

Chapter 420

1955 REPLACEMENT PART

State Institutions for Delinquents

GENERAL PROVISIONS

- 420.010 Commitment or admission of minor under 12 to state institutions for delinquents
- 420.020 Advisory committee; membership; chairman
- 420.030 Duties and expenses of advisory committee

MacLAREN SCHOOL FOR BOYS

- 420.110 Establishment of school
- 420.120 Purpose and objects of school
- 420.130 Commitments; jurisdiction of county judge and juvenile court
- 420.140 Persons who may be committed; limitations
- 420.150 Commitment blanks
- 420.160 Expenses borne by committing county
- 420.170 Term of commitment
- 420.180 Parole, release and revocation of parole
- 420.190 Disposition of incorrigible youths
- 420.200 Department for youths under 21 years
- 420.210 Establishing temporary work and training camps for boys committed to school
- 420.215 Operation of camps by superintendent
- 420.220 Responsibility for custody of boys assigned to camp; scope of training program
- 420.225 Cooperation with other state or federal agencies in work assignments
- 420.230 Contracts with other state or federal agencies
- 420.235 Return of rule violator or bad security risk to MacLaren School for Boys

HILLCREST SCHOOL OF OREGON

- 420.310 Name of institution
- 420.320 Supervision and objects of Hillcrest School
- 420.330 Persons who may be committed
- 420.340 Jurisdiction over commitments; maximum term
- 420.350 Removal of incorrigible cases
- 420.360 Superintendent and officers to be women; employment of husbands of married appointees
- 420.370 Rules and regulations
- 420.380 Method of making expenditures
- 420.390 Purchase of supplies and equipment
- 420.400 Continuing application of statutes

CAMP FOR DELINQUENT BOYS

- 420.510 Definitions for ORS 420.510 to 420.640
- 420.520 Boys' camp established; purpose
- 420.530 Location of camp
- 420.540 Continuation and transfer of camp
- 420.550 Agreement with federal and state agencies
- 420.560 Payment of wages to inmates
- 420.570 Report on possibility of rehabilitation
- 420.580 Recommitment from MacLaren School for Boys
- 420.590 Jurisdiction of court to recommit
- 420.600 Age and term of commitment
- 420.610 What courts may commit to camp
- 420.620 Training, discipline and instruction
- 420.630 Facilities to be provided
- 420.640 Examination by psychiatrist; use of findings and recommendations

TRANSFER OF INMATES TO OTHER INSTITUTIONS

- 420.710 Transfer of mentally ill inmates
- 420.720 Transfer of feeble-minded inmates
- 420.730 Transfers for medical care; return; costs

PLACEMENT IN FOSTER HOMES OF CHILDREN COMMITTED TO STATE TRAINING SCHOOLS

- 420.810 Placement of child committed to juvenile training school in foster home
- 420.815 Placement agreements with persons or families
- 420.820 Visiting of foster homes by school staff members
- 420.825 Return of child to school
- 420.830 Contribution by natural parents to maintenance of placed child
- 420.835 Prohibition of interference with control of placed child
- 420.840 Cooperation of superintendents with other child welfare agencies

PENALTIES

- 420.990 Penalties

CROSS REFERENCES

Chaplains for state institutions, 421.035
Child guidance clinic services available to state institutions, 343.390
Child welfare generally, Ch. 419
Classification system for persons committed to reformatory, 421.260

Correctional Institution, Oregon State, establishment of, 421.080
Cost accounting system in reformatory institutions, 421.055
Disposition and commitment proceedings for delinquent children, Ch. 419

Distribution of Basic School Support Fund, 327.135
Escheat of property of inmates of state institutions, 120.210

Examination of committed persons by State Board of Eugenics for determination of possible sterilization, 436.030

Marking of reformatory-made goods, 421.350

Nonresident and alien public charges, Ch. 415

Receipts for property of persons taken into custody, 142.210

Records to be kept by superintendents of institutions, 432.165

Regulations concerning sale, exchange and use of reformatory-made goods, 421.330 to 421.365

Salaries and expenses of state officers and employees generally, Ch. 292

Superintendents must report deaths to coroner, 146.115

Supervision by Board of Control over, and provisions of general application to, state institutions, Ch. 179

