



March 9, 2023

Joint Committee on Ways and Means Subcommittee on Public Safety
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: SB 5541 & Oregon Youth Authority budget items needed to support restorative justice, healing, and prevention outcomes

Dear Co-Chair Sollman, Co-Chair Evans, and members of the Joint Committee on Ways and Means Subcommittee on Public Safety,

I appreciate the opportunity to provide testimony in support of Senate Bill 5541 on behalf of the American Civil Liberties Union (ACLU) of Oregon. With over 28,000 supporters statewide, the ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to preserving and enhancing civil liberties and civil rights.

We firmly believe that incarcerated people deserve the support necessary to take accountability, recover, and grow so they can fully rejoin our communities. However, throwing young people into the criminal legal system without support doesn't enable accountability, recovery, or growth. In fact, reports show that incarcerated youth often experience negative conditions that can lead to physical and sexual violence, suicide, and death.¹ Accordingly, Oregon Youth Authority's support programs — which center restorative justice, equity, and healing — provide invaluable resources for Oregon youth. **The ACLU of Oregon strongly supports a funding allocation to Oregon Youth Authority's (OYA) vital services as set out in Senate Bill 5541.**

Hundreds of young Oregonians are in juvenile custody at any given time, though historically disenfranchised and marginalized communities bear this burden the most. Similar to the adult prison population, BIPOC youth are overrepresented in the carceral system. In Oregon, Black youth are nearly 4 times more likely to be detained or committed in juvenile facilities than white youth.²

The conditions that young people experience in custody greatly impact their development.

¹ <https://youth.gov/youth-topics/juvenile-justice/youth-involved-juvenile-justice-system>

² <https://www.sentencingproject.org/fact-sheet/black-disparities-in-youth-incarceration/>



Research indicates that carceral conditions affect people’s ability to access stable housing, education, and employment upon their release – particularly when they’re young.³ Brain development doesn’t stop until around age 24, so providing adequate support services is especially critical to facilitate incarcerated youth’s healing and growth.

Funding OYA through SB 5541 helps provide young people with the tools they need to take accountability, recover, and grow. OYA is intentional about developing and supporting an infrastructure to meet incarcerated youths’ needs. A seven-year study revealed that the most determining factors of youth recidivism were substance use disorders and the quality of a detention center’s facilities and services.⁴ OYA’s holistic approach addresses these issues and more:⁵

- **Positive Human Development (PHD) programs.** Meeting incarcerated people with therapeutic, data-driven approaches proves far more effective than punitive measures. OYA establishes a safe, secure environment for youth in custody to embrace accountability, process past trauma, and engage with their community.
- **Restorative justice approach.** Rather than writing incarcerated individuals off, restorative justice approaches encourage them to reflect on their accountability and how they can repair the harms they’ve caused. OYA provides youth with opportunities to take ownership of their mistakes while considering how they can promote healing and make better choices in the future.
- **Diversity, Equity, and Inclusion (DEI) lens.** BIPOC and LGBTQ+ youth are incarcerated at disproportionately high rates. OYA offers culturally responsive services to provide guidance, community, and resources for youth with marginalized identities. By allowing young people to explore their identities, DEI programs help them form healthier relationships with themselves, their peers, and the community at large.
- **Treatment tools.** Factors including abuse, mental health conditions, and substance use disorders can severely hinder young people’s development. OYA helps youth cultivate meaningful relationships and coping skills to better serve themselves and those around them.
- **Vocational and educational training.** Criminal records and probationary restrictions make it significantly harder for people to find and maintain post-conviction employment. OYA provides courses that allow youth in custody to earn middle or high school degrees or GEDs, as well as college- and masters-level diplomas. It also offers a wide array of vocational courses to better prepare youth for employment after their release.

³ <https://www.opb.org/news/article/oregon-incarceration-youth-rank-united-states/>

⁴ <https://www.ojp.gov/ncjrs/virtual-library/abstracts/juvenile-offenders-and-victims-2014-national-report>

⁵ <https://www.oregon.gov/oia/Pages/default.aspx>



OYA's holistic approach to supporting incarcerated youth gets results. Over a twelve-year period, data shows a clear decline in recidivism for youth involved in OYA's custody.⁶ Support for incarcerated young people is critical to set them up for wellness and success for the rest of their lives.

An investment in Oregon youth is an investment in Oregon's future and our communities.

The ACLU of Oregon urges you to pass Senate Bill 5541 out of committee.

Respectfully submitted,

Jude al-Ghazal Stone

He/him/his

Associate

ACLU of Oregon

⁶ <https://www.oregon.gov/oya/Research/RecidivismFY09-FY21.pdf>