

March 2, 2023

To: House Committee On Judiciary  
From: Kyle Hedquist, Policy Associate

Re: **Testimony in Support of HB 2327**

Chair Kropf, Vice-Chairs Andersen and Wallan, and Members of the Committee,

My name is Kyle Hedquist and I'm a Policy Associate at the Oregon Justice Resource Center. I'm here today to support HB 2327. The Oregon Justice Resource Center promotes civil rights and improves legal representation for communities that have often been underserved in the past, including people living in poverty and people of color. We serve underrepresented populations, train future public interest lawyers, and educate our community on issues related to civil rights and civil liberties.

Thank you for the opportunity to speak on this important topic. I'd like to start off with this statement, which is the root of why this legislation is essential to the future of our state and legal system: kids are different, and our laws should reflect that.

Since the early 1990s, world-renowned academics in the field of psychology have published research on this topic. They have written about how research supports four key findings about children and their brains: 1) children have a reduced capacity to control their impulses, 2) children are less capable of withstanding peer pressure, 3) children are insufficient at connecting short-term actions with long-term consequences, and 4) due to the neuroplasticity of their developing brain, children are predisposed to be rehabilitated and reformed more easily than adults, especially in the presence of a healthy environment, pro-social supports, mentorship, and resources to meet basic needs.

Thus, a child's brain is different from an adult's, so their thinking, actions, and culpability should be deemed different from adults'. The U.S. Supreme Court seems to agree, having prohibited the death penalty and mandatory life without parole for children. Furthermore, 24 states have already established a minimum prosecution age, with California, Massachusetts, Utah, Delaware, and New York setting the age at 12 years old.

When Oregon subjects children to prosecutions and puts them in juvenile detention centers, the barriers they face in education and employment worsen, their physical and mental health are harmed, and they are at higher risk of abnormal health development. BIPOC, LGBTQIA+, and low-income children are disproportionately affected.

Considering the increased scrutiny and criticism of the prosecution of children, Oregon must establish a minimum age of prosecution at 12 years old to protect our children against the harms of juvenile justice involvement, and to allow them to access appropriate support services and resources.

Please adopt the -1 amendment and pass HB 2327 out of this committee with a "Do Pass" recommendation.

Thank you.