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Edited by Robert P. Langley

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What Wood Be – My desk (by Robert P. Langley)

In 2010, on a tree farm outside of Woodburn a birch tree was planted on the far edge of a field. Not ideally located (and perhaps unintentionally), the tree failed to receive the same amount of nutrition and sunlight as the other trees in the field. Over time, as the field of trees matured, the disparities in the tree's inferior location became apparent. The well-positioned trees grew straight and flourished, while it did not... So, for reasons beyond its control, the tree's potential lagged behind the more fortunate trees. Still, in spite of its' disadvantages, the tree remained resolute in its belief that it could reach its potential and become something useful.

Unsurprisingly, when harvest time came and all of the trees were graded, the tree received such a poor grade that it was designated to the scrap pile, destined to become a 2"x4" (and not a furniture piece as it had hoped). Although perturbed by the harvester's judgment and bedeviled by its destiny, the tree's ambition remained intact – it still believed that it could become something of value.

The tree began its post harvest life, first at a sawmill in Silverton where it was turned into a 2"x4", then on a pallet at a lumber yard in Eugene, before, finally, arriving at the Oregon State Penitentiary in 2018. Going forward, it served as a brace and temporary sill before becoming a frame for a cement-pouring project. Thereafter, and in what can only be described as an upgrade, some enterprising Physical Plant workers gave the 2"x4" a good scrubbing and, afterwards, turned it into a giant "jinga set" for their entertainment during the downtime brought on by the pandemic.

Meanwhile, on the other side of the prison, the Lifers' Club was in the process of remodeling their office and, as fate would have it, in need of a custom built desktop. When word made its way out to the Physical Plant a worker looked at the giant jinga set and, perhaps inspired by the tree's innate optimism, saw in the tree what it had always seen in itself: Utility and purpose. Accordingly, with those values as measurements, the worker set about building the Lifers' Club a desktop out of the tree, former 2"x4", concrete form and

giant jinga set; thereby, fulfilling the tree's vision for itself while exercising his own. Or at least that's how I see it... Anyway, please meet my new desk below! (RPL).



Do harsher punishments deter crime?

Deterrence is sentencing's dirty secret, says UNSW Law expert.

There are a number of assumptions that underlie deterrence. It's easy to think that the threat of punishment will simply dissuade someone from doing the wrong thing. But it turns out that deterring would-be criminals by instilling doubt or fear of the consequences is more tale than truth.

"Deterrence is very largely an article of faith," says UNSW Law Emeritus Professor David Brown. "I call it sentencing's dirty secret because it's just assumed that there is deterrence ... but what the research shows is that the system has little to no deterrent effect."

The criminal justice researcher says harsher punishments, such as longer prison sentences, not only do not prevent crime but may actually have the opposite effect.

"What research is increasingly showing is that imprisonment itself and punishment more generally is actually criminogenic – it makes it more likely that people are going to re-offend," he says.

The myth of deterrence.

Professor Brown says harsher punishments that both aim for general deterrence – that is to deter the population at large – and specific deterrence to deter the individual, from re-offending in future is unfounded.

"The severity of punishment, known as marginal deterrence, has no real deterrent effect, or the effect of reducing recidivism," he says. "The only minor deterrent effect is the likelihood of apprehension. So if people think they're more likely to be caught, that will certainly operate to



Deterrence is an area plagued by assumptions and is under-researched, he says. There are several common narratives about deterrence that are questionable, such as assuming the offender knows the law and is aware of the penalties.

“The courts actually refer to [deterrence] as a structural assumption of the system,” he says.

“While many people know that particular conduct is wrong ... they certainly might not know the specifics of particular kinds of offences. For a lot of public order offences, they are so broad and nebulous that people don't really know whether their behavior comes within, for example, offensive behavior.”

Another assumption is that people who commit crimes engage in a rational calculation with the likelihood that they will be apprehended, prosecuted and convicted, he says.

'The severity of punishment, known as marginal deterrence, has no real deterrent effect, or the effect of reducing recidivism.'

“A large number of crimes are what we call expressive crimes – that is they are affected by anger, rage, depression, drug or alcohol use, indicators of psychological disturbances,” he says. “So people are not turning their mind in a rational, calculating way, using cost-benefit of whether the punishment outweighs the benefit.

“There is the assumption too that people are acting in a vacuum, that they're not influenced by a range of economic, social and cultural factors that provide the context within various forms of offending occurs.”

Professor Brown says we only need to look at the high rates of recidivism for past offenders to know that imprisonment doesn't work in reducing further crime.

“Roughly around 60% of the people sentenced to prison have previously been in prison,” he says.

