

### STATE AND LANE COUNTY SPECIAL ELECTIONS 1999

## Lane County

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margins last year, with the Lane County four-year Community Safety Levy failing by less than 1 percent and the Jail Intake Assessment Center failing by a mere 13 votes.

The narrow failure was the impetus for the return of the issue to the ballot this year, said Steve Carmichael, director of Youth Services.

"The council spent three years studying this, and because we came so close last year, failing by less than 1 percent, we needed to try again," he said in an Oct. 15 ODE article.

But opponents cite what they believe to be a misrepresentation of where the surcharge proceeds were to go had the measure passed. While advertisements in support of 20-25 claimed it would prioritize "the needs of youth and families," the overwhelming majority of directed funds would have gone toward additional jail beds, a new drug court, jail intake assessment and the unfinished and underfunded new juvenile justice center on Centennial Boulevard.

"With \$19 million for police and \$3 million for prevention,"

said Carol Berg of the No-On-20-25 Committee, "it's a very skewed imbalance."

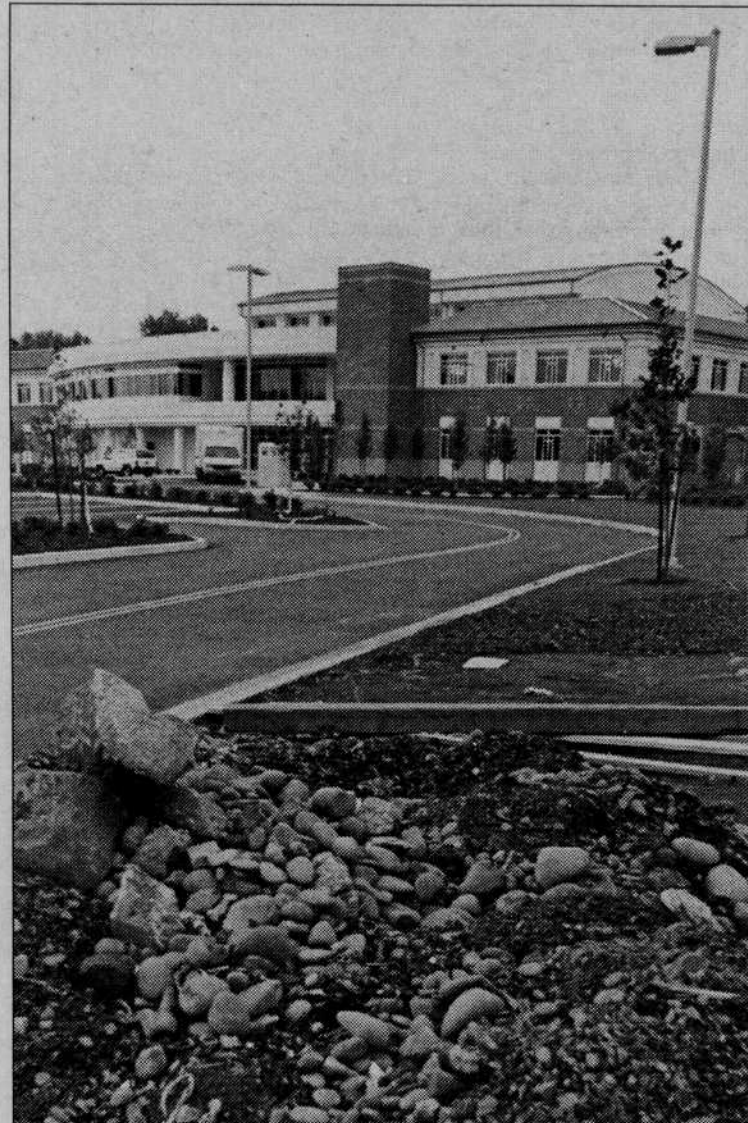
Berg was in attendance at a Tuesday-night gathering of those who have worked against the measure's passing over the last several weeks. The group was elated after the first updates from election headquarters came in around 8 p.m., signifying a victory for their cause.

