



**OREGON YOUTH AUTHORITY**  
**Policy Statement**  
**Part I – Administrative Services**



*Subject:*

**Requests for Youth Information and Records**

*Section – Policy Number:*

**E: Information Management – 2.3**

*Supersedes:*

- I-E-2.3 (04/18)
- I-E-2.3 (06/06)
- I-E-2.3 (12/03)
- I-E-2.3 (06/02)

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**10/29/2023**

**Related Standards and References:**

- [ORS 7.020](#) (Register)
- [ORS 40.270](#) Rule 509 (Public officer privilege)
- [ORS 419A.253](#) (Records)
- [ORS 419A.255](#) (Maintenance; disclosure; providing transcripts; exceptions to confidentiality)
- [ORS 419A.256](#) through [ORS 419A.257](#) (Disclosure)
- [ORS 419C.005](#) (Jurisdiction)
- [OAR Chapter 416, Division 105](#) (Disclosure of Offender Case Record Information)
- [OYA policy](#): I-A-4.0 (Tort Liability and Claims)
  - I-E-1.0 (Director’s Incident Notification and Report)
  - I-E-1.2 (Response to Subpoenas)
  - I-E-1.4 (Public Records Management)
  - I-E-2.1 (Public Records Requests for Agency Records)
  - I-E-2.2 (Youth Facility Case File and Medical File Transfer)
  - I-E-2.5 (Crime Victim Notifications and Communication)
  - I-E-2.6 (Second Look Hearings)
- [JJIS policies](#): Granting Access to JJIS and JJIS Data User Security
- [OYA forms](#): YA 0053 (Request for Public and Youth Records Form)  
 YA 0054 (Confidentiality Agreement)  
 YA 0055 (Authorization for Release of Information)  
 YA 0023 (Court Order for Production of Youth Records)
- [Attachment A](#): Records Request Disclosure Matrix


**Related Procedures:**

- [HS I-E-2.3](#) Release of Medical Records
- [DO I-E 2.1](#) Agency Public Records Request Tracking System
- [COM I-E-2.3](#) Requests for Youth Information and Records

**Policy Owner:**

Public Policy and Government Relations Manager

**Approved:**

  
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 Joseph O'Leary, Director

**I. PURPOSE:**

This policy defines what youth information any OYA staff member may release to the public and when staff must forward requests for youth information or records to certain subject matter experts for proper responses.

## II. POLICY DEFINITIONS:

**Adjudicated youth:** A person who has been found to be within the jurisdiction of the juvenile court under ORS 419C.005 for an act committed when the person was under 18 years of age, and who has been placed in the legal and physical custody of OYA.

**Court register:** A record wherein the clerk or court administrator must enter, by its title, every action, suit or proceeding commenced in, or transferred or appealed to, the court, according to the date of its commencement, transfer or appeal.

**DOC youth:** A person in the legal custody of the Oregon Department of Corrections (DOC) and the physical custody of OYA.

**History and prognosis:** The Oregon Court of Appeals defines the words “history” and “prognosis”, as used in ORS 419A.255 and 419A.257, as follows:

History: A narrative of events connected with a person and an account of a person’s family and personal background, his past, and present.

Prognosis: The prospect of survival and recovery from a disease and forecast or estimate or prediction of a future happening or condition.

These definitions are broad enough to include almost every piece of information in a youth’s case file. As explained by the Oregon Court of Appeals, “records relating to a child’s medical, psychological, and social - that is, personal and family – background and predicted future condition or status” are part of that youth’s history and prognosis.

**OYA Records Center:** Area within MacLaren Youth Correction Facility where records management staff work, and youth records are retained.

**Party to the case:** A person or agency that OYA staff may engage with and share youth information or records in order to carry out their official duties related to a youth committed to OYA. The parties to the case during a youth’s commitment are: the juvenile department, OYA, the court, service providers, school superintendents and their designee, attorneys of record for the youth, attorneys, including the district attorney or assistant attorney general, representing a party to the case, the Department of Human Services, the court appointed special advocate, and the Psychiatric Security Review Board.

**Public Policy Office:** A work unit within the OYA Director’s Office comprised of a public policy and government relations manager and a risk, records and legislative analyst.

**Public record:** Has the meaning established in ORS 192.005. In general, it refers to information that is prepared, owned, used or retained by a state agency or political subdivision; relates to an activity, transaction or function of a state agency or political subdivision; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.

**Redact:** To delete or obscure information that is exempt from disclosure in records prior to disclosure of the records.

