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## **Testimony in support of HB 2172: calling for changes to Oregon’s sentencing laws**

Twenty-five years ago Oregon voters were convinced by the promoters of Measure 11 that mandatory minimum sentences and long sentences with no possibility of reduction were good ideas. Voters were told that uniform sentences for specific crimes would create fairness, would appropriately hold serious lawbreakers accountable, and provide community safety.

Here are some of the results of mandatory minimum sentencing:

- mass incarceration,
- disproportionate effect on people of color and the financially disadvantaged,
- long sentences that have no identifiable correlation with rehabilitation,
- “one size fits all” punishments for each crime category that do not take into consideration either the differences in seriousness of the offense within that category or the differences between defendants’ backgrounds and extenuating circumstances,
- judges not allowed to judge,
- prosecutors having the power to not only charge but also decide sentencing,
- threat of M11 being used to coerce plea bargains, and
- inability to promote the positive behavior that would result if prisoners were allowed to earn Good Time and Parole.

The 25-year Measure 11 experiment has not worked out very well. Oregon has over 14,000 adults in its 14 prisons, and too much of our state’s funds that could be going to education and to programs and services that prevent crime are instead going to incarceration costs. In 2021 it is time to try something different.

With the M11 sentences as guidelines, judges should decide on the most appropriate and rehabilitative sentence length for each individual. All adults in custody should be eligible for earned sentence reductions. This would benefit DOC, reduce the prison population, and lower the percentage of our budget dedicated to incarceration.

Pass HB 2172.