



# Estimated Impact of Measure 11 on Oregon's Prison Population

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## ***Background***

Oregon voters approved Ballot Measure 11 in November 1994. The law took effect on April 1, 2005 and has been codified as Oregon Revised Statutes (ORS) 137.700 through 137.712.<sup>1</sup> It mandates minimum sentences for several serious violent crimes ranging from 70 to 300 months. This is an estimate of the historical and forecast impact of Measure 11 on Oregon's prison population.

The *impact* of Measure 11 is the number of *additional* prison beds needed due to the law's passage. Impact is a *portion* of the Measure 11 population. M 11 pertains to the most serious crimes, and many offenders convicted of these crimes would be in prison regardless of whether the law had passed. *Impact* is the difference between the M 11 population and an estimate of what the population would have been if the law had not passed. There are two components: direct impact and indirect impact.

Direct impact measures the effect of inmates serving actual M 11 sentences. Intakes of offenders convicted of crimes listed in ORS 137.700 decreased after M 11 was passed (Table 1). Therefore direct impact is the result of increased sentences rather than increased intakes.

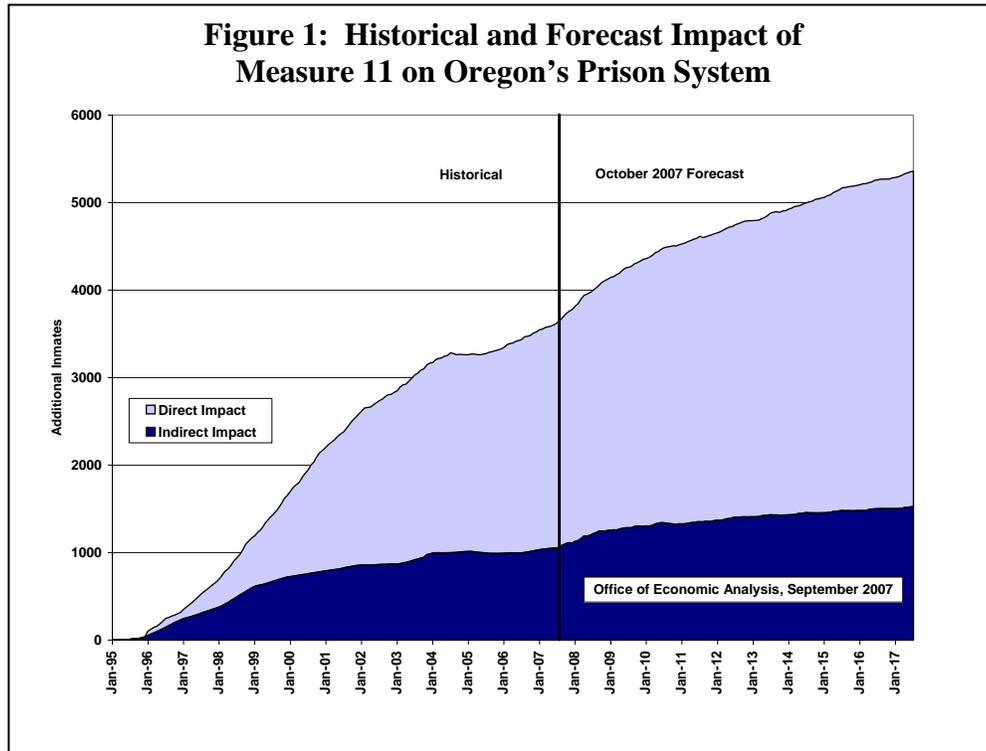
Indirect impact measures the effect of increased intakes and sentence length for *M 11 related* crimes. *M 11 related* crimes are of the same type as appear in M 11, but they are of lesser degrees or attempts that are not covered by M 11. For example, Assault I and II are M 11 crimes, but Attempted Assault I, Attempted Assault II, and Assault III are M 11 related crimes. These intakes are considered M 11 related because they increased substantially immediately after M 11 took effect. Currently, the number of annual intakes of these offenders is approximately three times what was typical prior to M 11's passage.

