

Measure 57 and 61: Minimum Sentences

Willamette Week Endorsement

Vote: Yes On 57

Vote: No On 61

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What's the fuss? People are pissed that not enough thieves and drug dealers wind up in prison.

What's the fix? Measure 61 would sentence first-time offenders to mandatory minimums. Measure 57 is a cheaper alternative that targets repeat offenders and mandates treatment for addicted felons.

Here's the deal: Kevin Mannix has failed at quite a bit in politics. He has run for—and failed to win—statewide office or Congress five times. He ran the Oregon Republican Party and presided over its decay—today the state GOP is broke and didn't even have the chops to mount a candidate for attorney general.

But Mannix seems to have finally found a winner in Measure 61—a law-and-order initiative that is much like his only other real electoral success—1994's Measure 11, which created mandatory minimum sentences for a host of violent crimes.

Measure 61 would do the same for a series of nonviolent crimes and has clearly struck a nerve—polls show Oregonians believe crime is a top priority. It's a case where public opinion doesn't jibe with the facts, given that crime rates in most categories are down in this state. But Mannix's measure—which would remove a good deal of judicial discretion in sentencing—is very popular, even though it is a budget-buster.

Passage would create an estimated 5,000 new prisoners, many of them women. It would cost \$1 billion to build new prisons, according to state estimates, plus more money to operate them. That would amount to a 2-by-4 to the face of our state, which is already confronting an estimated \$500 million budget deficit.

To avoid that disaster, the Legislature teamed with district attorneys to offer a watered-down alternative, Measure 57. It targets repeat offenders instead of first-timers, but it broadens the scope of crimes to include white-collar offenses and elder abuse. While it stiffens penalties, it would imprison about 3,000 fewer people than Measure 61 and cost only a quarter as much.

We have serious problems with taking away judges' discretion and would normally vote no on both 57 and 61. But if Measure 57 passes and gets more votes, it will kill Measure 61 and avert a fiscal catastrophe. Since Measure 61 is seen as a sure-fire winner, a no on 57 would essentially be a yes on 61. We're forced to put pragmatism before principle and urge a yes vote on 57.