Witnesses, persons confined serving as, 44.240

420.030

Traveling expense allowance limited, 292.250

420.120

Salary of superintendent, 292.317

420.140

Minors visiting houses of prostitution to be committed to MacLaren School for Boys, 167.240

Transfer of convicts under 21 to MacLaren School for Boys, 421.260, 421.265, 421.270

420.200

Transfer of youths between 18 and 21 years from penitentiary to MacLaren School for Boys, 421.260, 421.265, 421.270

420.340

Attendance of woman officer at trial of girl charged with crime, 133.770 and 133.780

Duty of judge and sheriff to appoint woman officer to accompany woman ordered to institution, 137.360

420.720

Juvenile matters transferred to circuit courts, 3.130 to 3.150

420.730

Transfer of inmates to University of Oregon Medical School, 179.480

420.810

Child-caring agencies, certification by State Public Welfare Commission, 419.102 to 419.140

Foster homes, certification by State Public Welfare Commission, 419.402 to 419.410

Placement of children in foster homes by child-caring agencies, 419.132

GENERAL PROVISIONS

420.010 Commitment or admission of minor under 12 to state institutions for delinquents prohibited. No minor child under the age of 12 years shall be committed by any court to either the MacLaren School for Boys or the Hillcrest School of Oregon, nor shall any such minor child be admitted to or received by or cared for in either of those institutions.

420.020 Advisory committee; membership; chairman. (1) There shall be appointed by the Oregon State Board of Control an advisory committee, consisting of seven members, citizens of this state.

(2) One member of the committee shall be designated chairman thereof by the Board of Control.

(3) Each member of the committee shall serve for a term of four years, except that of the members first appointed after August 3, 1955, one shall serve one year, two shall serve two years, two shall serve three years and two shall serve four years; and a vacancy in the office of member of the committee for any cause other than expiration of term shall be filled by appointment for the period of the unexpired term only. The terms of the members of the committee on August 3, 1955, shall expire on such date. [Amended by 1955 c.89 §1]

420.030 Duties and expenses of advisory committee. (1) The advisory committee shall study the policy and administration of all the state schools for delinquent children and report in writing to the Board of Control and make such suggestions and recommendations as may appear to be for the best interest of the institution and the welfare of the inmates. The advisory committee shall attend at least one meeting of the Board of Control each year, for the purpose of reviewing the budgets of the schools, and shall hold at least one meeting of the committee each quarter.

(2) The actual necessary expenses of the members of the advisory committee, incurred in the performance of their duties, shall be audited and paid in the same manner as other expenses of said institutions.

420.040 to 420.100 [Reserved for expansion]

MAC LAREN SCHOOL FOR BOYS

420.110 Establishment of school. There is established and permanently located in Marion County, in this state, a school to be known as the MacLaren School for Boys. This school is to be maintained for the confinement, discipline, education, employment and reformation of juvenile offenders in this state.

420.120 Purpose and objects of the school. (1) The MacLaren School for Boys shall be used as a training school for juvenile male offenders committed to its custody. The superintendent, subordinate officers and employes of the school shall use their best and consistent endeavors to govern, instruct, employ and reform the youths committed to their charge, to the end that the youths are trained and developed into useful and honorable members of society.

(2) The chief objects of the school are educational and reformatory, rather than penal, but this does not prevent the confinement and punishment of juvenile offenders therein.

420.130 Commitments; jurisdiction of county judge and juvenile court. All commitments to the MacLaren School for Boys shall be made by the county judge of the county of which the delinquent youth is a resident. However, in counties where there is a juvenile court all commitments shall be made by the judge of that court.

420.140 Persons who may be committed; limitations. (1) Commitments to the MacLaren School for Boys shall be limited to youths between the ages of 12 and 18 years who, after a full hearing before the court, are found to be beyond the control of their parents or guardians and incorrigible, or who may be found guilty of an offense punishable by imprisonment.

(2) No youth shall be committed to the school by reason of being dependent or without means of support.

420.150 Commitment blanks. Uniform commitment blanks shall be furnished by the Oregon State Board of Control and used by all courts committing to the MacLaren School for Boys.

