



Voters' Pamphlet




Oregon Primary Election
May 20, 2008

vote!



Bill Bradbury
Bill Bradbury
Oregon Secretary of State

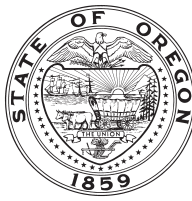
This Voters' Pamphlet is provided
for assistance in casting your vote by mail ballot.



OFFICE OF THE SECRETARY OF STATE

BILL BRADBURY
SECRETARY OF STATE

JEAN STRAIGHT
DEPUTY SECRETARY OF STATE



ELECTIONS DIVISION

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Dear Fellow Oregonian,

No matter what your political affiliation—or lack of affiliation—it’s impossible to deny that this has been one of the most exciting election cycles in decades. On both sides of the aisle, the presidential race has been open (without an incumbent president or vice president running in the primary) for the first time since 1928, and all of the candidates fought hard to make sure the races would be exciting.

Also for the first time in decades, Oregon’s presidential primary really matters this year. Because we wisely chose not to join dozens of states who all rushed to the front of the calendar, Oregon is receiving national attention that we normally could only dream of.

Of course, the excitement this year goes well beyond the presidential races. We have numerous, high profile campaigns happening at every level. It should come as a surprise to no one that Oregon’s voter registration numbers have broken our previous records; new voters—and people who haven’t voted in years—have become engaged in this exciting election. Most thrilling for me is the vast increase that we have seen in Oregon and elsewhere of young people registering to vote.

But registering is only the first step in becoming a politically active Oregonian. In order for your voice to count—in order to have any say in the future of your city, county, state, and country—you need to fill out and mail in your ballot. The ballot must arrive at your county elections office by 8pm on May 20.

If this is the first time you’ve registered to vote—or if you haven’t voted in a while—please take a few minutes to visit www.oregonvotes.org for helpful information on how to successfully submit your ballot. Or, if it’s more convenient, contact us at 1-800-ORE-VOTE.

Voting is simple, easy, and one of the most important things you can do as a citizen of this great country. Your willingness to be an active part of the process is what keeps America great. Thank you for helping build our future.

Best Wishes,

A handwritten signature in black ink, appearing to read 'Bill Bradbury', written in a cursive style.

Bill Bradbury
Oregon Secretary of State



Oregon Primary Election
May 20, 2008

Voters' Pamphlet

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Voters' Pamphlet

Your official 2008 Primary Election Voters' Pamphlet provides you with information about measures and candidates that will appear on your ballot.

Miscellaneous voting aids, including dropsite locations, a complete list of state candidates, and instructions for marking your ballot, checking your ballot and getting a replacement ballot, are also a part of the voters' pamphlet. In an effort not to duplicate the printing of information, some of these voting aids are not a part of the state voters' pamphlet, but instead are included in your county voters' pamphlet, if your county has produced a voters' pamphlet.

Candidate statements and measure arguments are printed as submitted. The state does not correct punctuation, grammar, syntax errors or inaccurate information. The only changes made are attempts to correct spelling errors if the word as originally submitted is not in the dictionary.

The voters' pamphlet has been compiled by the Secretary of State since 1903, when Oregon became one of the first states to provide for the printing and distribution of such a publication. One copy of the voters' pamphlet is mailed to every household in the state. Additional copies are available at the Secretary of State's office, local post offices, courthouses and all county elections offices.

Measures

There are three statewide measures on the ballot that were referred to the voters by the 2007 Legislature. For each of these measures, you will find the following information in this voters' pamphlet:

- (1) the ballot title;
- (2) the estimate of financial impact;
- (3) the complete text of the proposed measure;
- (4) an impartial statement explaining the measure (explanatory statement);
- (5) a legislative argument in support of the measure; and
- (6) any arguments filing by proponents and opponents of the measure.

Citizens or organizations may file arguments in favor of, or in opposition to, measures by purchasing space for \$500 or by submitting a petition signed by 1,000 voters. Arguments in favor of a measure appear first, followed by arguments in opposition to the measure, and are printed in the order in which they are filed with the Secretary of State's office.

Candidates

In the primary election, candidates are divided into three sections: Democratic candidates, Republican candidates and nonpartisan candidates. Major political party candidates appear before nonpartisan candidates and every two years the order in which major political party candidates appear is rotated. For 2008, Democratic candidates appear first.

All space is purchased: statements and photographs are submitted by the candidates or their designated agents. The information required by law—pertaining to occupation, occupational background, educational background and prior governmental experience—has been certified as true by each candidate.

