



Misguided Measures:

The Outcomes & Impacts of Measure 11 on Oregon's Youth

The Campaign for Youth Justice and the Partnership for Safety and Justice released *Misguided Measures: The Outcomes and Impacts of Measure 11 on Oregon's Youth* in July 2011. In addition to providing the latest figures on the result of Measure 11, the report highlights promising solutions and policy recommendations to remedy these problems. The complete report is available online at: www.campaignforyouthjustice.org and <http://www.safetyandjustice.org>.

Key Findings Include:

- ***Youth convicted in the adult criminal system have lifelong barriers to becoming productive citizens.*** Youth with an adult conviction (and sometimes even an adult arrest record) face legal and institutional barriers to receiving schooling, finding a place to live, getting jobs and reconnecting with their communities.
- ***When a young person is charged with a Measure 11 crime, he or she can spend time in an adult jail before ever being convicted of any crime.*** However, as a result of the recent passage of House Bill 2707 during the 2011 legislative session, juvenile facilities are the default placement for youth held on Measure 11 charges. Counties now need to implement this policy change.
- ***Prosecutors, not an impartial judge, make the decision in most Measure 11 cases.*** Voters were promised predictability when they passed Measure 11, but greatly differing sentences are still meted out, now just from the prosecutors instead of a judge.
- ***Measure 11 for youth has not made Oregonians any safer.*** Over the three-year period from 2006 to 2008, data from all 36 Oregon counties show no discernible pattern between the number of young people charged with a Measure 11 offense and the juvenile crime rate.
- ***Measure 11 impacts youth of color disproportionately.*** It is well documented that youth of color are overrepresented in all segments of the criminal justice system and are treated differently once in the system. Youth of color comprise 25% of the youth population but 36% of the youth indicted under Measure 11.

Core Recommendations:

- **Remove all youth from adult jails.** Jailing youths with adults runs counter to the research on what is most likely to help a young person avoid reoffending, and it may place youth at a greater risk of coming into harm's way. House Bill 2707 changed the law to allow youth to be held in juvenile facilities, and counties now must move forward to fully implement this law to comply with this policy.
- **Remove second-degree offenses from Measure 11.** Hundreds of youth charged with second-degree Measure 11 offenses end up pleading down to a non-Measure 11 conviction that, nonetheless, keeps their case in adult court. Most of these youth end up on adult probation and therefore return to the community but with the baggage of an adult conviction and without the age-appropriate services available in the juvenile justice system.
- **Extend Oregon's "Second Look" law to all young people convicted as adults.** Youth with a "Second Look" would receive a review hearing halfway through their sentence to assess their progress and determine if they could serve the remainder of their sentence under supervision outside of a secure facility.