



by Mail Tribune Editorial Board
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Oregon's initiative process allows the people to enact laws directly when the Legislature cannot or will not do so. On Tuesday, the Senate voted to change Ballot Measure 11 to be more lenient toward juvenile offenders 25 years after voters passed it. It was the right thing to do.

Senate Bill 1008 — actually a combination of five bills — squeaked through with the required two-thirds majority (more on that later). Three Republicans, including Sen. Dennis Linthicum of Klamath Falls, joined 17 Democrats in voting yes.

Measure 11 was a get-tough-on-crime initiative passed in 1994 that set mandatory minimum sentences for crimes including murder, rape, kidnapping and arson and required juveniles 15 and older accused of those crimes to be tried as adults. SB 1008 removes that requirement and leaves the decision in the hands of a judge.

The measure also allows juvenile offenders scheduled to be released from custody before their 27th birthday to be released at 25 rather than being transferred to the adult Department of Corrections. It creates new provisions for early release of serious juvenile offenders and makes sure offenders who commit crimes before they turn 18 but are not sentenced until age 19 won't be sent to adult prison.

The bill faces considerable opposition, but much has happened since 1994, including a drop in crime rates. Criminal justice experts say Measure 11 is not the reason. A study released last year by the Oregon Council on Civil Rights concluded that Measure 11 "has had no clear benefit to public safety as measured by deterrence or recidivism. In fact, most research suggests that interactions with the adult criminal justice system at such a young age increase recidivism and reduce public safety."

Scientific research shows juveniles' brains aren't fully developed until they are in their 20s, and they have "a unique capacity for change and growth," in the words of the study. Polls also indicate that changes in juvenile sentencing laws enjoy broad support among Oregonians.

Oregon's district attorneys and others opposed SB 1008, arguing that the voters should decide. But in the same election that produced Measure 11, Ballot Measure 10 said lawmakers could reduce voter-approved sentences with a two-thirds vote.

That's what the Senate did Tuesday. The House should follow suit.