



# The Promise of Measure 57 Coalition

Individuals and Organizations Working Together to Find a Better Way to Fight Crime

promiseof57@gmail.com

Association of Oregon Community Mental Health Programs

The Confederated Tribes of Grande Ronde

Human Services Coalition of Oregon

Juvenile Rights Project

League of Women Voters of Oregon

National Association of Social Workers, Oregon Chapter

Oregon Alliance of Children's Programs

Oregon Business Association

Oregon Criminal Defense Lawyers Association

Oregon Education Association

Oregon Prevention Education & Recovery Association

Partnership for Safety and Justice

SEIU, Local 503

Self Enhancement, Inc.

Stand for Children

## The Oregonian

### Oregon's in a box on prison spending

#### The Editorial Board

May 22, 2009

#### Release inmates early from prison, or delay Measure 57? Facing \$100 million in public safety cuts, the best answer is both

All that spendy soda pop is on its way out of Oregon prisons, but there's still a \$100 million shortfall in the corrections budget. And the solution, sadly, can't be found under a Mountain Dew bottle cap

All the real choices are much less sweet. One is to delay or suspend the Measure 57 sentencing law approved by voters last fall. Another is the early release from prison thousands of convicted burglars, thieves and other nonviolent offenders. Other proposals would expand what's known as "earned time" and "transition," shortening sentences.

There is no good answer here. Suspending Measure 57 directly counters the will of the voters. Springing inmates early from prisons violates the "truth in sentencing" that prosecutors keep telling us must be the guiding public safety principle. Expanding earned time does the same thing, but promises to shorten sentences not just during the budget crisis, but for years to come.

It is a measure of how bad things are in this state that prosecutors and crime victims' advocates are lining up behind the early release of nonviolent criminals as the least objectionable way to close the shortfall. This surely is the first time in Oregon history that district attorneys have called for the early release of 2,000 inmates that they sent to prison.

Weighing the tough choices, we think the prosecutors are right that the first step should be carving some prison time from nonviolent offenders. The prosecutors estimate that the state could save \$55 million from the early release of 2,000 inmates. It's not clear whether the savings would be that large.

The costs of early releases aren't thoroughly understood, either. Costs of oversight of released inmates would be foisted onto already strapped counties. And because voters wrote into Oregon law a measure requiring resentencing hearings -- before a judge -- in any case where the Legislature reduces a sentence, prosecutors would have to notify thousands of victims and hold thousands of hearings.

It sounds simpler, on the surface, for the Legislature to suspend Measure 57 for two years. The supporters of that idea claim a suspension of the law would save about \$75

**HB 5005**

**DOC Budget**

million. That's based on disputed estimates about the number of Measure 57 cases, ranging from 900 to 1,400 over the biennium.

To an extent, the argument comes down to whether Oregon uses its limited public safety dollars to send more property criminals to prison, or uses it to keep the property criminals now in prison there for their full terms. The district attorneys argue persuasively that the offenders now in prison have at least suffered some punishment, while those out victimizing Oregonians today have not.

Still, we question whether it really is possible to wring enough savings out of the system solely by shaving six months or less off the sentences of nonviolent offenders. If, as we expect, sentence reductions only provide about half of the necessary savings, then the Legislature will have to find ways to reduce or delay the costs of Measure 57.

Gov. Ted Kulongoski and others are exploring a Hawaiian program, known as Hope, that has had success with strong oversight and drug and alcohol treatment, backed by the certain threat of incarceration. If Oregon adopted that program, which could be funded with federal dollars, it could cut the Measure 57 cases and reduce prison costs.

There's nowhere else to go looking for public safety cuts: Lawmakers already are whacking the Oregon State Police and its crime lab. Oregon's judicial system faces deep cuts, too.

All of this avoids for now the larger question of whether Oregon's corrections policies are sustainable over the long term. Oregon's incarceration rate is slightly below the national average. But with Measure 11, which lengthened sentences for violent criminals, and now Measure 57, Oregon's corrections budget has grown faster than the national average. It is now one of only four states that spends more on corrections than it does for higher education.

Lawmakers, with the support of prosecutors and anti-crime groups, have made some changes to reduce the Measure 11 costs. There will be a similar shake-out with Measure 57. But as it stands, Oregon puts more people in prison, and keeps them there longer, than it can afford.