Gary Kutcher, chair of the committee, said he thought the vote would be closer because so much money had been spent to promote it. But he conceded that the measure's failure proves you don't have to spend money to make a difference.

"The priorities of the county government are really different than that of the people," he said. "We want less police and jails because they're the expensive way to go. The kindlier, gentler way to deal with problem youth is to put the money into prevention."

A local activist who recently spoke at the anti-police brutality protest in the EMU Amphitheater, Janet Gicker, said 20-25 sends a message she's comfortable with to law enforcement.

"They can't just spend unlimited resources," she said. "I am happy, happy, happy the people in this town said no to this."



Scott Barnett Emerald

(Above) The unfinished Juvenile Justice Center on Centennial Boulevard was to receive funding from Measure 20-25. (Below) No-On-20-25 committee members celebrate a clear lead with 21 percent of the vote in.

## Three measures categorized as 'victim's rights'

Only two proposals on the ballot are new and original, not redesigned

By Sara Lieberth  
Oregon Daily Emerald

A total of nine state measures referred to voters by the Oregon Legislature on Tuesday's ballot received a mix of responses from voters, with four passing and five failing. These numbers reflect 64,039 ballots counted representing a 33 percent voter turnout.

All but two of the proposals to amend the State Constitution were segmented hand-me-downs from the election of 1996. Voters passed Measure 40, which contained the seven amendments, but was subsequently overruled by the Oregon Supreme Court.

Categorized as a group of "victim's rights" bills, Measures 69 through 75 were strongly supported by Crime Victim's United, a group led by president Steve Doell.

As of late Tuesday, Doell said it appeared they were losing only three, Measures 70, 71 and 73, but that overall he was pleased the amendments were rendering support.

"I'm very heartened the voters of this state have taken the time to see through the smoke and mirrors of our opponents' campaign," he said. "I challenge them to let the will of the people stand."

Rep. Floyd Prozanski, D-Eugene, said that the three measures that were not passing as of 11 p.m. Tuesday were an indicator that voters had correctly upheld the constitutionally-protected rights of all Oregon citizens, not just those narrowly defined as "victims."

"I'm pretty encouraged," he said. "Those are probably the most fundamental protections we have. It shows the voters took some time to really look at these individually like they should have with Measure 40."

The results tallied as of midnight Tuesday for Measures 68 through 76 were as follows:

Measure 68, which would allow the protection of businesses and certain government programs from displacing private sector jobs



to prison work programs, was passing with 53.3 percent of the vote.

Measure 69, which would grant victims of crime constitutional rights in prosecutorial proceedings, was passing with 50.8 percent of the vote.

Measure 70, which would give the public, through a prosecutor, the right to demand a jury trial in criminal cases was failing with 65.9 percent of the vote.

Measure 71, which proposed to limit the pretrial release of accused persons to protect the public, was passing with 51.2 percent of the vote.

Measure 72, which would allow murder convictions to be handed down by an 11 to 1 jury verdict, instead of unanimous decisions, was failing with 57.1 percent of the vote.

Measure 73, which proposed to limit immunity from criminal prosecution of persons ordered to testify about their involvement in crimes was failing with 60.3 percent of the vote.

Measure 74, which would require terms of prison sentencing to be served fully as they were issued in open court was failing with 51.9 percent of the vote.

Measure 75, which would prohibit persons convicted of certain crimes from serving on juries was passing with 53.2 percent of the vote.

Measure 76, proposing to require varying motor vehicle classes to proportionately share the costs for highways was failing with 54.9 percent of the vote.

**20-25 Failing**

Proposes to expand Lane County public safety services and programs through assessing an 8 percent income tax surcharge.

**Pro:** Would fund the Juvenile Justice Center, expand the Forest Work Camp and put thirty more Eugene police on the streets.

**Con:** Would disproportionately fund law enforcement over prevention programs for at-risk youth and their families.

**68 Passing**

Proposes amending the Oregon Constitution to prohibit prison work crews from competing for private-sector jobs.

