

Youth, Rights & Justice

ATTORNEYS AT LAW

To: House Committee on Judiciary, 2015 Oregon Legislature

From: Mark McKechnie, Executive Director, Youth, Rights & Justice

Date: February 18, 2015

Re: Impact of HB 2356 – Addition of new offense to Registry Requirement

Chair Barker and Members of the Committee:

Youth, Rights & Justice was founded 40 years ago and has been dedicated to providing legal representation and advocacy to over 50,000 children and youth involved in the juvenile court system, including children in foster care and youth in the juvenile justice system. YRJ has also worked extensively with the Legislature, the Oregon Law Commission, various state agencies and other organizations to improve policies and services to the children of Oregon during that time.

Youth, Rights & Justice is concerned about the addition of another new offense to the list of the crimes that trigger automatic, lifetime registration of juveniles. This committee has previously heard testimony that there is no evidence that registration of juveniles protects public safety generally or prevents future sex offenses specifically.

The 2011 Legislature removed misdemeanor offenses from the registration requirement for juveniles, but this bill would make a second adjudication for “invasion of personal privacy” a Class C felony and a new registerable offense for juveniles.

We understand that there are offenses that proponents of this bill seek to prevent and punish, particularly when victims are children. But we urge caution in proceeding in a way that will also lead to lifelong and devastating consequences to youth who may engage in the behaviors addressed by this bill.

Youth are not merely small adults. They are impulsive and lack the ability to predict and understand potential consequences of their behavior. Youth do not necessarily continue to engage in such behaviors into adulthood. In fact, the vast majority do not. Recidivism rates for juveniles adjudicated of sex offenses range from 1% to 12% in various studies, and tend to be about 5% overall.

The behavior that falls under the offense of “invasion of personal privacy” is clearly inappropriate and should have consequences if a youth engages in such behavior, but lifetime registration based upon a second offense committed by a young person is clearly out of proportion and will cause more problems than it solves.

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