**Requester:** A person requesting disclosure of public records. Requester does not include a “public body” or public official, other than a legislator.

**Youth:** Adjudicated youth and DOC youth.

### III. POLICY

This policy provides standards for OYA staff regarding responding to requests for youth information or records. Compliance with laws that protect youth records is important to youth's trust and engagement in treatment with OYA and our providers. Requests for agency records by members of the public that are **not specific to a youth** are addressed in OYA policy I-E-2.1 Public Records Requests for Agency Records and Oregon Public Records Law. This policy does not fully address standards for responding to subpoenas. Staff may refer to OYA policy I-E-1.3 Response to Subpoenas regarding subpoenas.

OYA makes youth information and records available to appropriate persons consistent with all laws governing the disclosure of such information/records while maintaining youth dignity, ability to reengage in the community as productive and healthy adults, and protecting youth confidential and privileged information. State and federal laws identify specific youth information as privileged or confidential and also outline in what circumstances records can be released. [Attachment A](#) Records Request Disclosure Matrix to this policy may be used as a guide when determining to whom certain information may be disclosed.

OYA must not release any information/records regarding persons who have not been committed to OYA, or have not been in OYA physical custody.

### IV. GENERAL STANDARDS:

#### A. Responding to youth information/records requests: Not Confidential/Privileged Information

Certain youth information that is **not** confidential or privileged may be released to any member of the public by law. While releasing this information may be authorized, only certain OYA staff may release it. Requests for this type of information may be oral or written, and the release of the information does not need to be documented.

1. Any OYA staff may provide the following information regarding youth:
  - a) The name of a youth who has been committed to OYA; and
  - b) The crime(s) for which the youth was committed to OYA.
2. Only a youth's JPPO, case coordinator, disability analysts, Professional Standards Office staff, Communications Office staff, OYA Records Center staff, or Public Policy Office staff, and their supervisors or designees, may provide the following information regarding youth currently in OYA custody:
  - a) The youth's date of birth;
  - b) The date, time, or place of any court proceeding;
  - c) The youth's address;

- d) The youth's parent/guardian's name and address; and
  - e) The portion of the court order that commits the youth to OYA.
3. Staff must forward any requests for youth information on terminated cases (youth is no longer committed to OYA in the community or a facility) to the OYA Records Center.
  4. Staff must refer a requester to an adjudicated youth's adjudicating court when the following information is requested:
    - a) The basis for the juvenile court's jurisdiction over the youth (if unknown or different than paragraph 2.e above); and
    - b) The court register relating to the youth.

**B. Responding to youth information/records requests:  
Confidential/Privileged Information**

Only the below-designated staff may respond to requests for youth confidential or privileged information. Staff must forward any such requests to the designated staff listed below, or follow the policy listed below.

1. The youth's JPPO or case coordinator, and their supervisors or designees: Respond to requests for a current youth's OYA commitment information by a party to the case, the youth, or the youth's parent/guardian.  
  
See response process in section C, and attorney review process in section F of this policy.
2. OYA Records Center staff respond to:
  - a) Requests for a current youth's information that does not relate to the youth's current commitment to OYA;
  - b) Requests for youth information on terminated cases (youth is no longer committed to OYA in the community or a facility); and
  - c) Requests for medical or psychiatric records by an attorney, or entity that does not provide the youth medical or psychiatric care. OYA Records Center staff must follow Health Services procedure HS I-E-2.3 when responding to the request.
3. OYA Treatment Services coordinator (for youth with sexual offending behaviors) responds to: Requests for records for relief from sex offender registration (or related to sex offender registration) requested by the Oregon State Police or another law enforcement agency, including agencies in other states.
4. MacLaren YCF medical clinic staff respond to: Requests for medical records or psychiatric records by a treatment provider for the purpose of providing a youth medical or psychiatric care. Staff must follow Health Services procedure HS I-E-2.3 when responding to the request.

5. OYA Records Center staff or Public Policy Office staff may coordinate the release of records and act as the requester's contact person, and the point of records release for OYA.
6. Second Look hearings: Staff must follow OYA policy I-E-2.6 Second Look Hearings and contact OYA's Second Look coordinator.
7. Subpoenas: Staff must follow OYA policy I-E-1.2 (Responses to Subpoenas) when responding to a subpoena.
8. Tort claims: Staff must follow OYA policy I-A-4.0 (Tort Liability and Claims) when responding to a tort claim.
9. Expunged records: Staff must follow OYA policy I-E-2.4 (Expunction Orders) when responding to expunction orders or requests for expunged records.
10. Staff must ensure they have a properly executed release of information (YA 0055) or court order prior to releasing any confidential or privileged information.

