

EDITORIAL

Death penalty a decision for voters

The last time Oregon voters had a chance to decide whether the state could potentially execute convicted murderers, a majority — 55% — of those who cast ballots not only answered yes to that question, but they chose to reserve the matter for voters in the future by amending the state Constitution.

But the Democrats who control the Legislature, by way of supermajorities, have about as little respect for the sanctity of the Constitution, on this vital issue, as they do for voters.

Which is to say, essentially none.

Although only voters can change the Constitution, Democratic lawmakers have managed to largely overrule the voters on the matter of capital punishment.

The current governor, Kate Brown, and her predecessor, John Kitzhaber — both Democrats — certainly showed no inclination to recognize the will of the electorate. Kitzhaber in 2011 declared a moratorium on executions. This didn't exactly halt a parade of death sentences, as Oregon hasn't executed a murderer since 1997.

To his credit, Kitzhaber did support the idea of asking voters, after more than a quarter century, to revisit the question on the ballot. That hasn't happened.

But the Democrats' disdain for voters has only deepened since.

In the 2019 legislative session, they passed Senate Bill 1013. And Brown signed it into law.

The law significantly constricted the definition of "aggravated murder," the only crime for which a person can be sentenced to the death penalty. But the real problem is that legislators who supported the bill and who insisted that it would not be retroactive and could not result in anyone on death row having a death sentence overturned were, simply, wrong.

Some prosecutors warned that this was the case in 2019. And officials in the Oregon Justice Department concluded that the bill could potentially be applied retroactively.

But neither Democratic legislators nor Brown was persuaded, and Senate Bill 1013 became law.

Now we know precisely how that law can neuter voters. Recently the Oregon Supreme Court nullified the death sentence for convicted murderer David Bartol, specifically due to the new law.

Marion County District Attorney Paige Clarkson said, in response, that the "practical result" of the new law is that it has "effectively eliminated the death penalty in Oregon and thus ignores the vote of the people who chose to make it the law since 1984."

This is unacceptable.

It's also the result of Democratic legislators who brazenly thwart the voters they are supposed to represent.

