

## **HB 2327 -1 STAFF MEASURE SUMMARY**

### **House Committee On Judiciary**

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**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 3/2

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#### **WHAT THE MEASURE DOES:**

Allows county juvenile department to provide preventative services to person under 12 years of age who have committed an act that is a violation, or if done by an adult would constitute a violation of local, state, or federal law. Specifies minimum required preventative services to be provided. Adds persons under 12 years of age who have committed an act that is violation, or if done by an adult would constitute violation, of local or federal law to list of targeted populations of youths that local high-risk juvenile crime prevention plans are required to provide services and activities to. Limits juvenile court jurisdiction to cases involving a person who is at least 12 years of age and under 18 years of age. Changes reference to "youth" to "person" for purposes of statute related to detention of individuals under 12 years of age. Narrows classification of persons under 12 years of age who are eligible for detention. Appropriates funds to Youth Development Division for purposes of carrying out measure. Applies to conduct occurring on or after effective date.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Clarifies that preventive services are in addition to, and not in lieu of, services provided by other state agencies. Corrects reference to community-based sexual abuse specific treatment. Adds skill-building classes to list of minimum preventive services provided to persons under 12 years of age. Adds Department of Human Services to list of groups required to be part of partnership directed to develop local high-risk juvenile crime prevention plan. Modifies list of targeted population of youths that local high-risk juvenile crime prevention plans are, for which they are required to provide services and activities to include persons who were under 12 years of age when they committed an act that is a violation, or that if done by an adult would constitute a violation, of local, state, or federal law. Modifies provision governing exclusive original jurisdiction of juvenile court to include any case involving a person under age 18 and who was is at least 12 years of age at time of committing an act that was a violation or would, if done by an adult, constitute a violation of local, state, or federal law. Repeals statute relating to detention of youths under 12 years of age and makes conforming amendments.

##### **BACKGROUND:**

Juvenile courts in Oregon have exclusive original jurisdiction in any case involving a person who is under 18 years of age who has committed an act that is a violation, or that if done by an adult, would constitute a violation, of local, state, or federal law. However, a youth under 12 years of age may not be placed in detention unless a juvenile court judge makes written findings describing why it is in the best interest of the youth to be placed in detention. The judge must also determine that the youth is eligible for detention and that appropriate alternative methods of controlling the youth's behavior are unavailable.

House Bill 2327 would narrow the exclusive original jurisdiction of juvenile courts to youth over 12 years of age and under 18 years of age who have committed an act that is a violation, or that if done by an adult would constitute a violation, of local, state, or federal law. The measure would permit county juvenile departments to provide preventative services to youth under age 12 who have committed such an act. The measure adds youths under age 12 as a targeted population for which local high-risk juvenile crime prevention plans developed by local

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inter-governmental partnerships seek to provide services and activities. It would also eliminate a juvenile court judge's ability to place a person under 12 years of age in detention unless they are a runaway from another state. Finally, HB 2327 would appropriate funds to the Youth Development Division.

PRELIMINARY