



KATE BROWN  
Governor

March 23, 2021

To: Senate Committee on Judiciary and Ballot Measure 110 Implementation

Chair Prozanski and Members of the Committee,

I write in support of Senate Bill 401. This bill holds people who have committed serious offenses accountable for their crimes while providing judges with guidelines to make sentencing decisions based on the facts of each individual case. It also allows judges to determine whether a defendant should be eligible for good time/work time credits, and alternative incarceration. The Criminal Justice Commission's recent report on Measure 11 shows the disparities that existed in its original 2011 report still exist. There are wide regional disparities as well as significant racial and ethnic disparities. Of the most common Measure 11 offenses, Black men are more likely to receive a prison sentence and less likely to receive probation than white men for similar charges. To begin to address these disparities we must implement smart reforms such as SB 401.

Over the past decade, Oregon has begun to reform its drug and property crime sentences with Justice Reinvestment (HB 3194) and HB 3078, with an emphasis on improving community safety, reducing recidivism, and decreasing prison usage. Oregon has not made similar progress in reforming Measure 11 sentences. Through Justice Reinvestment and HB 3078 the state has been able to invest in programming that has decreased recidivism while also safely reducing Oregon's prison population, avoiding the need to build an additional prison saving the state at least 200 million dollars.

SB 401 builds on our state's previous criminal justice reforms, recognizing the will of the voters when they passed Measure 11 while also updating this policy to make it more effective. I urge this committee and the legislature to pass this bill.

Sincerely,

Governor Kate Brown