420.160 Expenses borne by committing county. All traveling and other expenses incurred in the commitment and delivery of delinquent youths to the MacLaren School

for Boys shall be borne by the county from which they are committed.

420.170 Term of commitment. Except as provided in ORS 420.180, all youths committed to the MacLaren School for Boys shall remain as inmates, and under the control of the officers of the school until they reach their majority.

420.180 Parole, release and revocation of parole. (1) Upon recommendation and showing by the superintendent that a youth has reformed and had best be returned to his parents or guardian or that a suitable and desirable home has been found for him, the Board of Control may grant the youth a parole conditioned upon good behavior.

(2) The Board of Control may in its discretion at any time grant a youth a final release or revoke his parole and cause him to be returned to the school and the custody of its officers.

420.190 Disposition of incorrigible youths. Should any boy committed to the school prove, and continue to be, unruly, unsusceptible of reformation and incorrigible and his presence be detrimental to the best interests of the institution, he may, with the approval of the Board of Control, be returned by the superintendent to the sheriff of the county from whence he was committed that proceedings against him may be resumed as though no commitment had been made to the school.

420.200 Department for youths under 21 years. There is established and permanently located in Marion County a department in connection with the MacLaren School for Boys for the confinement, discipline, education, employment and reformation of offenders in this state under the age of 21 years. [Amended by 1953 c.111 §3]

420.210 Establishing temporary work and training camps for boys committed to school. The Superintendent of the MacLaren School for Boys, with the approval of the Board of Control and in cooperation with any other state agency, may establish at such places in this state as are recommended by the State Highway Department or any other state or federal agency assisting in the rehabilitation program contemplated by ORS 420.210 to 420.235 one or more temporary work and training camps for any boys committed to the school who are determined by the superintendent to be qualified and

amenable as security risks for work and training in such camps. [1953 c.154 §1]

420.215 Operation of camps by superintendent. Any camp established pursuant to ORS 420.210 on a temporary basis shall be maintained and operated under the supervision of the superintendent and shall be governed, as far as applicable, by the rules and regulations concerning discipline, care and education of the MacLaren School for Boys. [1953 c.154 §2]

420.220 Responsibility for custody of boys assigned to camp; scope of training program. While at a camp established under ORS 420.210 to 420.235, the superintendent is responsible for the care and custody of all boys assigned to the camp. The superintendent shall provide the same educational, training, religious, cultural and medical facilities that are available to the boys at the MacLaren School for Boys, in so far as this is feasible and appropriate; provided, that the compulsory school attendance laws are complied with. [1953 c.154 §3]

420.225 Cooperation with other state or federal agencies in work assignments. The superintendent and the persons employed by him or designated to have direct control of the boys at camp shall cooperate to the fullest extent with the State Highway Department or any other state or federal agency assisting in the camp program in making assignments and in supervising any work or training of boys who are physically able to perform manual labor. [1953 c.154 §4]

420.230 Contracts with other state or federal agencies. The superintendent, with the approval of the Board of Control, may enter into contracts with the State Highway Commission or any other state or federal agency cooperating or willing to cooperate in the camp program to carry into effect the purposes of ORS 420.210 to 420.235, providing among other things for the type of work to be performed by boys at any camp, for rate of payment and other matters relating to the maintenance and training of the boys while at a camp. [1953 c.154 §5]

420.235 Return of rule violator or bad security risk to MacLaren School for Boys. Any boy who violates the rules and regulations relating to discipline of a camp or who appears to the superintendent to be a bad security risk may be returned to the Mac-

Laren School for Boys on order of the superintendent. [1953 c.154 §6]

420.240 to 420.300 [Reserved for expansion]

HILLCREST SCHOOL OF OREGON

420.310 Name of institution. In order that a more suitable designation and wholesome name may be provided for the state institution for the detention of delinquent girls, situated near Salem, Marion County, that institution is designated as the Hillcrest School of Oregon.

420.320 Supervision and objects of Hillcrest School. The Oregon State Board of Control shall equip, conduct, maintain and supervise the Hillcrest School of Oregon in the same manner as it does other state institutions. The school shall be conducted in such manner as to provide an industrial and vocational education to its inmates and to promote their moral, mental and physical welfare.

