

Tough on crime advocates turn to new bag of tricks

BY DAVID ROGERS
CONTRIBUTING COLUMNIST

In late July, Oregonians found out there was new opposition to much-needed criminal justice reform. Actually, it's old opposition that has developed a new front group.

Steve Doell, director of Crime Victims United, has apparently created a new group called the Truth in Sentencing Project. The Truth in Sentencing Project went on the air in late July with a short radio ad in a new effort to manipulate the public.

The ad tells listeners that Oregon's prison system is so costly not because of high incarceration rates, but because our average cost to incarcerate an inmate is so expensive. Doell's ad tells people that "Inmate costs are \$82 a day in Oregon. \$52 a day in Idaho." He suggests if we made incarceration costs more in line with Idaho we would save plenty of money.

What's really going on here and what is motivating these ads?

Steve Doell is one of a handful of staunch defenders of Oregon's antiquated mandatory minimum sentencing laws. He is joined by Kevin Mannix (author of Measure 11) and the Oregon District Attorneys Association. Together they are the remnants of a tough but not particularly smart philosophy that wants to keep Oregon's mandatory minimum laws exactly as is. Laws like Measure 11 are responsible for the doubling of the prison population in the last fifteen years.

There is now an overwhelming amount of research in the U.S. that shows we can reduce crime at a fraction of the cost of continuing to build and fill prisons. If we

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David Rogers is the executive director of Partnership for Safety and Justice. PSJ is a statewide, non-profit advocacy organization dedicated to making Oregon's approach to crime and public safety more effective and more just.

flatline prison growth, Oregon can save hundreds of millions of dollars and some of those savings can be reinvested into more cost-effective strategies that are better designed to build safe and healthy communities. We call this justice reinvestment.

Doell, Mannix, and the district attorneys realize that legislators and the public are ready to take action to reduce our skyrocketing prison spending through safe and sensible sentencing modernization. The writing is on the wall. The Governor's Commission on Public Safety will be generating much needed recommendations for reforms later this year. Oregon needs to move forward with a justice reinvestment agenda because we can't afford to continue to close schools and cut life-saving services while also being on a fast track to spend hundreds of millions of dollars on building new prisons.

So the relics of an old era are reaching into a new bag of tricks. It's called the bait and switch.

They realize that they can't convince people to ignore Oregon's unsustainable

prison growth and spending. So now they want to convince people that the best way to address prison spending is not through safe and sensible sentencing modernization but instead by lowering the cost per day of incarcerating people in Oregon.

Doell's radio ad essentially asks people why can't Oregon just create a prison system that is as cheap as Idaho's if we want to save money.

So here is what Doell is not saying. Idaho's prisons may be cheap but Idaho is far from a model for smart public safety strategies. Idaho's recidivism rates are almost 50 percent higher than Oregon's, which means that people who are released from Idaho's prison system are much, much more likely to reoffend.

Last year Oregon was highlighted in a national report by Pew's Public Safety Performance Project called the State of Recidivism: the Revolving Door of America's Prisons. The report identified Oregon as a standout for reducing recidivism and one of the key factors was investing in prison programs that help people make it when they return to the community from prison.

Here is another dubious distinction between Idaho and Oregon. Idaho has one of the highest percentages of privately operated prison beds in the country. The private prison industry has a horrible track record for poor conditions and abuse and Oregon is lucky not to have any at the moment. In fact, the reason Oregon currently doesn't have any private prisons is when we were sending women prisoners out of state to privately operated prisons in the 1990s, they had to be brought back to Oregon because of rampant sexual assault.

So Doell is right in one way. If we want to turn Oregon's prison system into cheap and dangerous human warehouses with underpaid and undertrained staff in a state with higher rates of recidivism and victimization, we should be like Idaho. That is one way to save money, but at a very high cost.

The focus on lowering the cost of incarceration per day also ignores the real problem.

Last year the Oregon's Legislative Fiscal Office released a report called "Correction Spending Trends." The report was rather unambiguous about what was going on in Oregon: "If there is any one factor that has increased the prison population and correctional spending, it has been the changes in sentencing laws since the mid-1990s. Between 1994 and 2000, the average length of sentence and therefore the number of offenders under the supervision of DOC has increased significantly."

Furthermore, the state projects that with no sentencing reform, we are on a trajectory to add 2,000 new prison beds to our system in the next decade at a cost of hundreds of millions of dollars. The only thing that will flatline prison growth is safe and sensible sentencing modernization.

The Truth in Sentencing Project has emerged as a new front organization for the tough-on-crime advocates in Oregon. Their focus on lowering the cost of incarceration per day is a distraction designed to attack public employees and slow down the needed focus on updating our sentencing laws to create a smarter, more sustainable approach to maintaining safe and healthy communities. Beware.



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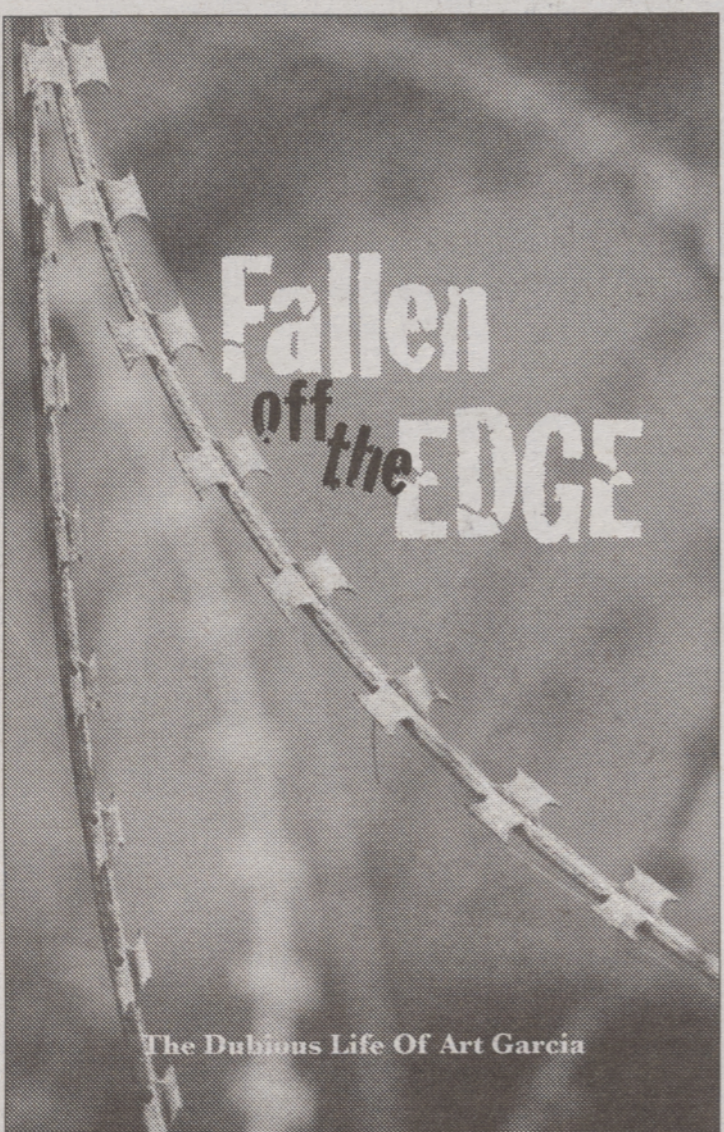
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