

Submitter: Tim Evans
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure: SB320

Members of the Judiciary Committee-

There are of course many aspects of the criminal justice system many opinions as to how it could be improved. Proposed bill SB 320 is undoubtedly in this latter category. The ballooning of Oregon's prison system and the corresponding spiraling of capital and operating cost has had a negative impact on the ability of the state to provide essential services – including law enforcement! All Oregonians deserve a better corrections approach that keeps dangerous criminals off our streets while developing a system that returns appropriate inmates to a normal, productive life in the community.

Since SB 320 is focused on first-time offenders sentenced under Measure 11, it's useful to point out the flawed logic of the statute. The circumstances of its passage are already well known – no empirical research on the efficacy of mandatory sentencing, the removal of judicial discretion that considers the facts and circumstances of each case, the politicization of the statute by district attorneys running for reelection and wishing to appear “tough on crime”, the resulting cost of construction of new prison facilities funded by taxpayers – the list goes on and on. And the oft-forgotten aspect of Measure 11 that mandates juveniles age 15 and over be charged with felonies as if they are adults. Advocates for maintaining the current system will undoubtedly point to some indications that prosecutors have recognized the detrimental consequences of the statute and are exercising restraint or modifying how defendants are charged. But is this consistent across the state? Should the county or city and its politics determine whether someone spends a large part of their life in prison with no opportunity for parole and no access to beneficial programs that have been proven to reduce recidivism? Again; Oregonians deserve better.

Another, perhaps more important cost is far less visible in the halls of state government: the loss of generations of young men, particularly young men of color, to long prison terms. Not only are they lost to their families, children, and communities for those years, but their own lack of education and skills combined with a range of post-release restrictions and collateral consequences can deeply impair their ability to live productive and healthy lives long after release. The families forever damaged, the talent wasted, and the countless communities left to pick up the pieces demand action against these draconian policies that have already cost us far too much.

Isn't nearly 30 years of false assumptions, ever-increasing costs, and poor outcomes sufficient for the State to course-correct and take action? I urge all Senators to vote in

favor of SB 320 and importantly, make it retroactive to the entire prison population.
Thank you for your consideration.