There are a number of civil disabilities that stem from imprisonments, such as exclusion from the job market, de-skilling and lack of access to housing, which lead offenders back to crime.

“It's very hard to get a job with a criminal record, and particularly if you've been sentenced to imprisonment; it is so stigmatized,” he says. “People, for the period that they're imprisoned, are not learning any new skills for employment.

“Imprisonment hinders the possibility of people making reparation, paying off debt, and increases the likelihood of homelessness, and in some cases can break up contact with families.”

Rehabilitation, restoration-based approaches and redefining criminal justice

Professor Brown says there are a number of social policies that could better reduce re-offending.

“Social policies for reducing long-term unemployment, increasing adult education, providing stable accommodation, increasing average weekly earnings, and various treatment programs will bring about reductions of re-offending,” he says.

He also says there is an economic argument for fewer people being sent to prison, in that it would be a substantial saving to the community.

"It's roughly about \$300 per day to keep someone in jail, whereas, it's roughly \$23 a day for someone in community corrections," he says. "So the money could go back into schools, hospitals, supportive housing, drug and alcohol programs, and employment programs."

While the criminal justice system is not directly responsible for the major causes of offending, he says it is important to note that it largely aggravates and exacerbates them.

"It's important to look at recidivism rates and point out that community corrections produce lower recidivism rates. But it's also important to not have too much expectation that the criminal justice system will solve what are essentially social, economic and cultural problems," he says.

"Social policies for reducing long-term unemployment, increasing adult education, providing stable accommodation, increasing average weekly earnings, and various treatment programs will bring about reductions of re-offending."

Professor Brown believes we also need to reorient courts towards a 'triage station' approach, which addresses the social, economic and cultural problems that lead people into offending.

"To some extent, that is done in some courts, such as the Drug Court, or indeed another good example is circle-sentencing for Aboriginal/Torres Strait Islander people where they go before a panel, comprising local community elders and others from within the community.

"I think we also need to look at why people tend to think of the criminal justice system as being there to provide protection against individual wrongdoers, rather than what it is."

He says what appears on the surface to be "a means of dealing with offenders so that the rest of us can live untroubled" is really an institution.

"[It's] as David Garland has noted, a very complex institution which is an expression of state power, a statement of collective morality, a vehicle for emotional expression, embodiment of current sensibilities, [and] a set of symbols which display a cultural ethos.

"While there's so much emphasis on re-offending and recidivism, what we need to face as a society is that punishment is created never to succeed to any great degree. The conditions that induce conformity ... lie beyond the jurisdiction of penal institutions, in social policy, in economic policy, in people's degree of marginality." (By Ben Knight) (RPL).

Dear Friends:

Greetings... It's with total and utter sadness that I have to ask you to STOP FEEDING ME. Like most of you, I'm old and fat and, regrettably, my arthritis prevents me from getting in as much exercise, as I should. As a result, if I continue with my current diet and if I don't make some immediate lifestyle changes; I'm looking at getting a lethal injection (or, as humans like to say "being put to sleep") instead of living out my golden years with you. So, please help me make the lifestyle changes that are necessary for my well-being, longevity and our continued friendship. Thank you.



Counting Down the 100 Books to Read Before You Die (Trust book recommendations from real people, not robots)

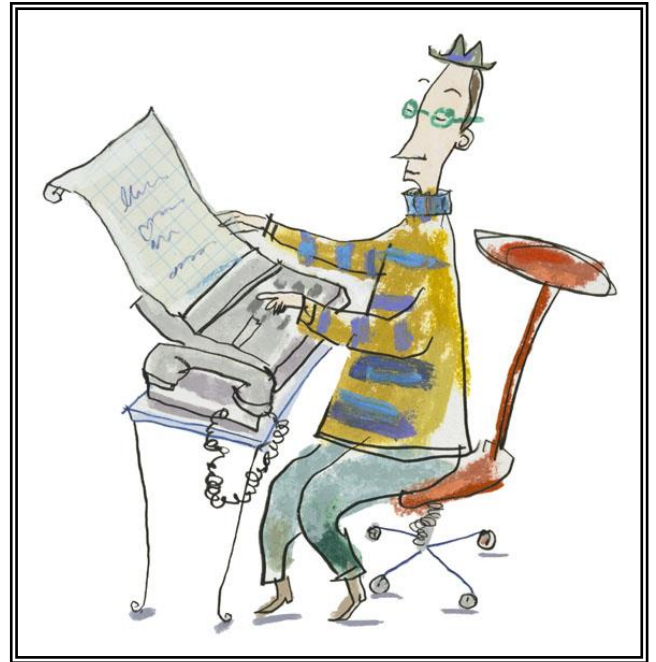
Continuing from May 2021's newsletter...

