

Chapter 420

1967 REPLACEMENT PART

Juvenile Training Schools; Youth Care Centers

GENERAL PROVISIONS

- 420.005 Chapter definitions
- 420.011 Commitments to juvenile training schools
- 420.016 Commitment blanks to be furnished courts
- 420.021 Expenses borne by committing county
- 420.025 Term of commitment
- 420.031 Wardship over child committed to training school; legal custody of child
- 420.040 Liability for misconduct of student of training school
- 420.045 Parole; discharge; revocation of parole

ADVISORY COMMITTEE

- 420.075 Advisory committee; chairman; terms
- 420.080 Duties and expenses of advisory committee

MacLAREN SCHOOL FOR BOYS

- 420.120 Supervision and objects of school
- 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

- 420.320 Supervision and objects of Hillcrest School
- 420.400 Continuing application of statutes

PLACEMENT OF STUDENTS FROM JUVENILE TRAINING SCHOOLS

- 420.810 Placement of students of 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
 - 420.835 Prohibition of interference with control of placed child
 - 420.840 Cooperation of superintendents with other child welfare agencies
- #### YOUTH CARE CENTERS
- 420.855 Definitions for ORS 420.855 to 420.885
 - 420.860 Policy and intent
 - 420.865 Commitment to youth care center
 - 420.870 Standards for approval of youth care centers
 - 420.875 Application for state support of center; required reports
 - 420.880 Level of state support; support of child placed outside center
 - 420.885 Audit and payment of claims

APPREHENSION OF ESCAPED OR ABSENT STUDENTS

- 420.905 Definitions for ORS 420.905 to 420.915
- 420.910 Apprehension of escaped or absent students of training school
- 420.915 Procedure upon apprehension of escapee or absentee

PENALTIES

- 420.990 Penalties

CROSS REFERENCES

- Assisting inmate to escape, penalty, 162.340
- Barber training in state institution, 690.050, 690.060
- Barbering, inmates receiving training for are eligible to become apprentice barbers, 690.060
- Child guidance clinic services available to state institutions, 343.940
- Child welfare generally, Ch. 418
- Commitments of youthful inmates to institutions in other states under Western Interstate Corrections Compact, 421.294
- Corrections Division, Ch. 423
- Correctional Institution, Oregon State, 421.705
- Cosmetic therapy, registration of persons trained at Hillcrest School, 691.226
- Cost accounting system in reformatory institutions, 421.055
- Cost of care of persons in state institutions, responsibility for, 179.610 to 179.770
- Disposition and commitment proceedings for children under 18, Ch. 419

- Escape from detention, penalty, 162.322 to 162.326
- Escheat of property of inmates of state institutions, 120.210
- Nonresident and alien public charges, Ch. 415
- Notice prior to or after escape of release of arsonist from state institution, 476.730
- Receipts for property of persons taken into custody, 142.210
- Records to be kept by superintendents of institutions, 432.165
- Salaries and expenses of state officers and employees generally, Ch. 292
- Superintendent must report deaths or injuries to coroner or medical investigator, Ch. 146
- Supervision by Board of Control over, and provisions of general application to, state institutions, Ch. 179
- Support of child committed to state institution, collecting from parents, 419.515
- Witnesses, persons confined serving as, 44.240

- | | |
|---|---|
| 420.031
Juvenile court's powers to commit child to training school, 419.509 | Cost of care of person in state institution, responsibility for, 179.610 to 179.770 |
| 420.080
Traveling expense allowance limited, 292.250 | Foster homes, certification by State Public Welfare Commission, 418.625 to 418.645 |
| 420.210
Appropriation for camp construction, 1967 c.564 §6 | Placement of children in foster homes by child-caring agencies, 418.280 |
| 420.310
Child-caring agencies, certification by State Public Welfare Commission, 418.205 to 418.310 | 420.910
Return of juveniles from other states, 417.030 |

GENERAL PROVISIONS

420.005 Chapter definitions. As used in ORS 420.005 to 420.400, 420.810 to 420.840 and 420.905 to 420.915, 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 [1965 c.616 §38; repealed by 1967 c.586 §1]

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]

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.

420.510 [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]

420.710 [Repealed by 1957 c.160 §6]

420.720 [Repealed by 1957 c.160 §6]

420.730 [Repealed by 1957 c.160 §6]

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]

YOUTH CARE CENTERS

420.855 Definitions for ORS 420.855 to 420.885. As used in ORS 418.020, 418.025 and 420.855 to 420.885, unless the context requires otherwise:

(1) "Child" means a child between the ages of 12 and 18 who is within the jurisdiction of the juvenile court by reason of a ground set forth in ORS 419.509.

