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DA Mike Schmidt testifies in support of Senate Bill 401

PORLAND, Ore. – Today, Multnomah County District Attorney Mike Schmidt testified in support of Oregon Senate Bill 401, which would convert mandatory minimum sentences for specified felonies other than murder to presumptive sentences.

To download a copy of the District Attorney's remarks, please click here.

In his testimony before the Oregon Senate Committee on Judiciary and Ballot Measure 110 Implementation, District Attorney Schmidt said:

“Senate Bill 401 is a tremendously important bill, arguably the most important public safety bill in recent memory. For all of its importance, it is an incredibly easy bill to explain. It simply returns control over sentencing to judges. They’re free to impose a harsher sentence when the circumstances require it, and a more lenient sentence when the defendant is deserving. They are free to treat these cases, in other words, the same way they treat all others – by weighing the facts, hearing from both sides, and making a fair and reasoned decision – the thing that they, and not we, were elected to do.”

Noting that Ballot Measure 11 was born during an era when many now misguided practices were ascendant in the criminal justice system, including the War on Drugs, officially sanctioned racial profiling by law enforcement, and other now discredited practices, District Attorney Schmidt said:

“In the 27 years that have followed the passage of Ballot Measure 11, we have learned much about what works in criminal justice. We’ve become educated about the troubling racial and ethnic disparities that occur at every level of our system, from policing to sentencing. We’ve learned that much of what we believed was true nearly three decades ago was not only untrue but actively harmful, creating deep systems of inequity that we are still wrestling with today.”

District Attorney Schmidt told the senate committee that he is troubled by Ballot Measure 11's one-size-fits-all approach, the extent to which it has contributed to mass incarceration along racial and ethnic lines, the flawed belief it has made Oregonians safer and most of all - the extreme extent that Ballot Measure 11 has concentrated power in the hands of the prosecutor.

District Attorney Schmidt joined Deschutes County District Attorney John Hummel and Wasco County District Attorney Matt Ellis in submitted joint written testimony in support of Senate Bill 401. [A copy of that written testimony can be obtained by clicking here.](#)

[A copy of District Attorney Schmidt's full prepared remarks can be obtained by clicking here.](#)

For more information on Senate Bill 401, please [click here](#).

Oregon Senator Floyd Prozanski is the chief sponsor of this bill.

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