

Since Measure 11 was passed in the 1990s, our prison population has greatly increased, partly because Measure 11 sentences are long, and do not allow prisoners to earn earlier release through good behavior. The combination of long sentences and inability to earn time off for good behavior means that our prison population keeps growing. This is very expensive for taxpayers. Creating a new system that allows earlier releases for prisoners who earn it will save millions of taxpayer dollars.

Our system of justice should be balanced with mercy, and it should not all fall heavily on the governor via commutation to allow prisoners to earn time off with good behavior. The legislature should provide a system for evaluating prisoners for early release based on good behavior in prison.

Long sentences are disabling. Earlier releases, where earned, will allow former prisoners to return to communities sooner, while they still have skills and relationships that support a good life. This will improve community safety.

Victims and prosecutors are given a big voice in the commutation process. This injects some capriciousness, depending on their views and psychological situations. One angry, vindictive victim, backed by a prosecutor whose power has been enhanced by Measure 11, can doom an otherwise exemplary prisoner's commutation petition. This piles on top of Measure 11's removal of judicial discretion in sentencing. Letting victims and prosecutors have disproportionate power has given us an unbalanced system. SB 320 is a corrective measure that will bring back a portion of the balance that was lost when mandatory minimum sentences removed judicial discretion and transferred disproportionate power to prosecutors.