

Youth, Rights & Justice

ATTORNEYS AT LAW

To: House Committee on Judiciary, 2017 Oregon Legislative Assembly

From: Mark McKechnie, M.S.W., Executive Director

Date: February 20, 2017

RE: Support for HB 2251

Chair Barker and Members of the Committee:

My name is Mark McKechnie, and I am the executive director of Youth, Rights & Justice. For nearly 42 years, YRJ lawyers have represented youth in the juvenile justice system, and YRJ has advocated for sound public policy to address the precursors to juvenile crime and to employ effective strategies to reduce juvenile recidivism.

Today, we know that youth are not just small adults and that adolescent development continues well beyond the age of 18 and into the middle 20s. Involvement with corrections systems, and particularly incarceration as adults, is disruptive and damaging to normal adolescent development, and it is counterproductive: juveniles treated as adult offenders are more likely to re-offend in the future, not less.

Incarceration with adults does real harm to minors. Numerous studies¹ have found that, when youth are incarcerated with adults, they:

- Suffer from high rates of sexual and physical abuse by adult inmates;²
- Leave prisons far more likely to commit future crimes;
- Suffer from high rates of depression and other emotional disorders;
- Achieve less educationally;
- Work less and earn lower wages;
- Experience more chronic health problems, including substance abuse; and
- Suffer physical abuse and excessive use of force by staff.³

Oregon statutes and administrative rules already require that “no one under 18 years of age will be housed in a DOC facility within sight or sound of adult DOC inmates.” This means that the DOC incurs substantial logistical challenges and higher costs when minors are sent to DOC facilities.

Youth, Rights & Justice supports Governor Brown and the Oregon Department of Corrections for bringing this legislation forward to prohibit the confinement of minor children in adult prisons in Oregon, and we urge the Committee to support HB 2251, as well.

¹ See, for example: Bureau of Justice (2000) Juveniles in Adult Prisons and Jails: A National Assessment, <https://www.ncjrs.gov/pdffiles1/bja/182503.pdf>

² The Steep Costs of Keeping Juveniles in Adult Prisons, The Atlantic, January 8, 2016, <https://www.theatlantic.com/education/archive/2016/01/the-cost-of-keeping-juveniles-in-adult-prisons/423201/>

³ Schiraldi, Vincent and Jason Zeidenberg. (1997) The Risks Juveniles Face When They Are Incarcerated With Adults. http://www.justicepolicy.org/images/upload/97-02_rep_riskjuvenilesface_ji.pdf