Assumptions about what the prison population would be without M 11 were made by reviewing prison intakes and sentences from 1992 through March 1995 for the crimes listed in ORS 137.700. An estimate of monthly prison population without the passage of M 11 was developed based upon this analysis. That series was subtracted from the monthly M 11 population. The difference is the direct impact of M 11, shown in Figure 1 and Table 2.

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<sup>1</sup> <http://www.leg.state.or.us/ors/137.html>

A similar analysis was done for M 11 related inmates. A population estimate was developed based upon intakes and sentences that were typical during the period immediately preceding M 11’s passage. That series was subtracted from the actual monthly population of M 11 related inmates. The difference is the indirect impact of M 11.



**Table 1: Historical M 11 and M 11 Related Intakes**

FY	M11 Intakes	Growth Rate	M11 Related Intakes	Growth Rate
1995	220		818	
1996	453	105.9%	840	2.7%
1997	494	9.1%	736	-12.4%
1998	586	18.6%	694	-5.7%
1999	615	4.9%	756	8.9%
2000	586	-4.7%	728	-3.7%
2001	576	-1.7%	695	-4.5%
2002	612	6.3%	645	-7.2%
2003	664	8.5%	717	11.2%
2004	692	4.2%	750	4.6%
2005	634	-8.4%	703	-6.3%
2006	648	2.2%	685	-2.6%
2007	647	-0.2%	612	-10.7%

