



REFORM MEASURE 11

Time Does Not Fit The Crime
PO Box 647, Oregon City, OR. 97045

March 29, 2023

Dear Senate Committee,

RE: Senate Bill 320 Support Testimony of Dominique Dalioigne, Time Does Not Fit The Crime (TDNFTC) Chief Communications Officer

Senate Bill 320 provides that person sentenced to mandatory minimum sentence under Ballot Measure 11 (1994), for crime other than murder, who has not been previously sentenced under measure is eligible for reduction in sentence for appropriate institutional behavior and participation in certain programming unless otherwise ordered by court for substantial and compelling reasons.

I am writing to express my support of Senate Bill 320 in the effort for all adults in custody (AICs) to earn 'Good Time' regardless of age, race, gender, or crime in the pursuit of equal rights.

The 1994 voters pamphlet stated that "We must imprison all violent and repeat offenders and keep them locked up for a substantial amount of time" yet Measure 11 has turned Oregon into a one strike you're out state by:

- Grouping first-time offenders in with "repeat offenders" and
- Applying mandatory minimum prison sentences to certain crimes against persons committed on or after April 1, 1995, with no possibility for any reduction in sentence, such as achieving programming goals and having good behavior.

Almost 30 years later, an overwhelming majority of Oregonians know little to nothing about this crippling law until personally faced with it themselves. This includes a lot of first-time offenders currently sentenced and serving time for Measure 11 crimes.

Even more unfortunate is that a lot of first-time offenders are young people with mental health issues or who were under the influence of drugs or alcohol. It has been proven in research studies that the brain is not fully developed until we reach the mid to late 20s. The part of the brain behind the forehead, the prefrontal cortex, is one of the last parts to mature. This area is responsible for skills like planning, prioritizing, and making good decisions. Yet so many first-time offenders under the age of 20 have been incarcerated for lengthy sentences. And those sentenced under Measure 11 often go without proper behavior health, drug/alcohol treatment, and the opportunity to get involved in programs or get good jobs that will help them prepare for release.

Prison-based rehabilitation programs and post-release services to foster AICs social reintegration to our communities is critical and earning 'Good Time' is a vital part of that. Programs that allow AICs to be released early for good behavior is a cost-effective and safe way to reduce prison populations and taxpayer costs. These programs also decrease the likelihood that former AICs will commit additional crimes once released. 'Good Time' provides stronger incentives for AICs to take advantage of programming and employment opportunities while incarcerated, increases moral, and may improve prison discipline and safety, thereby providing important benefits for both AICs and staff. I believe this would greatly change the whole dynamics of the Oregon Department of Corrections and I support the idea that AICs should be encouraged to earn incentives and show achievements for their improvements as they work toward re-entry.

Senate Bill 320 is simply asking for first-time offenders under Measure 11 sentencing to have the same right to earn 'Good Time' as those who have committed and been sentenced under other crimes. And after all, isn't rehabilitation the point? Approving Senate Bill 320, will give first-time offenders under Measure 11 incentive to participate in programs and better themselves. So, in closing, I support Senate Bill 320.

Thank you,
Dominique Dalioigne