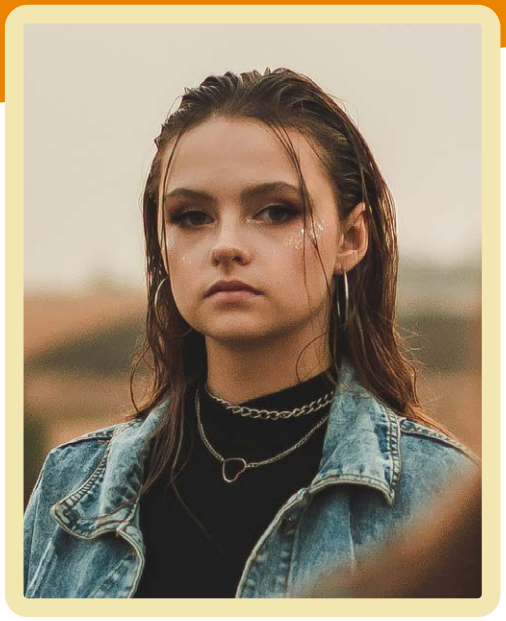
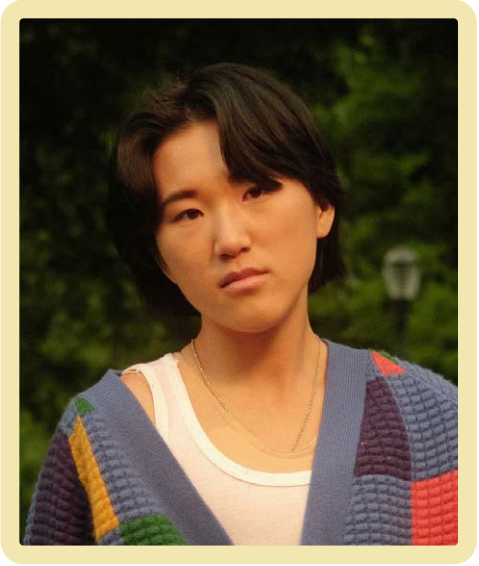
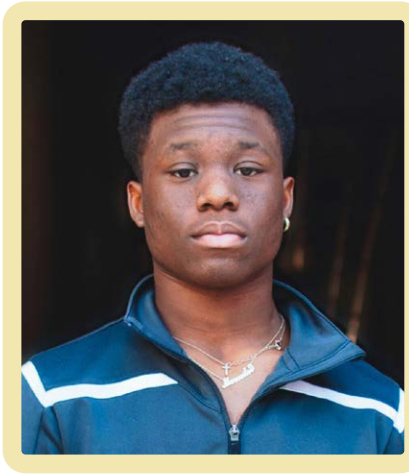
JUVENILE JUSTICE HANDBOOK









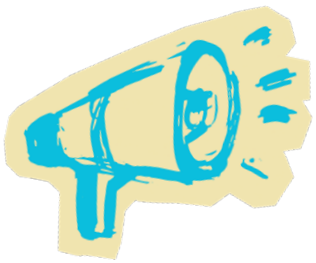




A guide to the system from the teens who have been there

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Hi there,

If you're reading this letter, it means you've had some contact with the juvenile justice system. We've been there. All of us have also been in the system.

We want you to know this is not the end of your story. It's just one stop on your journey — and you still have many good paths ahead.

We hope you'll take part in your case and speak up for yourself. Ask questions. Be open to learning. Be respectful to others and to yourself.

The more you understand what's going on, the more you can help yourself. That's why we made this handbook — to help guide you through the system and give you helpful information.

We know you might be feeling nervous, confused, or even scared. That's okay. We felt the same way. You are not alone. What you think and feel matters. You are an important part of what's happening.

The juvenile justice system works best when everyone works together — youth, families, lawyers, judges, and others. We all want to help you succeed and keep our communities safe.

One of the best things you can do is talk to your lawyer and the judge. Let them know what you need and how you're doing.

Your future is full of possibilities. This is just one chapter in your story. Keep going!

