPHINE COUNTY, OREGON (page numbers in this section refer to the Public Safety Fund (PSF) in the Josephine County, Oregon Adopted Budget FY 2015-16 (PSF, pages 158/764 - 223/764)

- PUBLIC SAFETY FUND DESCRIPTION (PSF,page 160/764)
- BUDGET – RESOURCES AND REQUIREMENTS
- PROGRAM DESCRIPTIONS AND BUDGETS
- Sheriff (PSF, pages 164/764 - 199/764): n/a
 1. Sheriff-Admin Sheriff-Patrol
 2. Sheriff-Jail
 3. Sheriff-Schedule D Personnel
- District Attorney (PSF,pages 200/764 - 216/764): n/a
- Juvenile Justice (Adopted Budget, pps. 217/764 - 223/764 and/or Public Safety Fund (PSF) pps. 56 - 62).
 1. Juvenile Justice Fund: Public Safety (12)
 2. Juvenile Justice Special Programs Fund
 - 2.a) Program: Child Advocacy - CAMI
 - 2.b) Program: Mediation
 - 2.c) Program: Flex

Juvenile Justice FY 2015-2016 JO CO Public Safety Fund (12) Budget (p.2)

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-2016	8.60	\$982,700

Juvenile Justice Court & Field Program

Resources And Requirements: PUBLIC SAFETY FUND (12) (p. 2)

Adopted by Governing Body; Budget for Next Year 2015-16: **\$982,700**

a) Program Cost:

FY 2015-16 (12)

FTE (12): 8.6 (Schedule B) (p.57)

Budgeted (12): \$1,019,700 (Schedule B) (p.57)

Budgeted (12): Requirements: \$1,019,700; Net **\$817,800** (Schedule A) (p.56)

FY 2010-11

FTE: 8.0 (Schedule B)

Budgeted: \$817,800 (Schedule B)

Budgeted: Requirements: \$817,800; Net \$817,800 (Schedule A)

1. Juvenile Justice Fund: Public Safety Fund (12) (Adopted Budget, quotes from pps. 217/764 - 223/764 and/or Public Safety Fund (PSF) pps. 56 - 62).

1.a) Program: Court & Field (Adopted Budget, pages 218/764 - 223/764 and/or PSF pps. 56 - 62).

FY 2015-16 (12) (PSF pps. 56 - 62)

FTE (12): 8.6 (Schedule B) (p. 57)

Budgeted (12): \$1,019,700 (Schedule B) (p. 57)

Budgeted (12): Requirements: \$1,019,700; Net: \$817,800 (Schedule A) (p. 56)

Fund: Public Safety Fund (12) (p. 57)

Office/Division: Juvenile Justice

Program: Court & Field

Cost Center #: 2430

Purpose of Program Juvenile Court and Field Services are mandated in ORS 419A.010-020. Felony youth referrals are received from law enforcement, evaluated by the District Attorney's Office for legal sufficiency and the course of disposition is prescribed by Juvenile Justice (Table IV-1). Misdemeanor referrals are evaluated by Juvenile Justice. The program promotes community protection through accountability for youth, opportunity for reformation and justice for victims. The course of action is driven by severity of offense and risk assessment with most services being directed to the medium to high risk offender. Lower risk, first time offenders are usually diverted from court with informal action which includes Community Service and restitution to victims when appropriate (PSF, page 218/764 and/or p. 57).

Outcomes include mandates that youth abide by their informal contracts or court ordered probation conditions. Victim restitution is collected or docketed as civil judgment in most cases. Caseload contacts are maintained according to the youth's level of risk and the severity of the crime. Youth violations result in a structured sanction process. The supervision of medium and high risk youth may include a mandate to attend Aggression Replacement Training and/or Functional Family Therapy (FFT), each are evidence-based programs (PSF, page 219/764 and/or p. 58).

A budget goal of community outreach is accomplished in the geographical assignment of caseloads. In compliance with law, schools are advised of youth pending court and final dispositions. Juvenile participates in quarterly meetings of law enforcement, schools and treatment providers. Options, Department of Human Services and Oregon Youth Authority consult with the program regarding out-of-home placements. Functional Family Therapy is partially funded by the Division and accepts family referrals from throughout the community. Funding revenue from the state, office rent and fees account for 20% of the budget. The balance is required from County public safety funds. The department maintains training standards and accreditation through the Oregon Juvenile Department Director's Association (OJDDA; PSF, page 219/764 and/or p. 58).

2. Juvenile Justice Special Programs Fund (33) (PSF, quotes from pages 442/764 - 456/764) SPECIAL REVENUE FUNDS (SRF)

2.a) Program: Child Advocacy - CAMI (PSF, pages 447/764 - 449/764)

Fund: Juvenile Justice Special Programs (33)

Office/Division: Juvenile Justice

Cost Center #: 2420

FTE (33): 0.60 (Schedules A & B) (pps. 96 & 100)

Budgeted (33): \$55,100 (Schedule B) (p. 100)

Budgeted: Requirements (33): \$55,100; Net - (Schedule A) (p. 96)

Purpose of Program The Child Abuse Multidisciplinary team (MDT) is mandated under ORS 418.746-796. A non-competitive grant is offered counties to maintain a team to evaluate all cases of child abuse, neglect and fatality. Juvenile Justice oversees the Child Advocate (.6 FTE) who schedules and records all MDT staffings, conducts forensic interviews, maintains video evidence and coordinates the legal and treatment process for child victims (Table IV-1).

Program objectives include providing a coordinated MDT approach to child abuse investigations, maintaining a trained team including the DA, law enforcement, Juvenile, Public Health, Mental Health, DHS, child treatment agencies and schools. Outcomes include advocating for all victims in legally substantiated cases and obtaining an 80% conviction rate when offender is charged with crimes against children.

Table IV-1. Josephine County Juvenile Justice FY 2015-16 JO CO Budget			
#	Name	FTE	Approved Budget
1.	Juvenile Justice Fund: Public Safety		
1.a)	Court & Field	8.6	\$817,800
2.	Juvenile Justice Special Programs Funds		
2.a)	Program: Child Advocacy - CAMI	0.6	\$55,100
2.b)	Program: Mediation	1.0	\$107,900
2.c)	Program: Flex	0.0	\$18,000
	Total	10.2	\$998,800
Source: Josephine County (JO CO) Board of County Commissioners (BCC). June 17, 2015. <i>Josephine County, Oregon Adopted Budget FY 2015-16</i> . JO CO BCC Resolution Number 2015-026. Grants Pass, OR.			

2.b) Program: Mediation (PSF, quotes from pages 450/764 - 452/764)

Fund: Juvenile Justice Special Programs (33)

Office/Division: Juvenile Justice

Cost Center #: 2440

FTE (33): 1.0 (Schedules A & B) (pps. 96 & 103)

Budgeted (33): \$107,900 (Schedule B) (p. 103)

Budgeted (33): Requirements: \$107,900; Net - (Schedule A) (p. 96)

Purpose of Program: ORS 107.775 mandates Court Mediation to assist families to develop child custody and parenting plans. The Mediator does not make recommendations to the court but, will work with parents to identify a mutually acceptable plan (Table IV-1). The program leads to decreased court time and reduces future trauma to children. Parents are more likely to comply with their own mediated agreements.

As an outcome, Court Mediation is to result in 100% of the applicable families having access to the program. A weekly orientation is afforded prior to mediation for all parents who have a parenting conflict.

2.c) Program: Flex (PSF, quotes from pages 453/764 - 456/764)

Fund: Juvenile Justice Special Programs (33)

Office/Division: Juvenile Justice

Cost Center #: 2450

FTE (33): 0.0 (Schedules A & B) (pps. 96 & 106)

Budgeted (33): \$18,000 (Schedule B) (p. 106)

Budgeted (33): Requirements: \$18,000; Net: - (Schedule A) (p. 96)

Purpose of Program: Juvenile Flex Funds are provided by Oregon Youth Authority and utilized for the purchase of treatment services and other barrier removal items for youth committed to OYA as well as youth under the supervision of Josephine County (Table IV-1). This program is totally self-supporting.

C. Juvenile Justice FY 2010-11 JJ JO CO Budget

- JO CO Board of County Commissioners. 2010. *Public Safety Fund Adopted Budget FY 2010 - 11*. Grants Pass, OR.