**C. Youth information requests from persons who are a party to the youth's case** (see Part II "party to the case" definition):

1. Staff must determine if the scope of the request is within their designated authority to respond (see section B). If so, staff must copy, redact, and release the records according to disclosure laws. If not, staff must refer the request to their supervisor for review.

Refer to [Attachment A](#): Records Request Disclosure Matrix for disclosure information.

2. If the requester is the youth's attorney related to the current commitment, staff must verify the attorney is the attorney of record prior to releasing documents.

**D. Public records requests**

1. Designated staff (listed above by topic) must handle the below-listed youth information requests as public record requests:
  - a) Requests from a person who is **not** a party to the case, including a youth requesting their own records, and a youth's parents/guardians who request their youth's records;
  - b) A current youth's request that is not related to the youth's current OYA commitment;
  - c) Requests for records after OYA commitment has terminated; and
  - d) Requests for medical and psychiatric records that are from an attorney or entity that does not provide related services.

2. Designated staff must ensure youth public record requests are documented as listed below:
  - a) Submitted by the requester on a form YA 0053 Request for Public and Youth Records;
  - b) Submitted in writing by the requester, and documented by designated staff on a YA 0053. Clarification or changes to the written request may be received orally or in writing, and documented by staff on the YA 0053;
  - c) Court order; or
  - d) Subpoena (refer to OYA policy I-E-1.2 Response to Subpoenas when responding to a subpoena).
3. Designated staff must ensure the request specifies the records the requester is seeking.
4. A YA 0055 Authorization for Release of Information does not qualify as a written public records request for youth records.
5. Each record request requires a case-specific evaluation of what information is being requested and whether the requester is authorized to review the requested records.
6. A request for a youth's records by a treatment provider to provide a youth's continuity of treatment and care is not considered a public records request.

#### **E. Releasing youth records in compliance with a public records request**

##### 1. Preparation

When a record request is received by the appropriate staff, and it is determined which records can be disclosed, staff must compile the requested records.

- a) Staff must follow the procedure outlined in agencywide procedure DO I-E-2.1 for tracking and fee requirements.
- b) An original record or file may **never** be sent to a person requesting youth records, unless otherwise authorized by Public Policy Office staff.
- c) Once the records are compiled, a copy of the YA 0053, YA 0055 and the exact records released must be retained in an electronic repository managed by the Public Policy Office.

##### 2. Redaction

Even with a valid court order or properly executed authorization for release of information form, staff must redact certain information from

youth records before providing them to a requester. Examples of such information include, but are not limited to:

- a) Youth (as defined in this policy) names not subject to the records request;
- b) Social security numbers;
- c) Child abuse reports or documents resulting from child abuse reports; and
- d) Victim information.

Victim information must be reviewed to determine if disclosure is invasive to the victim. Disclosure to a party to the case or an attorney is not invasive to the victim. Disclosure to a youth, youth's parent/guardian, or other entity is subject to redaction due to invasiveness to the victim.

3. Substance use treatment information and education information are protected from disclosure by federal law and must be redacted **unless** a valid release of information (YA 0055) or court order authorizes release.
4. All records must be properly redacted and reviewed by a subject matter expert for approval before they are released.
5. Staff must contact the Public Policy Office concerning any redaction questions, or when unsure of redaction.

Staff designated to release information may also refer to [Attachment A](#): Records Request Disclosure Matrix for disclosure information.

#### **F. Youth record review by a youth's attorney**

1. Staff may allow a youth's attorney of record to view the youth's case file to determine specific records the attorney may request to be released. The request to view the case file must be in writing.
2. Designated staff must segregate, copy, and redact confidential information **before** granting the youth's attorney access to view the case file. Attorneys may only view the redacted record.

#### **G. Requests for staff recommendations on youth**

1. Staff must not make oral or written recommendations regarding a youth's -
  - a) Second Look conditional release;
  - b) Sex offender registration determination, or relief from sex offender registration; or

- c) Issues or needs that are beyond the staff's classification, job duties, or qualifications (e.g., a group life coordinator must not make statements to the court regarding a youth's risk to reoffend).
2. Written letters for reference, observations, or statements that may be used for job or housing searches, court proceedings or a youth's clemency or commutation request
  - a) Staff must write the letter on OYA letterhead, or the specific OYA program letterhead where the youth participated;
  - b) Staff must not make a recommendation on what decision should be made; and
  - c) The statement must be reviewed by the youth's field office supervisor, superintendent, or camp director; and the government relations and public policy manager prior to release.