With care and support,

Diego, Jessica, Mason, Romeo, & Tyasian
The Juvenile Justice Advisory Board



WORDS YOU NEED TO KNOW

Admission:
Similar to pleading guilty in an adult case. It's when you say the facts in the petition are true.

Adjudication:
Similar to a conviction in an adult case. It's when a judge makes a decision that you broke the law. The judge makes the decision based on your admission or based on evidence presented at your trial.

Appeal:
When you ask a different (higher) court to review the judge's decision in your case, usually if you or your lawyer disagree with it and have a legal reason to challenge it.

Detention:
Similar to jail in an adult case. It's a locked facility where youth can be temporarily held in custody while they wait for their case to be decided. Sometimes youth also have to go after adjudication for short periods of time.

Disposition:
Similar to a sentence in an adult case. It's a consequence that the juvenile court judge gives you after you are adjudicated.

District Attorney:
The lawyer that represents the state in criminal and juvenile delinquency cases. Sometimes they are called prosecutors.

Diversion:
When your case is handled informally by the county juvenile department, with no court involved.

Expunge/Expungement/Expunction:
When the court says all the records related to your case can be destroyed or "sealed." Your case is no longer available as a public record and you are allowed to say your record never existed. This might happen after you are 18 and your case is closed.

Formal Accountability Agreement (FAA):
A voluntary contract where you agree to do certain things in exchange for the juvenile department not filing a petition against you in court.

Judge:
The person who makes decisions on cases in court. In some larger counties, legal experts called referees may decide on your case. Decisions made by referees can be re-heard (a type of appeal) by a judge in the same court.

Juvenile Court Counselor (JCC):
Similar to probation officers in adult cases. These are people at the juvenile department who are assigned to your case. They supervise you while you are on probation to make sure you're completing the right services and following the conditions of probation. Some counties call them juvenile probation officers.

Juvenile Defense Attorney:
This person represents you in court. They give you and your family expert advice about your legal case. You or your family can hire a defense attorney, or the court will appoint one to you for free.

Juvenile Delinquency:
When people younger than 18 commit a crime.

Juvenile Department:
An office in your county that manages cases for youth who commit crimes. Juvenile court counselors work here.

Oregon Youth Authority (OYA):
State agency that supervises youth who commit more serious crimes or who need more services than the county can provide. OYA runs youth correctional facilities, similar to adult prisons. They also supervise youth on parole or probation in community settings.

Petition:
The document the state files with the court to start a case. It lists the charges against you.

Probation:
A set of rules or conditions that a judge requires you to follow after adjudication. A juvenile court counselor will supervise you to make sure you follow the rules or conditions.

Probation Violation:
A new case filed in court when you are accused of not following the conditions of your probation.

Restitution:
When a court orders you to pay money to a victim to cover the cost of damage or injury your actions caused.

Summons:
When the court notifies you and your family that you must appear in court because charges have been filed against you.

Termination:
When the court closes your juvenile case.

Important People to Remember

This is a place for you to keep all the names of people related to your case. If your matter is handled informally, outside of court, you will likely only be working with a Juvenile Court Counselor (JCC) and possibly a lawyer that the court appointed to represent you, if you haven't hired your own.

Judge:

_____

District Attorney (prosecutor):

_____

Juvenile Defense Attorney (your lawyer):

_____

_____

Juvenile Court Counselor (JCC):

_____

_____

Other Important People:

_____

_____

_____

_____



WHAT HAPPENS WHEN YOU HAVE CONTACT WITH POLICE?

What is "police contact"?

This is when police stop you or come up to talk to you. Afterward, they will typically do one of these things:

Let you go.

See the next page for what happens next.

Take you to your home or call your parent.

The police will send a report to the county juvenile department so that they can decide if any more action is needed.

Detain you and take you to juvenile detention.

If you are under 18, police can detain you if:

- They have enough evidence to believe you committed a **felony**, had a **firearm or destructive device**, committed a crime where you **physically hurt someone else**, or committed **disorderly conduct in the first degree** (making a false report about an emergency such as a fire or bomb threat, with the intent to cause alarm).
- You **ran away** from another state.
- You have a **warrant** out for your arrest.
- You are charged with violating your **conditions of release or probation**.