Juvenile Justice Public Safety Fund

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-2016	8.60	\$817,800

Juvenile Justice Special Revenue Funds

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-16	1.6	\$181,000

Total 10.2 \$998,800

1. Public Safety Fund (PSF): FY 2015-16

a) Public Safety Fund (PSF) Description

Program Cost: n/a. None was provided as the PSF description is a summary of the JJ programs described latter.

b) Juvenile Justice Court & Field Program

Resources And Requirements: PUBLIC SAFETY FUND (12) (p. 2)

Adopted by Governing Body; Budget for Next Year 2015-16: **\$982,700**

Program Cost:

FY 2015-16 (12)

FTE (12): 8.6 (Schedule B) (p.57)

Budgeted (12): \$1,019,700 (Schedule B) (p.57)

Budgeted (12): Requirements: \$1,019,700; Net **\$817,800** (Schedule A) (p.56)

FY 2010-11

FTE: 8.0 (Schedule B)

Budgeted: \$817,800 (Schedule B)

Budgeted: Requirements: \$817,800; Net \$817,800 (Schedule A)

c) Juvenile Justice Shelter Detention Program n/a (no JJ Shelter Detention Program identified in FY 2015-16 budget)

Program Cost:

FY 2015-16

FTE: 0.0 (Schedule B)

Budgeted: \$0.0 (Schedule B)

Budgeted: Requirements: 0.0 (Schedule A)

Three (3) youth detention beds rented from Douglas County, but cannot track the FTE and budget for this JJ service.

FY 2010-11

FTE: 23.7 (Schedule B)

Budgeted: \$1,674,600 (Schedule B)

Budgeted: Requirements: \$1,674,600; Net \$1,674,600 (Schedule A)

14 youth detention beds in Grants Pass

16 youth shelter beds in Grants Pass.

2. Juvenile Justice JO CO Special Revenue Funds (SRF) Budget (33): FY 2015-16 (p. 95)

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-16	1.6	\$181,000

Juvenile Justice Special Programs Fund (33)

Resources & Requirements: JUVENILE JUSTICE SPECIAL PROGRAMS FUND (33) (p. 95)

Adopted by Governing Body; Budget for Next Year 2015-16: \$181,000

Program Cost:

FY 2015-16 (33)

FTE (33): 1.6 (Schedules B) (p. 97)

Budgeted (33): \$181,000 (Schedule B) (p. 97)

Budgeted (33): Requirements: \$181,000; Net: \$181,000 (Schedule A) (p. 96)

FY 2010-11 (246)

FTE (246): 2.85 (Schedule A) (p. H50)

Budgeted (246): Requirements: \$275,600 (Schedule A) (p. H50)

Budgeted (246): Requirements: \$275,600 (p. H49)

a) Juvenile Justice Child Advocacy Program: FY 2015-16

Program Cost:

FTE (33): 0.60 (Schedules A & B) (pps. 96 & 100)

Budgeted (33): \$55,100 (Schedule B) (p. 100)

Budgeted: Requirements (33): \$55,100; Net - (Schedule A) (p. 96)

b) Juvenile Justice Mediation Program (33): 2015-16

Program Cost:

FTE (33): 1.0 (Schedules A & B) (pps. 96 & 103)

Budgeted (33): \$107,900 (Schedule B) (p. 103)

Budgeted (33): Requirements: \$107,900; Net - (Schedule A) (p. 96)

c) Juvenile Justice Flex Program (33): FY 2015-16

Program Cost:

FTE (33): 0.0 (Schedules A & B) (pps. 96 & 106)

Budgeted (33): \$18,000 (Schedule B) (p. 106)

Budgeted (33): Requirements: \$18,000; Net: - (Schedule A) (p. 96)

D. Comparison of JJ FY 2015-16 & FY 2010-11 JO CO Budgets

1. JJ JO CO Budgets

a) Understanding The Juvenile Justice Josephine County Budget: FY 2015-16

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 27, 2016. *Understanding The Juvenile Justice Josephine County Budget: FY 2015-16.* Hugo Neighborhood Association & Historical Society. Hugo, OR.

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-16	8.60	\$ 982,700

b) Understanding The Juvenile Justice Josephine County Budget: FY 2010-11

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 22, 2016. *Understanding The Juvenile Justice Josephine County Budget: FY 2010-11.* Hugo Neighborhood Association & Historical Society. Hugo, OR.

	<u>FTE</u>	<u>Appropriation</u>
FY 2010-11	33.70	\$2,524,600

c) Difference Between FY 2015-16 & FY 2010-11

Difference	25.10	\$1,541,900
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2. Differences Between FY 2010-11 And FY 2015-16

- Do the Reviewers understand the JO CO JJ Department?
- Do they know the value/significance of the department beyond their own private opinions?
- Would they be confident in explaining the JJ Department's programs to their neighbors?
- Do they feel the JJ Department should be reestablished at its level of service and funding prior to FY 2012-13?

The following are the differences observed by the Reviewers between the two JJ budgets based on the text and content of their six text sections (Section VII.F, *Understanding The Juvenile Justice Josephine County Budget: FY 2015-16*).

- Whalen, Jon & Walker, Mike, Members, JS&PSS Exploratory Committee. First Draft - April 27, 2016. *Understanding The Juvenile Justice Josephine County Budget: FY 2015-16*. Hugo Neighborhood Association & Historical Society. Hugo, OR.

Budgets Compared For FY 2010-11 & FY 2015-16 The annual JO CO JJ budget documents do not change much in terms of their six text sections. However, the adopted FY 2010-11 and FY 2015-16 budgets for the JO CO JJ Department have a big difference of 24.35 FTE and \$1,402,400. Based on the budget documents, "Does the public understand the differences, if any, to the community?"

The Committee found that without the JJ Shelter-Detention programs' FY 2010-11 budget (i.e., \$1,674,600) there was a significant decrease (64%) in the budget dollars in the JO CO Juvenile Justice Department. At the same time there was an increase (25%) in the JJ Court & Field budget for a total department decrease of 38%. The FTE and cost of renting three detention beds from Douglas County was not found in the FY 2015-16 budget.

There did not seem to be an obvious policy for the six text sections' text lengths (i.e., number of words). The Committee speculates that the lengths were somehow a function of the standards of the budget process.

What was missing in the two budget documents, in the opinion of the Committee, was a serious consideration that since the 2000 Secure Rural Schools Act, Congress had repeatedly sent messages that federal payments would be phased out, and this was intended to give counties time to plan for the change. However, in the opinion of the Reviewers, it did not seem that any planning was occurring, except to develop an annual budget that was balanced. The text did not significantly change when comparing the FY 2010-11 and FY 2015-16 JJ budgets, even after the FY 2012-13 cuts, except to show the major cut to JJ detention and shelter.

The Committee had expected to find major text differences between the FY 2010-11 and FY 2015-16 JJ budgets. For example, it could have easily understood the amount of text proportional to the degree and magnitude of a potential loss of federal payments to JO CO (i.e., the greater probability of loss results in a more comprehensive text educational effort to secure

funding). Or, perhaps the detail in the text length would correspond to the size of the proposed program in FTE or budget. Neither of the two scenarios happened.

The Exploratory Committee's determination was that in general the text "context" provided was adequate to minimally adequate (except for the obvious lack of planning outside of the budget process).

In the opinion of the Reviewers there were program descriptions to meet budget standards. However, there was a minimal identification of standards, including ORS, OARs, JO CO ordinances, with much work needed (i.e., not sure that all ORS identified; no OARs or JO CO ordinances identified). In some cases there was not an adequate identification of standards. The Resources and Requirements were identified (If the Reviewers understood these terms, especially how "Requirements" was being used?). A three year change was identified, but the Committee felt that a change from FY 2012-13 was also needed as the baseline prior to major reductions in the budget.

Of significance, in the opinion of the Reviewers, the two budget documents reviewed were professionally written and consistent with budget document standards. They provided the much needed accountability of a balanced budget.

"Understanding" the JO CO JJ Programs through their text descriptions was the major problem for the Reviewers. Understanding by the Reviewers, Whalen and Walker, was a subjective evaluation of how comfortable they were in understanding the JO CO JJ Department. Could the reviewers explain the JO CO JJ Department a few days later without notes? The Reviewers understanding for six categories follows.

