Oregon
Tina Kotek, Governor

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Senate Interim Committee On Judiciary and Ballot Measure 110 Implementation
Attn: Chair Floyd Prozanski
900 Court Street, NE, S-415
Salem, OR 97301

Dear Chair Prozanski:

The Oregon Legislature passed Senate Bill 267 (ORS 182.525) in 2003, requiring state agencies that provide treatment programming designed to reduce criminal behaviors and decrease hospitalizations for mental health crises to gradually increase the percentage of state-funded treatment that is evidence-based.

Agencies were required to demonstrate that at least 25 percent of state-funded treatment was evidence-based during 2005-07, 50 percent was evidence-based during 2007-09, and 75 percent was evidence-based during 2009-11 and thereafter.

The Oregon Youth Authority respectfully submits this 2024 Progress Report on SB 267 (ORS 182.525). If you have questions or concerns, please feel free to contact me. Thank you for your time and consideration.

Sincerely,

Joe O'Leary

cc: Brett Hanes, Legislative Administrator
John Terpening, Legislative Fiscal Office
Lisa Fox, DAS Chief Financial Office

Interim Judiciary Committee

Progress Report on SB267

(ORS 182.525)

2024 Report

Submitted September 2024

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THE OREGON YOUTH AUTHORITY

The mission of the Oregon Youth Authority (OYA) is to protect the public and reduce crime by holding youth accountable and providing opportunities for reformation in safe environments. The agency's vision is that youth who leave OYA will go on to lead productive, crime-free lives.

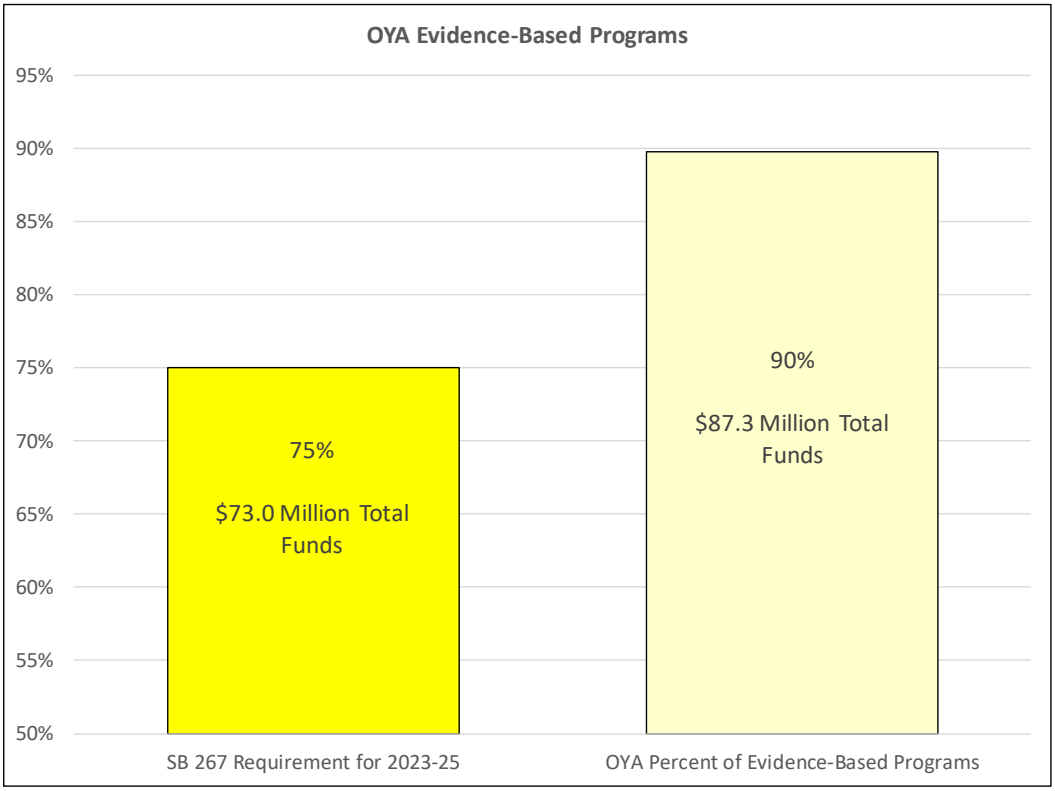
OYA exercises legal and physical custody of youth committed to OYA by juvenile courts, and physical custody of youth committed to the Oregon Department of Corrections by adult courts. OYA is responsible for the supervision, management, and administration of youth correctional facilities and transition programs, state parole and probation services, community-based out-of-home placements for youth, and other functions related to state programs for youth corrections.

