

RE: ODAA: An Examination of Juvenile Measure 11 in Oregon Today (Report)

DT: 04/15/2019

The Oregon District Attorneys Association (ODAA) continues to proffer its report “**ODAA: An Examination of Juvenile Measure 11 in Oregon Today**” “... to assist policy makers and the general public in understanding what type of crimes juveniles who are being sentenced under Measure 11 have committed and help inform the debate on the efficacy or application of Measure 11 as it is applied to juvenile offenders between the ages of 15 and 17.”

We are troubled that this report continues to be circulated to the public, generally, and specifically, to legislators given the omissions and inaccuracies within the report. In an effort to address our concerns, we would respectfully ask that ODAA to address the following questions:

1. What specific individuals were involved in drafting this report?
2. What is the source of the data presented in the report?
3. What tools/procedures did you apply in your analysis?
4. Does this report represent a consensus, majority, minority, or small number of ODAA members?
5. Research has shown that crime in the Oregon as with the rest of the country decreased regardless of the sentencing policies in place. Is the ODAA claiming that the reason crime dropped in Oregon was a result of Measure 11?
6. How did you come to determine that there is a causal connection between Measure 11 and reduced crime? e.g. Do you believe that all or part of the 50% reduction in violent crime is a result of Measure 11?
7. How does long mandatory sentences reduce criminal activity? How does imprisoning juveniles for long mandatory sentences impact future crime rates?
8. How did you determine that 80% of victims of sex crimes by juveniles were under the age of 12?
9. How do you justify claiming that Measure 11 is uniquely flexible?
10. What evidential support do you have for the claims made in the report? What resources, material, experts, etc. did you research or consult to support the many claims made in the report?
11. What evidential support do you offer to substantiate the claim that Measure 11 sentences are proportional to the crimes?
12. What brain development research do you use to support that mandatory minimum sentences are appropriate for youth?

We expect ODAA to be able to answer these basic questions and to do so in a reasonable time.

Lastly, we request that you remove the spreadsheet, which personally identifies the youth and details about their case and lives. One of our very real concerns, which was discussed by the

workgroup, about Measure 11 and its impact on youth, is that their records are not sealed because they are prosecuted in the adult system. Therefore, these youths will continue to potentially confront the stigma and shame of their conviction no matter their rehabilitation/reformation because their records are public. A larger problem with your spreadsheet is that it appears to publicly disclose protected or confidential information about the youth and victims. This includes sensitive information about victim's psychological and mental health conditions. Lastly, we believe the way in which this spreadsheet has been completed and how the information has been presented is subjective and selective. While we appreciate that individuals should be held accountable for their actions, we do not believe individuals, especially youth and victims, should be exposed in this manner.

If ODAA feels as though the identifiable information about each youth and that related facts for every case are necessary for this report, we request that (1) ODAA provide a clear reason as to why it believes it to be necessary and (2) the opportunity for other stakeholders to understand the methodology ODAA used in determining what information it chose to include.

Our intention is to engage in a respectable policy discussion grounded in fact, data, and current research. The questions we are asking and requests we are making are consistent with this intention.

We look forward to your prompt response.

Sincerely,

Bobbin Singh
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