#### **H. Documentation**

It is imperative that OYA is able to demonstrate that it has complied with properly executed written requests for public records.

1. An exact copy of the request (YA 0053), release of information (YA 0055), and youth's records released to a requester in accordance with this policy must be retained in a centralized electronic repository managed by the Public Policy Office.
2. Staff must retain the original written youth records request (YA 0053) in the youth's case file.

#### **I. Inappropriate release of youth information or records**

Staff must follow OYA policy I-E-3.3 (Information Security Incident Response) if they learn of a possible information security event or inappropriate release of youth information or records.

1. Staff must immediately verbally report information security events to their supervisors or the officer-of-the-day (OD), and the Information Systems Service Desk (503) 378-4333. Voicemail is acceptable.
2. Staff must also report the event via email to [IS.WorkOrder@oya.state.or.us](mailto:IS.WorkOrder@oya.state.or.us), with "Information Security Event" as the subject.

#### **V. LOCAL OPERATING PROTOCOL REQUIRED: YES**

A local operating protocol must delineate how OYA tracks public record requests.



**Staff must consider the following prior to releasing any information.**

**FIRST: With all records requests, regardless of who the requester is, ascertain the following:**

- Did the requester make a written request for records?
- Does the requester (if not a party to the case) have a properly executed authorization for release of the information signed by the youth?
- Does the requester have an order from the juvenile court that adjudicated the youth, or from any court (for DOC youth), authorizing the disclosure of the records?

**SECOND: With all records requests:**

- Determine whether the youth about whom information is requested is an adjudicated youth or a DOC youth.
- Different rules apply depending on who has custody of the youth.

**FINALLY: Records request disclosure must be evaluated on a case-by-case basis:**

- Occasionally, legal questions are involved, such as interpretation of a statute or whether a document falls within a privilege.
- The Records Request Disclosure Matrix is only a guide. Public Policy Office staff may be consulted if you have any questions or concerns involving a particular request.
- **CAUTION:** Staff may **not** instruct requesters to obtain a subpoena prior to disclosure of documents. Staff must ask the requester to put the request in writing. A subpoena or court order does **not** require immediate release of documents – privileges may apply that prohibit the disclosure. Consult Public Policy Office staff if you receive a subpoena or court order for disclosure of documents.