Random Alphabet

While the candidates' statements for candidates running for the same office appear in alphabetical order by their last name in this voters' pamphlet, you will notice that they appear in a different order on your ballot.

Oregon statute (ORS 254.155) requires the Secretary of State to complete a random order of the letters of the alphabet to determine the order in which the names of candidates appear on the ballot.

The alphabet for the 2008 Primary Election is:

Q, H, B, A, U, Y, S, K, C, F, E, V, D, J, R, G, M, T, I, O, Z, L, W, N, P, X

Website

Most of the information contained in this voters' pamphlet is also available in the Online Voters' Guide at www.oregonvotes.org.

Español

Una versión en español de algunas partes de la Guía del Elector está a su disposición en el portal del Internet cuya dirección aparece arriba. Conscientes de que este material en línea podría no llegar adecuadamente a todos los electores que necesitan este servicio, se invita a toda persona a imprimir la versión en línea y circularla a aquellos electores que no tengan acceso a una computadora.

Important!

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot. One will be mailed to you as long as you request it by May 15. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

Your voted ballot must be returned to your county elections office by 8pm election day, Tuesday, May 20, 2008.

Postmarks do not count!

County elections offices are open on election day from 7am to 8pm.

Voter Information

For questions about voter registration, ballot delivery and return, marking the ballot, requesting a replacement ballot, absentee ballots, signature requirements, the voters' pamphlet, when and where to vote, and other questions about elections and voting, call the toll-free voter information line at 1-866-ORE-VOTE (1-866-673-8683).

Voter information line representatives can provide services in both English and Spanish. TTY services for the hearing impaired are also available at 1-800-735-2900.



Oregon Voter Bill of Rights

You have the right to vote if you are a US citizen, live in Oregon, are 18 years old, and have registered.

You have the right to vote if you are homeless.

You have the right to vote if you have been convicted of a felony but have been released from custody, even if you are on probation or parole.

You have the right to vote even if you have a guardian and even if you need help reading or filling out your ballot.

You have the right to vote or cast your ballot if you are in line by 8 PM on Election Day.

You have the right to know if you are registered to vote.

You have the right to choose whether or not you want to register as a member of a political party.

You have the right to use a signature stamp or other mark but first you have to fill out a form. No one can sign for you.

You have the right to ask for help from elections staff or from a friend or family member. There are some people who cannot help you vote, for example, your boss or a union officer from your job.

You have the right to a secret vote. You do not have to tell anyone how you voted.

You have the right to get a "provisional ballot," even if you are told you are not registered to vote.

You have the right to get a new ballot if you make a mistake.

You have the right to vote for the person you want. You can write in someone else's name if you don't like the choices on your ballot.

You have the right to vote "yes" or "no" on any issue on your ballot.

You have the right to leave some choices blank on your ballot. The choices you do mark will still count.

You have the right to use a voting system for all Federal Elections that makes it equally possible for people with disabilities to vote privately and independently.

You have the right to know if your ballot, including a "provisional ballot," was accepted for counting.

You have the right to file a complaint if you think your voting rights have been denied.



Call toll free - 1-866-673-8683 to get more information about these and other voting rights.

Registering to Vote

To vote in Oregon you need to be registered in the county where you reside.

You can register if you can answer yes to these three questions:

- Are you a resident of Oregon?
- Are you a US citizen?
- Are you at least 17 years of age?

If you are 17 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.

How to register

You can get a voter registration card at any of the following places:

- in this Voters' Pamphlet
- any County Elections Office
- the Secretary of State's Office
- some state agencies such as the Division of Motor Vehicles
- a voter registration drive

You can fill the card out in person or send it in by US mail.

You can also print out a registration card online at www.oregonvotes.org.

To vote in the May 20, 2008, Primary Election, your completed voter registration card must be either:

- postmarked by Tuesday, April 29, 2008
- delivered to a county elections office by Tuesday, April 29, 2008 or
- delivered to any voter registration agency (e.g., DMV) by Tuesday, April 29, 2008.

What information is required to register?

To complete your registration you will provide your:

- Full legal name
- Home address
- Date of birth
- Signature
- Valid identification

What are the identification requirements?