The agency is dedicated to increasing the effectiveness of youth correctional treatment through ongoing research, program evaluation, and quality improvement. The agency's mission statement, vision, and goals are closely monitored through the OYA Performance Management System (OPMS), Key Performance Measures, Performance-Based Standards, facility safety security reviews, and other evaluative functions.

OYA is committed to continuous improvement and aligning resources with evidence-based programs that show measurable results. Since 2010, OYA has been using OPMS to monitor the agency's key processes and determine agency effectiveness. The system involves measuring core agency processes through meaningful metrics (i.e., process and outcome measures), which allows the agency to determine overall effectiveness. Additionally, OPMS empowers employees to improve work processes that help achieve the organization's goals.

SUMMARY OF AGENCY SB267 RESULTS

OYA has consistently exceeded the legislative thresholds of 25%, 50%, and 75% for the percentage of programming funds used for evidence-based programs. OYA spends 85 percent of General Fund and 90 percent of total funds subject to Oregon's Senate Bill 267 (SB267) on evidence-based programming, as defined by SB 267.



PROGRAMS INCLUDED UNDER ORS 182.515-182.525

Enacted during the 2003 Oregon Legislative session, SB267 promotes the use of evidence- based programming and requires particular agencies or groups to evaluate programs offered to their clients. The legislation was intended to promote the use of evidence-based programming and improve the outcomes of clients served by the social service and correctional systems. In 2005-07, agencies were required to demonstrate 25 percent of state-funded treatment was evidence-based. Agencies are now required to demonstrate that 75 percent of state-funded treatment is evidence-based and have been since 2009-11.

OYA worked with external stakeholders to develop the following list of treatment interventions used by close-custody living units, contracted community-based residential providers, and county programs funded through OYA as subject to ORS 182.515-182.525. Over the past 2 years, OYA has continued to provide evidence-based treatment in the following areas.

Evidence-Based Services at OYA

Cognitive behavioral treatment
Family counseling
Skill building (e.g., mentoring, anger management, social skills, vocational counseling, etc.)
Sex offense treatment
Treatment for Inappropriate Use of Fire
Drug and alcohol treatment
Violent offense treatment
Gender-specific treatment
Mental health treatment (including crisis intervention)
Gang intervention treatment
Culturally specific treatment and support

OYA BUDGET FOR EVIDENCE-BASED SERVICES

OYA spends 85 percent of General Fund and 90 percent of Total Funds subject to SB267 on evidence-based programming, as defined by SB267. This exceeds the statutory target of 75 percent. The 2023-25 Legislatively Approved Budget for OYA includes the following funding levels:

$ 500.7 million Total Funds
$ 418.8 million General Fund

The budget amounts listed below are used for programs determined by the agency as subject to ORS 182.515-182.525 per SB267, and the amounts shown in the chart below have been determined to be evidence-based:

$97.3 million Total Funds ($87.3 million evidence-based)
$67.4 million General Fund ($57.4 million evidence-based)

Summary of Expenditures

Oregon Youth Authority
Summary of Expenditures Subject to SB 267

Dollars in millions	TOTAL FUNDS	FUND TYPE: General Fund	FUND TYPE: Federal & Other Funds
Facility Services:			
Total Program Expenditures subject to SB 267	$ 37.8	$ 37.8	-
Evidence-Based Program Expenditures	$ 33.3	$ 33.3	-
Percentage of Total Expenditures Evidence-Based	88%	88%	
Community Services:			
Total Program Expenditures subject to SB 267	$ 59.5	$ 29.6	$ 29.9
Evidence-Based Program Expenditures	$ 54.0	$ 24.1	$ 29.9
Percentage of Total Expenditures Evidence-Based	91%	81%	100%
Agency Total			
Total Program Expenditures subject to SB 267	$ 97.3	$ 67.4	$ 29.9
Evidence-Based Program Expenditures	$ 87.3	$ 57.4	$ 29.9
Percent of Program Evidence-Based	**90%**	**85%**	**100%**

ASSESSING EVIDENCE-BASED SERVICES

Having a tool or process to ensure services are cost effective, evidence-based, and outcome driven is a gap the agency hopes to fill.

