

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

Oregon



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Identification

Initial Custody

Process Following Initial Custody

Dependent Child

→ Authority for Initial Custody:

Temporary protective custody may be taken by a peace officer, counselor, employee of the Department of Human Services, or any other court authorized person if:

- Child's condition or surroundings reasonably appear to jeopardize child's welfare
- Court has made an order for custody
- It reasonably appears child has run away

Placement:

- Release to parent/responsible adult
- Shelter care

→ Where is child referred after initial custody?

After initial custody, the child is either taken before the court for disposition or taken into detention or shelter and the court is notified

When and how does court assume jurisdiction?

Jurisdiction attaches when a child is taken into custody

Delinquent Child

→ Authority for Initial Custody:

A peace officer or a person authorized by the court may take custody if:

- The child commits an act that would allow for a warrantless arrest if committed by an adult
- Otherwise ordered by the court

Placement:

- Released to a parent or guardian
- Shelter care
- Secure detention

→ Where is child referred after initial custody?

The child must be taken before the court either for disposition or a detention hearing for the court to make the determination if continued detention is warranted

When and how does court assume jurisdiction?

Jurisdiction attaches when a child is taken into custody

Trafficking Victims in Oregon

Placement Process Pending Adjudication/ Investigation

Adjudication or Referral to Alternate Process

Placement Following Adjudication

When must placement hearing be held after initial custody?

A detention/shelter hearing must be held within 24 hours of a child being detained

What are the placement options?

- Released to a parent or guardian
- Shelter care
- Secure detention

Adjudication:

An adjudication must be held within 60 days of the filing of a petition

Or Alternate Process

County juvenile department may refer a youth to an authorized diversion program if the youth is eligible to enter into a formal accountability agreement

Dispositional Outcomes

- Probation
- Child may become a ward of the Department of Human Services
- Department may place the child in a child care center or foster care
- Child may also be released to a relative
- Secure detention

Dispositional Outcomes

- Youth court
- Mediation program
- Crime prevention or chemical substance abuse education program
- Other reform program

When must placement hearing be held after initial custody?

The detention hearing must be held within 36 hours of initial custody

What are the placement options?

The child may be released to a parent or guardian or ordered to remain in shelter care or detention pending adjudication.

Adjudication:

The facts alleged in the petition must be proven beyond a reasonable doubt at the adjudication hearing. If the child is detained the hearing must be held within 28 days unless good cause is shown.

Or Alternate Process

A child may be placed in a diversion program.

Dispositional Outcomes

If the child is adjudicated delinquent, the child may be placed on probation or placed in a detention facility.

Dispositional Outcomes

The diversion program may include youth court, mediation and substance abuse assistance.