59. *Life of Pi* by Yann Martel

Pi Patel is only a young boy when his freighter to North America sinks and he's stuck on a small lifeboat with an orangutan, a hyena — and a tiger. Dramatic, humorous, and thoughtful, Yann Martel's book made waves when it was published in 2001.

58. *Les Misérables* by Victor Hugo

Considered by many to be one of the most luminous literary works of the 19th century, *Les Misérables* spans the tumultuous 17 years from 1815 to 1932, during which politics, justice, religion, and love all come to a head in the June Rebellion in Paris.



57. *Journey to the Center of the Earth* by Jules Verne

This definitive science fiction novel shares the story of Otto Lidenbrock: a professor who ventures to nowhere else but the center of the Earth with his nephew Axel, and Hans, a guide.

56. *Jane Eyre* by Charlotte Brontë

This landmark novel that re-defined narrative consciousness centers on the eponymous *Jane Eyre*, an orphan born in 1800s England. As Jane grows up, she takes her destiny into her own hands — which becomes particularly poignant when she meets the brooding Mr. Rochester at Thornfield Hall.

55. *Invisible Man* by Ralph Ellison

A young black man grows up in the South before moving to New York and becoming a spokesman for "the Brotherhood" in 1950s Harlem. *Invisible Man* is key part of American literature that probingly examines racism, black identity, and why some are more invisible in society than others.

54. *The Iliad* by Homer

Having been born into an age of heroes and warriors, Homer created a work of art that was deserving of them. Relive the fall of Troy and the glory of Achilles in this epic poem that has survived for a couple thousand years and counting.

53. *Hopscotch* by Julio Cortazar

An ingenious, one-of-a-kind novel — literally. The story of Horacio Oliveira, a well read bohemian, is divided into 155 chapters that can be read in multiple orders: sequentially or by following the suggested reading guide, which prompts readers to jump around various chapters and makes 99 of the 155 chapters expendable.

52. *Holes* by Louis Sachar

Stanley Yelnats is *that* unlucky boy who gets sent to Camp Green Lake: a Texan juvenile corrections facility where boys dig holes all day in a dried-up lake. In this popular children's book, three storylines intertwine to solve century-old mysteries.

51. *The Hobbit* by J.R.R. Tolkien

Bilbo Baggins only wanted a peaceful dinner party. What he gets instead is something that's not perhaps to his taste: a band of twelve dwarves in his house, a dragon to defeat, and an epic adventure. And it all begins with this iconic first line: "In a hole in the ground lived a hobbit."



50. *The Hitchhiker's Guide to the Galaxy* by Douglas Adams

Arthur Dent is the only man who survived the destruction of Earth. Now he must journey through the galaxy, alongside an alien writer who's working on an electronic book that's only called *The Hitchhiker's Guide to the Galaxy*.

The Lifers' Unlimited Club is Presenting "Iced Treats" out on the yard

Recently, the Lifers' Unlimited Club purchased a snow cone machine and, as you may have noticed, have begun selling various Torani® syrup flavored "iced treats" out on the yard. Our goal isn't to turn the snow cone machine into a money making venture, but rather to provide the AIC population with an alternative way to cool down this summer. In fact, at a \$1.00 each the iced treats are priced barely above operating costs. Send in a CD-28 for your Lifers' Club punch card and, the next time you need to cool down out on the yard, pull Steve up (below) and consider a Torani® syrup flavored iced treat. Also, out of respect for the yard workers, please remember to throw your cup and spoon in the trash upon completion. Thank you – and – enjoy the iced treats! (RPL).



Miscellaneous...

"When man was first in the jungle he took care of himself. When he entered a societal group, controls were necessarily imposed. But our society – unlike most in the world – presupposes that freedom and liberty are in a frame of reference that makes the individual, not government, the keeper of his tastes, beliefs, and ideas. That is the philosophy of the First Amendment; and it is the article of faith that sets us apart from most nations in the world." United States Supreme Court Justice Douglas (1973).

