

STATE LAW ENFORCEMENT PLANNING AGENCY

FOR SLEPA USE ONLY

APPLICATION FOR LAW ENFORCEMENT
ACTION GRANT
(Under Part C Title I Public Law 90-351)
(As amended by Public Law 91-644)

DISTRICT	FUNCTIONAL CATEGORY
PROJECT #	DATE RECEIVED
TRANS. #	DATE APPROVED

PART A - PROJECT DATA

- PROJECT TITLE Juvenile Court Policies and Procedures Research Project
- TYPE OF APPLICATION (check one) Initial Revision Contin.
- APPLICANT AGENCY Columbia Region Association of Governments
- ADDRESS 6400 S.W. Canyon Court, Portland, Oregon 97221
- LOCATION OF PROJECT Multnomah County Courthouse, Portland, OR 97204
- PROJECT DURATION From: July 1, 1974 To: September 1, 1974
- PROGRAM AREA (see instructions) P.L. 93-83, Section 301 (b) (9)

- DESCRIPTION OF PROJECT (describe in detail on ATTACHMENT 1)
- BUDGET (see instructions--provide itemization as called for on ATTACHMENT 2)

10. TOTAL ESTIMATED COSTS (Including non-federal share)

SOURCE OF FUNDS	FY <u>74-75</u>		FY _____		FY _____	
	\$	Amount	\$	Amount	\$	Amount
FEDERAL	90	4,225				
STATE						
LOCAL GOVERNMENT	10	470				
OTHER						
TOTAL		4,695				

- SPECIFY HOW NON-FEDERAL SHARE WILL BE PROVIDED: Multnomah County
will provide hard cash match.

- PROJECT DIRECTOR
Name Judge George A. Ven Hoomissen Title Administrative Judge of Multnomah County Juvenile Court
Address 382 County Courthouse Tel. No. 248-3082
Portland, Oregon 97204

ATTACHMENT 1

PART A - ITEM 8. DESCRIPTION OF PROJECT

a. The Problem

The juvenile justice system originated with the concept that the determination of criminal guilt and punishment is not appropriate in handling child offenders and that the best social interest is served by treating and rehabilitating the child. Basic to this theory is acceptance of the philosophy that the state has a responsibility to care for its dependent children, whether delinquent or neglected.

Since the 1966 U.S. Supreme Court decision in *Kent v. United States*,¹ a closer scrutiny of the operation of the juvenile justice system has led many to conclude that juvenile court is in reality a criminal tribunal, in which the child, unprotected by constitutional rights, is subject to criminal penalties. Further, the child's passage through the system is rarely characterized by either treatment or rehabilitation.

Subsequent U.S. Supreme Court decisions have extended certain procedural rights to the juvenile. These rights include adequate notice of the charge, the right to counsel, the privilege against self-incrimination, the right to confront and cross examine witnesses,² and the requirement of proof beyond a reasonable doubt.³

A major aspect of the juvenile justice system has been the minimizing of the adversary nature of the proceedings. Consistent with that goal, the Oregon Juvenile Code contains few formalized rules and procedural requirements. The result has been that county juvenile departments have had substantial discretion in developing policies and procedures. This informal justice operates largely with explicit guidelines at all points of the system, from the initial detention decision through preliminary investigation to final disposition.

Issues to be considered in this study include rules affecting the information gathering and decision making processes at each stage of the proceeding, assignment of counsel, waiver, presentation of evidence, jurisdictional and adjudicatory questions involved in the determination of whether a petition is to be filed, and the role of the counselor in both the adjudicative and dispositive stages.

Without this analysis, it cannot be determined if practices in Multnomah County Juvenile Court conform to the requirements of the Oregon Juvenile Code. Additionally, because of the broad grant of

-
1. 383 U.S. 541 (1966).
 2. *In re Gault*, 387 U.S. 1, 87 S.Ct. 1428 (1967).
 3. *In re Winship*, 397 U.S. 358 (1970).

ATTACHMENT 1 (Continued)

discretion left to the individual juvenile courts by the Code, it is important to analyze local practices to insure that juveniles are receiving the full benefit of their constitutional rights, as well as the human nurture they require within the rehabilitative goals of the juvenile justice system.

b. Goals and Objectives

Goal: To guarantee that the legal and human rights of juveniles within the jurisdiction of the Multnomah County Juvenile Court are protected.