1. If you have a current, valid Driver's License or ID number issued by the State of Oregon Division of Motor Vehicles (DMV), you must provide it in Section 4 of the card.
A suspended Driver's License is still valid; a revoked Driver's License is NOT valid.
2. If you do not have a current, valid Driver's License or ID number issued by the State of Oregon Division of Motor Vehicles, you must affirm this on the card by marking the circle in Section 4 and you must then provide the last four digits of your Social Security Number in Section 4a of the card.
3. If you do not have a Social Security number, you must affirm this on the card by marking the circle in Section 4a of the card.
4. If you do not have a Driver's License or ID number, or a Social Security Number, and you are registering by mail, you must provide a copy of one of the following:
 - valid photo identification
 - a paycheck stub
 - a utility bill
 - a bank statement
 - a government document
 - proof of eligibility under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or the Voting Accessibility for the Elderly and Handicapped Act (VAEH)

If you do not provide valid identification, you will not be eligible to vote for Federal races. You will, however, still be eligible to vote for state and local contests.

Selecting a political party

You may want to select a political party when you register but it is not required.

Major political parties require you to be registered as a member of their party in order to vote for their candidates in the Primary Election.

Updating your voter registration

Once you have registered, you are responsible for keeping your information up to date. You can do this by completing and returning a voter registration card with the new information.

You should update your registration if you do any of the following:

- change your home address
- change your mailing address
- change your name
- change your signature
- want to change or select a political party

You can change your political party or select a new one as long as it is more than 20 days before the Primary Election (by April 29, 2008). Postmarks do not count.

If you notify your county elections office of your change of residence address after April 29, 2008, you must request that a ballot be mailed to you or go to your county elections office to get your ballot.

Voter Registration Information

1 qualifications *If you mark no in response to either of these questions, do not complete this form.*

Are you a citizen of the United States of America? yes no

Are you at least 17 years of age? yes no

If you are 17 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.

2 personal information **denotes optional information*

name last first middle

Oregon residence address (include apt. or space number) city zip code

date of birth (month/day/year) county of residence*

phone number* email address*

mailing address (required if different than residence address) city zip code

3 political party *choose one of the following:*

- Constitution Party Democratic Party Independent Party
- Libertarian Party Pacific Green Party Republican Party
- Working Families Party Not a member of a party Other _____

4 Oregon DMV Driver's License/ID number *If you fill in this section, do not send a copy of ID.*

valid Oregon DMV Driver's License/ID number

*Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID and go to step 4a.*

4a last four digits of Social Security number *If you fill in this section, do not send a copy of ID.*

x x x - x x -

last four digits of Social Security number

*Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID or a Social Security number. If you are registering by mail, please include a copy of acceptable identification, listed to the left.*

5 signature *I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.*

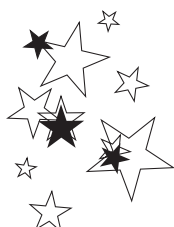
sign here _____ date today _____

! *If you sign this card and know it to be false, you can be fined up to \$125,000 and/or jailed for up to 5 years.*

6 registration updates *If you are previously registered and updating your information, fill out this section.*

previous registration name previous county and state

home address on previous registration date of birth (month/day/year)



If you have any questions, or if you would like more information on voting in Oregon:

call 1 866 ORE VOTE/673 8683
se habla español

visit www.oregonvotes.org

tty 1 800 735 2900
for the hearing impaired



Democratic Candidates

United States President	Hillary Clinton Barack Obama
United States Senator	Pavel Goberman Jeff Merkley Roger S. Obrist David Loera Candy Neville Steve Novick
Representative in Congress	
2nd District	Sabrina Shrake Noah Lemas
Secretary of State	Kate Brown Rick Metsger Vicki L. Walker Paul Damian Wells
State Treasurer	Ben Westlund
Attorney General	John R. Kroger Greg Macpherson
State Senator	
29th District	No Candidate Filed
30th District	No Candidate Filed
State Representative	
57th District	No Candidate Filed
58th District	Ben Talley Barbara Ann Wright
59th District	Mike Ahern

Republican Candidates

United States President	John McCain Ron Paul
United States Senator	Gordon H. Smith Gordon Leitch
Representative in Congress	
2nd District	Greg Walden
Secretary of State	Rick Dancer
State Treasurer	Allen Alley
Attorney General	No Candidate Filed
State Senator	
29th District	David Nelson
30th District	Ted Ferrioli
State Representative	
57th District	Greg Smith
58th District	Bob Jenson
59th District	John E. Huffman

List of State Candidates & Measures**Nonpartisan Candidates****Judge of the Supreme Court**

Position 1	Thomas A. Balmer
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Judge of the Court of Appeals

