

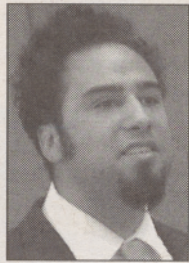
# Shackled by old laws, Oregon's budget is locked in its prisons

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Two weeks ago, the U.S. Supreme Court ruled that California must drastically reduce its prison population to address overcrowding. With a system capacity rated for 80,000 prisoners, California's system currently holds 140,000 people, which, in the court's opinion,

creates conditions that qualify as cruel and unusual punishment.

Oregon's prison problem has not yet reached the extreme crisis level of California, but Oregon's ever-increasing prison growth and spending should not be dismissed. Oregon obviously has a much smaller general population than California, but, proportionally, Oregon has also experienced dramatic prison growth.



David Rogers is Executive Director of Partnership for Safety and Justice, a statewide advocacy organization focused on making Oregon's approach to public safety more effective and more just.

Oregon's prison population in 1980 was 3,120, while in 2010 our prison system held over 14,000 people. This represents a growth of over 350 percent, or an average of almost 12 percent per year. In contrast, Oregon's general population grew by about 1.5 percent per year over the same period.

This skyrocketing growth of our prison system has come at great expense. The Department of Corrections' (DOC) budget is one of the fastest growing state agency budgets and currently sits at over \$1.4 billion dollars. Oregon now spends more money on our prison system than on higher education, a troubling forecast for our future.

For years, Max Williams, the Director of Oregon's Department of Corrections, has said repeatedly that our prison growth and spending is on an unsustainable trajectory. Is anyone listening?

We clearly need to shift our approach to public safety and bring it up to date with best practices and research on the most cost-effective approaches to maintaining safe communities. We know that prison is the most expensive public safety tool we have, and Oregon is over using it.



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In the past 15 years the DOC budget has almost quadrupled, but funding for addiction treatment, mental health services, and

youth intervention programs has dwindled. Some of the best investments in building safe and healthy communities have been eaten up by our exaggerated use of incarceration.

The primary factor increasing the prison population and correctional spending in Oregon has been the changes in sentencing laws since the mid 1990s. Between 1994 and 2000, the average length of sentences, and therefore the number of offenders under the supervision of DOC, has increased significantly.

Like California, our regressive sentencing laws have been passed via ballot measures. 1994 was the same year that California's Proposition 184 (three strikes law) passed, along with Oregon's harsh set of mandatory minimums known as Measure 11.

Sadly, Kevin Mannix, the author of Measure 11, has profited by promoting regressive crime measures to Oregon voters based on the politics of fear. And although these measures have wreaked havoc on the state budget and do not reflect smart public safety policy, legislators have been reluctant to trust their gut and reform them for fear of being accused of mucking with the "will of the voter."

But ballot measures are a blunt instrument at best in making public policy, and these votes certainly should not be thought of as a lasting reflection of voters' opinions. Laws should change with new knowledge and circumstances. We elect our state legislators every two and four years to pass laws that ideally take into consideration good thinking and current economic and social conditions. But ballot measures, once passed, do not return to the ballot for Oregonians to consider whether those laws are still relevant and helpful. So we need legislators to take on the responsibility of ensuring that major laws passed by ballot measures are reformed in ways appropriate to Oregon's current conditions.

It should be no mystery to any of us that Oregon's economic situation has substantially changed since the most expensive and consequential crime-related ballot measures have passed. A global economic meltdown has forced the legislature to confront multi-billion dollar deficits in the past two legislative sessions. Although in 2009, the legislature took an intentional step to reduce prison spending, there seems to be little movement this year.

The legislature's lack of focus on reeling in corrections spending is deeply troubling when schools are preparing to close and Oregon's social safety net is being dismantled.

As the legislative session winds up, we need concrete actions to move our public safety spending in a smarter direction. We need a solid package of reforms that create tangible savings in corrections spending. Anything less would be tragic, while cuts are being made to life saving programs for seniors, children, and low-income Oregonians.

For the past decade, California's legislature refused to address its escalating prison growth and spending while the rest of their state infrastructure crumbled around them. It took the Supreme Court to intervene. Oregon's legislature should do better.



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