Objectives: (1) To evaluate Juvenile Department practices to insure compliance with the Oregon Juvenile Code. (2) To study Multnomah County Juvenile Department practices to insure that the human needs of juveniles under court jurisdiction are adequately provided for.

c. Project Activities

1. Review policies and procedures of Juvenile Department.
2. Establish criteria for continuing evaluation of Court practices to maintain Code compliance.
3. Recommend revisions in Department operations necessary to meet Code requirements.
4. Review Department practices regarding wardship, probation, support and custody, court orders, intake, classification, segregation, remand special services, shelter, residential and foster care.
5. Evaluate support programs (education, recreation, and community placements).

d. Project Management

The project will be directed by Judge George Van Hoomissen, Administrative Judge of the Multnomah County Juvenile Court.

e. Personnel

The Project will require the employment of an experienced systems analyst, full-time during the project's duration.

f. N/A

g. Participating Agencies

The Multnomah County Juvenile Court will administer the project; Multnomah County will provide local matching funds.

ATTACHMENT 1 (Continued)

h. Project Evaluation

We have not included in this proposed grant a request for evaluation funds. It is our understanding that the Oregon Law Enforcement Council will perform and pay for evaluation of this and all other State Block Grants.

i. Alternative Methods

There are two alternatives to this requested federal grant: to pay for the research effort with local funds, and to not undertake this research effort. As for the former, adequate research staff does not exist at this point, and local funds are scarce in this extremely tight budget year. As for the latter, failure to undertake this research will perpetuate the present situation, in which the Juvenile Court is not confident that it is in compliance with the laws of the State of Oregon, nor with the mandates of the U.S. Constitution, not to mention the goals of rehabilitation which should dominate our juvenile justice system.

j. Assumption of Costs

This is not a continuing project, so there will be no costs to assume.

ATTACHMENT 2

PART A - ITEM 9. FIRST YEAR BUDGET DETAIL (Estimate)

(If additional space is needed, use BUDGET EXPLANATION page)

COST ELEMENT			FEDERAL SHARE	STATE/LOCAL SHARE	PROJECT TOTAL
a. SALARIES AND WAGES					
<u>Position</u>	<u>% of time</u>	<u>Monthly salary</u>			
1) Systems Analyst	100	1,500	2,530	470	3,000
Sub-Total Salaries			\$ 2,530	\$ 470	\$ 3,000
Employee Benefits @ <u>22</u> %			\$	\$	\$ (660)
Total Salaries			\$ 2,530	\$ 470	\$ 3,000
b. CONSULTANTS (List by individual or type)					
N/A					
Total Consultants			\$	\$	\$
c. TRAVEL, TRANSPORTATION, SUBSISTENCE (Itemize)					
N/A					
Total Travel			\$	\$	\$

ATTACHMENT 2 (Continued)

COST ELEMENT	FEDERAL SHARE	STATE/LOCAL SHARE	PROJECT TOTAL
d. OFFICE SUPPLIES, POSTAGE, PRINTING, ETC. (Itemize) N/A Total Office Supplies	\$	\$	\$
e. FACILITIES, OFFICE SPACE, UTILITIES, EQUIPMENT RENTAL (Itemize) N/A Total Facilities	\$	\$	\$
f. EQUIPMENT (Itemize) N/A Total Equipment	\$	\$	\$
g. INDIRECT COSTS (56.5% x \$3,000) Total Indirect	\$ 1,695	\$	\$ 1,695
TOTAL PROJECT COSTS	\$ 4,225	\$ 470	\$ 4,695

ATTACHMENT 2 (continued)

BUDGET EXPLANATION (use if additional space needed)

a. Salaries and Wages

This grant will provide the salary for one systems analyst, who will be responsible for data collection and analysis of Juvenile Court policies and procedures. The review will include docketing procedres, staff manual, disposition orders (including wardship, formal and informal probation, restitution, child support, special conditions of probation and custody).

b. N/A

c. N/A

d. N/A

e. N/A

f. N/A

g. Indirect Costs

The Indirect Costs figure for this grant was calculated pursuant to LEAA's formal approval on April 16, 1974, of an A-87 Plan for Multnomah County. The only Indirect Cost item contained in this particular request is \$660 for Employee Benefits (indicated in parentheses in Attachment 2). The Salaries figure is a "direct cost" and serves as the basis for the Indirect Costs calculation.