

Chapter 420

1965 REPLACEMENT PART

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GENERAL PROVISIONS

420.005 Chapter definitions. As used in this chapter, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Corrections Division.

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

(3) "Corrections Division" or "division" means the Corrections Division of the Oregon State Board of Control.

(4) "Juvenile training schools" means the Hillcrest School of Oregon, the MacLaren School for Boys and any other school established by law for similar purposes, and includes the other camps and programs maintained under this chapter.

[1965 c.616 §29]

420.010 [Repealed by 1965 c.616 §101]

420.011 Commitments to juvenile training schools. Commitments to the juvenile training schools are limited to persons between the ages of 12 and 18 years, found by the juvenile court to be within the court's jurisdiction by reason of a ground set forth in ORS 419.509. No child under the age of 12 years may be admitted to, received by or cared for in a juvenile training school.

[1965 c.616 §31]

420.015 [1959 c.432 §73; 1963 c.256 §1; 1965 c.616 §35; renumbered 420.031]

420.016 Commitment blanks to be furnished courts. Uniform commitment blanks, in a form approved by the administrator, shall be furnished by the juvenile training schools and used by all courts committing to those institutions.

[Formerly 420.150 and then 420.050]

420.020 [Amended by 1955 c.89 §1; 1965 c.616 §40; renumbered 420.075]

420.021 Expenses borne by committing county. All traveling and other expenses incurred in the commitment and delivery of persons to the juvenile training schools shall be borne by the county from which they are committed.

[Formerly 420.160]

420.025 Term of commitment. Except as otherwise provided by law, all persons committed to the juvenile training schools shall remain as students under the control of the officers of the school until they reach their majority.

[Formerly 420.170]

420.030 [Amended by 1959 c.432 §74; 1963 c.256 §2; 1965 c.616 §41; renumbered 420.080]

420.031 Wardship over child committed to training school; legal custody of child.

(1) Commitment of a child to a juvenile training school does not terminate the juvenile court's wardship over the child.

(2) Upon parole of the person from a juvenile training school, the legal custody of the person is vested in his parents or other person to whom he is returned, subject to subsection (3) of ORS 420.045.

[Formerly 420.015]

420.040 Liability for misconduct of student of training school. The juvenile training schools, the superintendents thereof, the administrator and the members and officers of the Board of Control are not liable for any damages whatsoever that are sustained by any person on account of the actions or misconduct of a student of a juvenile training school.

[1963 c.256 §10; 1965 c.616 §39]

420.045 Parole; discharge; revocation of parole. (1) Upon finding that a student of a juvenile training school has reformed and that he had best be returned to his parent or guardian or to a suitable and desirable home which has been found for him, the superintendent may, after advising the committing court, grant the student a parole conditioned upon good behavior.

(2) At such time as the superintendent finds that final release is not incompatible with the welfare of society and the student, the superintendent may, with the consent of the committing court, make and issue a final order discharging the student.

(3) The superintendent may revoke a parole if the conditions of the parole have been violated or if the continuation of the student on parole would not be in the best interests of the student or the community. After the revocation of parole, the superintendent shall immediately advise the committing court thereof.

[1965 c.616 §37]

420.050 [Formerly 420.150; amended by 1965 c.616 §32; renumbered 420.016]

420.051 Disposition of incorrigible cases. If any student of a juvenile training school is found by the superintendent to be so unruly, unsusceptible of reformation and incorrigible that his presence is detrimental to the best interests of the school, he may, with

the approval of the administrator, be returned by the superintendent to the sheriff of the county whence he was committed. Proceedings against him may then be resumed as though no commitment had been made to the school.

[1965 c.616 §38]

420.055 to 420.070 [Reserved for expansion]

ADVISORY COMMITTEE

420.075 Advisory committee; chairman; terms. (1) There shall be appointed by the Board of Control an Advisory Committee on Juvenile Training Schools, consisting of seven 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. 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.

[Formerly 420.020]

420.080 Duties and expenses of advisory committee. (1) The advisory committee appointed under ORS 420.075 shall study the policy and administration of the juvenile training schools and report in writing to the Board of Control and make such recommendations as appear to be for the best interest of the schools and the welfare of the students. 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 the institutions.

[Formerly 420.030]

MacLAREN SCHOOL FOR BOYS

420.110 [Repealed by 1965 c.616 §101]

420.120 Supervision and objects of school. (1) The MacLaren School for Boys, located in Marion County, is a training school for male persons under 21 years of age. The administrator shall equip, conduct, maintain and supervise the school in the same manner as he does other institutions within the Corrections Division.

(2) 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.