1. Need - Budget Requirements. Reviewers noted a need was identified as an FTE and budget with a text description of the program.
2. Value - Significance. Reviewers do not understand the value/significance of the JJ program in a scientific versus "feeling" point of view (i.e., what actually will be lost or gained beyond identification of FTE and budget?).
3. Change Reviewers do not understand changes in the JJ Program.
4. Sources - References/Vetted. Adequate References were not provided in order for the Reviewers to gain an understanding. Adequate is the key as the Reviewers spent significant time and effort researching, studying, and following references provided without feeling that they understood the JJ program.
5. Web Links Adequate Web Links were not provided in order for Reviewers to gain an understanding. Many web links were found relating to the "Review Questions" identified in Chapter IV. They provided a general description and understanding of topics, but were not adequate in identifying how they were specifically applicable to the JO CO JJ Department. Adequate is the key (see #4 above).
6. Understand - Overall Understanding The reviewers would not be confident in explaining the JJ programs to their neighbors.

In general, the sought after understanding by the Reviewers in over 80 hours of research and study did not materialize. They would not be confident in explaining the JJ programs to their neighbors.

V. STANDARDS & CRITERIA: JJ ELECTIVE, NECESSARY, AND/OR MANDATED PUBLIC SAFETY SERVICES (PSS)

A. JJ Law (Oregon Revised Statues)

The following three sets of ORS are identified as responsibilities of the JO CO Juvenile Justice Department in its FY 2015-16 budget.

- ORS 419A.010-020: Juvenile Court and Field Services
 - ORS 418.746-796: Child Abuse Multidisciplinary team (MDT)
 - ORS 107.775: Court Mediation to Assist Families to Develop Child Custody and Parenting Plans
- Josephine County (JO CO) Board of County Commissioners (BCC). June 17, 2015. Josephine County, Oregon Adopted Budget FY 2015-16. JO CO BCC Resolution Number 2015-026. Grants Pass, OR.

1. ORS 419A.010-020: Juvenile Court and Field Services Internet research did not locate ORS 419A. What was found was Chapter 419B.

Chapter 419B - Juvenile Code: Dependency (2015 EDITION)

https://www.oregonlegislature.gov/bills_laws/ors/ors419B.html

If ORS 419B is accurate, then ORS 419B.010-020 would include the following.

ORS 419B.010	Duty of officials to report child abuse; exceptions; penalty
ORS 419B.015	Report form and content; notice
ORS 419B.016	Offense of false report of child abuse
ORS 419B.017	Time limits for notification between law enforcement agencies and Department of Human Services; rules
ORS 419B.020	Duty of department or law enforcement agency receiving report; investigation; notice to parents; physical examination; child's consent; notice at conclusion of investigation

2. ORS 418.746-796: Child Abuse Multidisciplinary team (MDT) ORS 418 was found, along with ORS 418.746 - 796 under two broad categories.

- Investigation of Child Abuse, Rape and Suicide
- Regional Assessment Centers and Community Assessment Services

ORS 418 — Child Welfare Services (2015 EDITION)

https://www.oregonlegislature.gov/bills_laws/ors/ors418.html

a) Investigation of Child Abuse, Rape and Suicide

ORS 418.746 Child Abuse Multidisciplinary Intervention Account; uses; eligibility determination; plans; rules

ORS 418.747 County teams for investigation; duties; training; method of investigation; designated medical professional

ORS 418.748 Statewide team on child abuse and suicide

ORS 418.751 Training and education for persons investigating child abuse

b) Regional Assessment Centers and Community Assessment Services

ORS 418.780 Purpose

ORS 418.782 Definitions for ORS 418.746 to 418.796

ORS 418.783 Child Abuse Multidisciplinary Intervention Program

ORS 418.784 Advisory Council on Child Abuse Assessment; membership; officers; meetings; quorum

ORS 418.785 Child Fatality Review Teams

ORS 418.786 Grant program

ORS 418.788 Grant application; criteria for awarding grants; rules

ORS 418.790 Application contents for regional centers; rules

ORS 418.792 Application contents for community assessment center

ORS 418.793 Report to Child Abuse Multidisciplinary Intervention Program; rules

ORS 418.794 Confidentiality of video recordings

ORS 418.795 Confidentiality of information and records

ORS 418.796 Authority of council to solicit and accept contributions

3. ORS 107.775: Court Mediation to Assist Families to Develop Child Custody and Parenting Plans Research found ORS 107.775.

4. Oregon Ballot Measure 11 (1994) Measure 11 reflects a tug of war of ideas: 1. those that wish to continue the focus on rehabilitation, and 2. those seeking to abolish, or substantially change the juvenile system, arguing that it has failed in its rehabilitation efforts and in not punishing serious criminal behavior by young people.

Before the nineteenth century, children were generally considered to be young adults, and they were expected to behave accordingly. Children over the age of seven years who were accused of crimes were prosecuted in adult court.

In 1899 the U.S. made legal history when the world's first juvenile court opened in Chicago. The basic framework created by that first juvenile court act is largely intact. Rehabilitation, not punishment, remains the aim. However, since the late 1970s, critics of the juvenile courts have sought to abolish this system, arguing that it has failed in its rehabilitation efforts and in not punishing serious criminal behavior by young people. At the same time, defenders of the juvenile justice system contend that for the vast majority of children, the system is a worthwhile means of addressing problems. They maintain that a handful of violent juveniles who have committed serious crimes should not lead the public to believe that the system does not provide ways of changing behavior. Preserving the juvenile justice system allows many teenagers to learn from their mistakes without prejudicing their adulthood.

Finally, defenders note that many states have changed their laws to deal more severely with violent juvenile offenders. As long as there are ways of diverting these offenders into the adult system, defenders insist, the current juvenile justice system should be maintained.

a) Measure 11 Mandatory Minimum Sentencing

Oregon Department of Corrections (DOC) Research and Statistics
https://www.oregon.gov/doc/RESRCH/pages/measure_11.aspx

Measure 11 Statistics

- Inmate Demographics
- Post-prison Demographics
- Juvenile Demographics

What is Measure 11?

Oregon voters approved Ballot Measure 11 in November 1994 to apply mandatory minimum prison sentences to certain crimes against persons committed on or after April 1, 1995, with no possibility for any reduction in sentence, such as for good behavior. The list of Ballot Measure 11 offenses currently includes the following:

Murder	Attempted Murder	Attempted Aggravated Murder
Assault I	Manslaughter I	Kidnapping I
Assault II	Manslaughter II	Kidnapping II
Rape I	Sodomy I	Sexual Penetration I
Rape II	Sodomy II	Sexual Penetration II
Robbery I	Robbery II	Sexual Abuse I
Arson I	Compelling Prostitution	Use of Child in Display of Sex Act

It has been modified by legislation several times:

- House Bill 3439, passed June 1995, added Attempted Murder and Attempted Aggravated Murder.
- Senate Bill 1049, passed July 1997 and effective October 4, 1997, added Arson I (when a serious physical threat is involved), Compelling Prostitution, and Use of Child in Display of Sex Act; it also allowed for departures from the mandatory minimum sentence for some Assault II, Kidnapping II, and Robbery II convictions, including those already sentenced.
- House Bill 2494, passed August 1999, allowed for departures from the mandatory minimum sentence for some Manslaughter II convictions committed on or after October 23, 1999.
- House Bill 2379, passed July 2001, allowed for departures from the mandatory minimum sentence for some Rape II, Sodomy II, Sexual Penetration II, and Sexual Abuse I convictions committed on or after January 1, 2002.

b) Oregon Ballot Measure 11 (1994)

From Wikipedia, the free encyclopedia

[https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_11_\(1994\)](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_11_(1994))

Downloaded April 12, 2016

Measure 11 was a citizens' initiative passed in 1994 in the U.S. State of Oregon. This statutory enactment established mandatory minimum sentencing for several crimes. The measure was approved in the November 8, 1994 general election with 788,695 votes in favor, and 412,816 votes against.[1]

The sentencing judge cannot give a lesser sentence than that prescribed by Measure 11, nor can a prisoner's sentence be reduced for good behavior. Prisoners cannot be paroled prior to serving their minimum sentence. [2]

The measure applies to all defendants aged 15 and over, requiring juveniles 15 and over charged with these crimes to be tried as adults.[2]

The measure was placed on the ballot via initiative petition by Crime Victims United, a tough-on-crime political group. Then-State Representative Kevin Mannix, who sponsored the measure, has since argued that violent criminals cannot be reformed through probation or short prison sentences, and that the time they are kept incarcerated is itself a benefit to society.[5]

Ballot Measure 10, also passed in 1994, permitted the Oregon Legislative Assembly to change Measure 11, but only with a 2/3 vote in each chamber. The legislature has done so several times.[2][6]

Proponents of Measure 11 argued that judges had been too lenient in sentencing violent offenders. They saw the measure as critical for lowering crime rates.

