

# **SURJ PDX**

**BLACK LIVES MATTER ACTION GROUP**

**Date:** March 28, 2019

**To:** The Honorable Floyd Prozanski, Chair; The Honorable Kim Thatcher, Vice-Chair; Members of the Senate Judiciary Committee

**From:** Madeline Carroll, SURJ PDX Black Lives Matter Action Group

**Re:** Support for youth legal reform, SB 1008, SB 969, SB 968, SB 966

Chair Prozanski, Vice-Chair Thatcher, and members of Senate Judiciary Committee:

My name is Madeline Carroll and I am writing on behalf of the Black Lives Matter Action Group for the Portland Chapter of Showing Up for Justice (SURJ PDX). Our mission is to mobilize white community members in the fight against white supremacy. We work closely with partners within the criminal legal system, including prisoner groups and families who are directly impacted by Measure 11 and the youth justice system, and we believe deeply that Oregon's current system of needs to change. We want a more humane youth legal system that focuses on accountability for youth and safety for our communities, and treats youth like youth, not adults.

When Measure 11 passed, we were in a different era that focused only on conviction rates and harsh penalties. Mandatory minimum laws were being passed all over the country, without communities understanding the devastating effects these laws would have. Measure 11 causes youth as young as 15 to be charged and sentenced as adults for certain acts, facing the same mandatory minimum penalties as adults, despite their age and other contributing contextual factors, and contributes to mass incarceration. It is also applied inequitably,— a disproportionate number of black, brown, and indigenous youth are charged through Measure 11.

We believe that our youth justice system should focus on prevention and restorative justice. We value giving youth, their families, and communities the tools they need to hold youth accountable, repair the harm they may have caused, and heal the trauma of everyone involved. We want youth to have the opportunity to change their lives and be re-welcomed into our communities as valued members.

There are four proposals in front of the legislature this session that focus on prevention and rehabilitation for youth in the criminal justice system that we support:

- **SB 969 (End Automatic Waiver into Adult Court)** places youth accused of any crimes in the juvenile justice system instead of the adult justice system. To move a youth to the adult justice system, prosecutors would need to request a special hearing with a judge who would decide where youth are placed.
- **SB 966 (Hearing Before Transfer to DOC)** would require an additional review before a youth with a long sentence would be transferred to an adult prison. Currently, Oregon youth who are given long sentences can stay in a youth prison until age twenty-five and are then transferred to an adult prison. This proposal would allow a judge to determine if

the twenty-five-year old has been sufficiently rehabilitated to transfer them to community-based supervision, rather than adult prison.

- **SB 1008 (Second Look Hearings)** establishes a process where all youth who are convicted in adult court have access to a "Second Look" hearing half way through their sentence. At that hearing, a judge determines whether the youth has taken responsibility for their crime and been rehabilitated, which would allow the remainder of their sentence to be served under community-based supervision, rather than being incarcerated.
- **SB 968 (End Juvenile Life Without Parole)** would eliminate life without parole sentences for youth in Oregon by establishing a process to ensure that anyone convicted of a crime when they are under eighteen years old receives a chance for parole after fifteen years of incarceration.

We respectfully request that this committee moves these proposals forward swiftly. Youth should be given the tools they need to take accountability for their actions, heal the harm they cause, and move forward into adulthood... not prison time.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Carroll', written in a cursive style.

Madeline Carroll, SURJ PDX  
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