Q. How did a "fortnight" come to be so called?

A. The word is just a contraction of "fourteen nights."

Lifers' & Latino Clubs' BBQ

On May 15th and 16th the Lifers' Pop-Up BBQ joined forces with the Latino Club to deliver the AIC population a cultural meal of carne asada, pico de gallo and seasoned corn on the cob. By all accounts the event was a major success and, as the photographs below illustrate, the food was amazing! Special thanks, to the Latino Club for their assistance in making this Pop-Up BBQ a special event. (RPL).





people are trading crime for crime
people are trading crime for crime
people are still trading crime for crime

Crime for Crime (by Ani DiFranko)

the big day has come
the bell is sounding
i run my hands through my hair one last time
outside the prison walls
the town is gathering
people are trading crime for crime

everyone needs to see the prisoner
they need to make it even easier
they see me as a symbol, and not a human being
that way they can kill me
say it's not murder, it's a metaphor
we are killing off our own failure
and starting clean

standing in the gallows
everyone turned my way
i hear a voice ask me
if I have any last words to say
and I'm looking out over the field of familiar eyes
somewhere in a woman's arms a baby cries



i think guilt and innocence
they are a matter of degree
what might be justice to you
might not be justice to me
i went to far, I'm sorry
i guess now I'm going home
so let any amongst you cast the first stone

now we've got all these complicated machines
so no one person ever has to have blood on their hands
we've got complex organizations
and if everyone just does their job
no one person has to understand

you might be the wrong color
you might be too poor
justice isn't something just anyone can afford
you might not pull the trigger
you might be out in the car
and you might get a lethal injection
'cause we take a metaphor that far

the big day has come
the bell is sounding
i run my hands through my hair one last time
outside the prison walls
the town is gathering

"Men of genius are admired, men of wealth are envied, men of power are feared, but only men of character are trusted." - Zig Ziglar

"The man who says it cannot be done should not interrupt the man doing it." - Chinese Proverb

"Obstacles are those frightful things you see when you take your eyes off your goal." - Henry Ford

Research Review: Impact of measure 11 and Other Factors on Crime (by Oregon Criminal Justice Commission, Ken Sanchagrin, Executive Director).

The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

Introduction

There was a large drop in the crime rates during the 1990s, not only for the state of Oregon but at national and international scales as well. Many researchers have looked into this pattern and tried to identify the cause(s) of this crime drop. In Oregon, the implantation of Measure 11 in 1995 is one of several possible causes. For a set of serious violent crimes, Measure 11 stipulated mandatory minimum sentences, eliminated possible sentence reductions, and required that juveniles 15 or older be charged as adults. (There have been several revisions to Measure 11 since its passage). Determining whether Measure 11 was a major factor in the 1990s crime drop in Oregon, however, is complicated. We must consider all of the possible explanations of the crime drop in order to identify whether Measure 11 was a relevant factor. This research brief reviews the most prominent of these possible explanations and compares them to the possible effects of Measure 11.

Punishment as Deterrence and Incapacitation through Incarceration

Historically, many proponents have claimed that deterrence and incapacitation are major reasons for crime drops. Supporters of deterrence theory argue that if individuals with a propensity to commit crimes are aware of an increased level of punishment for those crimes, then those individuals

balance the wish to commit the crime against the “cost” of increased punishment and choose not to commit the crime because of the high costs. Incapacitation is a more direct process, where otherwise repeat offenders are incarcerated and thus are unable to commit additional crimes in society during their detention.

Among other factors, *Levitt* (2004) found that increased prison populations led to reductions in crime in the 1990s, a correlation that naturally exists when repeat offenders are incapacitated through their removal from society. *Roeder et al* (2015) find that increases in incarceration, however, “had a limited, diminishing effect on crime” and that continued high incarceration rates have virtually no effect on reducing violent crime. These two sets of findings, however, may not be as contradictory as they seem. *Parker et al* (2017), for example, finds evidence for both a violent crime drop in the 1990s as well as another drop from 2007-2011, a period with very different social, economic, and criminal justice trends. Here, in particular, incarceration was widely expanding in the 1990s, but dropped from 2007-2011. Increased incarceration may only have an effect on reducing crime when other societal factors occur at the same time, which we saw in the 1990s but not in the 2000s.

Further, some studies point to a criminogenic effect of incarceration. Through a comparison across states that controls for changes in prison populations over time, *Vieraitis et al* (2007) find that prison causes incarcerated adults to be more likely to commit crime after release. Clear et al (2003) find that high rates of incarceration actually lead to increases in crime when compared to moderate levels of incarceration. Similarly, *Liedka et al* (2006) find that moderate levels of incarceration have a negative impact on crime rates, but these effects disappear at high levels of incarceration. Thus, the incapacitation effect is likely only present at moderate levels of incarceration, with some evidence that high, mandatory levels of incarceration may actually increase crime rates.