Opponents of Measure 11 argued that judges should be allowed discretion in sentencing and should be able to account for the particular circumstances of a given crime. They also objected to the requirement that many teenage defendants be tried as adults.[7]

Oregon's prison population increased after Measure 11, and as of 2004, 41% of the growth was attributed to the direct or indirect impact of Measure 11. Crime rates in Oregon decreased between 1994 and 2000, but increased in 2001; opponents of Measure 11 noted that the trend mirrored national trends, while acknowledging that some likely re-offenders were imprisoned as a result of the law.[2]

Background and Context Prior to 1989, Oregon judges would decide whether a convicted felon should be put on probation or sent to prison, and for those sent to prison, set a maximum sentence (known as an "indeterminate sentence.") [8] Based on a subsequent decision by the Parole Board, the average offender would serve a fraction of the sentence handed down by the judge.[8]

The Oregon Legislative Assembly established felony sentencing guidelines in 1989, in an attempt to achieve the following four goals:[8]

- Proportional punishment, imposing the most severe sentences on the most serious offenders
- Truth in sentencing, so the judge's sentence would more closely reflect actual prison time
- Sentence uniformity, to reduce disparities among judges
- Maintenance of correctional capacity consistent with sentencing policy, so the criminal justice system would be able to deliver proposed penalties.

Parole release for most offenders was abolished by the establishment of these guidelines. The Board of Parole and Post-Prison Supervision continues to have release authority over those prison inmates sentenced for crimes committed prior to November 1, 1989, those sentenced by the courts as dangerous offenders, and for murderers and aggravated murderers who are eligible for parole, regardless of the date of their crimes. Other prisoners began serving at least 80% of their sentences.[8]

Measure 11, passed in 1994, affected only specific crimes, which were covered by the sentencing guidelines from 1989 to 1994.[8]

Various exceptions exist to the guidelines, and to Measure 11 restrictions on sentencing.[8]

Political Impact The passage of Measure 11 was a central issue of Governor John Kitzhaber's first term, and remains a matter of controversy in Oregon politics. Supporters credit Measure 11 for reducing crime rates.[9] Opponents argue Measure 11 pressures innocent defendants into plea bargains for lesser (non-Measure 11) crimes, due to fear of mandatory sentences.[10]

In 2000, Measure 94 was put on the ballot in an attempt to repeal Measure 11. This measure was defeated 387,068 to 1,073,275.[11]

References

1. "Initiative, Referendum and Recall: 1988-1995". Oregon Blue Book. State of Oregon. Retrieved 2007-03-03.
2. Taylor, Bill. Background brief on Measure 11, Legislative Committee Services. May, 2004. Accessed on January 2, 2008.
3. "Full Text of Measure 11". Crime Victims United. Retrieved 2007-03-03.
4. Oregon's sodomy laws only apply in cases in which one person is under 16 years old or does not consent. text of law
5. "Effects of Measure 11 on Juvenile Justice in Oregon". League of Women Voters. 2000. Retrieved 2007-03-03.
6. http://www.oregon.gov/DOC/RESRCH/measure_11.shtml#What_is_Measure_11_
7. "Measure 11 Arguments". Crime Victims United. Retrieved 2007-03-03.
8. Taylor, Bill. Background brief on felony sentencing. May, 2004. Accessed on January 2, 2008.
9. "Portland Violent Crime Statistics". Crime Victims United. May 19, 2000. Retrieved 2007-03-03.
10. Phyllis A. Lincoln, JD Staff. "Comment on Measure 11". Justice: Denied. Retrieved 2007-03-03.
11. "Initiative, Referendum and Recall: 2000-2006". Oregon Blue Book. State of Oregon. Retrieved 2007-03-03.

c) Misguided Measures

Partnership for Safety and Justice

<http://www.safetyandjustice.org/our-work/youth-justice/misguided-measures>

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Sponsors The Campaign for Youth Justice (CFYJ) is a national organization dedicated to ending the practice of prosecuting, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

Partnership for Safety and Justice (PSJ) is a statewide advocacy organization that was founded in 1999. PSJ has developed a pioneering model for our work that brings together all of those most directly affected by crime—survivors of crime, people convicted of crime, and the families of both—to advocate for a system that builds safer, healthier communities.

Executive Summary Oregon has taken a major step forward in making the juvenile justice system a model for the rest of the country. As this report went to press, Oregon legislators passed House Bill 2707, which allows youth to be held in juvenile detention facilities rather than adult jails as they await trial. Passage of this legislation demonstrates Oregon's commitment to best practices for youth and recognition that tough crime policy is not the same as smart policy.

There is so much about Oregon’s approach to juvenile justice that is smart and effective, but there is more that can be done for Oregon’s youth. This report examines additional avenues for Oregon to reexamine policies related to trying youth as adults, specifically Measure 11.

Oregon voters passed Measure 11 in November 1994. The measure created new mandatory minimum sentences for 16 crimes and required that youth charged with those crimes be tried as adults. The legislature subsequently added more crimes to Measure 11. Today, Measure 11 requires youth ages 15 years or older charged with one of 21 crimes to be prosecuted automatically in the adult criminal justice system and if convicted of that crime, to serve the same mandatory sentence that applies to adults.

Fifteen years after Measure 11 was enacted, the Campaign for Youth Justice and Partnership for Safety and Justice embarked on a study to determine the impact that Measure 11 was having on youth in Oregon. The authors analyzed data on 3,274 young people indicted with Measure 11 offenses since 1995. The authors also looked at a subset of 759 cases handled between 2006 and 2008 to understand the current way Measure 11 is being implemented in the 36 Oregon counties.

B. JJ Rules (Oregon Administrative Rules)

None provided by JJ Department.

C. JJ Josephine County Policy/Law

None provided by JJ Department.

D. Federal

1. Office of Juvenile Justice & Delinquency Prevention

Juvenile Justice Reform Initiatives in the States: 1994 - 1996

- Bilchik, Shay; Administrator, Office of Juvenile Justice and Delinquency Prevention. October 1997. *Juvenile Justice Reform Initiatives in the States: 1994 - 1996*. National Criminal Justice Association. Washington, DC.

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention (OJJDP)
810 Seventh Street NW.
Washington, DC 20531
<http://www.ojjdp.gov/>

Janet Reno
Attorney General
U.S. Department of Justice

John C. Dwyer
Acting Associate Attorney General

Laurie Robinson
Assistant Attorney General

Shay Bilchik
Administrator
Office of Juvenile Justice and Delinquency Prevention

Oregon: Making Juvenile Offenders Accountable
Juvenile Justice Reform Initiatives in the States: 1994 - 1996
Office of Juvenile Justice and Delinquency Prevention
Office of Justice Programs
U.S. Department of Justice
http://www.ojjdp.gov/pubs/reform/ch3_e.html
Downloaded April 17, 2016

2.

