



## Oregon Youth Authority Testimony on HB 2251 Senate Committee on Judiciary

HB 2251 puts into law that no person under 18 may be incarcerated in a Department of Corrections institution. This represents the current practice of the Oregon Youth Authority. It has been over 6 years since we sent someone under 18 to the Department of Corrections. Since this practice stopped we have not had any cases where we thought the best option was to move a youth under 18 to the Department of Corrections. While there are many reasons that this practice stopped, there is the very practical reason that federal law makes it operationally impossible for us to send someone younger than 18 to an adult facility. Therefore this law matches the legal reality of what can be done today. Also, it is important to note that roughly half of our youth are adjudicated, and therefore not eligible, in absence of a new sentence, to go to the Department of Corrections.

Should we find ourselves with a unique case or set of circumstances we struggle to manage, we will call on our partners to serve as resources for how to best manage the youth or specific requirements of care. In cases where a youth is awaiting trial for a new crime committed in a Youth Correctional Facility, the partners include the county of jurisdiction for that crime. Juvenile detention and adult jail facilities face the same issues and reasons for not placing youth under 18 in jails. Should further expertise or resources be needed, we know that our adult and juvenile partners as well as treatment experts will come together to help us develop the most appropriate plan of action until a youth's 18th birthday. Based on current federal law, as well as our own approach to managing youth, this law states the reality that the system partners manage within today.

Respectfully submitted,  
Christine Kirk  
Public Policy and Government Relations Manager  
Oregon Youth Authority