The police CANNOT detain you for:

- **Violations.** These are less serious than misdemeanors and felonies but they are still something where you might have to pay a fine. Examples are things like parking tickets.
- **Status offenses.** These are things that are only illegal if juveniles do them, such as running away, breaking curfew, or having alcohol or tobacco.
- **Things you do when you're younger than 12.** If you are under 12, they cannot detain you without having a court review. The court has to find that it's in your best interest to be detained.

If the police let you go...

Even if they release you, the police officer may turn in a report about what happened. They may send the report to your **local juvenile department** and the **district attorney's office.**

After that, one of two things might happen:

The juvenile department might refer you to diversion/early intervention.

Diversion is when your issue is handled informally by the county juvenile department, with no court involved.

The juvenile department might require you to complete some type of program to avoid legal charges.

The district attorney might have a legal sufficiency review.

There are three possible outcomes of this review:

- **Legal sufficiency not found:** They might find that there IS NOT enough evidence to move forward. If this happens, they will close your referral.
- **Legal sufficiency found:** They might find that there IS enough evidence to move forward. If this happens, they will do one of these two things:
  - Send your issue back to the juvenile department to be handled informally (see **diversion** at left). **OR**
  - Issue a petition to the court, and you will be summoned to appear in court.



You have the right to an attorney!

You have the right to a court-appointed attorney for any matter, whether it starts informally as an FAA, or you are charged with a violation, misdemeanor, or felony.

- You do not need to file any paperwork to receive an attorney.
- Neither you nor your family has to pay for your attorney.
- Your attorney's job is to protect your rights. They make sure you don't talk about your case with anyone without legal advice. You should not be questioned or interviewed without your attorney there, or without their consent if they cannot be there.

IMPORTANT: Although you may waive your right to counsel, you should NOT be encouraged to do this. You will only be allowed to waive your right to counsel if:

- You are at least 16,
- You have met with an attorney about this decision
- The court has held a hearing about this decision, and
- You have signed a written waiver.

WHAT HAPPENS IF POLICE TAKE YOU TO DETENTION?



If you are put in detention, a decision is made on how to move forward. This decision is based on the level of your charge and your level of risk. The juvenile department will choose one of these three options:

No Action

You will be released to your parent or guardian.



Diversion/Formal Accountability Agreement

The juvenile department might offer you a Formal Accountability Agreement (FAA). These happen before the court is involved. If you have an FAA, and you complete it, you will not have formal charges, and there will be no case on your court record.

If they offer you an FAA, you have the right to talk to an attorney and get their advice before you sign it.

An FAA may require you to:

- Participate in an assessment or treatment program
- Pay restitution
- Do community service
- Write a letter of responsibility
- Attend school
- Participate in a restorative dialogue with the victim
- Other conditions as appropriate to the offense and circumstances

IMPORTANT: If you do not comply with the conditions of your FAA, a petition may be filed. This is why it might be a good idea to ask for an attorney before signing an FAA.

Formal Petition

If the district attorney decides to issue formal charges against you, they will file a petition. They will also issue a summons for you to appear in juvenile court. Read more on the next page.

What happens if a formal petition is filed against you?

1 First Appearance/Preliminary Hearing



At this hearing, the judge will read the charges against you. You will be appointed an attorney if you or your family have not hired one for yourself.

You should NOT be asked to admit whether you committed the alleged violations/juvenile delinquencies at this hearing.

At many of these hearings, the judge will also decide where you will spend your time until the charges are resolved. Some of the options are:

- Release to your parent or guardian
- Release to your parent or guardian on Community Monitoring/Electronic Monitoring Program (24-hour supervision with support of satellite dish systems)
- Placed in the temporary custody of Department of Human Services in a foster placement or group home facility
- Placed in detention with 10-day review hearings
- Released to juvenile department staff to a secure shelter or foster placement

2 Adjudication Hearing

This is where the judge decides whether you committed a law violation. You have two options:

You can choose to have a trial. If you choose a trial and deny the charges against you, the district attorney's office will have to prove that you broke the law.