E. Other (e.g., Federal, courts, etc.)

1. U.S. Code on Juvenile Delinquency (18.U.S.C.A. §§ 5031 et seq.)

18 U.S. Code Chapter 403 - JUVENILE DELINQUENCY

Legal Information Institute

<https://www.law.cornell.edu/uscode/text/18/part-IV/chapter-403>

Downloaded April 12, 2016

§ 5031 - Definitions

§ 5032 - Delinquency proceedings in district courts; transfer for criminal prosecution

§ 5033 - Custody prior to appearance before magistrate judge

§ 5034 - Duties of magistrate judge

§ 5035 - Detention prior to disposition

§ 5036 - Speedy trial

§ 5037 - Dispositional hearing

§ 5038 - Use of juvenile records

§ 5039 - Commitment

§ 5040 - Support

§ 5041 - Repealed. Pub. L. 98-473, title II, §214(b), Oct. 12, 1984, 98 Stat. 2014]

§ 5042 - Revocation of probation

2. American Correctional Association

http://www.aca.org/ACA_Prod_IMIS/ACA_Member/Standards___Accreditation/Standards/ACA_Member/Standards_and_Accreditation/StandardsInfo_Home.aspx?hkey=7c1b31e5-95cf-4bde-b400-8b5bb32a2bad

Standards Since 1954, the American Correctional Association has published operational standards designed to enhance correctional practices for the benefit inmates, staff, administrators, and the public. In the decades since the Manual on Correctional Standards- First Edition was created, the Association has diversified and expended its standards and today publishes 22 different manuals for all areas of the field of corrections. This includes dedicated manuals for the operation of differing facility types, including prisons, jails, juvenile correctional facilities, juvenile detention facilities, probation/parole agencies, halfway houses, and others. Similarly, ACA publishes standards for correctional programs that impact multiple facilities such as correctional industries (manufacturing programs), food service, electronic monitoring, therapeutic communities, and central office administration. Recently, the Association added new International Core Standards, designed to implement basic correctional practice on the international level.

Across the United States and the world, the ACA standards have been integrated into routine operations in more than 1,300 facilities and agencies. Tens of thousands of staff and inmates are impacted by the ACA standards on a daily basis. For more information on the creation and monitoring of the ACA standards; individual standards manuals; updates and interpretations from the ACA staff; or to purchase the ACA standards, explore the links on this page.

What are ACA's Standards? Since their inception, the ACA standards have served to establish a fundamental operational structure for facilities and agencies that have implemented them. ACA standards interface with all aspects of operations, including safety, security, order, care, programs, justice, and administration, among others. While ACA standards provide guidelines for these areas and require the existence of some specific practices or conditions, they are designed to facilitate the development of independent agency policy and procedure that govern the agency's everyday operations. Since the mid-2000s, ACA standards have gradually migrated to a "performance-based" model in which agencies collect, track, and analyze internal outcomes related to each standard in order to gauge their performance and adjust their operations accordingly. This model has proven to be a successful method of improving agency operations through the use of real-time data with an immediate and significant impact on inmates, staff, and administrators throughout the facility or agency.

ACA standards guide operations in every area of the facility of agency. Secure facilities such as jails and prisons must operate effectively as self-contained communities in which all necessary goods and services are provided in a safe, secure, and controlled manner. ACA standards relating to safety require adherence to all federal, state, and local fire and safety codes; emergency planning and preparation; and the provision of related training and materials for staff and inmates. Security standards mandate inspections and training of all firearms and armed officers; visitor and staff searches and tracking procedures; and inmate counting and tracking procedures. Other sections throughout each manual regulate policy, procedure, and practice at a similar level for other institutional or facility activities.

ACA standards are divided into two categories: mandatory and non-mandatory standards. In order to be accredited, facilities must meet the requirements for all applicable mandatory standards and 90% of applicable non-mandatory standards. Due to differences in mission, physical plant, and jurisdictional intricacies, not all standards may apply to a given facility. Those standards deemed to be non-applicable to a particular facility are deducted from the calculation of the facility's compliance score. Similarly, some standards (especially those regulating physical size and/or space limitations) are deemed applicable only to facilities built after a certain date in order to allow facilities sufficient time to design new facilities around ACA requirements.

For more information on the ACA standards, explore the other parts of this section. These include the Manuals and Supplements section, which lists each of the 22 manuals published by the Association. It also includes the Updates and Interpretations section in which ACA staff posts specific changes to the standards that are important for both facilities and ACA auditors.

Please note that the ACA standards are not available online and must be purchased in a print version.

Juvenile Justice Manuals & Supplements

- Juvenile Community Residential Facilities, 3rd Edition (JCRF)
- Juvenile Correctional Facilities, 4th Edition (JCF)
- Juvenile Detention Facilities, 3rd Edition (JDF)
- Juvenile Correctional Boot Camp Programs, 1st Edition (JBC)
- Juvenile Day Treatment Programs, 1st Edition (JDTP)

How the Courts View ACA Accreditation (see Exploratory Committee's web page on Courts, II. INTERPRETATIONS at <http://www.hugoneighborhood.org/courts1.htm>.)

3. Juvenile Detention Standards in Washington State

- Collins, William C. December 1998. *Juvenile Detention Standards in Washington State*. Christopher Murray & Associates, M. M. Bell, Inc.

The Washington State Institute for Public Policy contracted with Christopher Murray & Associates to assist in the review and analysis. Christopher Murray and Merlyn Bell, of M. M. Bell, Inc., visited all detention facilities, completed the analysis, and wrote this report.

Engrossed Second Substitute Senate Bill 6445, Chapter 269, Laws of 1998 required the Washington State Institute for Public Policy to address six tasks regarding standards for juvenile detention facilities. These six tasks were:

- What standards are in place and proposed for all existing and planned detention facilities in this state?
- What is the current compliance of detention facilities with recommended **American Correctional Association standards** and those delineated in RCW 13.06.050?
- What concerns, problems, or issues regarding current standards have a direct impact on the safety and health of offenders, staff, and the community?
- Identify and make recommendations with regard to the improvements needed, including a timeline for the implementation of such improvements.
- Recommend a schedule for periodic review of juvenile detention standards.
- Analyze the costs to implement the recommendations in accordance with the recommended timeline.

No Uniform Juvenile Detention Standards Operate in Washington State While there have been attempts to develop and implement juvenile detention standards in Washington State since the Juvenile Justice Reform Act of 1977, there are no uniform standards in the state today. RCW 13.06.050 directs local jurisdictions that receive state juvenile justice funds to have standards in place, but non-compliance has been without consequence. In the absence of clear and up-to-date state standards, some of the juvenile court administrators who want to assess how well their facility and staff measure up have turned to the standards issued by the American Correctional Association (ACA). Other administrators still look to Washington standards proposed in 1987 or to a combination of ACA and the proposed Washington State standards. Among the juvenile court administrators and detention managers, however, there is little or no support for state mandated detention standards at this time.

The National Context In the 1970s and 1980s, professionals in the field were increasingly concerned with the less than adequate, and even dangerous, conditions in prisons, jails, training schools, and juvenile detention facilities in many states. The courts were often actively involved. For example, inmate-on-inmate assault cases resulted in case law on separation and classification of violent from non-violent inmates. Courts required that juveniles be given medical screening, regular sick call, and other types of medical and mental health care. The courts were especially concerned with access to education for juvenile detainees. Facilities were required to remedy environmental conditions in dirty and overcrowded physical plants.

In the late 1970s, various national bodies were advocating and developing **standards for the operation of juvenile facilities**. These discussions generally included explicit assumptions about accreditation or monitoring for compliance with standards. Foremost among these groups were the American Bar Association, the American Correctional Association (ACA), and the National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP). The National Advisory Committee of NIJJDP completed its standards in 1980. The ACA issued theirs in 1979. A second edition of juvenile detention standards was published by the ACA in 1983, and a third in 1991. Most recently, ACA issued a supplement to its juvenile detention standards in 1998. New editions and supplements generally respond to changes in case law.

- American Correctional Association (ACA)
- National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP)

WASHINGTON STATE COMPLIANCE WITH ACA STANDARDS IN 1998

Methodology
Overall Levels of Compliance
Compliance With Facility Issues
Compliance With Juvenile Housing Standards
Compliance With Space Standards
Compliance With Capacity and Crowding Standards
Compliance With Staffing Standards
Compliance With Training Standards
Compliance With Parity Standards
Compliance With Health Care Standards
Compliance With Other Mandatory Standards
Other Areas of Concern

American Correctional Association's Juvenile Detention Standards

4. Juvenile Justice Standards: For Institute of Judicial Administration and the American Bar Association

- Flicker, Barbara. 1982. *Juvenile Justice Standards Project*, 2nd Edition, 326 pages. For Institute of Judicial Administration and the American Bar Association. Ballinger Publishing Company. Cambridge, MA.

This document was prepared for the Juvenile Justice Standards Project of the Institute of Judicial Administration and the American Bar Association. The project is supported by grants from the National Institute of Law Enforcement and Criminal Justice, the American Bar Endowment, the Andrew W. Mellon Foundation, the Vincent Astor Foundation, and the Herman Goldman Foundation. The views expressed in this draft do not represent positions taken by the sponsoring organizations or the funding sources. Votes on the standards were unanimous in most but not all cases. Serious objections have been noted in formal dissents printed in the volumes concerned.

