



MEASURE: 10 HB 2907
EXHIBIT: 10
HOUSE JUDICIARY
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SUBMITTED BY: Torri Lynn

Oregon Juvenile Department Directors' Association

Representing Oregon's County Juvenile Departments

www.ojdda.org

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OJDDA OPPOSES HB 2907

The Oregon Juvenile Department Directors' Association (OJDDA) represents the juvenile departments in all of Oregon's 36 counties. County juvenile departments handle over 90% of youth involved in the juvenile justice system.

Arrest Data Does Not Tell the Whole Story:

OJDDA believes that measuring a youth's success in the community is based upon more than an arrest incident. Measuring arrest data provides information on policing efforts and policies. While arrests could be one component, other "positive youth development measures" such as those related to education, job readiness, and program effectiveness should also be measured to provide a more holistic public safety measure.

Law Enforcement Data System (LEDS) tracking of Arrests is Not Reliable:

Arrest records in LEDS may be created from a fingerprint associated with an action other than a new arrest. LEDS is aware that arrest records can be generated from non-arrest events, but they must process the information sent to them. LEDS has system edits and safeguards to try to catch duplicate arrest records. However, if the wrong dates or wrong/missing control numbers are used, a non-arrest fingerprint card can be interpreted as a new arrest. Also, these issues are not limited to juveniles; the adult records have the same issues and limitations. Arrest records cannot provide accurate information about further criminal behavior due to this systemic issue with LEDS, and should not be relied upon as a measure of public safety.

HB 2907 Will Further Institutionalize Racial Bias in Our Juvenile Justice System:

Several Oregon counties already have significant disproportionate minority contact when it comes to arrest rates for youth of color. Significant efforts are currently taking place within county juvenile departments and in communities to gather and analyze

current data with regard to the racial and ethnic disparities in the juvenile justice system. It is critical that public safety measures convey accurate information for stakeholders to use in important policy, operational, and resource allocation discussions. In many counties, a significant percentage of the referrals from arrests that are received by juvenile departments result in the District Attorney's Office declining prosecution due to a lack of legal sufficiency, and in some counties, these involve a high proportion of youth of color. It is critically important that public safety measures do not perpetuate racial and ethnic disparities in the juvenile justice system and criminal justice systems.

The Racial and Ethnic Impact Statement prepared by the Criminal Justice Commission (CJC) relating to HB 2907 determines that risk assessment tools currently being completed and developed by the Oregon Youth Authority (OYA) would have to be revalidated based on the new definition of recidivism. It further states there is a possibility of an impact on youth in the criminal offender population, which would also possibly impact racial and ethnic composition of the population. CJC estimates the racial/ethnic disparity on the juvenile justice population as indeterminate.

Development of New Recidivism Measures Must Happen Through Collaboration:

OJDDA has already begun working collaboratively with OYA to discuss and consider what the most compelling measures would be to determine the progress and efficacy of the work that is done with juvenile justice system-involved youth. **OJDDA supports a broader discussion with knowledgeable professionals with expertise in the juvenile justice and criminal justice fields to develop a more comprehensive standard of recidivism. We strongly believe it needs to encompass more than arrest data to provide an accurate picture of the success of the individual youth and the overall juvenile justice system.**

HB 2907 in its current form is not a meaningful measure of a youth's success, nor an accurate measure of the performance of the juvenile justice system.

For additional information, please contact Lara Smith, (503) 804-9750