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
<p><b>1. Any member of the public, including attorneys, with a properly executed authorization for release of information signed by the youth</b></p>	<p><b>Disclosable information:</b> The information specifically named in the properly executed authorization for release of information form signed by the youth, with certain exceptions listed below.</p> <p><b>Non-disclosable information:</b> Even with a properly executed authorization for release of information form signed by the youth, the following information must be redacted from the youth’s file before the file is disclosed:</p> <ul style="list-style-type: none"> <li>• Names of other youth;</li> <li>• Social security numbers for persons other than the youth;</li> <li>• Child abuse reports, if requested by anyone other than the attorney for the child or the child’s parent in a juvenile court proceeding, a Citizen’s Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse; and</li> <li>• Victim information if the release may be offensive to the victim.</li> </ul>	<p><b>Disclosable information:</b> The information specifically named in the properly executed authorization for release of information form signed by the youth, with certain exceptions listed below.</p> <p><b>Non-disclosable information:</b> Even with a properly executed authorization for release of information form signed by the youth, the following information must be redacted from the youth’s file before the file is disclosed:</p> <ul style="list-style-type: none"> <li>• Names of other youth;</li> <li>• Social security numbers for persons other than the youth;</li> <li>• Child abuse reports, if requested by anyone other than the attorney for the child or the child’s parent in a juvenile court proceeding, a Citizen’s Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse; and</li> <li>• Victim information if the release may be offensive to the victim.</li> </ul>	<p>If you have any questions about whether the request for information and release of information form are sufficient, please contact Public Policy Office staff.</p> <p><b>Second Look Conditional Release:</b> The disclosure of records for second look conditional release hearings are handled through the Attorney General’s Office. If you receive a request for records for a second look hearing refer the requester to OYA’s Second Look Coordinator.</p>
<p><b>2. Any member of the public with a court order mandating disclosure, or a subpoena requesting disclosure of records or documents</b></p>	<p>Immediately refer the matter to Public Policy Office staff.</p>	<p>Immediately refer the matter to Public Policy Office staff.</p>	<p>Immediately forward a copy of the court order or subpoena to Public Policy Office staff and begin compiling the records described in the order or subpoena, but do NOT disclose. <i>See also</i> Subpoena policy. Also, under ORS 192.496(3), information may be withheld if disclosure would interfere with the</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
			rehabilitation of the youth, and if the public interest in confidentiality clearly outweighs the public interest in disclosure. If you believe this is the case (e.g., youth has threatened to commit suicide if information is disclosed, youth's forthrightness in treatment may be jeopardized if they believe information gathered in treatment will be disclosed), contact Public Policy Office staff.
<p><b>3. Any member of the public, without a release signed by youth or a court order authorizing disclosure:</b></p>	<p><b>Disclosable information:</b> The fact that the youth is in OYA custody. <i>ORS 419A.255(6)(e)</i></p> <ul style="list-style-type: none"> <li>The name and date of birth of the youth; the basis for the juvenile court's jurisdiction; the date, time and place of any juvenile court proceeding; the act alleged in the petition; that portion of the juvenile court order providing for legal disposition of the youth; the names and addresses of the youth's parents; the court record register (described in ORS 7.020). [<i>ORS 419A.255(6)</i>]</li> </ul> <p><b>If the youth is arrested on a new crime pursuant to a summons, warrant, or court order under ORS 419C.080, and held in a detention center, jail, or OYA facility, the following information will be disclosed unless there is a clear need to delay disclosure during a specific investigation, including the</b></p>	<p><b>Disclosable information:</b> Most information in a DOC youth file is disclosable.</p> <p><b>Non-disclosable information that must be redacted</b> from the youth's file before disclosure:</p> <p>Adult in custody/youth pre-sentence reports, LEDS reports, FBI fingerprint cards, confidential informant information, child abuse reports, medical records, names of other youth and information pertaining to their history and prognosis, social security numbers of the youth and others, drug and alcohol treatment records, education records, Pre-sentence investigations</p>	<p>Whenever records are requested on DOC youth that are in OYA custody, records in OYA possession regarding that youth are subject to disclosure by OYA. Even though OYA does not have <i>legal</i> custody of the youth, OYA is nevertheless a custodian of the records under the public records law because OYA uses the records to perform a statutory duty.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<p>need to protect the complaining party or the victim:</p> <ul style="list-style-type: none"> <li>• The youth’s name and age and whether the youth is employed or in school;</li> <li>• The youth offense for which the youth was taken into custody;</li> <li>• The name and age of the adult complaining party and the adult victim, unless disclosure is otherwise prohibited;</li> <li>• The identity of the investigating and arresting agency; and</li> <li>• The time and place that the youth was taken into custody and whether there was resistance, pursuit or a weapon used in taking the youth into custody. <i>[ORS 419A.255(7)]</i></li> </ul> <p>If the youth is in detention for a new law violation under ORS 419C.080, consult the appropriate agreement with the county having custody for the proper procedure, and refer the request to the county as a courtesy.</p> <p><b>Non-disclosable information:</b>            Most other information about a youth is not disclosable to the public, and should not be disclosed without consulting Public Policy Office staff.            This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Any information in the file that pertains to the youth’s history and prognosis, or to any other youth’s history and prognosis. <i>ORS 419A.255 (2) and (3);</i></li> <li>• Other information from the legal or medical file, unless the youth consents to or the court orders release. <i>[legal and social files: ORS 419A.255(1), (2), and</i></li> </ul>		