Position 1	David Schuman
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Position 2	Walt Edmonds
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Judge of the Oregon Tax Court	Henry C. Breithaupt
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Judge of the Circuit Court

6th District, Position 1	Garry L. Reynolds
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10th District, Position 1	Phillip A. Mendiguren Daniel Ousley
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10th District, Position 2	Russell B. West
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District Attorney

Umatilla County	Dean F. Gushwa
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Union County	Timothy R. Thompson
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51

AMENDS CONSTITUTION: ENABLES CRIME VICTIMS TO ENFORCE EXISTING CONSTITUTIONAL RIGHTS IN PROSECUTIONS, DELINQUENCY PROCEEDINGS; AUTHORIZES IMPLEMENTING LEGISLATION.

52

AMENDS CONSTITUTION: ENABLES CRIME VICTIMS TO ENFORCE EXISTING CONSTITUTIONAL RIGHTS IN PROSECUTIONS, DELINQUENCY PROCEEDINGS; AUTHORIZES IMPLEMENTING LEGISLATION.

53

AMENDS CONSTITUTION: MODIFIES PROVISIONS GOVERNING CIVIL FORFEITURES RELATED TO CRIMES; PERMITS USE OF PROCEEDS BY LAW ENFORCEMENT.

This is a complete listing of the state candidates for the Primary Election, May 20, 2008, as prepared by the Secretary of State, for the counties covered in this pamphlet. On election day, your ballot may also include measures and candidates from your county and local governments. **Important:** Each candidate listed does not necessarily have a statement in the voters' pamphlet. Some candidates do not choose to purchase space.

Candidate statements are printed as submitted

The state does not correct punctuation, grammar, syntax errors or inaccurate information. The only changes made are attempts to correct spelling errors if the word as originally submitted is not in the dictionary.

for more information about voting in Oregon

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se habla español

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TTY **1 800 735 2900**
for the hearing impaired

Democratic Candidates



Duties and Responsibilities of Democratic Precinct Committeepersons 11

Candidates 12-20

Democratic Candidates**Duties and Responsibilities of Democratic Precinct Committeepersons****A message from Democratic Party of Oregon Chair Meredith Wood Smith:****It's up to you!**

You can make the difference and change the direction of our nation.

Democrats are fighting to end the war in Iraq, grow our economy and fix our health care mess.

In 2008, we must return the White House to the American people.

The Republicans want to continue the Bush Legacy with their nominee for the White House.

With your help we can defeat the Republicans and retain our majorities in Salem and Washington, D.C.

We need you to join our team by becoming a Neighborhood Leader. You can sign up at www.oregondemocrats.org/leaders. If you want to become a Precinct Committee Person or volunteer call us at 503-224-8200

Help us restore America and work with us on:

- **Health Care:** Create affordable, accessible health care that works for everyone.
- **Jobs:** Create family wage jobs and economic fairness.
- **National Security:** Secure our nation by telling the truth to rebuild our credibility at home and abroad, getting us out of debt, and protecting our civil liberties.
- **Education:** Guarantee a brighter future by investing in a highly skilled, educated and well-trained work force.
- **Protecting our Environment:** Invest in sustainable alternatives to oil, and protect our public lands and resources for generations to come.
- **Retirement Security:** Create a system that allows our citizens to retire with dignity and security.
- **Honest Leadership & Open Government:** Restore accountability, honesty and openness at all levels of government.

On behalf of the Democratic Party of Oregon, thank you for taking the time to read this and for voting. We look forward to your joining our Democratic team and begin rebuilding America.

Respectfully,
Meredith Wood Smith, Chair

Precinct Committee Person Qualifications and Responsibilities:

1. Be a registered Democrat
2. Represent the precinct you live in or the one adjacent to it
3. Serve a two year term
4. Receive at least three votes
5. Participate in and elect party leadership
6. Volunteer and recruit others

To get involved, contact us at:

Democratic Party of Oregon, 232 NE 9th Ave., Portland, OR 97232

Phone: (503) 224-8200, Fax: (503)224-5335 info@dpo.org

www.oregondemocrats.org

Paid for by the Democratic Party of Oregon. Not authorized by any candidate or candidate's committee. www.oregondemocrats.org

(This information furnished by Democratic Party of Oregon.)