PART I: NATIONAL STANDARDS FOR JUVENILE JUSTICE

1.1 Special Nature of Juvenile Justice.

The size and complexity of the task undertaken by the Juvenile Justice Standards Project of the Institute of Judicial Administration and the American Bar Association and the IJA-ABA Joint Commission of Juvenile Justice Standards must be understood at the outset of this volume. The formulation of standards to govern the juvenile justice system goes far beyond criminal jurisprudence. Juvenile offenders are only a portion of the population within the juvenile justice system. Neglected, abused, and dependent children, as well as their parents and other affected persons, also come within the jurisdiction of juvenile or family court. But even those parties and proceedings do not cover the full spectrum of juvenile issues. The mere fact of minority and its attendant disabilities and special circumstances present problems unique to a system for the provision of justice for juveniles. These standards attempt to cover every aspect of the laws regulating children in their contact with social institutions.

When we consider that age and dependency, conditions beyond the control of the principal party involved, can precipitate involvement in the juvenile justice system, whereas the commission of an unlawful act is the sole determinant in initiating contact with the criminal justice system, we begin to recognize major differences between the two justice systems. Nevertheless, each is a system of justice for which standards should be promulgated, compelling a commitment to shared principles of justice and administrative coherence. The standards for criminal and juvenile justice alike must provide procedures for all the agencies and individuals functioning as parts of the organizational whole to arrive at a fair disposition of them matters brought before them. Police, probation, courts, and corrections agencies must mesh into the criminal justice system. And the roles of the actors--defendants, victims, witnesses, law enforcement officers, probation workers, judges, prosecutors, defense counsel, and administrators--must be defined with precision.

1.2 Reasons for Formulating National Standards.

The juvenile justice system stands in dire need of thorough dissection preparatory to the promulgation of a comprehensive set of standards. Standards generally are adopted for the following purposes:

1. to achieve uniformity in the law for greater fairness, efficiency, and predictability in the consequences of the same conduct, action, or behavior, regardless of jurisdiction;
2. to develop linkages within the system by: defining the roles of affected individuals and agencies; eliminating gaps and duplication in services; and coordinating the planning, operation, and monitoring of programs;
3. to reexamine accepted concepts and premises underlying the current laws in the light of objective findings derived from recent studies and other developments. Basic principles should be reaffirmed, revised, or replaced, as a result of taking a fresh look at the system;
4. to codify the relevant case law, administrative decisions, selected statutory innovations, and fundamental principles approved in the standards in a form readily translatable into a model act or acts. With respect to the juvenile justice standards, the Commission deliberately sought to attain those goals. It voted to apply the standards to federal and local laws as well as to state laws.

VI. JJ RESOURCES

A. Government

1.a Oregon Juvenile Department Directors Association

<http://www.ojdda.org/>

ACCOMPLISHMENTS/OJDDA is proud of its accomplishments over the 1990s and into the new century, in conjunction with the Oregon Youth Authority and other partners:

1. PUBLIC POLICY - 1994 Juvenile Justice Summit Recommendations

- Creation of the Oregon Youth Authority
- Construction of youth correctional facilities
- Legislation on fingerprinting and photographing
- Expansion of local detention resources

2. TRAINING

- Fundamental, intermediate, and advanced training to staff across the state
- Annual conference featuring state of the art training

3. JUVENILE JUSTICE INFORMATION SYSTEM (JJIS)

- Counties and the Oregon Youth Authority participate in state of the art integrated information system
- Reports provide vital data on a statewide and county level

4. JUVENILE CRIME PREVENTION PARTNERSHIP

- Development of the Oregon Juvenile Crime Prevention Partnership under OJDDA leadership guided by research on "what works"
- Promotion of effective evidence-based interventions with high risk youth
- JCP Risk Screen and Assessment
- Development of a validated statewide risk screen and training for users across the state - the screen identifies youth risk and strengths as a prelude to effective case management

5. EVIDENCE BASED PRACTICES

- Promotion of evidence based practices through an annual conference featuring national experts and translation of research findings into policies, practices, and positive results

6. LEGISLATIVE ADVOCACY

- Introduction and promotion of concepts that affected legislation and improved results

7. RESEARCH AND EVALUATION

- Policy statement on system accountability
- Adoption of common definition of recidivism and related offense severity scores
- Creation of the JCP Risk Screen
- Development of JJIS, reporting on data, and policy-based research

8. OPERATIONS AND SYSTEM IMPROVEMENTS

- Improved operational efficiency through a Mutual Aid Agreement among counties
- Discretionary Bed Allocation Formula
- Detention Guidelines
- Shelter Services Partnership

9. PARTNERSHIPS AND NETWORKING

- Partnership as the key to success - collaboration with the Oregon Youth Authority, the Oregon Commission on Children and Families, the Department of Human Services, other state agencies, state and local service providers, and advocacy groups.

1.b. About Us

Oregon Juvenile Department Directors Association

<http://www.ojdda.org/aboutus.html>

Bylaws

Contact Us

County Web Links

OJDDA Operating Principles

OYA OJDDA Shared Leadership Principles

OJDDA Vision

Policies

1.c. Policies

Oregon Juvenile Department Directors Association

http://www.ojdda.org/aboutus_policies.html

Drug Policy

Native American Delinquency Notice

Close Custody Allocation

Definitions: Prevention/Basic Services

Mutual Aid Compact

Juvenile Justice System Accountability

OJDDA Webmaster Policy

Definitions: Prevention/Basic Services

Prevention: High risk juvenile crime prevention services delivered to youth who fit the juvenile crime prevention target population, regardless of legal status, and which have been demonstrated to be effective in reducing risk factors and preventing initial or continuing delinquent behavior among high risk youth.

Basic Services: Basic services are juvenile department services delivered to any youth referred for an offense with the goal of reducing recidivism and not to exceed the OYA discretionary bed allocation by providing a core continuum of services including detention, shelter care, graduated

sanctions, aftercare for youth offenders, treatment services not otherwise identified in the high risk plan, and other juvenile department services.

Juvenile Justice System Accountability Statement of Principles: The Oregon Juvenile Department Directors' Association (OJDDA) supports the principle of system accountability. County juvenile departments are committed to providing effective and efficient services to promote public safety and prevent youth from returning to criminal behavior. In partnership with the Oregon Youth Authority, the Court, private providers, and other key organizations, juvenile departments share responsibility for the effectiveness of the juvenile justice system. OJDDA also supports consistent, comparable information to review programs and performance, and endorses compliance with audit requirements in ORS 419C.001.

JCP - Juvenile Crime Prevention, (JCP Risk Assessment Tool)

1.d. JCP - Juvenile Crime Prevention, (JCP Risk Assessment Tool)

Oregon Juvenile Department Directors Association

http://www.ojdda.org/risk_index.htm#JCP

Instructions for JCP Risk Assessment 2006.1 (pdf) rev 1/14

Oregon's JCP Risk Assessment 2006.1 includes an Initial Assessment, a Reassessment, and a Reassessment for Youth in JCP Prevention Program. The JCP Assessment 2006.1 was most recently updated in October 2010. For much more information, See the web site: Juvenile Crime Prevention, (JCP Risk Assessment Tool).

JJIS and JCP Risk Assessment History

Oregon's Juvenile Justice Information System (JJIS): A collaborative initiative of the Oregon Youth Authority (OYA), the 36 county juvenile departments, and other juvenile justice and public safety partners. Recognized as a national model, JJIS promises "one youth, one record." It offers a single source of information about a youth's contacts and confidential case records with the state's juvenile justice system, regardless of where in Oregon those contacts occurred. This includes contacts with local jurisdictions as well as with Oregon Youth Authority.

This integrated, statewide electronic information system was developed in the 1990s to support positive outcomes for youth offenders, 80 percent of whom are handled by county juvenile departments. JJIS replaced multiple information systems that had been managed by separate agencies, which had prevented Oregon jurisdictions from tracking offenders across agency lines or evaluating the effectiveness of various juvenile justice services.

Administered by OYA, JJIS eliminated duplicate data entry among agencies and established a statewide standard for recording juvenile corrections information by its nearly 4,000 users. Of these users, approximately 1,300 work with youth through OYA and county juvenile departments. The others are approved external partners – such as law enforcement and adult corrections agencies – which have limited access.

