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Bipartisan Youth Justice Reform Passes House, Goes to Governor

Senate Bill 1008 reforms youth justice system to focus on prevention, rehabilitation

SALEM – Sweeping, bipartisan youth justice reform legislation passed the Oregon House of Representatives tonight. [Senate Bill 1008](#) reforms mandatory minimum sentence laws for youth offenders and ensures that 15, 16 and 17-year-olds have a chance at redemption and rehabilitation.

The legislation makes multiple changes to laws related to the sentencing of youth offenders. Senate Bill 1008:

- Eliminates the automatic waiver of kids into the adult justice system and requires a judge to make the determination whether a child should be tried and sentenced as a juvenile or an adult.
- Extends the eligibility for “second look” hearings, which occur halfway through a youth sentence and allow a judge to order supervised release for a child if the judge determines that they have been significantly rehabilitated, do not pose a danger to the community and that the outcomes for that youth will be better served by release.
- Allows transfer hearings for children who are aging out of the Oregon Youth Authority and into adult prison with less than two years remaining on their sentence. A judge can order supervised release for the remainder of their sentence, if appropriate.
- Fixes the constitutional problem identified by the United States Supreme Court by eliminating automatic life without parole sentences for children and make them eligible for a parole hearing after serving 15 years of their sentence.

“This juvenile justice reform bill is about some simple values that matter to all Oregonians: making things fair, making things equitable, protecting constitutional rights, and standing up for kids and standing by them,” said Rep. Jennifer Williamson (D-Portland), who carried the bill on the House floor. “Children are not miniature adults, and we should not treat them like they are. We have an opportunity with this legislation to not only ensure our system is constitutional but do a better job of making sure it is fair, and that the kids who go through it are rehabilitated into productive members of society. What could be more important than that?”

The legislation was the result of a two-year work group process that included a broad, bipartisan group of legislators and criminal justice stakeholders, with a focus on reforming the youth portions of Measure 11, a mandatory minimum sentencing law passed by voters in 1994. Specifically, the group examined relevant case law, brain science, best practices, national trends

and data to better understand the effects of sentencing youth as adults. They sought to ensure that the legislation achieves justice for victims, protects the public, holds youth offenders accountable and provides opportunities to reform and rehabilitate, reducing recidivism and promoting productive citizenry.

“I believe what we have before us today is a balanced approach that will restore sanity to the way we treat kids who go through our criminal justice system,” Rep. Janelle Bynum (D-Happy Valley) said during the debate. “We can do better by them. Allowing judges to make decisions about whether or not a crime rises to the level of an adult court and an adult sentence only makes sense.”

Rep. Marty Wilde (D-Eugene), a former deputy district attorney, spoke on the floor about his experiences prosecuting juvenile cases and the need to better understand the circumstances that lead children to commit crimes. It is vital, he said, to consider other factors when sentencing children.

“For those in our system who can be redeemed, we should be focusing on the hope of the future, not the mistakes of the past,” Rep. Wilde said. “There is no justice in treating children as small adults and locking them away without a chance to rehabilitate. Senate Bill 1008 is a common-sense approach that offers balance.”

The legislation, which passed 40 to 18, now goes to Gov. Kate Brown.

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