

February 27, 2018

Governor Kate Brown
Somerville Building
775 Court St. NE
Salem, Oregon 97301

House Speaker Tina Kotek
900 Court St. NE, Rm. 269
Salem, Oregon 97301

House Republican Leader, Mike McClane
900 Court St. NE, H-395
Salem, Oregon 97301

Senate President Peter Courtney
900 Court St. NE, S-201
Salem, Oregon 97301

Senate Republican Leader, Jackie Winters
900 Court St. NE, S-323
Salem, Oregon 97301

House Majority Leader Jennifer Williamson
900 Court St. NE, H-295
Salem, Oregon 97301

Senate Majority Leader Ginny Burdick
900 Court St. NE, S-223
Salem, Oregon 97301

Dear Governor Brown, Speaker Kotek, Senate President Courtney, Senator Burdick, Representative Williamson, Representative McClane, and Senator Winters:

We represent a broad coalition of stakeholders focused on disability rights, civil rights, racial justice, immigrants' rights, education, criminal justice reform, children's rights, and access to healthcare. We are writing to ask for your support in reducing Oregon's reliance on youth incarceration and ensuring a trauma-informed response for children involved in the juvenile justice system.

We were deeply troubled to read Disability Rights Oregon's recent report about children in detention at NORCOR, a regional jail in The Dalles. DRO found that youth as young as twelve were locked in their cells for multiple hours each day, denied human contact, and deprived of basic coping tools such as books, pencils, and family photos. Many of the problems illuminated in the report were long known to local and regional officials.

A comprehensive assessment by the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative in 2015 cited *multiple harmful practices* at NORCOR such as rampant and undocumented use of isolation, a punitive and counterproductive disciplinary system, and the absence of a process for reporting abuse or neglect. The fact that these problems continued unabated points to a lack of statewide leadership and oversight.

In order for youth to turn their lives around, they require positive environments that develop their skills at becoming contributing members of our communities. The conditions documented

through multiple reports at NORCOR, in particular, long stays in a locked cell, are known to cause lasting harm to a young person's mental health. NORCOR's approach is out of sync with current science on child and adolescent neurological and social development. Such treatment does not serve the young people confined nor the public safety interests of the State.

We know that all three branches of Oregon government share our interest in ensuring safe conditions, adequate healthcare and programming, and use of trauma-informed and evidence-based practices in juvenile detention facilities. We ask for your support in developing standards and oversight for juvenile detention facilities. Youth in detention should be guaranteed:

1. risk assessment screening to determine the least restrictive placement for each youth;
2. access to an independent entity charged with investigating complaints of abuse or neglect;
3. access to visitation and community integration to the greatest extent possible;
4. appropriate, evidence-based services, treatment, and healthcare;
5. culturally competent staff and culture within the facility;
6. a full day of education five days per week that meets the needs of kids with disabilities or limited English proficiency;
7. a developmentally appropriate approach to accountability focused on skill-building vs. punishment;
8. use of lock-down or isolation only on an emergency basis, when other de-escalation approaches are exhausted; and
9. documentation and review whenever a youth is locked down, isolated, or restrained.

Such standards are only meaningful if they are enforced. Hence, we are asking Oregon to provide independent oversight for juvenile detention facilities. Successful oversight models are fully autonomous, supported by clear statutory authority, given unrestricted access, and adequately funded. Meaningful oversight would involve monitoring conditions in facilities, responding to and investigating complaints of abuse, neglect, or mistreatment, and identifying and addressing disparities in the rate and length of detention by race, ethnicity, and geographic area.

Our organizations' concerns coalesce when we examine the experiences of youth who spend time in juvenile detention. We see disproportionate representation of kids of color. We see immigrant children held in facilities thousands of miles from their families. We see kids who have been pushed out of school due to disability-related behavior. We see a child welfare system that fails to provide stable, community-based options to keep kids safe. We see families struggling with poverty. We see profound challenges in accessing mental health and addiction treatment and services in local communities. And we see kids enduring conditions in detention facilities that are known to be psychologically harmful.

We are asking you to work with us to create the Oregon that we want to see: where youth are only detained when there aren't other more appropriate options; where they have access to quality education, health care and treatment; and where youth are both held accountable and provided with the tools and skills they need to grow and thrive.

We appreciate your concern for the rights, health, and safety of young people involved in the juvenile justice system, and ask for your continued support and leadership.

Sincerely,



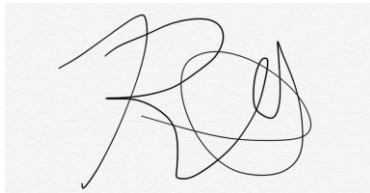
Roberta Dunn, Executive Director
FACT Oregon



Rakeem Washington, Director
Opening Doors Project, PCC-Cascade Campus



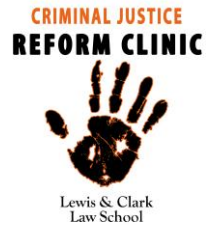
Deborah Smith Arthur, Associate Professor
Portland State University



Roberto Gutierrez, Policy Director
Causa



Aliza B. Kaplan
Professor and Director,
Criminal Justice Reform Clinic
Lewis & Clark Law School



Andy Ko, Executive Director
Partnership for Safety and Justice



Bobbin Singh, Executive Director
Oregon Justice Resource Center



Chris Bouneff, Executive Director
NAMI Oregon



Bob Joondeph, Executive Director
Disability Rights Oregon



Mark McKechnie, Executive Director



Kimberly McCullough,
Policy Director
ACLU of Oregon



Dani Ledezma, Interim Executive Director
Coalition of Communities of Color



cc: House Judiciary Chair Jeff Barker, Senate Judiciary Chair Floyd Prozanski, Public Safety
SubCommittee of Ways and Means co-chairs Duane Stark and Jackie Winters