**Pro:** Gives private industry first dibs on labor contracts and prevents competition and loss of jobs to prison work crews, which typically require less payment than do private businesses.

**Con:** No known opposition to this measure.

**69 Passing**

Proposes granting crime victims certain constitutional rights throughout the court process.

**Pro:** Would give crime victims rights in the Constitution, which has previously focused exclusively on defendants' rights.

**Con:** The rights are currently guaranteed by state statutes and shouldn't be locked into the Constitution, which requires an election to revise.

**70 Failing**

Proposes giving public prosecutors the constitutional right to demand a jury trial if defendants waive their right to trial by jury.

**Pro:** Makes it harder for defense attorneys to go "shopping" for judges they believe would be more lenient or sympathetic.

**Con:** Gives public prosecutors too much power.

**71 Passing**

Proposes amending the Oregon Constitution by allowing judges to refuse a defendant bail if there is probable cause to believe the defendant is guilty and there is clear and convincing evidence that the defendant would pose a threat to society if released.

**Pro:** Would protect victims and society from criminals before and during trial.

**Con:** Would overcrowd jails and force the release of convicted criminals and would impede revision of the law by locking it into the Constitution. Violates the right to be presumed innocent until proven guilty.

**72 Failing**

Proposes changing the Oregon Constitution to allow persons to be convicted of murder by an 11-1 jury verdict.

**Pro:** Would reduce the possibility of a "rogue" juror impeding justice by ignoring a judge's orders or allowing prejudices affect judgment.

**Con:** Could increase the possibility of innocent citizens serving time for crimes they didn't commit.

**73 Failing**

Proposes amending to the Oregon Constitution to limit immunity from criminal prosecution of an individual ordered to testify about their conduct in an investigation.

**Pro:** Would make Oregon immunity laws more similar to Federal immunity laws.

**Con:** Would severely threaten the right against self-incrimination guaranteed by the Oregon Constitution.

**74 Failing**

Proposes changing the constitution to require prison sentences be served in full without exceptions.

**Pro:** Would protect society for a longer time and act as a strong deterrent to crime.

**Con:** Would remove the possibility of shorter sentences eliminating incentives for prisoners to improve.

**75 Passing**

Proposes amend the Oregon Constitution to ban persons from serving on grand juries and criminal juries if they had been convicted of certain crimes.

**Pro:** Would promote responsible and fair juries.

**Con:** Would violate citizens' right to serve on juries and would unnecessarily limit the jury pool.

**76 Failing**

Proposes placing amendment in the constitution that would require the state assess whether or not heavy vehicles and light vehicles are paying taxes proportionate to the damage each class of vehicle incurs on Oregon roadways.

**Pro:** Would lock a taxation policy in the constitution ensuring all motorists pay their fair share of roadway maintenance, repair and improvement costs.

**Con:** It is unnecessary, unbinding and could invite frivolous lawsuits.



Scott Barnett Emerald

Lane County voter Tim Greathouse drops his ballot off early Tuesday evening.

## Election carries low voter turnout

The ASUO is working to increase voter participation among University students, which is low in the special election for a variety of reasons

By Darren Freeman  
Oregon Daily Emerald

Only 33 percent of Lane County's registered voters turned out to decide the fate of this special election's ballot measures, which addressed public safety, the state's use of gas tax revenue and the constitutional rights of citizens accused of crimes.

This election was Oregon's eighth special election to be exclusively vote-by-mail, a process that relegated the lines and ballot booths of polling places to Oregon's historical record when voters decided last year to extend mail-in elections to primary and general elections.

The Legislature approved vote-by-mail to increase voter participation, said Annette Newingham, Lane County chief elections officer.

However, voter participation varies according to people's emotional attachments to the issues, said Amy Cody, assistant to Secretary of State Phil Keisling.

Newingham admits that many voters felt this November's ballot measures didn't address "exciting and engaging issues."

Nonetheless, both Newingham and Cody expressed concern about the paltry turnout.