**Table 2: Historical and Forecast Impact of Measure 11 on Oregon's Prison System**

Date	Direct Impact	Indirect Impact	Total Impact	Date	Direct Impact	Indirect Impact	Total Impact	Date	Direct Impact	Indirect Impact	Total Impact	Date	Direct Impact	Indirect Impact	Total Impact	Date	Direct Impact	Indirect Impact	Total Impact
Jan-95	0	0	0	Jan-00	974	727	1700	Jan-05	2248	1013	3262	Jan-10	3055	1305	4361	Jan-15	3605	1455	5060
Feb-95	0	0	0	Feb-00	1015	732	1747	Feb-05	2257	1013	3270	Feb-10	3071	1303	4375	Feb-15	3622	1456	5078
Mar-95	0	0	0	Mar-00	1042	736	1778	Mar-05	2260	1010	3269	Mar-10	3085	1311	4396	Mar-15	3628	1459	5087
Apr-95	0	0	0	Apr-00	1065	739	1804	Apr-05	2258	1003	3261	Apr-10	3100	1327	4427	Apr-15	3646	1470	5115
May-95	0	2	2	May-00	1114	746	1860	May-05	2261	1001	3263	May-10	3104	1337	4441	May-15	3658	1471	5129
Jun-95	0	0	0	Jun-00	1152	752	1904	Jun-05	2271	998	3269	Jun-10	3123	1342	4465	Jun-15	3669	1478	5147
Jul-95	0	12	12	Jul-00	1188	759	1948	Jul-05	2281	993	3275	Jul-10	3145	1340	4485	Jul-15	3685	1483	5168
Aug-95	0	15	15	Aug-00	1236	766	2002	Aug-05	2292	993	3285	Aug-10	3156	1336	4492	Aug-15	3693	1480	5173
Sep-95	0	18	18	Sep-00	1268	771	2038	Sep-05	2309	991	3301	Sep-10	3167	1330	4498	Sep-15	3699	1481	5180
Oct-95	0	22	22	Oct-00	1323	777	2099	Oct-05	2314	991	3305	Oct-10	3180	1328	4508	Oct-15	3707	1479	5186
Nov-95	0	27	27	Nov-00	1363	783	2146	Nov-05	2328	990	3319	Nov-10	3183	1322	4505	Nov-15	3711	1478	5190
Dec-95	12	30	42	Dec-00	1390	788	2177	Dec-05	2339	988	3327	Dec-10	3188	1328	4517	Dec-15	3717	1481	5198
Jan-96	52	53	105	Jan-01	1413	789	2202	Jan-06	2347	994	3342	Jan-11	3201	1328	4529	Jan-16	3724	1481	5204
Feb-96	55	69	123	Feb-01	1442	795	2238	Feb-06	2379	997	3376	Feb-11	3208	1330	4537	Feb-16	3734	1481	5215
Mar-96	64	83	146	Mar-01	1467	800	2267	Mar-06	2392	997	3389	Mar-11	3220	1335	4555	Mar-16	3734	1482	5216
Apr-96	61	97	158	Apr-01	1490	804	2293	Apr-06	2403	995	3398	Apr-11	3226	1342	4568	Apr-16	3736	1492	5228
May-96	72	114	186	May-01	1518	811	2329	May-06	2419	996	3415	May-11	3238	1344	4582	May-16	3745	1494	5238
Jun-96	85	131	216	Jun-01	1542	817	2359	Jun-06	2427	996	3423	Jun-11	3240	1351	4592	Jun-16	3754	1500	5254
Jul-96	99	149	248	Jul-01	1556	825	2381	Jul-06	2439	995	3435	Jul-11	3262	1355	4617	Jul-16	3757	1504	5261
Aug-96	92	166	259	Aug-01	1592	832	2424	Aug-06	2465	1002	3467	Aug-11	3248	1352	4601	Aug-16	3766	1501	5267
Sep-96	93	182	275	Sep-01	1629	838	2467	Sep-06	2467	1007	3474	Sep-11	3251	1359	4610	Sep-16	3767	1503	5270
Oct-96	86	199	285	Oct-01	1667	844	2511	Oct-06	2471	1015	3486	Oct-11	3267	1356	4623	Oct-16	3768	1502	5270
Nov-96	85	217	301	Nov-01	1693	851	2545	Nov-06	2488	1021	3509	Nov-11	3272	1359	4631	Nov-16	3770	1500	5270
Dec-96	85	232	317	Dec-01	1725	856	2582	Dec-06	2498	1026	3523	Dec-11	3282	1364	4646	Dec-16	3780	1503	5283
Jan-97	109	245	354	Jan-02	1758	858	2617	Jan-07	2514	1034	3548	Jan-12	3287	1369	4657	Jan-17	3785	1503	5287
Feb-97	120	256	375	Feb-02	1795	859	2654	Feb-07	2518	1038	3556	Feb-12	3299	1371	4670	Feb-17	3795	1502	5297
Mar-97	142	264	406	Mar-02	1799	858	2657	Mar-07	2532	1041	3573	Mar-12	3312	1375	4687	Mar-17	3805	1505	5310
Apr-97	162	273	435	Apr-02	1806	857	2664	Apr-07	2537	1045	3582	Apr-12	3320	1386	4706	Apr-17	3811	1515	5326
May-97	181	285	466	May-02	1829	859	2689	May-07	2541	1049	3590	May-12	3330	1390	4720	May-17	3823	1516	5339
