



Oregon Juvenile Department Directors' Association

Representing Oregon's County Juvenile Departments

www.ojdda.org

- Joe Ferguson, President
- Jim Goodwin, President Elect
- Debra Patterson, Treasurer

OJDDA
305 NE 3rd St.
Prineville, Or. 97754

OJDDA Urges Support for SB 1008-A

The Oregon Juvenile Department Directors' Association (OJDDA) urges your support for SB 1008-A.

In 1994, Oregonians passed Measure 11 which requires 15-, 16- and 17-year-old youth to be charged, prosecuted and sentenced as adults for certain serious offenses and imposes mandatory minimum sentences for convictions of those charges. These outdated "get tough on crime" laws undermine the purpose of the juvenile court system by pursuing punishment rather than rehabilitation, and they conflict with what we know from developmental science. These laws also remove discretion from juvenile court judges who are responsible for reviewing a youth's case with their family, community and future development in mind.

Over the past two and a half decades, research has demonstrated that charging, prosecuting and sentencing youth as adults:

- Is ineffective, often leading to higher rates of recidivism among juveniles tried and sentenced in the adult court than among youth charged with similar offenses in juvenile court.
- Fails to acknowledge adolescent development and brain science which reveal that it is normative for adolescents to engage in risky behaviors and that youth have tremendous capacity to change their behavior.
- Disproportionately impacts youth of color who are significantly more likely to be charged as adults than white youth who engage in similar behavior.

OJDDA supports eliminating mandatory adult prosecution for juveniles.

Prosecuting 15-, 16- and 17-year-olds as adults is harmful from a public safety perspective. Decades of research concludes that punishing youth as adults does not reduce future crime. Additionally, adult prosecution of juveniles undermines the health and well-being of youth who are more likely to be exposed to extreme violence, fall prey to abuse and suffer from illness and increased risk of suicide.

OJDDA supports the opportunity for conditional release for youth in OYA custody who were sentenced as adults whose projected release date falls between the individual's 25th and 27th birthdays. Placing young adults in adult prisons after a period of stabilization and rehabilitation at an OYA facility negatively impacts the progress and jeopardizes the changes made by the young adult while in OYA custody.

OJDDA supports Second Look for youth charged with an offense that is subject to a mandatory minimum sentence. Research shows that as youth mature, they are substantially less likely to re-offend. Locking youth up for years extends their period of incarceration well beyond the time needed for them to be rehabilitated. The opportunity for a Second Look also provides incentive and motivation for young people who are serving an adult sentence to engage more fully in services that assist them in becoming productive citizens.

OJDDA supports a prohibition on a sentence of life without the possibility of release or parole for youth who are under 18 years of age at the time of committing their offense. Neuroscience research on adolescent brain development shows that individuals do not achieve full brain development in the area needed for decision-making and self-control until their mid-20s. Youth who commit serious and violent offenses should have an opportunity to demonstrate that they can be safely returned to the community after a significant period of rehabilitation.

OJDDA supports youth accountability, victim restoration and judicial authority. SB 1008-A does not prohibit youth from being charged, prosecuted and sentenced as adults in cases where that may be deemed appropriate. It give the authority and discretion to a judge to make a determination regarding the appropriateness of adult court handling after weighing clearly articulated circumstances in an individual case. SB 1008-A also enhances victim rights by ensuring meaningful victim participation in waiver hearings.

For Further Information Contact

Lara Smith at 503-804-9750