

**Date:** April 23, 2019

**To:** The Honorable Jennifer Williamson, Chair; The Honorable Sherrie Sprenger and Chris Gorsek, Vice-Chairs; Members of the House Judiciary Committee

**From:** Babak Zolfaghari-Azar, MS, QMHP

**Re:** Sharing support for youth justice reform through SB1008

Chair Williamson, Vice-Chairs Sprenger and Gorsek, and members of House Judiciary Committee:

I am asking you to support giving Oregon youth a second chance. There are four components in SB1008 that focus on prevention and rehabilitation for youth in the criminal justice system.

- **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.
- **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, youth who are given long sentences can stay in a youth prison until age twenty-five and are then transferred to an adult prison. SB1008 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.
- **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.
- **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.

Youth can, and should be, held accountable for their actions and can safely be rehabilitated in the youth justice system. This perspective aligns with the values of a majority of Oregonians but, as a result of Ballot Measure 11, is not reflected in our current processes.

I started my career at a residential treatment center in Beaverton where I worked as a Counselor, Admissions Coordinator, Case Manager, and Basketball Coach for 4 years. Youth in this setting, who had been placed out of their home in a higher level of care received individual, group, and family counseling services and then practiced their skill development at home during home visits and during outings in the community. They were able to heal from their adverse childhood experiences through trauma informed care and a culture of relationship building that fostered trust, respect, and communication.

Youth in this treatment center had been adjudicated in their county and would spend about the next 18 months living here, being rehabilitated, taking accountability for their actions, and preparing themselves for short-and long-term success in the community. In addition, they would not have adult felony convictions lingering into their future as soon as they graduated the program and returned home. Access to employment, higher education, and housing would be protective factors rather than risk factors. This is not the case for youth who transition home on adult charges.

I currently serve gang-impacted African American youth on probation in Portland as a Family Care Manager. I've been doing this work a little over three years. All of the youth and families I work with have multiple adverse childhood experiences and present with ongoing crises and vulnerabilities. Unfortunately, peer associations, unstable past and present circumstances, and youthful decision-making recently led two of the youth I work with to be charged with adult sentences. As is the case for so many youth, one moment in their lives, where they were with the wrong people, at the wrong time, making unhealthy decisions, will have lifelong consequences as they are moved through the adult system.

If SB1008 were in place, these youth sentenced as adults would have their cases reviewed at age 25, and if a judge found them to be sufficiently rehabilitated, they could return to their communities and get the supportive care they need to keep on the right path. Research shows that community-based, restorative care helps lower rates of recidivism. Keeping youth on the right path keeps our communities safer and helps our economy by saving taxpayers money and ensuring adults who can contribute their communities are doing so.

Lastly, I want to talk briefly about how SB1008 will also create better pathways for our youth. I am currently working directly with a young man who just finished a 6-year mandatory minimum sentence, an adult sentence made possible by Measure 11. I'll call him James. James was 16 when he was convicted, and his son was 2-years-old. Now, at 22, James is figuring out how to be a parent to an eight-year-old child he hardly knows. They live with his grandmother due to housing challenges related to his conviction. He is struggling to find work because of his felony conviction and has been adversely impacted by the emotional toll of developing his identity in a correctional facility. If SB1008 had been in place, James could have served three years of his sentence instead of six, giving him years he will never get back with his son. He could have returned to his community sooner, ensuring his formative years were shaped by neighbors, relatives, and supportive community members; his village.

As other community members, folks with lived experience, and professionals have said before me today, our youth justice system should provide youth with the best chance to repair the damage they've caused, while also helping young people heal from trauma, and getting them the help they need to stay on a path toward success. My hope is that these stories and experiences add to the well-informed decision-making of our legislators during this session.

Thank you for your heartfelt consideration and attention to the values of Oregonians.  
Babak Zolfaghari-Azar, Portland