Senate Bill 1 -1995
Steering Committee Formed – 1997
Counties signing IGA’s – 1997
JJIS Pilot sites – 1997-1998
JJIS Release 2.0 - 1999
All counties using JJIS by 2000

JCP Risk Assessment: An interdisciplinary work group with members from juvenile justice, education, research, academia, and youth treatment services came together starting in 1997 to plan for and design an assessment tool to identify youth at risk for re-referral. The first version of the tool was released in late 1999. The first validation of the tool occurred in 2001 with subsequent revisions implemented in 2002. A second validation occurred in 2005 with subsequent revisions implemented in 2006. The 2006 version of the tool underwent additional revisions in 2008 and again in 2010. The most recent validation (2011) tests previously un-scored items, utilizes some different analytical techniques, and analyses the characteristics of the re-assessment component of the tool.

JCP Risk Assessment revision 2006.1 released 2006
JCP Risk Assessment Implemented in JJIS 2001
JCP Risk Assessment validated 2001, 2002, 2008, 2010, 2011
JCP Risk Assessment Automated in JJIS 2006

2. Oregon Youth Authority (OYA)

a) Rogue Valley Youth Correctional Facility

2001 NE F Street
Grants Pass, OR 97526-4813
541-471-2862
FAX: 541-471-2861

Population Served

- Males
- Budgeted capacity is 100 beds

Visitation

OYA recognizes the importance of interaction between offenders in its custody with family and members of the community. Such access allows offenders to maintain contact with their families and community, and contributes to effective planning for an offender’s treatment needs.

b) Issue Briefs: 2013-2015

- Assessing youth's treatment and reformation needs?
- Contracting for services to youth throughout Oregon
- Creating a culture of positive human development

- Delivering services to youth while managing costs
- Education services for youth in OYA close custody
- Feeder System Project - Intervening to prevent criminal justice involvement
- Foster care services for OYA youth
- Health care services for youth in OYA close custody
- How youth move through the juvenile justice system
- Keeping youth safe - The Prison Rape Elimination Act (PREA)
- Legislatively Adopted Budget for 2013-15
- Mental health services for youth in OYA close custody?
- Multicultural services for youth in OYA close custody
- Nutrition services for youth in OYA close custody
- Oregon Juvenile Justice Information System (JJIS)
- OYA Performance Management System (OPMS)
- OYA Youth Reformation System (YRS)
- Treatment services for youth in OYA close custody
- Using predictive analytics to improve youth outcomes?
- Volunteering to help youth succeed

3. Oregon Commission on Children and Families
4. Oregon Department of Human Services
5. Oregon Health Authority
6. Department of Education
7. Employment Department
8. Oregon State Police
9. Oregon's 36 County Juvenile Departments
10. Oregon Department of Corrections

B. State & Local Service Providers

C. Advocacy Groups/Partners

- **Partners for Children and Families**
- **Juvenile Justice Center Crisis** – Video from “The Cost” Series, June 21, 2015
SOS. <http://securingoursafety.org/author/mktcaster/page/3/>

We asked Juvenile Justice Director Jim Goodwin and retired Director Terry Soeteber of Josephine County about the current status of local Juvenile Justice services. This is one of many individual parts of the independent video series called “The Cost.”

D. Programs

1. Juvenile Justice Information System

- What is JJIS?
- JJIS Vision, Goals, and Values
- JJIS Data & Evaluation Reports
- Partner System

VII. JJ STUDIES/INVENTORIES

A. Study Design

Studies & Information

Justice System Exploratory Committee

Justice System & Public Safety Services Study Design: 2015

http://www.hugoneighborhood.org/JSPSS_Studies.htm

B. Vetted Studies/Inventories

C. Further Readings

- Definition of Juvenile Law From Free Dictionary (The Exploratory Committee recommends this document as it has been difficult to understand Juvenile Justice for the layperson.)

The following list of references is just beginning. The Exploratory Committee will accept recommendations from any source.

- Anderson, David C. 1998. "When Should Kids Go to Jail?" *The American Prospect* (May-June).
- Bernard, Thomas J. 1992. *The Cycle of Juvenile Justice*. New York: Oxford Univ. Press.
- Burke, Michael K. 1995. "This Old Court: Abolitionists Once Again Line Up the Wrecking Ball on the Juvenile Court When All It Needs Is a Few Alterations." *University of Toledo Law Review* 26.
- Clark, J. David. 1990. "Juveniles and the Death Penalty: A Square Peg in a Round Hole." *Mississippi College Law Review* 10.
- Feld, Barry C. 1991. "The Transformation of the Juvenile Court." *Minnesota Law Review* 75.
- Juszkievics, Jolanta, and Marc Schindler. 2001. "Youth Crime/Adult Time: Is Justice Served?" *Corrections Today* 63 (February).
- Knauerhase, Evelyn C. 1990. "The Federal Circle Game: The Precarious Constitutional Status of Status Offenders." *Cooley Law Review* 7. Martin, D. Ross. 1994. "Conspiratorial Children? The Intersection of the Federal Juvenile Delinquency Act and Federal Conspiracy Law." *Boston University Law Review* 74.
- Mills, Deborah L. 1996. "United States v. Johnson: Acknowledging the Shift in the Juvenile Court System from Rehabilitation to Punishment." *DePaul Law Review* 45.
- Rosenheim, Margaret K., et al., eds. 2002. *A Century of Juvenile Justice*. Chicago: Univ. of Chicago Press.
- Stetzer, William T. 1996. "The Worst of Both Worlds." *Washburn Law Journal* 35.
- Whitehead, John T. and Steven P. Lab. 1999. *Juvenile Justice: An Introduction*. Cincinnati, Ohio: Anderson.

VIII. MALPASS

MALPASS

Minimally Acceptable Level Of Public Safety Services

Justice System Exploratory Committee

Justice System & Public Safety Services Study Design: 2015

<http://www.hugoneighborhood.org/malpss.htm>

Josephine County's Minimally Adequate Level of Public Safety Services Standards (MALPASS), Section III.C. Components Of JO CO Public Safety Program For Increased Funding: 2012 - 2015.

- Walker, Mike; Whalen, Jon, Members JS&PSS Exploratory Committee, Hugo Neighborhood Association & Historical Society. Very Draft December 15, 2015. Appendix 4B. JO CO's Minimally Adequate Level of Public Safety Services (MALPASS) Standards, Including Law Enforcement Staffing & Deployment. Supporting Justice System & Public Safety Services Study Design: 2015. Hugo, OR.

Executive Summary Of Appendix B4. Minimally Adequate Levels of Public Safety Services (MALPASS) Standards

- Dec. 15, 2015. Mike Walker & Jon Whalen. Executive Summary Of Appendix B4. Minimally Adequate Levels of Public Safety Services (MALPASS) Standards (Public Outreach 5.6).

Summary Highlights: Minimally Adequate Levels of Public Safety Services (MALPASS) Research Project

- Dec. 15, 2015. Mike Walker & Jon Whalen. Summary Highlights: Minimally Adequate Levels of Public Safety Services (MALPASS) Research Project (Public Outreach 5.5).

IX. COURTS

Constitutional Requirements

Courts

Justice System Exploratory Committee
Hugo Neighborhood Association & Historical Society
<http://www.hugoneighborhood.org/courts1.htm>

I. CONSTITUTIONAL REQUIREMENTS

- A. Amendment VIII of the United States Constitution
- B. Amendment XIV of the United States Constitution

II. INTERPRETATIONS

- A. Eighth Amendment: A Guide to the Eighth Amendment
- B. Amendment VIII – Excess Bail or Fines, Cruel and Unusual Punishment
- C. Eighth Amendment: Free Dictionary
- D. How the Courts View ACA Accreditation

III. OREGON

- A. Oregon Criminal Justice Commission
- B. Court Opinions

IV. UNITED STATES

- A. Public Safety Organization
- B. Court Opinions

V. ACADEMIA

VI. OREGON COURTS: OREGON JUDICIAL SYSTEM

- A. Access to Justice Resources
- B. Flow Charts
 - 1. Who's in Charge of Oregon's Criminal Justice System? - Simple (Oregon Justice System Flow Chart_1)
 - 2. Bureau of Justice Flowchart of Criminal Justice System - Complex (Oregon Justice System Flow Chart_2)
 - 3. Juvenile Justice System Structure and Process Case Flow Diagram (U.S.) Office of Juvenile Justice and Delinquency Prevention
 - 4. Flow Charts of Oregon County Juvenile Justice Departments
 - Yamhill County's Juvenile Justice System 2013
 - Marion County Juvenile Department's Flow Charts
 - Overview
 - Referral Processing
 - Offense and Risk Based Referral Processing
 - Measure 11 Offense Process Flow
 - FAA with petition held in abeyance
 - Aid and Assist (370 Evaluation) - Process for youth with mental disease or defect considerations
 - Rapid Outpatient Assessment Response for Detention Youth
 - Marion County Juvenile Justice: 2014 Disposed* Criminal Referrals
 - Lane County Adult Criminal Justice System Flow Chart

Lane County Public Safety Coordinating Council. December 1, 2011 Status of the Public Safety System in Lane County as per Senate Bill 77. Report to the Board of County Commissioners. Eugene, OR.