The agency has already implemented treatment programs on the basis of prior studies conducted on non-OYA youth that found those programs to be effective; however, the unanswered question is whether those programs are effective in reducing recidivism and increasing positive outcomes for youth in Oregon's system. Additionally, much of the curriculum development and research around efficacy has been focused on white normative standards and homogenous populations, so many of these evidence-based programs may not be effective with diverse populations. This is one reason OYA is looking for new approaches.

Furthermore, OYA wants to move beyond the simple use of expensive, branded programs. Many of these programs are cost-prohibitive for the non-profit agencies with whom OYA contracts in the community.

Being able to assess effectiveness — or ensure appropriate dosage and delivery — of all of our programming, whether evidence-based or new and promising, is a crucial next step.

While prior research has established the importance of employing evidence-based services in juvenile justice systems, less attention has been given to ensuring the services are provided to the right youth, in the correct setting, with appropriate dosage and duration. Those aspects matter, because even evidence-based services must be delivered properly to achieve expected results and ensure maximum benefit.

Identifying Gaps in Services Available to Youth

As part of OYA's efforts to analyze the effectiveness of services, the agency has identified the need to effectively analyze the extent to which gaps in services exist across the OYA continuum. During the summer of 2022, OYA initiated a comprehensive process to collect information related to programs, services, and supports available to Community Services youth throughout the state of Oregon. This information will be used to identify gaps in services available to youth and will form the basis for a searchable (interactive) service inventory, which will be available to all Community Services staff. This work is on-going and is intended to culminate into single interactive resource that can be used by OYA staff and providers to connect youth with appropriate local resources.

Violent Offense Treatment Initiative

Violent behavior poses a risk to both public safety and youth and staff safety within OYA facilities. OYA is implementing a diverse, equitable, inclusive, trauma-informed, and developmental treatment protocol for youth who have committed high-level person-to-person crimes. This program was implemented in June of 2023 and will be monitored and adjusted over the coming biennium.

The Power Source Program is an evidence-based program designed to empower at-risk youth with the social and emotional skills necessary to forge paths of healthy development and disengagement from high-risk and offending behaviors. Power Source is noted in both the US Department of Justice's "What Works in Juvenile Justice" repository and OJJDP Model Programs Guide.

All Public Safety Reserve (PSR) youth (youth that committed Measure 11 offenses) and youth who were committed to OYA at age 14 or under with a PSR crime will receive the Power Source curriculum. Youth with sex offense or arson related crimes will be excluded from the mandatory Power Source curriculum unless there are circumstances that warrant the need for Power Source, because OYA has existing specialized curricula to address issues related to these two crime types. Youth with intellectual impairments and those experiencing active psychotic symptoms are not recommended for the group process. However, qualified mental health professionals modify group material to work with youth individually through Power Source.

Integrating Restorative Practices

Since 2021, Oregon Youth Authority (OYA) has been advancing its restorative justice practices through an OJJDP systems enhancement grant. Initially piloted at the Rogue Valley Youth Correctional Facility, these practices are now being expanded to four additional facilities: MacLaren, Oak Creek, Tillamook, and Eastern Oregon Youth Correctional Facilities.

Over 70 OYA staff have undergone extensive, hands-on training focused on restorative justice principles, values, and practices, including community-building circles and the facilitation of restorative justice interventions. Following these trainings, each facility conducted action-planning sessions to create strategies for implementing community-building circles among both youth and staff, as a starting point for implementation.

Looking ahead, OYA will work closely with restorative justice project leaders in each facility to develop a comprehensive plan for integrating restorative justice interventions into facility policies, procedures, and practices. This plan will include tools, resources, and processes to address harmful incidents and behavioral concerns in a way that repairs

harm, fosters accountability, and promotes healing for all parties involved. The expected outcomes include a reduction in punitive measures such as isolation, a stronger sense of community, and enhanced safety for youth and staff.

