

TO: Chair Williamson, Vice-Chairs Gorsek and Sprenger and members of the House Committee on Judiciary

DATE: April 24, 2018

RE: Testimony in support of SB 1008A

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For the record, I am Deena Corso and I have the honor of serving as the Juvenile Services Division Director for the Multnomah County Department of Community Justice and the Legislative Committee Chair for the Oregon Juvenile Department Directors' Association (OJDDA). On behalf of the Multnomah County Board of Commissioners, I am urging your support for SB 1008-A.

SB 1008-A is the culmination of the efforts of an interim workgroup, led by Senator Floyd Prozanski, that met for many months to study and discuss the research and science related to charging, prosecuting and sentencing youth in adult court. I had the privilege of serving on this workgroup, and personally observed the thoughtful and comprehensive approach that was taken to developing public policy that better aligns with what the research tells us improves public safety and enhances outcomes for youth.

Oregonians passed Measure 11 in 1994, during the height of the "superpredator" era. At that time, "sociologists inaccurately predicted that there would be a wave of young people capable of profound violence and different from any we had seen before, based on the pseudo-scientific idea that there were young people who simply could not be reached, and who would remain unresponsive to even the best intervention available" (Vera Institute of Justice). In the past two and a half decades, however, the research and science have disproved these beliefs and shown that outdated "get tough on crime" laws are doing more harm than good. Now that we *know* better, we must *do* better.

The practice of automatically waiving 15,16 and 17-year-old to adult court for certain serious offenses:

- **Does not reduce crime** - studies show that youth tried and sentenced as adults have significantly higher recidivism rates than those charged in juvenile court for similar offense.
- **Ignores research** - 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. Additionally, youth have a tremendous capacity for rehabilitation.
- **Disproportionately impacts youth of color** - Black and Brown youth are significantly more likely to be charged as adults than white youth who engage in similar behavior, causing lasting collateral consequences for people of color in our communities.

SB 1008-A improves public policy and public safety in Oregon by:

- **Holding youth accountable** - under SB 1008-A, youth can still be charged, prosecuted and sentenced as adults if that is deemed to be the appropriate course of action.
- **Enhancing victim restoration** - SB 1008-A recognizes the important role of victims in waiver hearings, and ensures their meaningful participation.
- **Giving decision-making back to judges** - SB 1008-A recognizes that judges, and not prosecutors, should make decisions about whether or not to charge youth as adults, after weighing all of the circumstances.

- **Using more cost-effective interventions** - SB 1008-A provides youth who are sentenced as adults the opportunity to be conditionally released from expensive institutions after demonstrating a significant period of rehabilitation.

SB 1008-A would be a positive step for promoting a safer future for Oregon youth and communities. Counter to the viewpoint of some opposing groups, SB 1008-A is not retroactive. This bill creates better alignment between public policy and best practice research and science. Therefore we urge your support for SB 1008-A.

Submitted by:

Deena Corso, Juvenile Services Division Director  
Multnomah County Department of Community Justice