

Chair Bynum and Members of the Committee:

My name is Babak Zolfaghari-Azar. I am testifying as a community member in support of HB2002. Ending Measure 11 mandatory minimum sentencing matters to me because I serve Black Oregonians who have Measure 11 convictions and I see its impact every day. The daily experience of people is hopelessness and an endless struggle with all the excessive emotional, employment, educational and housing barriers influenced by a lengthy mandatory minimum sentence. We say folks will have a fresh start after they have been held accountable and served their time, yet the people I serve start their first day in the community after serving a Measure 11 sentence still handcuffed by the choices they made several years ago. They leave a cage in prison only to be put in another box once they return home. Their identity is shaped more by a felony than their freedom.

Since 1994, Measure 11 has been predetermining justice for crime survivors and has been driving mass incarceration and racial disparities in our justice system. In 2018, 4 in 10 people in Oregon's prisons were incarcerated for Measure 11 convictions and even more are there for plea deals that started with measure 11 charges. While Black people make up less than 2% of the total state population, they make up almost 10% of Oregon's total prison population. Each crime survivor and person charged with a crime has unique needs, experiences, and a path toward healing, safety, and justice.

I want to focus on 3 impacts of these reforms:

First, HB2002 allows judges to decide. HB2002 would end Measure 11 mandatory minimum sentencing and allow judges to use current Measure 11 sentence lengths as a guideline, giving judges back their authority to impose shorter or longer sentences for M11 crimes depending on the circumstances of the case including someone's age, community connections and supports, their prior criminal history, personal responsibility, victim input and crime survivor needs. Ending mandatory minimum sentencing would allow judges to weigh all those factors in the pursuit of justice.

Second, HB2002 incentivizes good behavior in prison. As a result of the proposed changes, people would have hope to earn time off their sentence for positive behavior, which they aren't eligible for now. The focus shifts from a shame-based punishment to an internally driven accountability. This positive momentum improves public safety upon return to the community. Ask yourself this question, would you feel safer with a neighbor who served a Measure 11 mandatory minimum sentence and had no internal motivation to grow, or someone who took accountability for their actions and earned time off their sentence for safe, healthy behavior while they were incarcerated?

Finally, HB2002 targets the crimes that drive mass incarceration and racial disparities. HB2002 would reduce the sentence length for Robbery II and Assault II from 70 months to 30 months, the 2 crimes that most significantly drive racial disparities and drive prison population in Oregon for communities of color. These changes are estimated to lead to lower racial/ethnic disparities of about 15-20%, thus addressing a targeted goal of lowering the overrepresentation of people of color in Oregon's prisons.

HB2002 will give the community hope that we can have an equitable, humanizing, restorative and holistic justice system. These Measure 11 reforms will also save the state money so we can reinvest in culturally specific and victim services. Its one critical step forward in restoring trust and showing the community that Oregon is ready to meet the moment for racial justice and humanity in our justice system. For Oregon, for the young people I work with, I am asking you to seize the opportunity for meaningful criminal justice reform by supporting HB2002.