Jun-97	200	296	496	Jun-02	1852	860	2712	Jun-07	2558	1052	3610	Jun-12	3330	1399	4728	Jun-17	3830	1522	5352
Jul-97	220	309	529	Jul-02	1874	863	2738	Jul-07	2567	1056	3623	Jul-12	3341	1406	4746	Jul-17	3835	1526	5361
Aug-97	235	321	556	Aug-02	1888	865	2753	Aug-07	2584	1074	3658	Aug-12	3355	1404	4759				
Sep-97	251	332	583	Sep-02	1918	865	2784	Sep-07	2609	1089	3698	Sep-12	3369	1407	4775				
Oct-97	266	343	610	Oct-02	1939	867	2805	Oct-07	2628	1105	3732	Oct-12	3376	1408	4784				
Nov-97	282	356	638	Nov-02	1940	869	2809	Nov-07	2648	1112	3759	Nov-12	3385	1407	4792				
Dec-97	296	367	663	Dec-02	1963	869	2832	Dec-07	2669	1110	3779	Dec-12	3384	1408	4793				
Jan-98	321	375	695	Jan-03	1984	866	2850	Jan-08	2688	1129	3817	Jan-13	3386	1409	4795				
Feb-98	347	395	742	Feb-03	2017	874	2891	Feb-08	2710	1138	3848	Feb-13	3387	1408	4796				
Mar-98	374	413	787	Mar-03	2036	881	2917	Mar-08	2737	1160	3897	Mar-13	3388	1413	4800				
Apr-98	385	431	816	Apr-03	2038	888	2926	Apr-08	2751	1191	3942	Apr-13	3397	1422	4820				
May-98	404	452	856	May-03	2062	898	2960	May-08	2762	1191	3952	May-13	3408	1425	4833				
Jun-98	434	473	907	Jun-03	2087	907	2994	Jun-08	2780	1195	3975	Jun-13	3428	1429	4857				
Jul-98	446	495	941	Jul-03	2114	918	3032	Jul-08	2778	1215	3993	Jul-13	3449	1433	4882				
Aug-98	464	516	981	Aug-03	2124	928	3052	Aug-08	2795	1228	4023	Aug-13	3463	1430	4893				
Sep-98	498	536	1034	Sep-03	2149	936	3085	Sep-08	2811	1243	4054	Sep-13	3464	1431	4895				
Oct-98	541	557	1098	Oct-03	2155	946	3101	Oct-08	2842	1245	4087	Oct-13	3461	1430	4890				
Nov-98	556	579	1134	Nov-03	2169	977	3146	Nov-08	2863	1246	4109	Nov-13	3478	1428	4906				
Dec-98	569	598	1167	Dec-03	2180	985	3165	Dec-08	2872	1253	4125	Dec-13	3477	1432	4909				
Jan-99	577	614	1191	Jan-04	2177	994	3172	Jan-09	2889	1257	4146	Jan-14	3495	1432	4927				
Feb-99	608	624	1232	Feb-04	2207	997	3204	Feb-09	2897	1260	4157	Feb-14	3504	1433	4936				
Mar-99	630	632	1262	Mar-04	2221	998	3219	Mar-09	2918	1259	4177	Mar-14	3518	1436	4954				
Apr-99	668	639	1308	Apr-04	2231	996	3227	Apr-09	2926	1271	4196	Apr-14	3515	1445	4959				
May-99	708	650	1358	May-04	2248	998	3246	May-09	2953	1277	4229	May-14	3526	1446	4972				
Jun-99	733	660	1393	Jun-04	2255	998	3252	Jun-09	2969	1284	4253	Jun-14	3534	1453	4987				
Jul-99	761	672	1433	Jul-04	2285	998	3283	Jul-09	2978	1283	4261	Jul-14	3540	1458	4998				
Aug-99	781	682	1463	Aug-04	2275	1001	3276	Aug-09	2990	1283	4272	Aug-14	3555	1454	5009				
Sep-99	818	691	1509	Sep-04	2259	1003	3262	Sep-09	3002	1299	4301	Sep-14	3562	1455	5017				
Oct-99	859	701	1561	Oct-04	2259	1007	3265	Oct-09	3011	1304	4315	Oct-14	3583	1455	5037				
Nov-99	905	712	1617	Nov-04	2254	1010	3263	Nov-09	3030	1302	4332	Nov-14	3589	1453	5042				
Dec-99	934	721	1655	Dec-04	2252	1011	3263	Dec-09	3054	1300	4353	Dec-14	3599	1455	5054				

The Office of Economic Analysis (OEA) resides in the Director's Office of the Department of Administrative Services. OEA produces and publishes the Oregon Corrections Population Forecast on a semi-annual basis. The latest forecast was released in March 2007.

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Copies of this report and other corrections forecast documents are available at <http://oregon.gov/das/oea>