

# Clackamas Judges Halt Law Designed to Stop the Opening of a Second Women's Prison

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OREGON CITY, Ore. - A special panel of three judges in Clackamas County Circuit Court today struck down Oregon's Safety and Savings Act, a bipartisan criminal justice reform law passed in 2017. In an unusual move, the special panel of judges consolidated the sentencing hearings of nearly two dozen criminal defendants along with a civil case filed by Clackamas County District Attorney John Foote to decide the validity of the Safety and Savings Act.

Created to address the spike in the rate of women's incarceration and stop the opening of a second women's prison, the Safety and Savings Act would have saved the state nearly \$20 million in prison costs and invested \$8 million in treatment dollars and victim services.

The Oregon Department of Justice defended the Safety and Savings Act in the civil case. Lawyers representing the Partnership for Safety and Justice (PSJ), the Oregon Justice Resource Center (OJRC), and the American Civil Liberties Union of Oregon (ACLU of Oregon) also argued in support of the law. The ACLU of Oregon, OJRC, and PSJ pledge their continued support as Oregon fights to save this important piece of criminal justice reform.

## **Andy Ko, Executive Director, Partnership for Safety and Justice**

"We'll now have to wait for the legal appeals to be decided, but it's clear that the Safety and Savings Act absolutely was the right choice for Oregon. Oregonians want local investments in crime prevention for safer communities. We want addiction-driven crime to be addressed with accountability and treatment, not excessive prison sentences. We want young children to have their mothers at home with them, not locked up for long stretches because of a drug or property crime. Last year, legislators listened to Oregonians, and they wisely chose to update our criminal justice system in ways that build community safety while also saving the state \$20 million in unnecessary prison costs."

## **Bobbin Singh, Executive Director, Oregon Justice Resource Center**

"We believe that today's decision is legally wrong and will harm Oregonians. District Attorney Foote's attempts to prevent the implementation of HB 3078 spectacularly miss the point about reducing crime. The property crimes that are the focus of HB 3078 are largely driven by social and public health problems such as addiction, poverty, mental illness, abuse and trauma. If D.A. Foote wants to achieve his aim of cutting crime in

Clackamas County and throughout the state, he would do better to focus on evidence-based methods that we know will be far more effective at reducing offending than simply locking people up. Investing in treatment and prevention will move Oregon's approach to public safety in the right direction. Unfortunately, as individuals wait for this challenge to work its way through the courts, they will likely receive harsher sentences and at a great cost to the taxpayer. It's time we can't give back to them or their families. These are resources that we can't get back and will continue to be expended on a failed approach to public safety."

**david rogers, Executive Director, ACLU of Oregon**

"We are very disappointed with the decision today. Everyone agrees that it is wasteful to spend tens of millions of dollars to open a new women's prison. Oregon's criminal justice system is held hostage by preventing the legislature from responding to unintended consequences, changes in public opinion, and the need to modernize outdated laws. Although DA Foote may feel vindicated by this decision, his attempts to defend outdated laws hurt Oregon. Rightfully, the Governor just declared addiction a public health crisis in Oregon, while DA Foote is focused on taking away resources for treatment and prevention."

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