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Shift to what works: A guest opinion on reforming youth justice in Oregon

When Oregonians approved Measure 11 in 1994 it was the height of the tough-on-crime era. We created harsh penalties, causing youth as young as 15 to be charged and sentenced as adults.

Since then, the Supreme Court has acknowledged the difference in youth brain development and culpability in several recent decisions that strike down extreme sentencing for youth.

It's time for Oregon to move in the same direction.



Babak Zolfaghari-Azar (Photo: Courtesy of John Davenport.)

As a family care manager working with formerly incarcerated youth, I've seen the damage adult sentencing can have on a young person. One of my interns - I'll call him James - served a full mandatory minimum, Measure 11 sentence for a crime he committed when he was a teenager. He was a new father who couldn't find a job; his crime involved trying to get money to support his family. He was locked up for six years and released this past July.

James is trying to rebuild his life and be there for his now 8-year-old son, but his felony conviction and history of incarceration are creating barriers. He's applied for jobs he can't get because he's on parole and has a felony. He's having trouble getting housing because of his record and lack of income. And emotionally, he has distrust in people and systems thanks to being locked up in an institution during a critical stage of his development.

We don't have to treat our youth this way.

Oregon is a place where we value forgiveness and second chances. Our justice system should provide youth with the best chance to repair the damage they've caused, while also helping them heal from their trauma and get the help they need.

Research shows that young people have a great ability to grow and change and that treatment and education programs, not prisons, are the best way to help youth make better choices, stay on a path toward success, and get back on track when they need help.

Four bills pending in the Legislature this session - [SB 966](#), [968](#), [969](#), and [1008](#) - would do just that, creating opportunities for youth in the justice system by giving them a path to rehabilitation, rather than long-term incarceration.

Under two of these bills, young people who have taken responsibility for their crime and have been rehabilitated would have the chance to serve the remainder of their sentence under community-based supervision.

A third bill ends the automatic trying of youth in adult court, and instead leaves it up to a judge to decide if they are in youth or adult court.

And the fourth bill would eliminate life without parole for crimes committed by someone under the age of 18. A recent statewide poll found that Oregonians strongly support all four proposals.

Youth who are placed in the adult justice system are more than 30% more likely to commit additional crimes upon release than those in the youth justice system. Placing young people like James in the youth justice system is better for the youth and keeps our communities safer. We should shift to what works. It's time for our leaders in the Legislature to enact these critically-needed changes.

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