

**Testimony to the Joint Committee on Ways and Means Subcommittee on Public Safety**  
**Simon Fulford, Executive Director, Parrott Creek Child & Family Services**  
**March 7, 2019**

I would first like to thank all the members of the committee for allowing me the opportunity to appear before you and to acknowledge my appreciation for the leadership of the Co-Chairs: the Honorable Senator Winters and the Honorable Representative Piluso.

My understanding is that the Oregon Youth Authority (OYA) is proceeding with a Continuing Service Level budget which recognizes a \$6M “underspend” in residential placements in the 2017-19 biennium budget, and, therefore, proposes a cut in projected community provision of about 30% in the 2019-21 biennium budget.

I would like to respectfully ask that, in the best interests of our children, our families and our communities - particularly our communities of color – this committee votes to:

- approve the restoration of this \$6M in funds for community residential placements and transition support;
- place specific requirements on OYA to appropriately use those funds in the delivery of equitable outcomes for our youth; and
- place adequate restrictions on OYA to ensure that these funds can only be used for contracted services with community providers and not on any internal costs or reallocations

As I am sure the committee members are well aware, local, national and international evidence of juvenile justice programs shows that youth are most successful in the least restrictive environment, which is in the community and not in Youth Correctional Facilities.

OYA may have presented to the committee that there is less need for community residential care today, hence why they have not used 30% of their budgeted provision in this current biennium. This is a fallacy.

Even taking in to account the 15% drop in the overall OYA population since 2015, this does not equate to the 30% underutilization of community placements. Reductions in OYA’s population in the last two years has been 3-5% and DAS’s own projections show that this is quite likely leveling off. Please see: <https://www.oregon.gov/das/OEA/Documents/OYAForecast201810.pdf>.

Many of the stakeholders and justice-system partners (Juvenile Departments, DAs, Judges and community advocates) that I and many other community providers have spoken to believe that not only are more community residential places needed but that these placements require additional financial resources to provide the much needed care that will ensure our youth can be successful.

This is also a question of equity, plain and simple. Any reduction in community and transition support will have a disproportionately adverse effect on youth of color. Minority youth are over-represented in our correctional facilities: 14% African American population in OYA’s Youth Correctional Facilities as compared to them representing 2% of Oregon’s general population (an incarceration rate 7 times greater than white youth), 22% Hispanic population vs. 12% general (2 times greater) and 5% Native American vs. 1.5% of the general population (3 times greater).

Under-utilizing residential programs makes inequity and disproportionality for minority youth worse.

OYA’s Youth Correctional Facilities are some of the best in the nation and, rightfully the envy of many states. However, the committee should not protect this outdated model of care when it is being used at 80% of its current capacity according to OYA’s own data.

Not only does evidence show that correctional facilities deliver worse outcomes for youth, and therefore worse public safety outcomes for our communities, but they cost tax-payers 23-44% more per child, per day based on the State's own Behavior Rehabilitation Service (BRS) rates.

Oregon should, at a minimum, utilize 100% of the existing capacity of community residential placements, if not invest in growing this.

Budgeting this provision at Continuing Service Level is effectively a 30% cut to the community placements available to children and teens. Not only is this terrible for youth, it will decimate community providers who are already under financial and operational stress from the crisis in Child Welfare. These two systems are completely intertwined, particularly with "cross-over" youth comprising an ever greater proportion of the children and teens we support.

In closing, I will repeat that I urge the committee to:

- approve the restoration of \$6M in funds for community residential placements and transition support;
- place specific requirements on OYA to appropriately use those funds in the delivery of equitable outcomes for our youth; and
- place adequate restrictions on OYA to ensure that these funds can only be used for contracted services with community providers and not on any internal costs or reallocations

These decisions are in the best interests of our children, our families and our communities - particularly our communities of color.

I and many of my colleagues in the sector would be glad to work with the committee and OYA to help define these requirements and restrictions as part of the budgeting process.

From the bottom of my heart, thank you for your time today, for allowing me the privilege of speaking before you, and for all that you do to help ensure the very best outcomes for some of the most vulnerable children here in our state.

## Notes

- It costs OYA \$321 per day to house youth in their YCFs vs. \$180-\$248 per day in community care
- The two best reports on the evidence **that well designed community programs are more likely to reduce recidivism and improve youth well-being than institutionalization** are: 2013 National Research Council "Reforming Juvenile Justice: A Developmental Approach" <https://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach> ; and 2016 Harvard Kennedy School, National Institute of Justice "The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model" [https://sites.hks.harvard.edu/ocpa/cms/files/criminal-justice/research-publications/ntcc\\_the\\_future\\_of\\_youth\\_justice.pdf](https://sites.hks.harvard.edu/ocpa/cms/files/criminal-justice/research-publications/ntcc_the_future_of_youth_justice.pdf)