The deterring effect of Measure 11 has also been posited as a major driver of reductions in crime: mandatory minimum sentences guarantee stiff punishment and, assuming individuals rationally understand these repercussions, discourages those crimes. In a well-cited review and analysis of a large literature on this subject, *Pratt et al* (2006) find that the deterring effect of imprisonment is “modest to negligible,” becoming essentially zero when multivariate statistics models are used. These non-existent effects are especially notable when research controls for the effects of peers, self-control levels, and antisocial attitudes of individuals. When focusing on the *certainty* that an individual will receive punishment rather than the *severity* of that punishment, *Pratt et al* find that these effects only exist with “white-collar” crimes (e.g., financial, regulatory). *Pratt et al* find that the primary evidence for a non-zero deterring effect is with non-legal sanctions, such as “the potential loss of employment, spouse, respect,” but find little evidence for a deterring effect with either more severe imprisonment or more certain imprisonment for the types of crimes affected by Measure 11.

Discussion

The underlying causes of crime rates are complex and multifaceted. The extensive research on this topic shows that the following factors, in no particular order, are most closely linked to crime drops:

- Aging populations
- Expanded healthcare access
- Expanded non-profit activity focused on reducing violence
- Expanded use of security technology
- Increased and more data-driven policing practices
- Increased immigration and diversity
- Increased incapacitation of repeat offenders
- More stringent gun laws

- Reduced concentrations of poverty
- Reduced risky behaviors
- Reduced teenage fertility and increased family planning

All of these factors, and others, played some part in reducing crime throughout the 1990s and also in subsequent changes in crime rates, but how these and other factors interact to influence crime is highly complex. This research suggests that Measure 11 likely had an impact on crime rates through incapacitation, but that this effect is relatively small, diminishing to close to zero by the late 2000s, and conditional on other societal patterns and trends. In general, single-faceted strategies to reduce crime, especially those focused on increasing incapacitation and deterring through more severe punishment, as Measure 11 does, are relatively ineffective in reducing crime rates and not cost-effective compared to other strategies.

An additional concern with this review is the possibility that the national and international-level research discussed here is not applicable to or reflective of Oregon, in particular; either the national patterns are not closely reflected in Oregon or Oregonians act and respond to societal conditions in ways that are significantly different than people in other places.

Many factors are correlated with the late 1990s crime drop, both in Oregon and at national and international scales. Measure 11 and the laws like it are one of those factors, but research shows that mandatory minimum sentencing laws have relatively small or insignificant effects on crime rates when compared to other factors. Measure 11 may have benefits to society, but significant crime reductions are not likely one of these benefits. (Abridged, RPL).



Lifers' Unlimited Club Newsletter

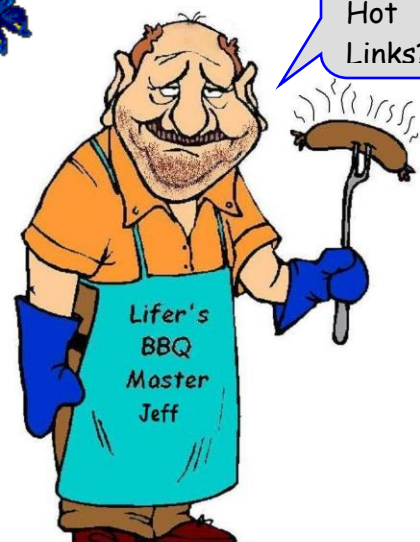
Oregon State Penitentiary
Activities Department
2605 State Street
Salem, Oregon 97310-0505

Lifers' Unlimited Club 2021 Calendar

Unfortunately, all events are semi-closed until social distancing restrictions are lifted. We will, however, do our best to keep everyone advised as events open up and/or circumstances change. Thank you for your patience. ~ Peace ~

Courtney McFadden, Staff Advisor
Lifers' Unlimited Club
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Just a reminder the Lifers' Unlimited Club Pop-Up BBQs are back! All purchases will be by punch card only. Please know that we're open to suggestions as far as the menu goes; therefore, if you have any ideas please send them to the Lifers' Club for consideration. Thank you.



~*~*~ **WE ALL HAVE UNLIMITED POTENTIAL** ~*~*~

Lifers' Unlimited Club Executive Body

President:	Robert Kelley
Vice President:	Marty Wendt
Secretary:	Juan Solis
Treasure:	Jeff McCarty
Facilitator:	Stephen Weavill



Mission Statement

The purpose of the Lifer's Unlimited Club is to unite the incarcerated men of OSP with a goal of improving the quality of life for those inside and outside of these walls. The club will work with charity programs, informational services, youth speaking panels and other positive programs. We cannot change the past, however, we believe through rehabilitation and pro-social behavior we can create a more productive future.

Street Roots July 4th Weekend BBQ