

Voices From the Crowd: Reassessing What We Call Crime

By Miles Wickstrom

The struggle to get adequate funding for the Columbia County jail has an eerily familiar ring to it. For those who believe that history has a habit of repeating itself, consider the following.

The gulag prison system of Stalinist Russia was created to punish dangerous criminals, but expanded into an institution that punished just about everyone who was convicted of anything, including petty criminals and political dissidents. Very soon after the fall of the Berlin Wall, the Soviets abandoned the gulags, not because they ran out of dissidents, but because they ran out of money.

According to 2013 data from the Federal Bureau of Prisons, 50% of all federal prisoners are incarcerated on drug-related charges and 10.6% are in for immigration-related crimes. Throw in all the white collar crooks and very quickly you will see that fully two thirds of the prison population is made up of non-violent criminals. Although these numbers cover only federal prisons, it

is important to remember that virtually every person arrested on suspicion of (take your pick) begins their incarceration in a county jail.

A buzz phrase like "Let's Get Tough on Crime" fits neatly on a bumper sticker. It may generate some heat, but it provides no light. We've been locking up otherwise law-abiding citizens for drug crimes since the Nixon administration, yet the addiction rate is roughly the same today as it was then. Same story for people entering the country illegally. Albert Einstein was correct in saying that repeating the same thing over and over while expecting a different outcome amounts to insanity.

Before adopting a knee jerk get-tough-on-crime approach, maybe we should reassess what we call crime. Let's start with drug "crimes". In the medical community, addiction is viewed as a medical problem, not a criminal problem. There is no controversy on that issue. The criminal justice industry has always looked at drugs as a supply problem instead of a demand problem and have treated it as such. After 60 some years of addressing street

drugs in that manner, we have a very clear picture of the cost : benefit ratio, which is dismal at best.

What if our bumper stickers read "Let's Get Tough on Addiction" instead? We know what it costs to lock up an addict for a year. What is the cost to provide counseling and therapy for the same period? Oregon taxpayers spend more money on prisons than on higher education. Does a dollar spent on incarceration yield more benefits than the same dollar spent on education? As a state - and really, as a nation - we've never had that discussion. No smart business person would ever make a choice between two options without running the numbers first.

If Oregon in general and Columbia County in particular had money to burn, this discussion would be unnecessary. However, money is a finite resource and the demands are diverse. Before spending a nickel anywhere, let's get out a magnifying glass first. Let's not do anything tomorrow just because we did it that way yesterday.

Columbia County Jail Loses Lawsuit

By Randy Sanders

A lawsuit levied against the Columbia County jail has awarded \$15,000 to the Prison Legal News (PLN), a free publication that proclaims on its website that it is "protecting human rights." These are the rights of convicted and alleged criminals who are incarcerated in county jails. On their website, PLN advertises discounted telephone calls while in jail; books titled "Sue the Doctor and Win" and "authentic videos shot in American prisons" where one video depicts inmates in Lowndes County, Georgia attacking a guard, taking his keys and escaping from jail. They go on to steal a vehicle.

Due to the shrinking budget at the Columbia County Sheriff's Office, there aren't enough guards to monitor the mail that comes into the jail and therefore the sheriff made a decision to go with a post card policy. Contraband is easy to hide in mail, such as envelopes and magazines. As you can imagine, criminals can be very creative when sending methamphetamine - a tiny amount of powder - buried in the mail, for instance. The jail requires a minimum of four guards on duty at all times,

and they are currently at that level. This makes it impossible to pull a guard off the line to go through incoming mail to look for contraband.

"That's why we went with post cards," Sheriff Jeff Dickerson said in a recent interview in his office prior to his appearance on the Lars Larson Radio Show, who supports the Columbia County Jail levy. Sheriff Dickerson continued to explain his reasoning. "That [idea] came from Sheriff Joe down there in Maricopa County (Arizona). And a lot of sheriffs started doing it. The Oregon State Sheriff's Association said we want to do this too, but not everybody did. Some people said, we're not doing that. But we thought with our short staffing, this makes perfect sense. We don't have an individual assigned to this. We would still accomplish the goal to keep contraband, which is dangerous to inmates and staff, out of our jail, to do a better job of keeping it out of jail, and to cut down on the time it takes to process all of that mail."

In the litigation, it claimed that the sheriff was discriminating against the inmate's First Amendment rights of free speech by not allowing Prison Legal News to be sent to inmates. Usually

when it is perceived that a party may be acting unlawful - in this case the jail not allowing inmates to receive this free magazine - lawyers will send a letter of intent to file a lawsuit, if change isn't made. "They baited us for a year!" Sheriff Dickerson adds. It is usually the case that most lawyers acting in good faith are trying to obtain the goal of getting the other party to stop doing whatever it is they are doing, but in this case no letter was ever sent, until the sheriff was told of an impending lawsuit. Was it really the goal to stop Sheriff Dickerson in the first place? The Seattle law firm of MacDonald, Hoague and Bayless racked up impressive attorney fees of \$763,803.45, while the plaintiff received \$15,000.

Perhaps the silver lining to this story is that Columbia County has insurance for this type of lawsuit through their carrier CIS and that taxpayers of Columbia County will not suffer damages for this. An appeal is pending.

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