

From the office of 5:23.19

SB 1008

Rep. Marty Wilde

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The Register-Guard

Editorial: Reasonable changes to juvenile punishments for serious crime

Oregon Senate Bill 1008 would allow judges to use discretion when sentencing juveniles aged 15 to 17 and end the practice of automatically charging teens accused of Measure 11 crimes as adults. **It has passed the Senate. Now representatives should send it to the governor's desk.**

The bill would rescind mandatory-sentencing laws and defaults to placing young offenders, even of serious crimes, in the juvenile justice system. That would undo the heavy-handed and harmful policies that force young offenders into the adult correctional system when they have committed serious crimes. At the same time, the bill does allow for harsher penalties when circumstances warrant.

The bill requires a special hearing to override the default and remand a youthful offender to custody of the Department of Corrections. It also provides the option for young offenders convicted as adults to request a second-look hearing halfway through their sentence, requires additional review before prisoners are transferred from juvenile-justice facilities to adult prisons and eliminates sentences of life without parole for offenders under the age of 18.

Oregonians want their youth-justice system to focus on prevention of crime and rehabilitation of young offenders. **A March 2019 poll of Oregon voters conducted by GBAO found that 88 percent of all voters support these goals.** Support was impressively bipartisan: 80 percent of Republicans, 87 percent of independents and 96 percent of Democrats endorse the notion that rehabilitation of juvenile offenders is preferable to sheer punishment. **Our current system, built largely as a response to Measure 11, does not reflect these wishes.**

The bill is not retroactive. It applies only to sentences imposed on or after January 1, 2020. It does not apply to those currently serving sentences. That's written into the bill and supported by case law.

Any attempt to chip away at an initiative approved by popular ballot should be viewed with suspicion. That's not what's happening here. Along with Measure 11, 1994's successful Measure 10 specifically permits the Legislature to change Measure 11's provisions with a two-thirds majority. It has done so several times already. There is no way to construe SB 1008 as legislative overreach without dishonoring Measure 10. And if voters really don't want this change, a referendum or new initiative remains an option.

Support for SB 1008 is strong with the public. Attorney General Ellen Rosenbloom supports it, too, as do the directors of the Department of Corrections and Oregon Youth Authority. Even Oregon district attorneys are split on it. **The Senate voted across party lines to pass the bill. It's time for the House to follow suit.**

— The Eugene Register-Guard Editorial Board, April 28, 2019

Excerpts, emphasis added. Read the full article here: <https://www.registerguard.com/opinion/20190428-reasonable-changes-to-juvenile-punishments-for-serious-crime>



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