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housed in the city's Office of Equity and Human Rights.

BMA program coordinator CJ Robbins said, among the issues already prioritized by the BMA initiative, reforming the mandatory minimum-sentencing law was something the young men "were passionate about."

And they were not alone.

Portland police Capt. Kevin Modica and Oregon Department of Justice Civil Rights Director Erious Johnson Jr. were among the speakers who also took the stage to voice their opposition to the one-size-fits-all nature of the sentencing law.

Despite triple-digit temperatures that afternoon, the event, "Rise Above: Measure 11 Reform," was well attended.

Portland Chief of Police Mike Marshman, two criminal court judges and Rep. Lew Frederick (D-Portland) sat among the guests

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ELMER YARBROUGH,
PORTLAND FATHER

who'd settled into the dozens of white folding chairs the young men had arranged on the grass.

Frederick said he plans to introduce legislation aimed at Measure 11 in the 2017 session and will review the young men's final recommendations to see how they might be incorporated.

"I want to see what we can do to legislation, either removing legislation or changing it, so that we begin to focus on how we can actually get some things done effectively," he said.

But, he said, "I want to make sure that the people understand how difficult that may be to get done."

Previous attempts to reform Measure 11 have been met with strong opposition from the law's influential proponents, including Crime Victims United and the Oregon District Attorney's Association.

Another hurdle reformers face is lesser-known Measure 10, which amended the Oregon Constitution to require that any change to a voter-passed sentencing law must get a two-thirds majority in both the House and the Senate.

Shortly before taking the stage to kick off the program, Multnomah County Commissioner Loretta Smith waved her hand toward the youthful organizers and said, "These are the people Measure 11 affects - young black men."

An alarming 74 percent of juvenile defendants charged with Measure 11 crimes were young people of color, according to a Street Roots analysis earlier this year of cases resolved during 2015 in Multnomah County.

One of the youths' recommendations is to make the law less subjective by clarifying the difference between Assault III and Robbery III, which are not Measure 11 crimes, and Assault II and Robbery II, which are. Their reason for this recommendation is that a disproportionate number of African-Americans are charged with the more serious, second-degree crimes.

These young men are adding their voices to an ongoing and growing effort to reform or repeal Measure 11, which was passed by Oregon voters during the tough-on-crime era

of the 1990s.

Groups such as Partnership for Safety and Justice and American Civil Liberties Union of Oregon have long been outspoken against mandatory minimum sentences, and in February opponents of Measure 11 rallied in Salem. Critics say the law prevents judges from taking a defendant's criminal history and other factors, such as age, into consideration at sentencing, and instead gives all the power to prosecutors.

Johnson, civil rights director at Oregon Department of Justice, echoed this sentiment when he took the stage, saying, "We have to start paying attention to our district attorneys. They make the choice on who gets charged with Measure 11."

A Portland resident and father of four sons, Elmer Yarbrough, also shared his perspective on Measure 11 with the crowd. He said when the law was passed in 1994, he was "running the streets" in the neighborhood surrounding Woodland Park, where he now stood.

"Measure 11 came into play because of the fear people had. It had a lot to do with a lot of our young black men and the gang activity that we had back then," he said. Now, he argued, "overzealous prosecutors" use the threat of long sentences under Measure 11 to coerce defendants into snitching on their friends or agreeing to plea deals.

"The fear that these young people have about Measure 11 is real," he said, "and the tears and the falling out on court floors, halfway losing their minds because someone is telling them, you're 16 years old, but you're going to spend 70 months in prison, you're going to have a felony on your record, and when you get out, what options do you have?"

Another problem with the law, the youths explained, is fewer than 6 percent of young people charged with Measure 11 crimes are granted a second-look hearing, with many required to waive their right to the hearing in exchange for a lesser sentence.

A "second look" is a re-evaluation of a juvenile's sentence at the halfway mark. At this hearing, an inmate's progress, character, stability and many other factors are weighed to determine if they are eligible for early release.

Because second-look hearings are used as an incentive to change behavior, the young men also recommended that these hearings be required for youths convicted of Measure 11 crimes - or alternately, an effort should be focused on evaluating the outcomes of offering such hearings.

But front and center, was the youths' recommendation that individuals younger than 18 should not be charged as adults.

The youths argued incarcerating youths impedes their development and is counterproductive to rehabilitation, and long sentences under Measure 11 exacerbate these effects.

When Portland Police Bureau Capt. Modica addressed the audience, he said he was drawing on more than 30 years' experience with the bureau, and five years working at a correctional facility before that.

"It's very evident that while Measure 11, as a remedy during the decade of the war on crime, seemed to make sense, seemed to bring comfort, it ruined lives and marginalized families and communities," he said.

He continued, after noting that he was speaking as a citizen and not as a representative of the bureau, "I would



PHOTO BY EMILY GREEN

Sang Dao gives the keynote speech Aug. 20 at "Rise Above: Measure 11 Reform." At age 17, Dao was sentenced to 12 1/2 years for committing a Measure 11 crime. Then-Gov. John Kitzhaber granted him clemency right before leaving office. Dao graduated magna cum laude from Portland State University with a degree in criminal justice, and today he works for Multnomah County's Department of Community Justice Juvenile Services Division.

"This is my story, and I wanted to own it, and I wanted to improve it. Because not only do I carry my story, but the thousands of people that I came across and their stories. They had some similarities and some differences, but at the same time they were young, they were juveniles, and I don't know what part of making someone feel bad about themselves is going to help them to do better later on in their life."

SANG DAO,
KEYNOTE SPEAKER

encourage all of you, that if this reaches a ballot, if you have connectivity with your elective, that you make it clear that not only is second look appropriate, but possibly the abolishment of Measure 11 itself."

Portland's police chief, Marshman, said he found the presentation "impactful."

He said, "I think a lot of the justice system and social system partners in Multnomah County need to look more at diversion versus incarceration - you know, intervention, prevention."

He explained he wants to infuse community policing into every branch of the police department.

"I don't want it siloed; I want it embedded everywhere," he said. "I think if we do this, work with youth, work with kids, get in the community, your crime suppression needs, in my opinion, will be reduced."

In regard to fixing the racial disparities in the way Measure 11 is applied, he said: "What can police do? Be a part of the conversation. I know the people who work in the system. I could probably push back a little bit harder than others, at least to get the conversation going."