United States President



Hillary Clinton

Democrat

Occupation: United States Senator, New York (2001-present)

Occupational Background: First Lady of the United States (1993-2001); Partner, Rose Law Firm, Little Rock, Arkansas

(1979 – 1992); Associate, Rose Law Firm, Little Rock, Arkansas (1977 – 1979)

Educational Background: Wellesley College, B.A., 1969; Yale Law School, J.D., 1973

Prior Governmental Experience: United States Senator, New York (2001-present); First Lady of the United States (1993-2001); Legal Services Corporation (Chair, 1978-1980; Member Board of Directors, 1977-1984); Impeachment Inquiry Staff, Judiciary Committee, United States House of Representatives (Impeachment Inquiry Staff, 1974)

I have a set of plans to reclaim our future for our children; restore our standing in the world; and rebuild the middle class. One of my first official actions will be to draw up a clear, viable plan to bring our troops home starting with the first 60 days of my Administration. My top domestic priority will be to provide quality, affordable health care for every American. I will end discrimination against the sick and ensure that people can keep their health care if they change jobs. To fire up the engines of American innovation and transform our economy from carbon-based to clean and energy efficient, I will redirect billions of dollars of big oil tax subsidies into investments in clean, renewable energy alternatives – wind, solar, hydrogen, ethanol, and other bio-fuels – and create five million “green jobs” in the process. I also have a concrete plan to address the mortgage crisis that’s sweeping our communities: I will enact a moratorium on foreclosures and put into place a freeze on interest rates so that every family has the opportunity to work out a payment schedule that is affordable and allows them to keep their homes. And I’ll take immediate steps to get our economy back on track and prevent us from sliding into a recession. I’ve been a doer and a fighter my whole life, and that’s what I’ll be as president.

(This information furnished by Hillary Clinton for President.)

United States President



Barack Obama

Democrat

Occupation: My occupation is U.S. Senator.

Occupational Background: I’ve been a community organizer, civil rights lawyer, and constitutional law teacher.

Educational Background: My educational background is that I graduated from Columbia University and Harvard Law School.

Prior Governmental Experience: My prior governmental experience is 8 years as an Illinois state Senator.

I’m running for President because at this defining moment in our nation’s history, we have a chance to forge a new majority so we can solve the problems we’ve been talking about for decades.

I’m running to turn the page on the failed politics of the past; a politics that says it’s ok to demonize your political opponents when we should be coming together to solve problems; a politics that accepts lobbyists as part of the system in Washington, instead of recognizing how much they’re part of the problem; and where politicians don’t mean what they say or say what they mean.

As President, I’ll bring Democrats and Republicans together to finally pass universal health care. I’ll stop giving tax breaks to companies that ship our jobs overseas, and put a middle-class tax cut into the pockets of working families, struggling homeowners, and seniors who deserve to retire with dignity and security. I’ll invest in clean energies so we can create the green jobs that are the jobs of the future, reduce our dependence on foreign oil, and save this planet for our children. I will make college affordable for anyone who wants to go. And I’ll end this war in Iraq – a war I opposed from the start.

Ever since I walked away from a career on Wall Street to work as a community organizer more than two decades ago, I’ve fought to bring people together, and make a difference in the lives of ordinary Americans. I don’t want to pit Blue States against Red States – I want to lead the United States of America. Let’s reach for what we know is possible.

(This information furnished by Obama for America.)

Democratic Candidates**United States Senator****Pavel
Goberman**

Democrat

Occupation: Founder / Provider of physical/mental fitness program "Get Energized!" – book, video and exercise classes for governments, businesses and public: may prevent many illnesses, diseases (including

cancers) and slow down the aging process. (503)6-GET-FIT www.getenergized.com/vote.html

Occupational Background: Author, Publisher, Producer, Speaker, Inventor, Consultant, Advisor, Trainer, Coach, Manager (had an Award), Supervisor, Social Worker, Counselor, Machinist, Mechanic, Welder, Truck Driver, Logger, Firefighter and Beekeeper. I'm a Problem Solver.

Educational Background: Have 27 years of education, BA + Degree (Moscow, Russia). Attended a few universities and colleges in the USA. Linguist.

Prior Governmental Experience: 2006 Candidate for US Representative, 2004 Candidate for US Senator. 2002 Candidate for Commissioner of BOLI. Tank Army. I'm honest, incorruptible, with faith and high moral principles. Do not accept any "contributions".

Our political and judicial systems are rotten. Stop bribery, corruption and political prostitution. Smith has no faith/integrity, ignores, violates, doesn't support and criminal contempts the Constitution and Code of Ethics for Government Employees.

Defend nation from a weapons of mass destruction. In two months win Iraq's war, bring troops home.