OR

You can make admissions. This will happen after you have had time to talk about your options with your lawyer. The judge will review your rights with you to make sure you really did break the law and that you understand what you're giving up.

3 Disposition Hearing

This is where the judge decides what consequences to order based on your admission or being found responsible at trial. Disposition options include:

- probation with conditions
- commitment to Oregon Youth Authority (OYA) for placement in a community program
- commitment to OYA for placement in a youth correctional facility
- commitment to Department of Human Services
- another, alternative disposition

TIPS FOR APPEARING IN COURT



- **Be professional and respectful.** Stay calm, be polite, have a positive attitude, make eye contact when the judge is speaking to you, and respond to questions from judge.
- **Dress as your attorney recommends** (if you are not in custody). This includes wearing clean, neat clothing that shows respect for the court.
- **Ask your attorney** if you don't understand something that is said.
- **Be open** to receiving new information.
- **Follow the judge's instructions.** They will explain what happens next or make a decision.
- **Arrive early.** Plan to arrive at least 30 minutes early to make sure you have time to find parking, go through security, and find your courtroom.



Getting Waived to Adult Court

If you are charged with certain **higher-level felonies,** you can be waived (moved) to adult court, but this requires a formal process.

If the district attorney wants to waive your case to adult court, they have to file a motion for a **waiver hearing.** At the hearing, a judge decides if your case should stay in juvenile court or move to adult court. Your attorney should explain each step in this process to you.

After your disposition hearing: Important things to know



Community Service

A judge might order you to spend a certain number of hours working in your community. Examples of community service are picking up garbage on roadways and or doing lawn maintenance.



Restitution

A judge might order you to pay money if there was harm or potential harm to one or more victims in your case. Victims can be individuals or businesses.



Victim Rights

It is important for the victims in juvenile justice matters to be acknowledged. The law requires that victims be given an opportunity to receive information about your court proceedings and participate if they wish.



Restorative Justice

This process focuses on repairing the harm or potential harm caused by a law violation. It involves the victims, offenders, and community members in a process of dialogue and reconciliation. It aims to address the needs of victims, encourage offender accountability, and reintegrate youth offenders back into the community. Some counties have restorative justice programs that allow you to participate.



Appeal

The law says you can appeal a judgment issued by the juvenile court if your rights were adversely affected (that means there were negative impacts). You have a right to an attorney at no cost to you or your parents. The court will appoint an attorney if you or your parents do not hire an attorney of your choice. Your attorney will have to file your appeal within 30 days of the date the court entered the judgement.



Expunction

After your case has been closed for a certain period of time, this is the legal process where your juvenile case can be deleted from the court record, as if it never existed. After this happens, you can truthfully say you have no delinquency record or history. This option is only available for certain types of cases. You should talk with your attorney about this.

ALL ABOUT JUVENILE DETENTION

What happens to your belongings?



Detention staff will take your belongings, check them for contraband, put them in a labeled bag, and put them in secure storage. They will return your belongings to you upon your release. They may release belongings to your parents or guardians. You can request your clothes be washed by the staff.

What happens in the first 24 hours?

- You will be held in the **intake area** until you get assigned to a unit. In the intake process, you are asked a standard set of questions.
- You may be asked to take some or all your clothes off so staff can complete their **required search.**
- You will be **searched** by same-gender staff, then given privacy to take a **shower.**
- You will be given a set of **clothing and sheets** for your bed.
- You may be asked to **study a rulebook** and then take and pass a test, to help you understand the expectations of detention. The test is pretty simple if you have studied the rulebook.

Unit Placement

Placement in a unit is typically based on the results of an assessment unless you are in a detention facility with only one unit. Larger facilities have multiple units and they are separated by your individual needs.

Typical Meal Schedule

- **Breakfast:** Typically served around 7 a.m., before school.
- **Lunch:** Typically served at noon, during school lunch break.
- **Dinner:** Typically served around 5 p.m., after school.

If you have dietary restrictions, gluten-free, vegetarian, and other options are available. You need to let the intake staff or nurse know so they can help you.