X. JO CO JJ PRE-STUDY RESEARCH PROJECTS

A. Juvenile Justice Facilities/Work Units

1. Administration
2. Court & Field Services Facility (1999)
3. Detention Facility: 14 Beds (1999)
4. Shelter Facility Beds: 16 Beds (1999)

B. Pre-*Study* Research Projects

1. Voter Outreach Projects In the opinion of the Exploratory Committee, JO CO government is plagued by a lack of trust by a majority of county voters, and by ineffective informed voter outreach, especially educational program descriptions of public safety services.

How can we be well-informed voters? And is there a way to sift through the noise and bluster of the campaign to get, as they used to say on Dragnet, “just the facts”?

Public Outreach. These activities are targeted to provide information to groups of current or potential clients and/or to network partners and other community partners regarding available services or benefits.

The target audience is voters who are generally poorly informed. Rational ignorance is refraining from acquiring knowledge when the cost of educating oneself on an issue exceeds the potential benefit that the knowledge would provide.

Issue voting is often contrasted with party voting. A 2010 University of California, Davis study found that voters switch between issue voting and party voting depending on how much information is available to them about a given candidate.[9] Low-information elections, such as those for congressional candidates, would thus be determined by party voting, whereas presidential elections, which tend to give voters much more information about each candidate, have the potential to be issue-driven.

Being an informed voter is tough as it means to be knowledgeable about the issues and positions of candidates when voting. Knowledge is power, but most of us are busy with the day to day of work and responsibilities. It also means you are able to make decisions without influence from outside factors intended to persuade those who may not fully understand a candidate’s platform or ideas.

VOTE411.org, hosted by the League of Women Voters Education Fund, has everything you could possibly need regarding voting and the coming elections.

a) Staffing Analysis The public needs to understand the needed staffing for the JO CO JJ Department, especially during today's lack of trust environment. It is not enough to arrive at a budget in an open government setting (i.e., JO CO Budget Committee).

Budget Committee This committee is composed of three members of the public and the Board of Commissioners. The Budget Committee meets three or four times in a public setting each spring to review and approve proposed budget documents by the Budget Officer for the County. Budget Committee members should have an interest in County operations and an understanding of governmental budget processes

ORS Chapter 294 - <http://www.co.josephine.or.us/page.asp?navid=1730>
Oregon Local Budget Law ORS 294.305 Sections constituting Local Budget Law.
ORS 294.305 to 294.565 shall be known as the Local Budget Law. 12/19/2014 Josephine County
Overview of Budget Process - <http://slideplayer.com/slide/9275522/>

What independent nongovernment documented staffing analysis has been completed for the JO CO JJ Department (MALPSS)?

MALPASS: Minimally Acceptable Level Of Pubic Safety Services
Justice System Exploratory Committee
Hugo Neighborhood Association & Historical Society
<http://www.hugoneighborhood.org/malpss.htm>

What organization's staffing standards were used for the staffing analysis (MALPSS)?

1. Oregon.
2. American Correctional Association (ACA).
3. National Institute for Juvenile Justice and Delinquency Prevention (NIJJD).
4. Others?

A staffing model portrays the future staffing requirements (the demand) as determined by strategic and operational planning efforts (issue identification). Simultaneously, the model takes current staff data and forecasts what the future staffing needs (the supply) will be. These two pieces of information (the supply and the demand) are contrasted to determine what the gap or surplus will be. From this analysis, staffing plans are created and implemented. Finally, the results are measured for efficiency and effectiveness.

b) Department Descriptions & Relationships The descriptions of the Josephine County Juvenile Justice Department in the Josephine County web pages and in the JO CO annual budget documents are not designed for easy consumption and understanding by the JO CO voters. The members of the Exploratory Committee are still trying to understand the JO CO JJ Department after approximately 60 hours of research. This county program is complex, especially its relationships with other juvenile programs.

Josephine County Juvenile Justice

<http://www.co.josephine.or.us/SectionIndex.asp?SectionID=163>

Budgets: Josephine County, Oregon

<http://www.hugoneighborhood.org/budgets.htm>

The JO CO JJ Department should consider developing standalone program document summaries of its programs, including updated web pages, and flow charts. The goal is not legal requirements; the goal is public understanding moving toward public trust.

c) Professional Web Page for JO CO JJ Department The Josephine County Juvenile Justice Department's web page is a component of the Josephine County' web page. It looks like government, and it is brief in helpful information toward public understanding. It would communicate effectively with JJ professionals.

Josephine County Juvenile Justice

<http://www.co.josephine.or.us/SectionIndex.asp?SectionID=163>

The JO CO JJ Department needs a professional web page to promote and informed public. For example:

- Washington County Juvenile Department - <http://www.co.washington.or.us/Juvenile/>
- Clackamas County Juvenile Department - <http://www.clackamas.us/juvenile/>
- Multnomah County, Dept of Community Justice (Dcj) Juvenile Services - <https://multco.us/dcj-juvenile>
- Marion County Juvenile Department - <http://www.co.marion.or.us/JUV>
- Benton County Juvenile - <https://www.co.benton.or.us/juvenile>

It is speculated that citizen groups (i.e., pro or con tax levies) would be willing to subsidize and/or secure volunteer services for web publications.

d) Flow Chart of Josephine County Juvenile Justice Department The Exploratory Committee has not found any flow charts/diagrams depicting the JO CO JJ Department.

Flow diagrams describing the stages of delinquency case processing in the juvenile justice system are valuable to understanding the public safety service. For example, see the following.

- **Juvenile Justice System Structure and Process Case Flow Diagram**
Office of Juvenile Justice and Delinquency Prevention
Office of Justice Programs
U.S. Department of Justice
- **Yamhill County’s Juvenile Justice System 2013**
Yamhill County, Oregon Juvenile Justice Department
- **Marion County Juvenile Department’s Flow Charts**
Marion County, Oregon Juvenile Department

e) JO CO Annual Budget Document The annual JO CO JJ budget documents do not change much in terms of the “textual” department information. For example the adopted 2010-11 and 2015-16 budgets for the JO CO JJ Department have a difference of 25.10 FTE and \$1,541,900.

- JO CO Board of County Commissioners. June 17, 2015. *Josephine County, Oregon Adopted Budget FY 2015-16*. JO CO BCC Resolution Number 2015-026. Grants Pass, OR.
- JO CO Board of County Commissioners. 2010. *Public Safety Fund Adopted Budget FY 2010 - 11*. Grants Pass, OR.

	<u>FTE</u>	<u>Appropriation</u>
FY 2015-2016	8.60	\$ 982,700
FY 2010-2011	33.70	\$2,524,600
Difference	25.10	\$1,541,900

However,

f) Citizen’s Guide To The Budget One important but relatively neglected aspect of fiscal transparency is the need for the local government to explain its budget proposals and the public finances in one simple, plain language document – often referred to as a “citizens’ guide to the budget.” Because the annual budget is the key instrument by which a [local] government translates its policies into action, presenting the budget in a way that makes sense to the general public is central to government accountability.

2. Other Pre-*Study* Research Projects

C:\Users\Mike\Documents\AAA Applications\Hugo_Neighborhood_Association\Community_Issues\JO CO Public Safety Services 2013_2014\Reports\JO CO Juvenile Justice\JSPSS_JJ JO CO Dept_042716.wpd