



Oregon Juvenile Department Directors' Association

Representing Oregon's County Juvenile Departments

www.ojdda.org

- Jim Goodwin, President
- Molly Rogers, President Elect
- Debra Patterson, Treasurer

OJDDA
305 NE 3rd St.
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OJDDA Supports House Bill 2940-A

The Oregon Juvenile Department Directors' Association (OJDDA) was an active participant in efforts to reform Measure 11 as it relates to youth and to pass Senate Bill 1008 in the spring of 2019. We have remained fully engaged in the Governor's SB 1008 Implementation Steering Committee, and we are encouraged by the collaboration that has taken place among stakeholders to identify ongoing issues as well as possible solutions related to the effective implementation of SB 1008.

OJDDA supports:

- The creation of an exception to the 28-day time limit for detention if a request for a waiver hearing is pending;
- The frequency of detention review hearings increasing to every 30 days (instead of 10 days) for youth with waiver hearings pending;
- The ability for a youth to waive their appearance at their 30-day detention review hearing; and
- The requirement that a youth notify the district attorney at least five days before a review hearing at which the youth intends to request release.

OJDDA understands that youth who face charges for acts that, if committed by an adult, would constitute a crime under ORS 137.707 may need to be in detention for some period of time due to community safety concerns. OJDDA further understands that these cases are complex and require additional time to prepare as records are gathered and reviewed by attorneys and investigators, forensic evaluations are conducted, and cases are prepared for court. As a result, we support eliminating the 28-day time limit for detention for these cases. However, **we do not support youth being able to remain in detention indefinitely pending a waiver hearing.**

OJDDA supports the passage of HB 2940, but also urges the creation of a legislative work group to develop solutions to barriers to expeditious case processing of SB 1008 cases.

Lengthy periods of pre-adjudication detention are bad for youth, the community and victims.

- The harm caused to youth who experience detention, particularly for long periods of time, is well documented. Studies show that youth in detention experience increased risk of self-harm and suicide, disruption in educational supports, potential for violence and/sexual abuse, exposure to other youth with significant behavioral issues, disengagement from prosocial community networks, and lack of access to family.

- The harm to the community is also significant as research repeatedly shows that youth who spend time in detention are far more likely to engage in repeat offending than young offenders who do not go to detention.
- The harm and trauma caused to victims who must wait for months, or even years, to have their case resolved also cannot be understated.

Detention is not intended to be a long-term placement. The purpose of detention is to provide the temporary and safe custody of youth who require a secured environment for the community's protection while pending legal action. While Oregon's detention facilities do provide services such as education, health and mental health care, recreation, nutrition, etc. to promote the youth's physical, emotional and social development, the types and levels of services are not adequate to meet the long-term developmental needs of adolescents. For the most part, youth who are in detention are in a holding pattern awaiting whatever happens once they are adjudicated. Spending months or years in this limbo status, not knowing what is going to happen to them, creates extreme stress and trauma that often leads to self-harming and or problematic behavioral issues.

Across the state, we have many youth in our detention facilities who have been awaiting a waiver hearing for more than a year – ever since January 1, 2020 when SB 1008 took effect – and more who have been languishing for nearly that long. **Statutory timelines are desperately needed to hold the system accountable to moving these cases forward in a timely manner.**

OJDDA urges your support of HB 2940 along with the creation of a legislative work group to identify solutions to address barriers to expeditious case processing for SB 1008 cases.

For Further Information Contact

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