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<p>(3); <i>medical records: ORS 179.505 and 192.558; substance abuse treatment records: 42 USC 290dd-2; if the youth is receiving public assistance: ORS 411.320; ORS 412.074; 42 USC § 602(a)(9); 42 USC § 671(a)(8); 42 USC § 1396a(7); 45 CFR § 205.50]</i> <b>Use the YA 0055;</b></p> <ul style="list-style-type: none"> <li>• Child abuse reports [<i>ORS 419B.035; 42 USC 5106a(b)(4)</i>];</li> <li>• Education records;</li> <li>• Drug and alcohol treatment records; and</li> <li>• Social security numbers.</li> </ul>		
<p><b>4. Youth with a properly executed release of information submitted by the Youth or Youth’s Attorney.</b></p>	<p><b>Disclosable information:</b> The information specifically named in the properly executed authorization for release of information form signed by the youth, with certain exceptions listed below.</p> <p><b>Non-disclosable information:</b> Even with a properly executed authorization for release of information form signed by the youth, the following information must be redacted from the youth’s file before the file is disclosed:</p> <ul style="list-style-type: none"> <li>• Names of other youth;</li> <li>• Social security numbers for persons other than the youth;</li> <li>• Child abuse reports, if requested by anyone other than the attorney for the child or the child’s parent in a juvenile court proceeding, a Citizen’s Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse; and</li> </ul>	<p>If the youth is eligible for second look conditional release, the youth must be given access to his or her file, unless a court order says otherwise or as otherwise provided by law. ORS 420A.203</p> <p>See Requester item # 17 Second Look Conditional Release.</p>	<p>Note: Records disclosed must be redacted according to this policy prior to disclosure. Treatment information that may interfere with the youth’s reformation must be evaluated by a case coordinator or JPPO.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<ul style="list-style-type: none"> <li>Victim information if the release may be offensive to the victim.</li> </ul>		
<p><b>5. Citizen Review Board</b></p>	<p><b>Disclosable information:</b> Any relevant court and OYA records relating to the youth’s mental, physical and social history and prognosis, including school records and reports of private service providers. <i>[ORS 419A.102; ORS 419A.107]</i></p> <p><b>Non-disclosable information:</b> Medical file information, unless the youth consents to or the court orders release. <b>Use the YA 0055.</b></p>	<p>Not applicable</p>	<p>CRBs must return all records and copies received from OYA within 7 days of completion of review. CRB staff may retain a reference copy if necessary for ongoing work of board. But the CRB must maintain the confidentiality of retained records. <i>[ORS 419A.102(2)(b), ORS 419A.102(2)9B]</i></p>
<p><b>6. Service and treatment providers in the youth’s case</b></p>	<p><b>Disclosable information:</b> Information released to any member of the public without a release or court order, as listed above. Additionally, in relation to providing services to the youth, the following information can be disclosed to treatment providers:</p> <ul style="list-style-type: none"> <li>Records and information in the legal file relating to the youth’s history and prognosis, including psychological reports. <i>[ORS 419A.255(2) and (3); ORS 411.320; ORS 412.074; 42 USC § 602(a)(9); 42 USC § 671(a)(8); 42 USC § 1396a(7); 45 CFR § 205.50]</i></li> </ul> <p>Generally, youth will sign authorization for release of information form for disclosure of medical information to provider at outset of placement to provider. In the case of a medical <b>emergency</b>, a youth’s medical</p>	<p><b>Disclosable information:</b> Information released to any member of the public without a release or court order, as listed above.</p>	<p>Medical information is confidential and will be protected by limiting access only to those providers needing such information to provide treatment.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<p>treatment records may be disclosed without a release. <i>[42 USC § 290dd-2.]</i></p> <p><b>Non-disclosable information:</b> Court case record <i>[ORS 419A.255(1)]</i></p>		
<p><b>7. Tribal involvement</b></p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above.</p> <p>Non-confidential information to facilitate tribal participation in the youth's treatment planning, as defined in the intergovernmental agreement between the tribe and OYA.</p> <p><b>Non-disclosable information:</b> Court case record. <i>[ORS 419A.255(1)]</i></p> <p>Other information from the legal or medical file, unless the youth consents to or the court orders release. Use the YA 0055.</p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public, as listed above.</p> <p>Non-confidential information to facilitate tribal participation in the youth's treatment planning, as defined in the intergovernmental agreement between the tribe and OYA.</p> <p><b>Non-disclosable information:</b> Information not disclosable to any member of the public, as listed above.</p> <p>Information from the medical file, unless the youth consents to or the court orders release. Use the YA 0055.</p>	<p>See appropriate intergovernmental agreement; contact the OYA Tribal Liaison.</p>
<p><b>8. Victim or, if victim is a minor, the victim's legal guardian.</b></p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above, and:</p> <ul style="list-style-type: none"> <li>The name and general location of the facility in which the youth is confined; a description of the youth's criminal history and offenses for which the youth was placed under the jurisdiction of the juvenile court; and</li> <li>Projected release date from secure custody or community placement and the community where the youth is anticipated to reside upon release. <i>[ORS 147.421(1)]</i></li> </ul>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above.</p> <p>Also, to the extent the agency has such information, the victim is entitled to the following information about the perpetrator, under ORS 147.421: Also, to the extent the agency has such information, the victim is entitled to the following information about the perpetrator, under ORS 147.421:</p> <ul style="list-style-type: none"> <li>The conviction and sentence;</li> </ul>	<p>Contact Supervisor/Manager or Public Policy Office staff as appropriate, for example, if you have treatment concerns about disclosing such information directly to a minor victim.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<p>If the youth constitutes a clear and immediate danger to another person or to society, information contained in reports or other materials relating to the youth's history and prognosis that indicates that danger must be disclosed to the endangered person.</p> <p><b>Non-disclosable information:</b> With the exception of the information specifically listed above, all other information that cannot be provided to members of the public is also non-disclosable to victims.</p>	<ul style="list-style-type: none"> <li>• The name and location of the correctional facility in which the perpetrator is confined;</li> <li>• A description of the prior arrests, convictions, and sentences of the perpetrator; and</li> <li>• The projected or scheduled date of release of the perpetrator from confinement, the name and location of the correctional facility from which the person is to be released, and the community where the person is scheduled to reside upon release.</li> </ul> <p>The agency may also provide the victim with a copy of the perpetrator's PSI, under ORS 137.077(2).</p> <p>As a courtesy, notify the DOC public information officer. <i>[OAR Chapter 291, Division 039]</i></p> <p><b>Non-disclosable information:</b> Information that is not disclosable to other members of the public as indicated above may not be disclosed to a victim, with the exception of the PSI, which may be disclosed to a victim but may NOT be disclosed to members of the public.</p>	
<p><b>9. School Districts</b></p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above, and the following information may be released to the school superintendent of the district in which the youth resides:</p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public, as listed above.</p> <p><b>Non-disclosable information:</b></p>	<p><b>For adjudicated youth:</b> Under ORS 419A.015(1)(b), the probation officer for a youth on probation must notify the school district within 72 hours when a</p>