Visitation & Phone Calls



In-Person Visits: Visits happen at certain times of the day and week. Some visits will be only through a glass window, and other visits may be allowed in person, in a designated area, if pre-approved by your juvenile court counselor.

Phone Calls: Most facilities allow you to have phone calls on a set schedule each week. Phone calls are typically limited in length, except for calls with your attorney.

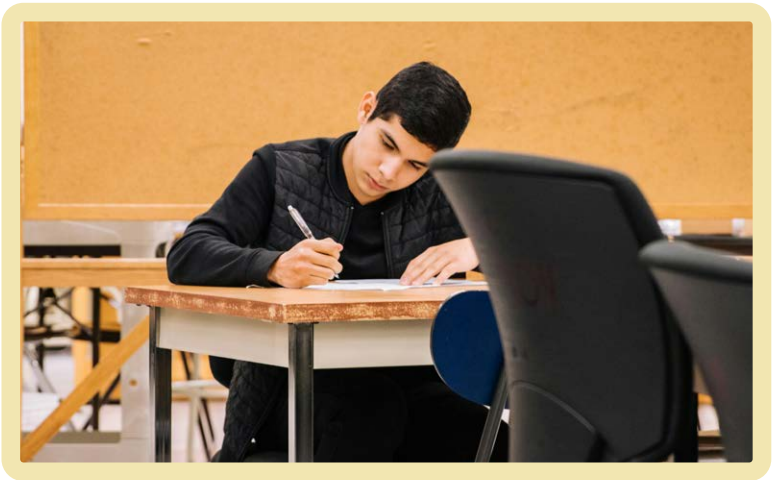
Hygiene & Health Care



Hygiene items are provided but limited. You can ask for additional products you may need. The facility typically provides haircuts. They will likely require you to take off all piercings, wigs, or hair extensions.

Education

- Detention facilities have an agreement with the Oregon Department of Education to provide you with a standardized education.
- You may be able to continue your existing school classes while in detention.
- You will be expected to attend education classes consistently while in detention.



YOU HAVE RIGHTS!

When You Are Taken Into Custody

- Police must tell your parent or guardian quickly.
- Police must explain your rights in words you understand.
- You have the right to a lawyer for free.
- You can stay silent until a lawyer is with you.

When You Go to Court

- You must be told what you are accused of.
- If under 18, your case usually stays in juvenile court. Certain cases can be heard in adult court, but there must be a hearing before the judge makes this decision (learn more on page 10).
- You can question people who speak against you.
- You have a lawyer through the whole process.

Alternatives to Court

- Some cases can be handled outside of court (diversion).
- You can talk to a lawyer before agreeing to anything.

Privacy and Court Records

- Basic information about you and your charges may be available to the public. However, many other parts of your court record are not available to the public.
- You can ask to clear your record after a few years if you meet the requirements.



If Your Case Reaches Disposition (Like a Sentence for Adults)

- The system is supposed to focus on helping you succeed.
- You cannot receive extreme punishments used for adults.
- You can challenge decisions like probation or placement.



County Juvenile Departments

The information in this handbook is general information that applies to all cases no matter which county you were charged in. Each county has additional information that applies to their specific county.

A few counties have a similar handbook to this one, but many do not. However, you should be able to find more specific information about your county on their website. You can also find contact information there to help you reach out to them for information.

Find your county juvenile department on the Oregon Juvenile Department Directors' Association website using the QR code below. You can also find the information by going to **www.ojdda.org**, selecting "About Us" and then "Members."

Oregon Juvenile Department
Directors' Association website

Your future is full of possibilities. This is just one chapter in your story. Keep going!

- The Juvenile Justice Advisory Board



Who made this handbook?

This handbook was created by members of the **Juvenile Justice Advisory Board (JJAB)** to help new youth and their families as they enter the juvenile justice system. The JJAB was created in 2024 to include the voices of youth with lived experience and use their stories and experiences to help juvenile judges in Oregon better understand the youth coming before them, and to help inform the decisions they make. JJAB members were all in this same situation at one time and wished they had received something like this handbook to help them understand what they were going through!

Go to this link on the Oregon Judicial Department website to find the online version of this handbook.

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