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Changing Oregon's Juvenile Sentencing. SB 1008, 2019, Regular Session

ISSUE: SB 1008 makes sweeping changes to Oregon's juvenile justice system, including removing mandatory sentences for 15, 16, and 17yos who hurt others with guns, commit violent rape, and commit aggravated murder.

While ODAA agrees that Oregon's juvenile justice system needs improvement, **overriding a ballot initiative with a legislative super-majority is not the answer.** Legislative amendments to a criminal justice ballot initiative...

- override the express will of Oregonians;
- subjects the entire ballot measure to future *simple*-majority amendments; and,
- fail to address Oregon's juvenile justice problems, such as disproportionate minority contact and public safety.

Meaningful juvenile justice reform requires more than just changing an offender's sentence.

SOLUTION: Any bill that legislatively amends criminal justice ballot initiatives should be referred back to the people for their consideration. Process matters. Oregon's ballot measure process is the most direct way for Oregonian's to translate their will and intent in to law.

Oregon's District Attorneys can support a juvenile justice ballot initiative allowing:

- Placement for certain younger offenders at OYA if appropriate;
- "Second-look" (re-evaluating custody half-way through a sentence) for lower-level violent conduct (i.e., robbery when aided with another, assault with weapons that do not result in significant injury, etc.);
- Mid-sentence evaluations when an offender needs to be transported to DOC from OYA if they only have 2 years remaining on a sentence.

But the peoples' voice matters!

Until then, if the legislature wants meaningful reform, it can...

- Fully fund juvenile intervention programs through OYA and local juvenile departments;
- Provide implicit bias training for lawyers and judges to help address concerns regarding disproportionate minority contacts;
- Fully-fund indigent defense to allow meaningful representation;
- Implement the recommendations from the Juvenile Justice Mental Health Task Force (2014-15), which have been largely ignored and forgotten;
- Fund the Crossover Youth Practice Model state-wide, to steer kids in DHS custody away from criminal systems.