

Measure 57: yes Measure 61 is too rigid, costly and lacks treatment

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With Oregon's economy hyperventilating and next year's Legislature already facing a projected \$500 million shortfall that could easily double in size before the session starts, this is hardly a good time to ask voters to approve a tough-on-crime initiative that would require more than \$1 billion to build new prisons and another \$200 million a year to operate them.

Measure 61 would mandate minimum sentences of 14 to 36 months for a range of property, drug and other nonviolent crimes. It would lead to the imprisonment of between 4,100 and 6,300 more Oregonians, increasing the state's already sizable prison population by more than a third.

The measure was authored by Kevin Mannix, the former state legislator who produced Measure 11, the budget-busting 1994 initiative that created mandatory minimum sentences for violent crimes and is now responsible for two out of every five inmates in Oregon's prisons.

After initial polling showed overwhelming support for Mannix's proposal, lawmakers scrambled earlier this year to produce a less expensive alternative. The result was Measure 57, which strengthens sentence guidelines for a range of property, drug and other nonviolent crimes and which, unlike Measure 61, would mandate addiction treatment.

Measure 57 takes a more targeted and less expensive approach than Measure 61. Instead of imposing mandatory minimum sentences that limit judges' discretion, Measure 57 proposes tougher sentence guidelines with a range of penalties that give the courts flexibility to adjust sentences to individual cases rather than imposing a rigid, one-size-fits-all approach. Measure 57 would add roughly a third the number of prisoners in state custody as Measure 61, and would cost half as much.

While Measure 57 would still be a budgetary stretch in the state's current economic condition, it is more affordable than Measure 61, and its long-term results would be enhanced by its emphasis on addiction treatment. Measure 57 provides \$40 million for treatment and some of that money would be distributed to counties to help pay for local substance abuse treatment programs.

It's hard to overstate the need for more treatment capacity in Oregon's criminal justice system. An estimated 75 percent of the state's prison population has substance abuse issues, but only 13 percent receive treatment. Measure 57's provision for treatment, and

the absence of a similar one in Measure 61, is a key reason why major law enforcement groups, the Oregon District Attorneys Association and John Kroger, Democratic nominee for attorney general, support Measure 57.

A strong argument can be made for tougher sentences for drug and property crimes in this state. Criminal activity stemming from alcohol and drug abuse costs Oregonians well over a billion dollars each year. The Oregon Criminal Justice Commission estimates only 7 percent of those convicted of felony drug crimes go to prison, and only 35 percent of those convicted of felony property crimes are incarcerated. Few Oregonians would be surprised to learn their state has long had one of the nation's highest property crime rates.

But there is also reason to question whether Oregon's property crime problem isn't improving without tougher sentences and more prisons. Property crime has declined 20 percent statewide over the past two years.

For voters who think Oregon needs tougher sentences on drug and property crimes, Measure 57 is clearly the preferable approach. It targets the state's limited resources on the most severe crime problems — and it reduces recidivism by requiring addiction treatment.

Oregon voters should vote yes on Measure 57 and no on Measure 61.