420.330 Persons who may be committed. The Hillcrest School of Oregon shall be used as a place of correction for girls between the ages of 12 and 21 years. No girl shall be committed to the school after she has attained the age of 19 years.

420.340 Jurisdiction over commitments; maximum term. Any juvenile court or court having jurisdiction of juvenile cases may commit any delinquent girl, as defined in ORS 419.102 and 419.503, to the Hillcrest School of Oregon to remain subject to its jurisdiction until she reaches the age of 21 years unless sooner paroled or released in accordance with the rules and regulations of the Board of Control.

420.350 Removal of incorrigible cases. If any girl committed to the Hillcrest School of Oregon is unsuceptible of reformation or incorrigible, so that her presence is detrimental to the best interests of the institution, she may, with the approval of the Board of Control, be returned by the superintendent of the school to the court by which she was committed to the school.

420.360 Superintendent and officers to be women; employment of husbands of married appointees. The superintendent and all the subordinate officers of the Hillcrest School of Oregon shall be women. However, if a married woman is appointed superinten-

dent, or to any subordinate position, the husband of such appointee may, with the consent of the Board of Control, reside in the institution, and may be assigned such duties or employment as the board of managers may prescribe.

420.370 Rules and regulations. The Board of Control shall make and publish rules and regulations governing the paroling, releasing and discharging of all inmates of the Hillcrest School of Oregon and for the management for the institution.

420.380 Method of making expenditures. All expenditures for the support of the Hillcrest School of Oregon shall be made by warrant drawn by the Secretary of State on the State Treasurer, and then only upon proper voucher approved by the superintendent and the Board of Control.

420.390 Purchase of supplies and equipment. All supplies and equipment shall be purchased by the Board of Control in the same manner as supplies and equipment for other state institutions are purchased.

420.400 Continuing application of statutes. Sections 1, 2 and 3 of Chapter 153, Oregon Laws 1913, are continued in full force as far as they affect actions pending, rights accrued, judgments unexecuted, proceedings had and commitments thereunder ordered.

420.410 to 420.500 [Reserved for expansion]

CAMP FOR DELINQUENT BOYS

420.510 Definitions for ORS 420.510 to 420.640. As used in ORS 420.510 to 420.640, unless the context requires otherwise:

(1) "Boys' camp" means a place removed from a city or town a sufficient distance so that same is not readily accessible to the boys in such camp and which camp or place is improved with adequate housing, schooling and such other facilities as are most conducive to the welfare of such boys, and situate upon a plot of ground having adequate space for athletic games and such other activities as may be deemed desirable.

(2) "Board" means the Oregon State Board of Control.

420.520 Boys' camp established; purpose. In order to provide appropriate facilities for the care of delinquent boys or the wards of the courts having jurisdiction over juveniles who are amenable to corrective

training other than in close confinement, to secure a better classification and segregation of said boys and wards according to their capacities, interests and rehabilitation possibilities, and to reduce the necessity of expanding the existing grounds and housing facilities for the confinement of said boys and wards, and to give better opportunity for rehabilitation and the encouragement of self-discipline in such boys and wards, a boys' camp shall be established, and maintained by the board under supervision separate from any other state institution.

420.530 Location of camp. For the purpose of convenience and economy in the early establishment of the boys' camp, and for the further purpose of utilizing the facilities already provided which, together with the grounds, are owned by this state, the board shall establish and maintain the camp for the biennium ending June 30, 1949, at a place commonly known as Reeher's C. C. C. camp located near the United States postoffice at Timber and on the following described lands:

North half of northwest quarter, section 32, township 3 north, range 5 west of the Willamette Meridian, in Washington County, Oregon.

420.540 Continuation and transfer of camp. After July 1, 1949, the board may, in its discretion, continue to maintain the camp at the location described in ORS 420.530. If, however, in the discretion of the board it is deemed necessary in order to more fully comply with the requirements of ORS 420.520 to 420.640 and to accomplish the purposes thereof, the boys' camp may be transferred to another location within this state, to be selected by the board.

