



## SENATE MAJORITY OFFICE

Oregon State Legislature  
State Capitol  
Salem, OR

### NEWS RELEASE

April 16, 2019

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#### **Child offenders aren't rehabilitated by going to adult prisons**

*SB 1008: Establishes process for 'Second Look' hearings, eliminates mandatory adult sentencing and life sentences for juveniles*

SALEM – The Oregon Senate voted to give youth who have made mistakes a second chance, rather than turning them into hardened criminals through further incarceration and strict mandatory minimum sentences.

[Senate Bill 1008](#) – which passed with a bipartisan vote today on the Senate floor – provides sweeping reforms to the juvenile justice system in Oregon. The bill has several elements that will help juveniles who have committed offenses rehabilitate and get a second chance at a productive life. Those include the following:

- Creating a process where all youth who were convicted in adult courts have access to “Second Look” hearings half-way through their sentences. At those hearings, judges can determine whether youth have taken responsibility for their crimes and been rehabilitated. When that is the case, the rest of the sentence would be served under community-based supervision, rather than incarceration;
- Eliminating mandatory adult prosecution for juveniles who commit certain crimes;
- Requiring age of the defendant at the time of the crime in the judgment if they are under 18;
- Placing those who commit crimes before the age of 18 in Oregon Youth Authority custody rather than sending them to adult prisons, even if the sentencing happened once the defendant has reached 18;
- Banning life sentences without possibility of parole for juvenile offenders; and

- Allowing hearings to determine if young people in Oregon Youth Authority custody should be turned over to adult prisons when they reach 27 or be released conditionally.

“When a youth commits a crime, they often are able to see their error after a short term of incarceration and rehabilitation,” said Sen. Floyd Prozanski (D-Eugene), who co-carried the bipartisan bill with Sen. Jackie Winters (R-Salem) on the Senate floor. “When we keep them locked up for mandatory minimum sentences, we turn those young people who have rehabilitated into more serious future offenders by keeping them in the company of adult convicts. Mandatory minimum sentences are turning kids who get into trouble young into lifelong criminals, rather than rehabilitating them.”

Ballot Measure 11 – passed by Oregon voters in 1994 – requires mandatory minimum sentences for specific crimes. It requires young people ages 15 to 17 charged with Ballot Measure 11 offenses to automatically be prosecuted and, if convicted, sentenced in adult court. The Senate Committee on Judiciary convened a work group with local stakeholders and national experts who examined case law, brain science, best practices, national trends and relevant data to better understand the effects of Measure 11. The group also examined whether Measure 11 ensures justice for victims, protects the public, holds juvenile offenders accountable and provides opportunities to reform and rehabilitate, reducing recidivism and promoting productive citizenry. Senate Bill 1008 is the product of that work group.

“Research shows that as youth mature, they are substantially less likely to re-offend,” according to written testimony submitted by the Oregon Juvenile Department Directors’ Association. “Locking youth up for years extends their period of incarceration well beyond the time needed for them to be rehabilitated. The opportunity for a Second Look also provides incentive and motivation for young people who are serving an adult sentence to engage more fully in services that assist them in becoming productive citizens.”

In many cases, under the current law, youth who have served time in a juvenile detention facility rehabilitate rather quickly. Under the status quo, Measure 11 offenders convicted as juveniles spend the first part of their sentences in juvenile facilities and then can be transferred to adult prisons once they reach a certain age. That move often wipes out most of the progress that the juvenile has made toward rehabilitation.

“Research shows that young people have a great ability to grow and change and that treatment and education programs, not prisons, are the best way to help youth make better choices, stay on a path toward success, and get back on track when they need help,” said Chris Coughlin, Legislative Director for Children First for Oregon. “Studies also show youth who are placed in the adult justice system are over 30 percent more likely to commit additional crimes upon release than those in the youth justice system.”

Senate Bill 1008 now goes to the House of Representatives for consideration.

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