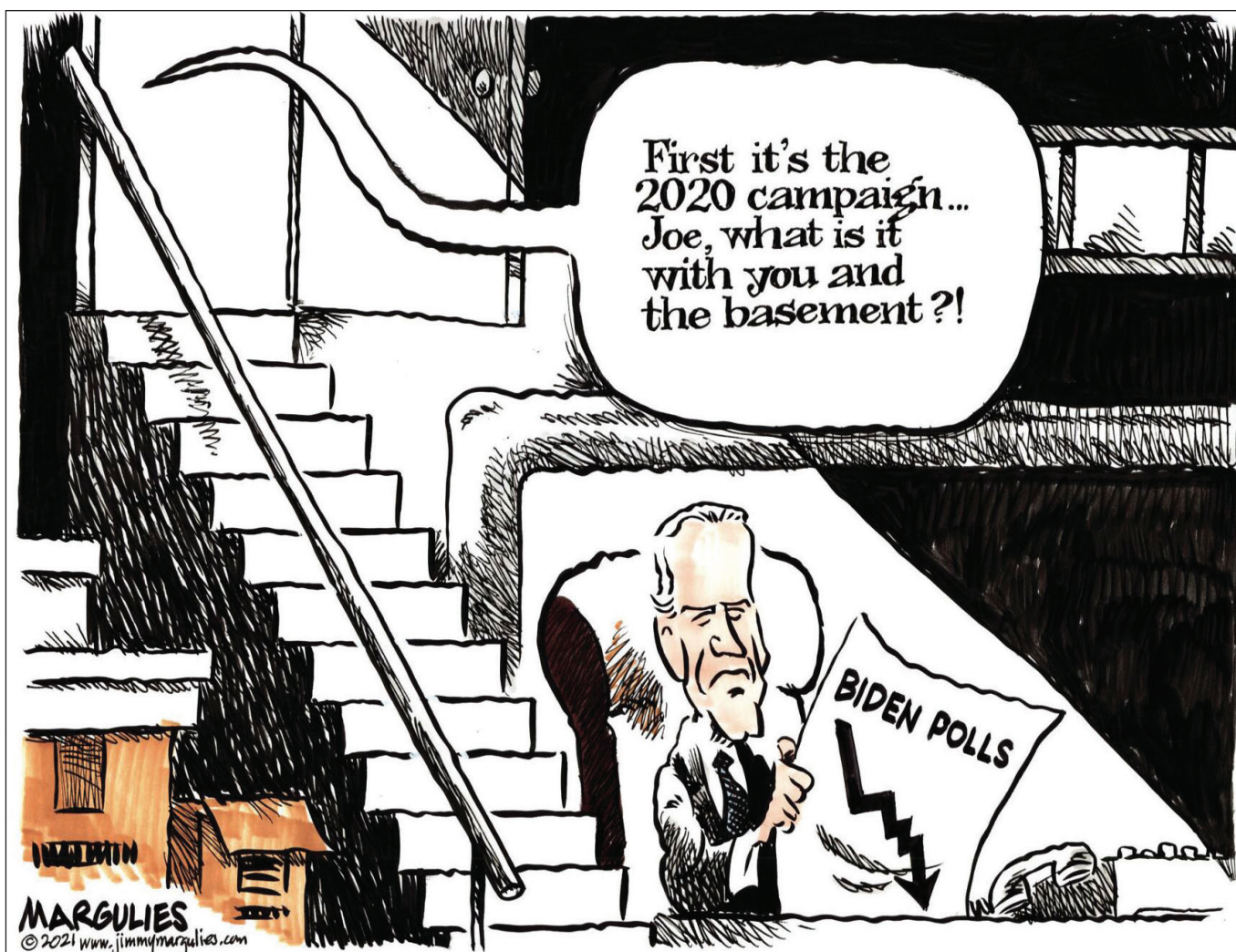
It may be that, 37 years after Oregon voters endorsed the imposition of the death penalty, they would decide to either do away with capital punishment or, as the Legislature did with Senate Bill 1013, further limit the situations in which it could be imposed.

But that decision should be made by voters, not lawmakers.

First, the matter of whether the government should have the legal authority to end a life is such a profound exercise of power that a robust public debate, and vote, is the only appropriate venue.

Second, capital punishment is part of the state Constitution, and amendments to that document are absolutely the sole province of voters.

— Jayson Jacoby, Baker City Herald editor



Why Democrats should be supporting charter schools

By STEPHEN L. CARTER

Whether the Democratic Party's burgeoning opposition to charter schools will lead to electoral trouble is an open question, but this much seems clear: As time passes and evidence piles up, the party's position seems not only cruel but also absurd.

The latest reason? Charter school attendance turns out to aid a cherished liberal goal: high voter turnout. That's the conclusion of a new paper by the economists Sarah Cohodes and James J. Feigenbaum. Girls (not boys) who attend charter schools are significantly more likely to vote in the first election after they turn 18. The voting rate of parents also jumps after their children are admitted.

By any measure, this should count as an unalloyed (and unexpected) benefit of charter schools. Still, Democratic opposition to them remains unbudgeable.

Charter schools were once considered the sensible compromise between those who favored giving poor parents money to purchase private education for their children and those who opposed any government-funded alternative to public schools. As recently as the presidency of Barack Obama, Democrats strongly supported them. But during Donald Trump's years in the White House, when charter expansion became a key Republican priority, Democratic support cratered.

Well, no. Not exactly. What actually happened was that support among white Democratic voters collapsed, falling to 26%. At the same time, among Black and Hispanic Democratic voters, strong majorities support charters. The progressive wing of the party has largely abandoned the once-crucial compromise, and spent the summer fighting to reduce federal funding for charters.