420.550 Agreement with federal and state agencies. In establishment and operation of the boys' camp the board may enter into agreements with the forestry service of the United States or of this state, or any other federal or state agency, to make available to the boys of the boys' camp, wholesome and healthful outdoor tasks and activities.

420.560 Payment of wages to inmates. The board may provide for payment of wages for compensation in such amounts as may be deemed proper to boys in the boys' camp for work performed by them.

420.570 Report on possibility of rehabilitation. Any court having jurisdiction over

juveniles may, before committing a juvenile for any offense, obtain from the probation officer attached to such court, or, if the court does not have a probation officer, from such other qualified person as may be specially designated by the court, complete information as to a boy about to be committed in respect to his likelihood of rehabilitation, and may determine from such report and such other information as may be obtained, whether or not such boy should be committed to the boys' camp.

420.580 Recommitment from MacLaren School for Boys. The superintendent of the MacLaren School for Boys shall investigate and determine the availability for rehabilitation, through the benefits of the boys' camp, of all boys under his jurisdiction. The superintendent may recommend to the court which committed any boy found by the superintendent to be eligible, that it recommit such boy to the boys' camp.

420.590 Jurisdiction of court to recommit. The committing court is vested with power to commit or recommit any boy recommended to the boys' camp under ORS 420.580. However, jurisdiction of the committing court over all boys committed to the boys' camp shall continue until such boys are released or discharged from such camp. Should any boy while committed to the boys' camp display or manifest a disinclination for rehabilitation, such boy may be recommitted to the MacLaren School for Boys.

420.600 Age and term of commitment. Boys over 12 years of age and not more than 18 years of age only may be received in the boys' camp. All commitments to the boys' camp shall be for an indeterminate period of time. Any committed boy shall be subject to release at such time as the personnel of the camp have determined a satisfactory adjustment on the part of the boy to warrant his return to the community.

420.610 What courts may commit to camp. Any court exercising jurisdiction, in addition to the powers now vested in such courts in respect to juveniles, may temporarily or permanently commit children under the jurisdiction of such court, and subject to commitment otherwise, to the boys' camp with the same validity and effect as other commitments are made.

420.620 Training, discipline and instruction. In maintaining the boys' camp, the

board shall provide the boys with training and discipline and spiritual instruction as is deemed most likely to rehabilitate the boys. To that end such management shall require of the boys such courses in academic and vocational education as may be deemed necessary. As an incident thereto, the boys shall, so far as feasible and practical, be given governmental instruction in the practical operation of the camp and its maintenance, as well as in farming, gardening and building of trails, the building of fire breaks, fire and forestry trails and other duties of a comparable nature. The boys shall be required to do the necessary chores and perform any other acts incident to making the camp as nearly self-sustaining as possible, consistent with their ability and without jeopardy to the schooling of the boys.

420.630 Facilities to be provided. The board may provide the boys' camps with the following, of which the facilities shall be according to the commonly accepted standard of suitability for the purpose:

(1) Housing, kitchen, toilet and bathing facilities.

(2) Recreational and schoolroom facilities.

(3) Playground facilities and other outdoor activity.

(4) Transportation commensurate with the needs of the camp.

(5) Proper and adequate services by a physician and dentist for emergency and other necessary treatment of the boys.

(6) Religious instruction at least once a week of a nature consistent, as nearly as practical, with the faith or religion of each boy.

420.640 Examination by psychiatrist; use of findings and recommendations. The board shall obtain the services of a psychiatrist. Every boy committed to the camp shall be examined by the psychiatrist not later than 10 days after being received at the camp. The findings and recommendations of the psychiatrist shall be reduced to writing and delivered to the superintendent of the camp. The superintendent and the personnel shall be guided by said findings and recommendations in the care, education, treatment and rehabilitation of the boy.

420.650 to 420.700 [Reserved for expansion]

TRANSFER OF INMATES TO OTHER INSTITUTIONS

420.710 Transfer of mentally ill inmates. Whenever any inmate of the MacLaren School for Boys or the Hillcrest School of Oregon, in the judgment of the superintendent of the institution concerned, is insane, the superintendent shall give notice to the Oregon State Board of Control. The Board of Control shall thereupon order an examination of such inmate by one or more of the physicians of the Oregon State Hospital. If the examining physicians find the inmate insane, they shall so certify under oath to the Board of Control which shall order the inmate transferred to the Oregon State Hospital for treatment.

