

ROGERS, from page 5

situation.

It is important to note that those dynamics are not just present within police departments, but that they also extend across law enforcement agencies. People have suggested for years that district attorneys have been complicit in and culpable of protecting police from misconduct charges. Are DAs using the closed nature of grand jury hearings to present biased information that prevents police officers from being indicted? If that is happening, it's despicable. And, if it is not happening, then district attorneys shouldn't be fighting efforts for more transparency to the grand jury process.

There is a huge divide between law enforcement and a large number of communities these days, particularly communities of color, and it is not getting any better. If we are going to address the distrust in and lack of credibility of law enforcement, we need to increase transparency and accountability. And we need to see law enforcement leaders provide some leadership in those efforts.

E.G.: You come to the ACLU from Partnership for Safety and Justice, where you fought fiercely for criminal justice reforms. What justice system reform goal from PSJ do you most hope to continue fighting for at the ACLU?

D.R.: First of all, I think Partnership for Safety and Justice continues to play a very important advocacy role in Oregon, and I very much support their work. It has been heartening to see progress and momentum being built here and around the country on criminal justice reform.

Leaving aside police practices for a moment, we still have some real work to do addressing incarceration levels. Despite positive reforms, there is too much emphasis on incarceration and prison as a crime reduction tool, which has incredibly limited value.

Oregon needs to more seriously tackle sentencing reform. We have draconian mandatory minimums, like Measure 11, that treat 15-, 16- and 17-year-olds automatically as adults. Justice can't be served by a one-size-fits-all sentencing scheme where judges have no power to weigh the individual circumstances of each case. The ACLU of Oregon is still assessing how we can best complement the work of other organizations and community leaders on the issue, but we will continue to be in the mix.

The District Attorneys Association is a real roadblock to progress. Mandatory minimums give them most of the power within the criminal justice system and in order to hold onto that power they defend regressive policies. We need to remember they are elected leaders and should be held accountable for their work and policy positions just like voters engage legislators.

E.G.: Are you talking about the power these minimums give DAs in plea bargaining agreements?

D.R.: When you can charge people with a very serious, very scary offense that carries a very long sentence, people are much more likely to plea – and that's how most cases are taken care of.

E.G.: You say there is too much emphasis on prison as a crime reduction tool. What would you suggest instead, and what's the cost difference?

D.R.: There's very little that's more costly than incarcerating people. Incarceration is the most expensive and least effective approach to public safety.

Drug court could be made available to a wide range of people. There are places that are focusing that intervention on a small population of folks who have been engaged in pretty low-level types of criminal behavior, like simple possession, and I think that there's a legitimate question of whether or not people who have been arrested for simple possession need any intervention. I think it depends greatly on context.

But that's just part of what needs to happen if we're thinking about developing a multi-faceted public safety strategy. There needs to be the kinds of community investments that are not criminal justice oriented at all, that are flowing toward creating job opportunities, changing educational opportunities – the types of things that really transform communities.

That said, it all comes down to dollars and cents, and I think finding money in the budget is a challenge, a logistical challenge and a political challenge.

E.G.: ACLU of Oregon has long fought the "war on marijuana." Would you be willing to pursue decriminalizing any other drugs? Why or why not?

D.R.: The war on drugs has failed. Criminalizing drugs hasn't reduced drug abuse, but it has ruined people's lives and filled our jails and prisons.

Even for those who are never incarcerated, collateral consequences from arrests and convictions can significantly derail people's lives. Felony convictions can lead to lost jobs, ineligibility for housing, suspended driver's licenses and restricted access to federal student loans and much more.

And, we know that people of color have had to bear the brunt of these misguided and cruel policies, with disparate enforcement and sentencing for black people, in particular.

Right now, when it comes to decriminalization, we are entirely focused on making the legalization of marijuana a success in Oregon. But in regard to our larger drug policy in the U.S., it is past time to implement policies that put more focus on treatment, prevention and harm reduction.

"There's no contradiction between a nation where we speak a common language and a nation where many of us remain proud of our ethnic and cultural heritage, including our native languages."

"There's no contradiction between a nation with a shared culture, founded on the idea of freedom, and a nation whose culture reflects the melting pot that is America."

DAVID ROGERS,
ACLU OF OREGON DIRECTOR

Seasons

by Shawn Andrew Nelson

Early morning rain.
A mist covers the majestic mountains
off in the distance
shimmering and beautiful
Death comes with the Age of Winter
only to show,
How does Beauty grow?
In the spring of her step.
Blooming with exuberance
as the great sun brings a whisper,
"Wake up and spread your petals little one,
summer is soon to come."
In her twilight years slowly
dissipates her fears
with the coming of a serene fall
and finally when she goes to close her eyes
a teardrop cold on her cheek,
she, oh so solemnly smiles and knows
that after winter's wink
she will shake off the Chains of Death
and prepare herself deep in the ground
so her legacy will too, wake up.

Untitled

by Kenneth Nickell

In this surrender is a new truth.
I've given up the comfort of solitude
in order to build stone from straw.
Her frailty encouraged my apprehension.
Hours that pass in the company of another
with music no one else seems to hear.
Dancing through the days.
My love of loneliness
gives way to the confusion of companionship.
I am innocent and no longer have the answers.
I am afraid, as all things once were steel
now are made of glass.