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March 28, 2019

To: Senate Judiciary Committee  
Senator Floyd Prozanski, Chair  
Senator Kim Thatcher, Vice-Chair

Re: **SB 969** – Eliminates Adult Prosecution for Youth – **Support**

The League supports alternatives at all stages of the criminal justice process and community based programs. Services for juvenile offenders should deal with youth offenders in the least restrictive environment and provide treatment-oriented secure custody.

Juveniles charged with M 11 crimes are held in Juvenile Detention facilities, although they can be transferred to adult jails if they are 16 to 18, and if convicted are placed in Oregon Youth Authority correctional facilities. Prior to M 11 passage, youth offenders could be waived into adult court after a waiver hearing and determination made by a judge. Now District Attorneys make that decision and recommendation to the court. The League supports waiver hearings for juvenile offenders and decisions to proceed in juvenile or adult court be made by a judge.

Recent brain research has established that juvenile brains are not fully developed and judgement is impaired. In serious person to person crimes, a waiver hearing could be requested to review the situation and evidence of the youth's mental capacity or development. Automatic remand to adult court does not allow for this deliberation. Many juveniles are lacking fully functional rational development and use of controlled substances hampers that judgement even more. The courts should consider the age and developmental level of youth offenders prior to filing criminal charges in adult court.

We strongly support the elimination of remand to adult court without consideration by the waiver process and decision by a circuit court judge. Thank you for the opportunity to discuss this legislation.

Handwritten signature of Norman Turrill in black ink.

Norman Turrill  
LWVOR President

Handwritten signature of Karen Nibler in black ink.

Karen Nibler  
LWVOR Social Policy Coordinator