420.720 Transfer of feeble-minded inmates. (1) Whenever any inmate of the MacLaren School for Boys or the Hillcrest School of Oregon becomes feeble-minded, in the judgment of the superintendent of the institution concerned, the superintendent shall give notice to the county court of the county in which the institution is located.

(2) The court shall thereupon order an examination by one or more physicians of either the Oregon Fairview Home or the Oregon State Hospital. If the examining physicians find the inmate to be feeble-minded, they shall so certify under oath to the county court and the court shall order the inmate to be transferred to the Oregon Fairview Home.

(3) The examination and commitment under this section shall be conducted and made in the manner provided by law for examination and commitment of persons to the Oregon Fairview Home, and shall be without expense to the county for the services of the examining physicians under subsection (2) of this section.

420.730 Transfers for medical care; return; costs. Whenever any inmate of the MacLaren School for Boys or the Hillcrest School of Oregon is in need of any medical treatment which cannot properly be given at such school, the Board of Control may temporarily transfer such inmate to any state-aided institution which may have proper facilities for giving such treatment. While at such institution such inmate shall be subject to the discipline and control thereof. Upon the completion of the treatment the inmate shall be returned to the school to which originally committed. The Board of Control

may pay the cost of such treatment from the appropriation to the school to which the inmate is committed.

420.740 to 420.800 [Reserved for expansion]

PLACEMENT IN FOSTER HOMES OF CHILDREN COMMITTED TO STATE TRAINING SCHOOLS

420.810 Placement of child committed to juvenile training school in foster home. All children committed to and received in the juvenile training schools of this state who, in the judgment of the respective superintendent, have made sufficient progress in rehabilitation and reform, may, with the approval of the Board of Control, be placed by the superintendent with any person or family of good standing and character for care and education under an agreement pursuant to ORS 420.815. [1953 c.153 §1]

420.815 Placement agreements with persons or families. (1) The superintendents of the juvenile training schools may enter into agreements with persons or families found suitable for the placement of children.

(2) Any agreement shall provide for the custody, care, education, maintenance and earnings of the child placed for a time fixed in the agreement but not to exceed the time when the child reaches the age of 21 years. The agreement shall be signed by the person assuming the foster care and by the superintendent of the school concerned. [1953 c.153 §2]

420.820 Visiting of foster homes by school staff members. The superintendents shall appoint members of their staff as visiting agents for the purpose of visiting the foster homes and children placed therein as often as the superintendents deem necessary. The visiting agents shall ascertain whether the children are properly placed and shall

make such reports as are required by the appointing superintendent concerning their investigations and visits. [1953 c.153 §3]

420.825 Return of child to school. Any child placed pursuant to ORS 420.810 to 420.840 may, on order of the superintendent concerned, be returned to the school or replaced, if, in the opinion of the superintendent, the child is not given the care, education and treatment required by the agreement or for other reasons would benefit by removal from the foster home. [1953 c.153 §4]

420.830 Contribution by natural parents to maintenance of placed child. The natural parents of any child placed pursuant to ORS 420.810 to 420.840 may be required to contribute to the maintenance of the child in keeping with their ability to pay, but not to exceed \$60 per month. The parents' ability to pay shall be determined in accordance with the applicable provisions of the proceeding provided in ORS 437.250 to 437.280. [1953 c.153 §5]

420.835 Prohibition of interference with control of placed child. No parent or other person not a party to the placement agreement shall interfere with or assume any control over the placed child. [1953 c.153 §6]

420.840 Cooperation of superintendents with other child welfare agencies. The superintendents of the juvenile training schools, in carrying out the provisions of ORS 420.810 to 420.840, may cooperate with and consult any private or public agency concerned with child welfare. [1953 c.153 §8]

420.845 to 420.980 [Reserved for expansion]

PENALTIES

420.990 Penalties. Violation of ORS 420.835 is a misdemeanor. [1953 c.153 §7]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on October 15, 1955.

Sam R. Haley
Legislative Counsel