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Requester	Adjudicated Youth	DOC Youth	Comments
	<ul style="list-style-type: none"> <li>• Reports and information relating to a youth’s history and prognosis. [ORS 419A.255 (2) and (3); ORS 343.]</li> <li>• Information in the youth’s medical file <u>directly related</u> to special education determination.</li> </ul> <p><b>Non-disclosable information:</b> All information described above that cannot be disclosed to the general public is also not disclosable to school districts.</p>	<p>All information described above that cannot be disclosed to the general public is also not disclosable to school districts.</p>	<p>youth transfers to that district. Under ORS 420.048, the “person responsible for supervising the youth” must notify the school district within 72 hours when a youth transfers to that district. <b>Follow local procedure.</b></p>
<p><b>10. Youth’s parent or guardian, or attorney for the youth’s parent or guardian.</b></p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above, and</p> <ul style="list-style-type: none"> <li>• Educational records. [20 USC § 1232g; 20 USC § 1417]</li> </ul> <p>Attorneys representing the parents <i>in the juvenile case</i> may have <u>copies</u>. [ORS 419A.255(2)]</p> <p><b>Non-disclosable information:</b> Information not disclosable to the general public and not specifically mentioned previously in this column.</p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public as listed above, and</p> <ul style="list-style-type: none"> <li>• Educational records. [20 USC § 1232g; 20 USC § 1417]</li> </ul> <p><b>Non-disclosable information:</b> Information not disclosable to members of the general public and not specifically listed in this column above.</p> <p><b>Second Look Conditional Release (ORS 420A.200 – .206)</b> The disclosure of records for second look conditional release hearings is handled through the Attorney General’s Office. If you receive a request for a second look hearing, refer the requester to the Attorney General’s Office.</p>	<p>If the request is from the parent of a deceased youth, immediately contact Public Policy Office staff.</p>
<p><b>11. Police Agencies</b></p>	<p><b>Disclosable information:</b> Information disclosable to any member of the public, as listed above, may be disclosed upon request to police agencies.</p> <p>If the youth constitutes a clear and immediate danger to another person or to society,</p>	<p><b>Disclosable information:</b></p> <ul style="list-style-type: none"> <li>• Information disclosable to any member of the public, as listed above.</li> <li>• Photographs may be released when the release will enlist public assistance in apprehending fugitives from justice</li> </ul>	<p>Child abuse reports under the mandatory reporting law must be made to a law enforcement agency in the county in which the reporter is located, or to DHS. ORS 419B.015.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
	<p>information, including photographs, contained in reports or other materials relating to the youth’s history and prognosis that indicates that danger may be disclosed to police agencies.</p> <p>Contact Public Policy Office staff if you receive a request from a police agency for information other than that listed above.</p>	<p>and/or the release will not interfere with other law enforcement efforts. (OAR Chapter 291, Division 039)</p> <ul style="list-style-type: none"> <li>As a courtesy, notify the DOC public information officer of requests made by police agencies for records of DOC youth.</li> </ul> <p>Contact Public Policy Office staff if you receive a request from a police agency for information other than that listed above.</p>	
<p><b>12. DHS, Juvenile departments, Deputy District Attorneys (DDA) or Assistant Attorney Generals (AAG) representing the state in a juvenile court proceeding</b></p>	<p><b>Disclosable information:</b> If the disclosure is reasonably necessary to enable the requester to perform official duties related to the adjudicated <b>youth’s juvenile case</b>, information related to the youth’s history and prognosis including treatment and progress in agency custody <b>may</b> be disclosed. Refer to appropriate procedure. Generally, disclosure of the above records to DDAs for purposes of waiver hearings, parole revocations, and sex youth relief from registration proceedings <i>in the youth’s own case</i> will be appropriate. Contact Public Policy Office staff if you have questions about a particular situation.</p> <p><b>Non-disclosable information:</b> Medical records, drug and alcohol records, and education records may be disclosed only pursuant to a court order. Use YA 0023.</p> <p>Names of other youth and social security numbers for persons other than the youth must be redacted.</p>	<p><b>Disclosable and Non-disclosable information:</b> See members of the general public, above.</p> <p><b>Second Look (ORS 420A.200 – .206)</b> See Requester item # 17 Second Look Conditional Release.</p>	<p>Child abuse reports under the mandatory reporting law must be made to a law enforcement agency in the county in which the reporter is located, or to DHS. ORS 419B.015.</p>

