

SB1557

My name is Stacy Neil, I am a former Deputy District Attorney from Deschutes County. I served as the lead attorney for the Juvenile Division of the District Attorney's Office for five years. I am writing this statement to express my support for SB 1557.

I believe strongly that this bill would have a positive impact on our communities by giving us the ability to more adequately intervene and address juvenile substance abuse which has become particularly prominent in our schools.

I would like to address two issues that I believe parties may have questions about:

- 1) How a youth charged with this violation would be handled in the legal system and
- 2) Costs

1. It is important to keep in mind that most of these cases, when charged, will not end up in court, thus not incurring costs associated with court cases. In Deschutes County, the policy has been to refer the first two drug and alcohol related violations to the Juvenile Department to handle. The first level of intervention is a diversion program and the second level of intervention is a "formal accountability agreement" (FAA) with the Juvenile Department. FAAs and diversion programs are statutorily provided as options and can be found in the juvenile code (see 419C.225 & 419C.230). Every county in the state has developed a protocol or program to potentially route kids that have committed lower level offenses through these alternative programs instead of going to court. Through the diversion and FAA programs, the Juvenile Departments can provide and access resources for substance abuse education classes and treatment. In Deschutes County, each youth is assigned a community justice officer to follow up with and assist the youth and their families in accessing appropriate services. Juvenile Departments are much better equipped than schools to handle kids that are presenting with substance abuse issues and other problems that are often co-occurring. The threat of future court action is often a powerful deterrent for kids and often leads to successful participation in alternative programs. The statistics from Deschutes County in 2010 showed that 74% of youth on FAAs for Minor in Possession of Alcohol (MIP) or Possession of less than an ounce of marijuana (POT) (both violations) cases were successfully closed. 53% of cases that were charged in court for MIP or POT charges were successfully closed. A case is considered "successful" when a youth has completed all requirements associated with their "agreement" with the Juvenile Department or in court cases, compliance with court orders. With rare exceptions, the agreement or the order would include a requirement that the youth complete a substance abuse evaluation and follow through with the evaluation's recommendations for classes and/or treatment.
2. Costs. We have a significant advantage in looking at how we would process these cases if the bill were to pass. There is already a system in place for

processing drug and alcohol related violations for juveniles in our Juvenile Departments and in the court system. Essentially, nothing new or different will need to be developed. We also would not anticipate a sudden influx of additional cases. Therefore, the costs associated with the passage of this bill would be very minimal, if any.

Our goal should be to reach the root of the problem with the youth that are using drugs and address it so that, as students, they are not disruptive at school and are better situated to be successful at school themselves. The success rates I cited above show a very positive level of effectiveness through pre-established programs. If we could capture more of the juvenile population that are using drugs (and not just caught with the drugs in their possession), we have the potential to have a greater positive impact on the community.