Low voter participation "is a phenomenon we're seeing nationally," Cody said.

And the University is no exception.

ASUO State Affairs Coordinator Matt Swanson said that University voter participation in presidential elections is compar-

able to that of the rest of the community.

But the ASUO is also working to increase student voting turnout. It hosted a panel discussion last Thursday about issues in the special election and is working to bring presidential candidates to campus, ASUO President Wylie Chen said.

However, Newingham said that few University students vote in non-presidential elections. "The U of O generally has very poor turnout," Newingham said.

She said that when about 60 percent of registered Lane County voters participate, only 20-30 percent of University students typically vote.

Many students, such as freshman pre-journalism major Emily Gross, don't vote because they feel overwhelmed by school.

"I don't want to get involved because it takes a lot of time to responsibly research the issues," Gross said.

Omar Qutub, a sophomore biology major, said that he plans on registering soon but just hasn't taken the time to do it.

"I'm too involved with my own life, school, grades, everything else," Qutub said. "It's kind of a bubble at school."

Other students, such as Aundie Garcia, an undeclared freshman, don't vote because they feel government doesn't directly affect their lives.

"I really don't care that much," Garcia said. She said she's unwilling to take the time to educate herself enough to vote responsibly.

"I don't read the newspapers, I don't watch the news and I don't know what's going on," Garcia said.

Some students, like senior ethnic studies major Melinda Myrick, abstain from voting for ethical reasons. Myrick said she feels

politicians don't adequately represent her and, instead of voting, she focuses on improving her environment by herself.

"I'd rather not vote for the lesser of two evils," Myrick said. "I just live and I don't really care too much about the way people are running things."

On the other hand, many students want to vote but haven't taken the time to register or don't know where to where to find voters registrations.

"I would like to vote so I could have a say in what happens," freshman psychology major Kate Cody said.

Cody said she didn't know where to find a voters' registration form and was unaware of November's special election.

Geoff Horton, a sophomore business major, said he has voted in his hometown in Washington County but is in the process of registering to vote in Lane County.

"It's just a matter of putting it in the envelope and sending it out," Horton said.

Still, Horton missed the special election. Both Swanson and Cody said they feel that politicians need to improve communication with voters.

"It's important that students and politicians see that their needs and values line up," Swanson said. "It's also important that students make politicians listen."

Cody points out that until students become a stable voting block, politicians won't work to appease them.

Paula Krane, president of the League of Women Voters of Oregon, said that government and advocacy groups need to show students the connection between voting and their day-to-day lives. To meet that end, the League of Women Voters published avoters guide to November's special election

## Election Brief

PORTLAND—Oregon voters approved four get-tough-on-crime measures, including ones spelling out the rights of crime victims and prohibiting the release of inmates before their terms end, but rejected three others Tuesday after a campaign in which opponents said the measures would give too much power to prosecutors.

With 83 percent of the mail-in ballots counted, voters also approved measures to limit the pretrial release of accused people to protect the victims and another to prohibit people convicted of certain crimes in

the past 15 years from serving on criminal trial juries.

The chief spokeswoman against the measures was Arwen Bird, a 25-year-old Portland woman who was left paralyzed by a drunken driver six years ago.

At a gathering Tuesday night, Bird said the vote results showed that Oregonians "recognized that these measures had nothing to do with victims."

"The tide is turning," she said. "Oregonians don't want a system that is totally punitive. They want a system that is effective in reducing crime."

The main spokesman for the pro-measure

campaign, Steve Doell of Crime Victims United, said he was relieved that a majority of the measure passed.

"We had a fierce campaign waged against us by the criminal defense lawyers. It was a campaign of distortion, and they made some of it stick," said Doell, whose 12-year-old daughter, Lisa, was run over and killed by an emotionally disturbed teen-ager who later served three years for manslaughter.

Doell also said Bird is misguided and was being used by criminal defense attorneys, the American Civil Liberties Union and others who oppose tougher criminal laws.

The Associated Press