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*** Ballot Measure Public Comment Referral 402***

VIA ELECTRONIC MAIL

August 3, 2022

Secretary of State
Elections Division
255 Capitol St. NE, Suite 126
Salem OR 97310
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Re: Ballot Measure Public Comment Referral 402

SET [3]

Below are comments 'OPPOSING' BALLOT LANGUAGE OF REFERRAL 402:

There is confusion;

Compare language of Oregon's Constitution (2022) version with Ballot measure 112 (2022)

***Oregon Constitution 2022 version: Article 1, section 34**

Taken from: https://www.oregonlegislature.gov/bills_laws/Pages/OrConst.aspx

"Section 34. Slavery or involuntary servitude. There shall be neither slavery, nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted.— [Added to Bill of Rights as unnumbered section by vote of the people at time of adoption of the Oregon Constitution in accordance with section 4 of Article XVIII thereof]"

Problems:

Section 41 has conflicting language...compare Article 1, Section 34 of Oregon's Constitution with Measure 112 (2022) (Section 34, subsection 2).

***Ballot Measure 112 (2022) (Section 34, subsection 2)**

<https://sos.oregon.gov/elections/Documents/esc/Referral-402-initial-explanatory-statement.pdf>

Problems (as written):

7 Measure __ removes all language creating an exception and makes the prohibition
8 against slavery and involuntary servitude unequivocal.

Consider (Lines 7-8):

~~"Measure __ Measure 112 removes all language creating an exception and makes the prohibition
the 'Civil War ended slavery' and involuntary servitude unequivocal.~~

"Article 1, Section 34."

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Problems (as written):

"9 Ballot Measure 112 (Section 34, subsection 2) would work in tandem with
10 Section 41 of the Oregon Constitution, which establishes work requirements for adults
11 in custody, and is not intended to repeal that section."

Consider (Lines 9-11):

"Ballot Measure 112 (Section 34, subsection 2) ~~would work in tandem with~~ **shall not abridge, redefine
and or alter Article 1**, Section 41 of the Oregon Constitution and ~~is not intended to~~ **shall not repeal
Article 1, Section 41**. which establishes work requirements for adults in custody, ~~and is not intended to
repeal that section.~~"

Problems (as written):

12 Ballot Measure ___ permits a court, probation agency or parole agency to order a
13 person convicted of a crime to engage in education, counseling, treatment, community
14 service or other alternatives to incarceration, as part of the sentencing for the crime.

Consider:

"12 Ballot Measure ___ Measure 112 permits a court, **using established sentencing guidelines, to
order**-probation agency or parole agency ~~to order~~ a
13 person convicted of a crime to engage in education, counseling, treatment, community
14 service or other alternatives to incarceration, as part of the sentencing for the crime."

Problems (as written):

15 The education, counseling, treatment, community service or other alternative to
16 incarceration that is ordered must be in line with programs that historically, or in the
17 future, provide accountability, reformation, protection of society ~~or~~ rehabilitation.

Consider:

15 The education, counseling, treatment, community service or other alternative to
16 incarceration that is ordered must be in line with ~~programs that historically, or in the~~
17 ~~future~~ **Voter approved and fully funded to ensure** accountability, reformation, protection of
society **and** rehabilitation.

Respectfully submitted,
David S. Wall

Opinion: Measure 112 enshrines hypocrisy by an attempt to circumvent the Oregon Constitution and by doing so create a very costly system to replace convict labor. Measure 112 uses the terms 'slavery and involuntary servitude' to invoke racial division to affect the authors of Measure 112's intent on prison reform. Measure 112 does nothing to provide the voters with critical information needed to make an informed decision. 'Involuntary servitude' is an integral part of the Constitution of Oregon Article 1, Section 34 and Section 41.

Oregon has never been a 'slave state' the language was incorporated years ago from our Federal Constitution.

The Civil War, The Emancipation Proclamation and the 13th Amendment to the Constitution of the United States of America ended 'slavery' for all time in our great nation.