Matching Youth to Services

A critical component of evidence-based interventions is ensuring youth are appropriately matched to services that address their underlying developmental and criminogenic needs. Put another way, while it is important for OYA to have evidence-based services available to youth, it is equally important that youth be matched to services that best address their underlying behaviors. Additionally, varying intensity and duration of services based on criminogenic risk has been shown to improve recidivism outcomes (Andrews & Bonta 2015; Lowencamp 2006). We assess youth needs and risk using assessment tools; the results should, ideally, help us match youth with appropriate services for maximum effectiveness.

Assessing Youth Needs

Youth served by OYA receive a variety of assessments depending on their backgrounds and individual needs. The OYA Risk Needs Assessment (RNA) is the agency's most comprehensive and quantitative evaluation of youth risk, needs, and protective factors. In October 2022, OYA completed an ambitious project to modernize the OYA Risk Needs Assessment (RNA). The modernized RNA shares much in common with the best-validated risk/needs assessments used by juvenile justice agencies across the United States (Vincent 2015) and assesses well-validated criminogenic risk and protective factors in nine key areas (education, vocation, non-family relationships, caregiver relationships, substance use, mental health, aggression, attitudes, and skills). Once completed, the RNA produces a report that summarizes the youth's relative strengths and needs and supports the creation of a youth's individual case plan to guide planning and intervention. At the agency level, RNA results are used to better understand the needs and strengths of youth in OYA's care and to ensure that service and intervention resources are aligned with youth needs.

Measuring Youth Progress

The modernized RNA also plays a crucial role in monitoring youth progress. RNA reassessments are now required at least every six months until a youth's case is closed. Youth progress is displayed on the RNA summary report and is used to monitor the progress of individual youth and inform adjustments to the youth's case plan over time. At the agency level, RNA reassessments are used to better understand how youth needs and strengths are changing over time and are building a foundation for measuring the effectiveness of services and interventions.

Measuring Psychosocial Maturity

Existing research suggests that youth who report greater levels of psychosocial maturity are significantly less likely, statistically speaking, to continue with criminal activity than youth who report lower levels of psychosocial maturity (Monahan, Steinberg, Cauffman and Mulvey, 2013). Becoming psychosocially mature is dependent upon underlying brain development and changes in cognition. This process occurs at different rates, informed by a youth's unique responsivity factors, including their exposure to environments that support healthy development, trauma history, mental health, and intellectual and developmental capabilities.

Because this maturation is at the heart of youth reformation and correlated with lower recidivism, OYA will be measuring markers of psychosocial maturity in the youth it supervises in both community and facility-based settings. Measurement will include ratings of competencies from the "In-Program Behavioral Assessment" (Latessa, E., 2002) that will be incorporated into the case plan, as well as youth self-report using validated assessments.[1]

In 2020, OYA identified a set of case plan competencies, based on the "In-Program Behavioral Assessment" to measure developmental progress. These competencies are supported by findings in the Pathways to Desistence longitudinal study (www.pathwaysstudy.pitt.edu), which found that development in specific areas of psychosocial maturity is related to reduced future criminal activity (Steinberg, Cauffman, & Monahan, 2015). These competencies are in the Healthy Youth Development (HYD) domain of the OYA case plan.

Also, during this time, the passing of SB1008 eliminated automatic waivers to adult court and significantly increased the number of youth with egregious crimes over which OYA has paroling authority. The passing of SB1008 and the need to establish consistent criterion by which to make paroling decisions resulted in a short timeline for implementation of the HYD competencies, which were in use by early 2021. Case managers were provided initial training and follow-up conversations on how to use the HYD competencies to support their work with youth.

[1] Studies that demonstrate the relationship between psychosocial maturity and reduction in criminality have underscored the value of youth self-report (Monahan, Steinberg, Cauffman and Mulvey, 2013).

