

Safe Kids, Safer Communities

PARTNERSHIP FOR
**SAFETY and
JUSTICE**

What's the Problem?

Currently, in most Oregon counties, when youth are arrested for adult charges they are held in adult jails until trial. Youth who commit crimes need to be held accountable with interventions that help to prevent future criminal behavior. Adult jails are not equipped to keep youth safe and youth don't receive age-appropriate interventions when they are held in adult jails. Often, jail officials try to keep youth safe by putting them in isolation cells where they can spend 6 months or more awaiting trial.

Youth in Adult Jails are at Increased Risk for Physical & Sexual Assault

The *Bureau of Justice Statistics* found that youth are more likely than other prisoners to be the victims of a physical or sexual assault when they are held in adult jails. Many of these incidents happen soon after a child arrives in an adult jail.

Youth put into the Adult System are More Likely to Commit Crimes in the Future

Numerous studies have found that youth placed into the adult criminal justice system are more likely to commit future crimes. Studies by the Center for Disease Control and the Office of Juvenile Justice and Delinquency Prevention concluded that transfer of juveniles to the adult system increases recidivism for youth.

Contradictory Laws

The Oregon Youth Authority was created by Senate Bill 1 in 1995. Since its creation, OYA has allowed youth who were convicted as adults to serve their time in a youth facility until they turn 25 – as long as they follow the rules and participate in programming. Senate Bill 1 also stated that youth arrested for adult charges should be held in adult jails pretrial. The intent of these laws contradict each other and we need to align our juvenile policy to what we know works with youth. Research has shown that youth are best held accountable by staff trained to work with young people using interventions specifically developed for them.

For more information on youth in adults jails see The Campaign for Youth Justice Report, *Jailing Juveniles* (2007)

http://www.campaignforyouthjustice.org/documents/CFYJNR_JailingJuveniles.pdf

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Current Law

Youth charged with certain serious crimes are held in adult jails before their trials. The juvenile director and the sheriff can agree to house the youth in a juvenile facility.

Proposed Law

Youth charged with those same crimes are held in juvenile jails. The juvenile director and the sheriff can agree to house the youth in an adult facility if they choose.



What if some counties can't afford it to pay for youth to go to a juvenile facility? Is this an unfunded mandate?

No, the proposed change in the law only reverses the default placement for youth when they are arrested. The juvenile director and the sheriff for that county can decide to house the youth in an adult jail at their discretion.

Do any Oregon counties currently hold their youth charged with Measure 11 crimes in juvenile detention centers?

Yes, several counties including Jackson, Deschutes, Multnomah and Wasco counties house youth charged as adults in juvenile detention centers.

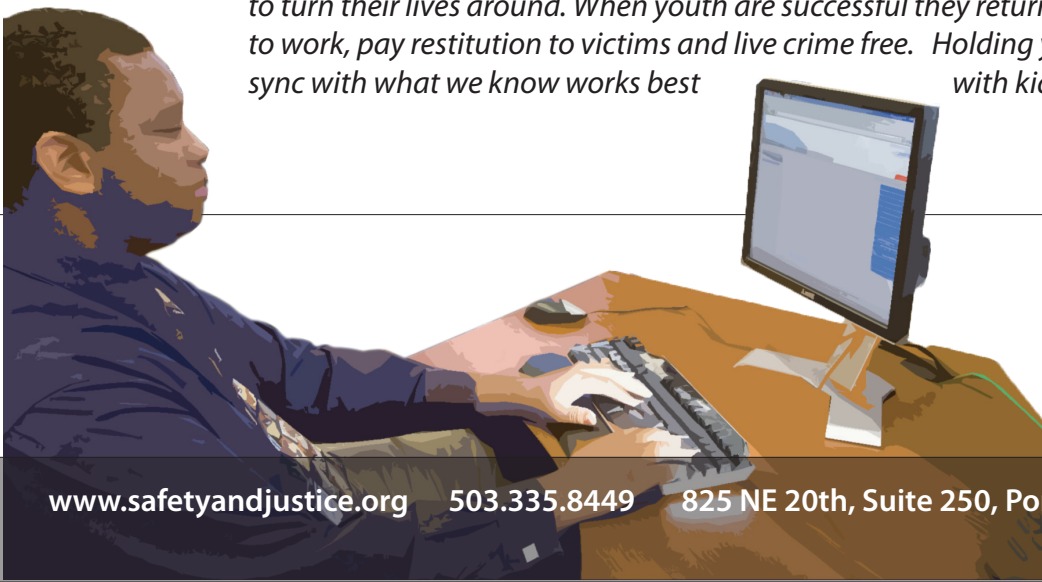
What difference does it make where youth are held – isn't a jail a jail?

Staff at juvenile detention centers engage youth in educational programming and age-appropriate interventions designed to reduce recidivism. When housed in adult jails, youth are often held in isolation cells with no access to education or programming.

Don't these youth need to be held in an adult jail for safety?

Putting youth in adult jails does not increase public safety or prevent crime. New research has demonstrated that placing youth in the adult criminal justice system increases their likelihood of committing new crimes.

Adult jails are not equipped to hold youth accountable and provide opportunities for them to turn their lives around. When youth are successful they return to our communities ready to work, pay restitution to victims and live crime free. Holding youth in adult jails is out of sync with what we know works best with kids and existing Oregon law.



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