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

(3) "Juvenile court" means the court exercising jurisdiction under ORS chapter 419 in the county.

(4) "Youth care center" or "center" means a facility established and operated by a public or private agency or a combination thereof, to provide care and rehabilitation services for children committed to the custody of the youth care center by the juvenile court, but does not include detention facilities established under ORS 419.602 to 419.616.

[1967 c.444 §1]

420.860 Policy and intent. It is declared to be the policy and intent of the Legislative Assembly that the State of Oregon shall encourage, aid and financially assist its county governments and public and private agencies in the establishment and development of youth care centers for children found to be in need of care and rehabilitation pursuant to ORS 419.507.

[1967 c.444 §10]

420.865 Commitment to youth care center. (1) In lieu of commitment under ORS 419.509, and pursuant to subsection (2) of ORS 419.507, the juvenile court may place a child in the legal custody of a youth care center if the center complies with the provisions of ORS 420.855 to 420.885 and has been approved by the Corrections Division.

(2) Placing a child in the custody of a youth care center does not terminate the juvenile court's wardship over the child. However, subject to the court's power of wardship, the center in which the child is placed has legal custody of the child. The center may retain such children in full or part-time institutional care or, with the consent of the court, may place them on a full or part-time basis in foster homes.

[1967 c.444 §§2, 4]

420.870 Standards for approval of youth care centers. Approval of the youth care center by the Corrections Division, required by ORS 420.865, shall be based on reasonable and satisfactory assurance that:

(1) Adequate physical facilities exist which comply with applicable rules of the State Board of Health and the State Fire Marshal.

(2) There is employment of capable and trained or experienced personnel.

(3) The youth care programs include educational, vocational, recreational and counseling opportunities that will be in the best interests of the child.

(4) There is compliance with the applicable provisions of ORS 418.555.

(5) A county must demonstrate that an adequate probation system for children exists in the county in order to be eligible for state support for a youth care center.

[1967 c.444 §3]

420.875 Application for state support of center; required reports. (1) An approved youth care center is eligible for state support from funds appropriated to the Corrections Division for that purpose to meet its operating expenses. Public or private agencies operating a youth care center shall make application for state support to the division. The application shall contain such information as may be required by the division.

(2) Upon receiving the application, the division shall cause an investigation of the affairs and methods of the youth care center and, if it finds that the center meets the requirements of ORS 420.870, shall grant its application for state support.

(3) On or before January 15 of each year, all youth care centers that receive state support under the provisions of ORS 420.855 to 420.885 shall file with the division a financial and statistical report and statement for the preceding calendar year, if it was in operation during that year, in such form as may be prescribed by the division. If any youth care center fails to file its report and statement by January 15, no further state support shall be paid until it has complied with the provisions of this subsection.

(4) Each center shall also file twice a year at such times as the division requires a report on the content and conduct of its program.

[1967 c.444 §5]

420.880 Level of state support; support of child placed outside center. (1) Subject to the availability of funds, each youth care center that has received approval from the Corrections Division and continues to meet the requirements of ORS 420.855 to 420.885 and the rules of the division is eligible to receive each month state support in an amount equal to 50 percent of the average monthly cost for each child being cared for by the center, but not to exceed \$125 per month per child. The remaining operating costs may be met from private sources or from local, other state or federal sources.

(2) Subject to the availability of funds, if in the opinion of the youth care center, the welfare of the child requires special care or the interests of the child would be better served outside the center, the center, with the consent of the committing juvenile court, may place the child in foster care or hospital and state support for such child shall be allowed to the center in an amount equal to 50 percent of the actual monthly cost for each such child.

[1967 c.444 §6]

420.885 Audit and payment of claims.

(1) The youth care center shall present to the Corrections Division an itemized statement showing the names of the children being cared for during the month for which the statement is submitted and the amount which the center claims for the month. The division shall investigate the claim and approve only that portion which is in accordance with the provisions of ORS 420.855 to 420.885 and the rules of the division.

(2) Upon receipt of a statement approved by the division, the Secretary of State shall audit it and issue a warrant upon the State Treasurer in favor of the youth care center for the amount to which the center is eligible for the month for which the statement is submitted. All sums to which a center becomes entitled pursuant to ORS 420.855 to 420.885 shall be paid monthly. If the center is operated jointly by more than one public or private agency, each agency participating in the operation shall be entitled to a pro rata share of the amount due, to be determined by the contribution of each to the operating cost of the center.

[1967 c.444 §7]

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]

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, Robert W. Lundy, 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 December 1, 1967.

Robert W. Lundy
Legislative Counsel