



April 23, 2019

To: Chair Williamson, Vice Chairs Sprenger and Gorsek, and Members of the House Judiciary Committee

From: Rabbi Debra Kolodny, As the Spirit Moves Us and Portland's UnShul

Re: Support for youth justice reform, SB 1008

My name is Rabbi Debra Kolodny and I represent As the Spirit Moves Us. We are a spiritually grounded social justice organization that organizes progressive faith communities to support justice for immigrants, Black, Brown, Native, Asian, LGBTQ, Disabled, Houseless and others harmed by systemic economic and structural oppression. We activate Portland residents to help ensure that our city is safe, welcoming, equitable and inclusive and we nurture Jewish practice and community for those who values align with the above through Portland's UnShul.

We believe Oregon should have a more humane youth justice system that focuses on accountability for youth and safety for our communities.

Over two decades ago, Measure 11 passed at the height of the tough-on-crime era. This measure created harsh penalties, causing 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 young age. As a rabbi, a lawyer and Restorative Justice practitioner I am appalled that we are throwing away lives instead of compassionately bringing young people to a sense of accountability, responsibility and atonement for their actions. I am morally outraged by the impact these punishments are having on youth whose brain development in no way supports adult level of culpability. And the data is in. We know that incarceration leads to reoffending at higher rates. The cost to these youth, to their families and to our society is unconscionable.

Oregonians believe that our youth justice system should focus on prevention and rehabilitation. We value forgiveness and second chances, and should provide youth with the best chance to repair the damage they've caused, while also healing their own trauma and getting them the help they need.

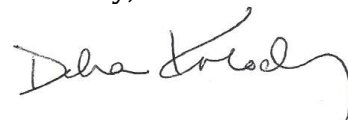
There are four proposals in SB 1008 that focus on prevention and rehabilitation for youth in the criminal justice system that we support:

- **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, 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.
- **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.

We respectfully request that this committee moves these proposals forward swiftly. Youth in the justice system should be held accountable for their actions. But we all know the value of forgiveness and second chances. When young people take responsibility for their actions, we need to help them make a positive contribution to society through rehabilitation, education and opportunity, not prison.

Thank you for your service and your consideration on this critical bill.

Sincerely,



Rabbi Debra Kolodny
Executive Director
As the Spirit Moves Us