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

[Amended by 1965 c.616 §42]

420.130 [Repealed by 1959 c.432 §59]

420.140 [Amended by 1959 c.432 §75; repealed by 1965 c.616 §101]

420.150 [Amended by 1963 c.256 §3; renumbered 420.050 and then 420.016]

420.160 [Amended by 1963 c.432 §76; 1965 c.616 §33; renumbered 420.021]

420.170 [Amended by 1965 c.616 §34; renumbered 420.025]

420.180 [Repealed by 1957 c.210 §1; (420.181 enacted in lieu of 420.180)]

420.181 [1957 c.210 §2 (enacted in lieu of 420.180); 1963 c.256 §4; repealed by 1965 c.616 §101]

420.190 [Repealed by 1965 c.616 §101]

420.200 [Amended by 1953 c.111 §3; repealed by 1959 c.507 §1]

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 public agency, may establish at any place in this state 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; 1963 c.256 §5]

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 any public 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; 1963 c.256 §6]

420.230 Contracts with other state or federal agencies. The superintendent, with the approval of the Board of Control, may enter into contracts with any public 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; 1963 c.256 §7]

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 MacLaren 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 [Repealed by 1959 c.432 §77 (ORS 420.331 enacted in lieu of ORS 420.310 and 420.330)]

420.320 Supervision and objects of Hillcrest School. (1) The Hillcrest School of Oregon, located in Marion County, is a training school for female persons under 21 years of age.

(2) The administrator shall equip, conduct, maintain and supervise the school in the same manner as he does other state institutions. The school shall be conducted in such manner as to provide an academic and vocational education to its students and to promote their moral, mental and physical welfare.

[Amended by 1965 c.616 §43]

420.330 [Repealed by 1959 c.432 §77 (ORS 420.331 enacted in lieu of ORS 420.310 and 420.330)]

420.331 [1959 c.432 §78 (enacted in lieu of 420.310 and 420.330); repealed by 1965 c.616 §101]

420.340 [Amended by 1957 c.210 §3; repealed by 1959 c.432 §59]

420.350 [Repealed by 1965 c.616 §101]

420.360 [Repealed by 1959 c.191 §1]

420.370 [Repealed by 1957 c.210 §4 (ORS 420.371 enacted in lieu of ORS 420.370)]

420.371 [1957 c.210 §5 (enacted in lieu of 420.370); 1963 c.256 §8; repealed by 1965 c.616 §101]

420.380 [Repealed by 1965 c.616 §101]

420.390 [Repealed by 1965 c.616 §101]

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]

420.510 [Repealed by 1965 c.616 §101]

420.520 [Repealed by 1965 c.616 §101]

420.530 [Repealed by 1965 c.616 §101]

420.540 [Repealed by 1965 c.616 §101]

420.550 [Repealed by 1965 c.616 §101]

420.560 [Repealed by 1965 c.616 §101]

420.570 [Repealed by 1965 c.616 §101]

420.580 [Repealed by 1965 c.616 §101]

420.590 [Repealed by 1965 c.616 §101]

420.600 [Repealed by 1965 c.616 §101]

420.610 [Repealed by 1965 c.616 §101]

420.620 [Repealed by 1965 c.616 §101]

420.630 [Repealed by 1965 c.616 §101]

420.640 [Repealed by 1965 c.616 §101]

420.650 to 420.700 [Reserved for expansion]

420.710 [Repealed by 1957 c.160 §6]

420.720 [Repealed by 1957 c.160 §6]

420.730 [Repealed by 1957 c.160 §6]

420.740 to 420.800 [Reserved for expansion]

PLACEMENT OF STUDENTS FROM JUVENILE TRAINING SCHOOLS

420.810 Placement of students of juvenile training school in foster homes. All students of 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 administrator, 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; 1965 c.616 §44]

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 may provide for payments by the juvenile training school to the person assuming the foster care.

(3) The agreement shall be signed by the person assuming the foster care and by the superintendent of the school concerned. The superintendent shall make payments pursuant to the agreement.

[1953 c.153 §2; 1957 c.77 §1; 1959 c.311 §1; 1965 c.616 §45]

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 [1953 c.153 §5; repealed by 1959 c.652 §24]

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 420.900 [Reserved for expansion]

APPREHENSION OF ESCAPED OR ABSENT STUDENTS

420.905 Definitions for ORS 420.905 to 420.915. As used in ORS 420.905 to 420.915, "peace officer" means any sheriff, constable, marshal, or the deputy of any such officer, any member of the State Police or any member of the police force of any city.

[1957 c.129 §5]

420.910 Apprehension of escaped or absent students of training school. When any student of a juvenile training school has escaped or without authorization is absent from the institution to which committed, or from the custody of any person in whose charge he lawfully has been placed, the superintendent or authorized representative of the superintendent of the school concerned may authorize any peace officer in the state to apprehend and hold the escapee or absentee.

[1957 c.129 §1; 1957 c.481 §1; 1963 c.256 §9; 1965 c.616 §46]

420.915 Procedure upon apprehension of escapee or absentee. (1) The peace officer who holds an escapee or absentee described in ORS 420.910 shall, so far as practicable, hold him in a place separate from adult persons in custody.

(2) Any peace officer who holds the escapee or absentee described in ORS 420.910 shall immediately inform the institution to which such person was committed and shall surrender him to any person authorized by the superintendent, assistant superintendent or representative of the superintendent of such institution to receive him.

[1957 c.129 §§2, 4]

420.920 [1957 c.129 §3; repealed by 1965 c.616
§101]

420.925 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 November 15, 1965.

Sam R. Haley
Legislative Counsel