Yet years of research confirm the relative success on most measures of

the better-designed charters: Compared to those who aren't admitted, attendees tend to score higher on standardized tests, are more likely to finish school, and have a better chance of attending college. Recent work indicates that the social skills of attendees improve as well. They're less likely than their peers to commit crimes, use drugs or get pregnant while in school. All of these are excellent reasons, for anyone who purports to care about those the nation leaves behind, to support charter schools.

This latest study reinforces many of these findings, but the most important findings involve the franchise. Previous work had found charter school students more likely to vote, but those results were from schools that picked their students and emphasized civic duty in the curriculum. The paper, which examines six elections between 2008 and 2018, finds that voting is more likely even when the school picks its students by lottery.

The study, released last month, finds no effect on registration. Students from charters and from other public schools sign up at similar rates. But turnout is another matter. So long as they register, the study says, students at charters are 17% more likely to vote.

Strikingly, this effect is driven entirely by female students. The most interesting explanation is that girls who attend charters are more likely than boys to improve their non-cognitive skills. In particular, girls but not boys show improved attendance rates and a higher likelihood of taking the SAT. The results suggest that voting behavior is driven not simply by education but by the attainment of non-cognitive skills as part of that education; and that at least for some students, charters improve those skills. (1)

All of these are excellent reasons to increase support for charters, particularly given that recent work shows that the

best of them can replicate their success. And even if it's true that the presence of charter schools slightly increases racial segregation, as some evidence suggests, the effect vanishes in large metropolitan areas. (2)

And here's a point not to be forgotten: Putting aside the veritable mountain of measurables, a significant number of parents choose charters for what they believe will be an improved atmosphere. Fewer gangs, for instance; less drug use; even just better behavior overall. Well-to-do parents take for granted their ability to choose for themselves what sort of atmosphere their children will thrive in. Charters at least offer parents who are less well off a faint echo of the choices that those of higher income can afford.

So, to review: Charters improve student academic performance and non-cognitive skills. Black and Hispanic Democrats strongly favor them. And charter attendance increases voter turnout. Add it all up, and progressives are running out of sensible reasons to oppose charter schools.

(1) Other subgroups — for example, those receiving subsidized lunches and those "receiving special education" — were also more likely to vote.

(2) Another progressive fear is that the curricula of many charter schools might be taking a decidedly conservative turn. This doesn't distress me, I've long been of the view that public schools exist to aid parents in the raising and education of children. Democracy thrives on diversity of opinion. That I might not choose to send my children to a particular school is no argument against the school.

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OTHER VIEWS

Tragedy of untreated mental illness

Editorial from New York Daily News:

"My sister has been failed by the system that's supposed to help her." So said Nancy Egegbara, wisely diagnosing the massive cracks through which Anthonia Egegbara fell before her untreated mental illness took hold of her and she shoved Lenny Javier into a No. 1 train last Monday morning. Egegbara is rightly charged with attempted murder and assault for the horrifying push and rightly being held on \$100,000 bail — but the demons in her head were so so wrongly allowed to fester year after year; the umpteenth example that New York has become a city where people in psychological distress routinely see their conditions metastasize, endangering themselves and others.

Often in the wake of such a tragedy, reporters are forced to search for clues that a suspect has diagnosed mental illness, given that federal health-privacy law zealously guards such information. In this case, Egegbara's family put it plainly, saying that she has schizophrenia, for which she has been hospitalized more than 50 times since her teenage years. When swallowing her pills, she's considerate to others. When off, the results can be catastrophic. And since she's an adult, they say, no one can make her stay on her meds.

Except that New York has for 22 years had a law designed to try to solve precisely this problem. Kendra's Law is named after a woman killed in a subway push by

a schizophrenic man who refused to take his medication.

Tragically, rather than preserve or add beds for people who might need or be ordered into treatment, New York State has eviscerated those services. Kendra's Law has been invoked too sparingly, falling from 1,600 people under court order to follow their treatment plan in 2017 to 1,400 today. And New York City has rolled nearly a billion dollars a year into the suite of mental health programs, ThriveNYC, hardly any of which focus on helping those beset by the most crippling conditions.

Insanity is doing the same thing over and over again and expecting different results. This is insanity.