

In 1994 only 19 states in the union had higher violent crime rates than Oregon. In response Oregon voters passed Measure 11 by a 2/3rds vote. The measure created minimum sentences for serious violent offenses and allowed 15, 16 and 17 year olds who were charged with such offenses to be tried in adult court. It should be noted that judges still had the discretion **not** to impose the minimum sentence on many juvenile offenders.

By 2012 Oregon was second in the nation in the reduction of violent crimes. It was cut by over 50% and there were only 10 states in the country with a lower violent crime rate. The reductions for violent crime by juvenile offenders were cut even more dramatically. In many respects Measure 11 has been the most successful state government program of the last 25 years. In 2000 75% of Oregon voters refused to repeal it.

But now a group of Salem politicians wants to change all that. Without giving voters a say they propose to gut Measure 11 for criminals who committed their crimes while juveniles.

The bill that passed the Oregon Senate (SB 1008) last week will **grant a parole hearing next year to violent offenders like Kip Kinkel** who are now adults and will require the Parole Board to release them if they meet friendly criteria that prohibit the consideration of public safety or the seriousness of the crime. They claim the bill doesn't apply to past juvenile criminals, but the plain language they wrote says otherwise. And, even if they drop that provision, ask yourself this: **if the thought of applying it to past violent criminals is so horrible, why would it be a good thing to apply it to future ones?**

The bill has a hearing this Wednesday before the House Judiciary Committee at 1pm. Oregon's public safety and the rights of crime victims are under threat if it is not stopped.

The Highlights of SB 1008

- * Amends Oregon Revised Statutes to return exclusive jurisdiction over all criminal cases involving offenders under 18 years of age to the juvenile court system (Section 14).
- * Repeals Measure 11 adult court prosecution of violent offenders who were under 18 years of age at the time the offender committed Murder, Aggravated Murder, First Degree Manslaughter, Rape, Assault, Kidnapping, and Robbery (Section 4).
- * Repeals Measure 11 minimum sentences for violent offenders who were under 18 years of age at the time the offender committed Intentional Murder, Aggravated Murder, First Degree Manslaughter, Rape, Assault, Kidnapping, and Robbery not “waived” to adult court for prosecution (Sections 4 and 5).
- * Allows Juvenile Court to maintain prosecution of violent offenders who were under 18 years of age at the time the offender committed Murder, Aggravated Murder, First Degree Manslaughter, Rape, Assault, Kidnapping, and Robbery (Section 6).
- * If convicted in juvenile court, the judge could impose any sentence **including no sentence** or probation and the longest sentence possible would end when the offender turned 25. Consequently, for example, a 17 year old offender who committed Murder or Aggravated Murder could not receive a sentence of more than 8 years, including incarceration and parole, and could receive no sentence at all. Even if juvenile offenders received a sentence until their 25th birthday, bureaucrats within the juvenile system would have the power to release them earlier.
- * Expands eligibility for “Second Look” conditional release to violent offenders “waived” to adult court and convicted of Intentional Murder, First Degree Manslaughter, Rape, Assault, Kidnapping and Robbery after serving 1/2 of imposed sentence, or upon reaching the age of 24 years, 6 months. (Sections 5 and 22).
- * Prohibits sentence of life imprisonment without the possibility of parole or release for violent offenders who were under 18 years of age at the time the offender committed the crime of Aggravated Murder (Sections 5, 22 and 24).

* Retroactively makes **all current inmates** who were under 18 years of age at the time the offender committed their violent crimes Murder or Aggravated Murder eligible for parole or post-prison supervision after serving 15 years imprisonment (i.e. **Kip Kinkel and others like him will receive parole hearings next year under this bill**). The provision would also apply to serial rapists who received consecutive sentences for assaulting multiple victims or armed robbers as well as other violent criminals (Section 25).

* Requires the offender to be paroled or released on post-prison supervision if the State Board of Parole and Post-Prison Supervision finds that the inmate has demonstrated “maturity and rehabilitation.” “Maturity and Rehabilitation” are not defined.

* SB 1008 **does not allow the Parole Board to consider the seriousness of the underlying crime or the safety of the public in determining whether to grant parole or post-prison supervision.** The Parole Board shall, however, “give substantial weight to the fact that a person under 18 years of age is incapable of the same reasoning and impulse control as an adult and the diminished culpability of minors as compared to that of adults.”