Attachment A: Records Request Disclosure Matrix

Requester	Adjudicated Youth	DOC Youth	Comments
<p><b>13. DHS, Juvenile departments, Deputy District Attorneys (DDA) or Assistant Attorney Generals (AAG) representing the state in a juvenile court proceeding related to the commitment or cause for custody in OYA.</b></p>	<p><b>Disclosable information:</b> If the disclosure is reasonably necessary to enable the requester to perform official duties related to the youth's <b>juvenile case</b>, information related to the youth's history and prognosis including treatment and progress in agency custody <b>may</b> be disclosed. Refer to appropriate procedure. Generally, disclosure of the above records to DDAs for purposes of waiver hearings, parole revocations, and sex offender relief from registration proceedings <i>in the youth's own case</i> will be appropriate. Contact Public Policy Office staff if you have questions about a particular situation.</p>	<p><b>Disclosable and Non-disclosable information:</b> See members of the general public, above.  <b>Second Look (ORS 420A.200 – .206)</b> See Requester item # 17 Second Look Conditional Release.</p>	
<p><b>14. Department of Corrections (DOC)</b></p>	<p><b>Disclosable and Non-disclosable information:</b> See members of the general public, above. If the information is needed for a PSI or release plan for the offender, contact Public Policy Office staff.</p>	<p><b>Disclosable and Non-disclosable information</b> for DOC youth currently in the physical custody of OYA, or formerly in the physical custody of OYA but transferred to the physical custody of DOC:  OYA will provide access to OYA case file information upon request by DOC staff and in compliance with administrative review processes and local procedures.</p>	
<p><b>15. Disability Rights Oregon</b></p>	<p>Refer to Public Policy Office staff.</p>	<p>Refer to Public Policy Office staff.</p>	<p>Consult appropriate procedures related to youth access.</p>
<p><b>16. Child Fatality Teams</b></p>	<p>Any and all records requested by a Child Fatality Team will be released following receipt of a subpoena from the Child Fatality Team.</p>	<p>Any and all records requested by a Child Fatality Team will be released following receipt of a subpoena from the Child Fatality Team.</p>	
<p><b>17. Second Look Conditional Release</b></p>	<p>Not applicable. Adjudicated youth are not eligible for second look conditional release.</p>	<p>Records requests for second look hearings are handled through the Attorney General's Office. The Assistant Attorney General</p>	

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Requester	Adjudicated Youth	DOC Youth	Comments
		<p>representing OYA and DOC will send copies of file documents to the court and the deputy district attorney and the attorney for the youth. Youth sign authorization for release of information forms, authorizing disclosure to the court and counsel for second look hearings. If records are requested in connection with a second look hearing, contact the OYA Second Look coordinator.</p>	
<p><b>18. Pre-Sentence Investigation (PSI) Writers</b></p>	<p>If records of a current or former youth are requested by a PSI writer (state or federal), contact Public Policy Office staff.</p>	<p>If records of a DOC youth are requested by a PSI writer, forward to the OYA Records Center.</p>	