



**Testimony of Kimberly McCullough, Policy Director  
In Support of SB 924A  
House Judiciary Committee  
April 4, 2019**

Chair Williamson and Members of the Committee:

The American Civil Liberties Union of Oregon<sup>1</sup> supports SB 924A, which would prohibit children and wards taken into protective custody from being placed in juvenile detention facilities.

**When a young person has experienced or is at risk of experiencing violence, abuse, or neglect, and is placed under the supervision of child protective services, the state should protect and care for their well-being.** Placing youth in detention facilities runs counter to this. Incarceration is not in the best interests of protected children, and it sends a problematic message to these at-risk youth.

**Children are entitled to due process and should always be placed in the least restrictive setting, with appropriate services.** Even those youth that have been convicted or adjudicated for delinquent behavior see better results in community-based programs that are alternatives to incarceration. That is why we are encouraging Oregon lawmakers to make policy changes that end the over-incarceration of children and provide them with the tools they need to grow into healthy and productive adults.

**Yet, under current Oregon law, there is a lack of clarity around whether runaways and foster children may be placed in detention facilities.** And such placement has, in fact, occurred.<sup>2</sup>

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<sup>1</sup> The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.

<sup>2</sup> This article outlines an incident that occurred 2.5 years ago:  
<https://www.bendbulletin.com/localstate/4610335-151/with-foster-care-shortage-teen-held-in-juvenile>.

**This bill addresses this issue** by updating multiple statutes throughout the Juvenile Code to explicitly indicate that wards, children, and runaways who need placement and have not committed delinquent acts may only be placed in protective custody, such as shelter care.

**For these reasons, the ACLU of Oregon urges you to support SB 924A.** Please feel free to contact us if you have any questions, comments, or concerns.