

Should we, as Oregon citizens, consider the benefits and damages of Measure 11, now that we have experienced and observed it in action since 1994 – 27 years?

A system of justice that affects so many people in such sweeping ways demands regular scrutiny and honest evaluation.

Let's agree that M11 had good intentions and good hoped-for outcomes from the beginning, giving crime victims some sort of resolution for the hurt they and their families had endured. Oregon citizens were willing to hear the pain and anger of these victims and wanted to offer some long-term protection and reassurance that perpetrators would not get off easy or early for the crimes they had inflicted on others.

Certainly, those are good intentions, but has the practice of minimum sentencing with no recourse or subjective consideration actually achieved its desired objectives? The answer to that question must guide our thinking and acting if we are to deliver true justice for all Oregonians.

Extensive research, published works, personal testimonies, and professional observation and evaluation have rendered an inescapable conclusion: Oregon's Measure 11 and similar practices in other states have failed to produce the desired results.

It is grossly ignorant and unfair to believe that people who commit crimes are all bad people, hopelessly evil and irredeemable, and that such people need to be simply locked up. We have a system of justice that requires the consideration of multiple aspects of evidence, testimony, the weighing of multiple factors, character, background, likelihood of re-offending, and possibility of rehabilitation.

My observation and experience with M11 sentencing is that those factors are not taken into consideration in a way that is reasonable and fair. In fact, it appears that fairness and justice are not the operating principles.

Society

Is the general population of Oregon citizens and neighborhoods safer or better off when all Adults in Custody (AIC) are put away for extended periods of time? Certainly and demonstrably, no. Many AIC have wonderful character and potential to bring, in fact, extraordinary benefits to the people of our state. They have talents and gifts, training and compassion, personal attributes and dreams of a positive and purposeful life. But left in custody will deprive the people of their families and communities of these benefits.

SB 191 seems to be one way to address this difficult issue. The major factors addressed by this proposed legislation are hope and motivation. When humans have no reason to conform their behavior to positive standards, most will not make the effort. Prison is generally a negative environment that does not incentivize good behavior. When the conditions do not reward good behavior, they typically do not produce it. The result? Negative attitudes, bad behavior, problems, violence, acting out, and darkness.

But introduce hope and motivation, and the behavior and general atmosphere dramatically improve. And isn't that what we want? When an AIC has a reason to self-monitor their behavior, when the reward is compelling enough, the transformation of attitudes and actions are remarkable. And isn't that what we want?

When an AIC has the opportunity to earn time off for good behavior, they set their mind on a positive future, re-uniting with family and community. They engage in preparation and self-improvement, honing skills and attitudes that will serve them well when they are reintegrated into society, grateful for a second chance to live the life to which they had aspired. This is demonstrated by countless case studies and prison research with provable clarity and consistency. And aren't these the outcomes that we as Oregonians really want to see?

SB 191 gives the opportunity for hope and motivation to be introduced to the prison environment. So, the choice seems clear:

- leave things as they are, continue to foster a negative and hopeless atmosphere, and deal with all those outcomes, or
- introduce a new light of hope and motivation and watch the dramatic change in the atmosphere and actions of the AIC. Everyone wins.

For the sake of all Oregonians, our families and neighborhoods, for the lives and futures that can be blessed and benefited by men and women who accept the offer and challenge to start new lives in service to others, I urge passage of SB 191.

Respectfully Submitted,

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