



OFFICE OF THE SECRETARY OF STATE

NEWS RELEASE

BILL BRADBURY

For Immediate Release:
August 29, 2006

Contact: Summer Davis
Elections Division
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on August 28, 2006, for initiative petition #40, proposing a statutory amendment, for the General Election of November 4, 2008.

The draft ballot title is as follows:

CREATES MANDATORY MINIMUM PRISON SENTENCES FOR CERTAIN THEFT, IDENTITY THEFT, FORGERY, DRUG, AND BURGLARY OFFENSES

RESULT OF "YES" VOTE: "Yes" vote creates mandatory minimum prison sentences for persons convicted of certain offenses, including burglary, forgery, theft, manufacture/delivery of controlled substances, under specified circumstances.

RESULT OF "NO" VOTE: "No" vote retains current law, which does not require that persons convicted of the offenses specified in the measure serve mandatory minimum prison sentences.

SUMMARY: Measure creates mandatory minimum prison sentences for specified offenses for which current law does not require mandatory minimum sentences. Requires 36-month minimums for Class A felony manufacture/delivery of certain controlled substances, identity theft, and first degree burglary; 30-month minimums for Class B felony manufacture/delivery of certain controlled substances. For offenders with one or more prior felony convictions, or two or more prior misdemeanor convictions, measure requires 18-month minimums for first degree forgery, and motor vehicle theft; 14-month minimums for first degree theft, and second degree burglary. Prohibits reductions in sentences required by measure. Sentences must be served in state prisons, not in county jails. State must reimburse counties for pretrial incarceration costs for persons sentenced under measure. Other provisions.

Chief Petitioner(s): Duane Fletchall, 4262 Bison Ct NE, Salem, OR 97305 and Steve Beck, PO Box 261, Wilsonville, OR 97070.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.50. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows a comment period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends September 12, 2006. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends September 12, 2006. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2008 general election ballot is determined by the total votes cast for all candidates for governor at the 2006 general election. These signatures shall be filed in this office not later than July 3, 2008.

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
APPELLATE DIVISION

August 28, 2006

John Lindback
Director, Elections Division
Office of the Secretary of State
141 State Capitol
Salem, OR 97310

Re: Proposed Initiative Petition — Creates Mandatory Minimum Prison Sentences For
Certain Theft, Identity Theft, Forgery, Drug, And Burglary Offenses
DOJ File #BT-40-06; Elections Division #40

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Misty Kintz'
Legal Secretary

ECL:mlk/APP97690

Enclosure

c: Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Steve Wolf, General Counsel Division

Duane Fletchall
4262 Bison Court NE
Salem, Oregon 97305

Steve Beck
P.O. Box 261
Wilsonville, Oregon 97070

DRAFT BALLOT TITLE

CREATES MANDATORY MINIMUM PRISON SENTENCES FOR CERTAIN THEFT, IDENTITY THEFT, FORGERY, DRUG, AND BURGLARY OFFENSES

RESULT OF “YES” VOTE: “Yes” vote creates mandatory minimum prison sentences for persons convicted of certain offenses, including burglary, forgery, theft, manufacture/delivery of controlled substances, under specified circumstances.

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SUMMARY: Measure creates mandatory minimum prison sentences for specified offenses for which current law does not require mandatory minimum sentences. Requires 36-month minimums for Class A felony manufacture/delivery of certain controlled substances, identity theft, and first degree burglary; 30-month minimums for Class B felony manufacture/delivery of certain controlled substances. For offenders with one or more prior felony convictions, or two or more prior misdemeanor convictions, measure requires 18-month minimums for first degree forgery, and motor vehicle theft; 14-month minimums for first degree theft, and second degree burglary. Prohibits reductions in sentences required by measure. Sentences must be served in state prisons, not in county jails. State must reimburse counties for pretrial incarceration costs for persons sentenced under measure. Other provisions.