Beginning in the summer of 2022, the OYA Research, Implementation, and Operations committee initiated the process of further improve the utility of HYD measures and how they will integrate with case planning and youth developmental goals. Over the next biennium, OYA has established the following project goals to further enhance the use of HYD measures:

1. Document current state of how the HYD domain within OYA case planning is used in practice.
2. Identify and set clear expectations for the use of the HYD domain, with a focus on reducing bias in assessing development.
3. Develop an evaluation plan that regularly monitors for disparities in tracking developmental progress.
4. Develop a training plan that increase confidence, competence, and consistency in the use of the HYD domain for case managers.
5. Develop an evaluation plan to monitor the use of the HYD domain over time.

The Juvenile Crime Prevention Tool

A critical component of evidence-based services is the ability to match youth to the right level of intervention, at the right time, and in the correct dosage (i.e., "how much" did they receive, and "how long" did they receive it.). Another consideration is focusing services and interventions on youth who are higher risk to re-offend and have more opportunity to change. Risk assessment instruments provide an indication of overall risk to re-offend and may also serve as a guide for case planning to address underlying criminogenic needs.

Beginning in 1997, an interdisciplinary work group with members from juvenile justice, education, research, academia, and youth treatment services came together to plan for and design an assessment too to identify youth at risk for re-referral. The group's efforts culminated in the development of the Juvenile Crime Prevention Tool (JCP), which was first released in 1999.

The first validation of the JCP assessment 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 unscored items, utilizes some different analytical techniques, and analyses the characteristics of the re-assessment component of the tool. Various stakeholders have begun to see ways to improve the JCP. OYA is supportive of those conversations and will assist as

appropriate for this county tool.

In 2018, county juvenile department and OYA leaders learned that the JCP is not completed as consistently as once thought. This raised issues on the validity of the JCP data that is used for case planning, evaluation and data tools. During the next biennium OYA will continue working with county partners to review the utilization of the JCP and opportunities to increase consistency. As part of a 2021 legislative budget note, an inter-governmental workgroup determined that the JCP needs to be consistently done and that operational and, in some cases, legal challenges may be contributing to inconsistencies in JCP utilization throughout Oregon. While considering the legal challenges and best practices, county partners developed a standard for completion of the JCP and this will be monitored and reviewed every two years for meeting of the standard. The assessment standard will ensure consistent screenings for youth with a formal accountability agreement (FAA) or disposition to county probation, OYA Community Services or OYA Close Custody.

Beginning in 2023, an interdisciplinary workgroup was established to review the use of the JCP and to potentially recommend updated standards for consistency in use.

Education and Vocational Services

OYA's Education and Vocation Unit guides development and implementation of comprehensive K-12 and postsecondary educational and vocational services. Education services are provided in all facilities by a local school district or education service district through contracts with the Oregon Department of Education. Many youth in OYA's care have struggled in traditional education settings in their education journey. For that reason, OYA and our educational partners strive to provide career connected, hands on learning to the greatest extent possible as youth tell us that is the best way for them to engage in education.

OYA provides several work experience opportunities for eligible youth in OYA custody. Youth receive occupational safety training, vocational training, and hands-on work experience in jobs that will lead to employment in the community upon release. Work experiences include supervised work crews, assistants in various trades under the close supervision of skilled trade people, and specialized vocational programs aligned with emerging businesses and technologies. In addition to learning specific vocational skills, youth also learn the responsibilities of being prepared, productive and engaged in the job they are assigned.

SUMMARY

OYA is committed not only to deploying evidence-based programming per the requirements of SB267 but also to matching youth to the programming that best meets their individual needs.

In the years since, SB267 was passed, juvenile justice best practices have evolved, and the criminogenic and social characteristics of youth supervised by OYA have changed. We piloted two tools – the CPC and the SPEP – that, in different ways, sought to assess the effectiveness of our existing services. Unfortunately, we found the CPC was not accurate, and the SPEP, while useful, is too cost-intensive to be practical.

OYA has most recently endeavored to modernize the Risk Needs Assessment and policies associated with the administration and use of the information generated in youth summaries. These improvements will allow OYA to monitor youth development and progress more precisely while under our care. This in turn will allow OYA to continuously monitor where improvements can be considered to more effectively and efficiently serve youth and protect public safety.

OYA is also implementing new evidence-based and restorative interventions to address critical youth needs. Most recently, this includes the implementation of curriculum specifically intended to address youth with the most violent offenses.

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