Employment: I have a plan to create jobs and childcare on workplaces before/after work. No NAFTA.

Control Health Care Costs: make health insurance affordable for citizens. Cut cost of drugs.

Cut Income and Property Taxes.

Promise to improve traffic, environment/pollution.

Crimes: Harder punishment.

Elect US Judges, not appoint.

Seniors and Veterans: We owe them. Respect them! No privatization SocSec.

Improve discipline and quality of education. Teach children to respect parents, teachers and elderly.

Balance Budget in two years. Control spending. Ban on Lobbyists.

Car Insurance is a "Street Robbery". Insure a person, not vehicles.. No accidents- 50% money back.

English must be official language.

OPB must broadcast debates/forums of Candidates.

Reduce postage rate.

Make peace on the Middle East. Reduce dependency on foreign oil. **"Lock-up" our borders.**

I'm a member of AARP, WillWriters, Elks and support NRA.

Voting for me is investing in our national security.

(This information furnished by Pavel Goberman.)

United States Senator**David
Loera**

Democrat

Occupation: Retired Mental Health Counselor

Occupational Background: Teacher/Counselor, Woodburn School district, Woodburn Oregon. 1974-1976; Mental

Health Counselor, Polk County Mental Health, Independence and Dallas, Oregon, 1976-1989

Educational Background: Nyssa High School Graduated of 1962, Nyssa, Oregon; Associate of Arts Degree, Treasure Valley Community College 1965, Ontario, Oregon; Bachelor of Arts, Behavioral Sciences, Mount Angel, Oregon.

Prior Governmental Experience: Elected as a delegate to the Democratic National Convention in 1992 and 1996 from the 5th district of the State of Oregon. Chair: AFCSME, Virginia Garcia Clinic, Cornelius, Oregon 1993-1994

(This information furnished by David Loera.)

United States Senator



Jeff Merkley

Democrat

Occupation: Speaker of the Oregon House of Representatives

Occupational Background: Executive Director, Portland Habitat for Humanity; National

Security Analyst, Pentagon and Congressional Budget Office; President, Oregon World Affairs Council

Educational Background: David Douglas High School; Stanford (B.A., International Relations); Princeton, (M.A., Public Policy)

Prior Governmental Experience: Oregon State Representative, 1999; House Democratic Leader, 2003; Speaker of the House, 2007

MAKING CHANGE IN OREGON:

- Led a band of progressive leaders to end 16 years of Republican control in Salem;
- Opposed the Iraq war from the start;
- Championed public education, expanded Head Start, and doubled college scholarships;
- Cracked down on predatory lenders, ending 500% interest Payday & Title loans;
- Made Oregon a national leader in fighting global warming and expanding renewable energy, conservation, and recycling;
- Reduced the cost of prescription drugs;
- Fought to protect homeowners from foreclosure and sub-prime scams;
- Championed domestic partnerships and basic rights for all Oregonians.

THE CHANGE WE NEED IN WASHINGTON D.C.:

As the son of a mill worker in rural Oregon, and first in my family to go to college, I will create opportunity for every American.

- Fighting to make healthcare affordable and accessible to all;
- Ending the Iraq war starting immediately and take care of our veterans;
- Building world-class schools from Head Start to higher education;
- Stopping Bush give-aways to special interests and the wealthiest Americans;
- Ending our dependence on foreign oil and tackling global warming;
- Scrapping unfair trade deals that send middle-class jobs overseas;
- Always protecting a woman's right to choose.

The people of Oregon are ready to defeat Gordon Smith and I am ready to win.

That's why I'm endorsed by Governor Kulongoski; Governor Barbara Roberts; Schools Superintendent Susan Castillo; 30 State Representatives; 12 State Senators; 15 mayors; American Federation of Teachers-Oregon; Oregon Nurses Association; Sierra Club; AFL-CIO; Service Employees International Union; AFSCME; UFCW; ILWU; and more than 100 community leaders across Oregon.

www.JeffMerkley.com

(This information furnished by Jeff Merkley for Oregon.)

The above information has not been verified for accuracy by the State of Oregon.

United States Senator



Steve Novick

Democrat

Occupation: Consultant

Occupational Background: Attorney

Educational Background: University of Oregon; Harvard

Law School

Prior Governmental Experience: Environmental Attorney, U.S. Justice Department; Caucus Director, Oregon Senate Democrats

"Steve Novick has the courage to stand up for what is right, tell the truth, and has experience and ideas that can change the future."

Congressman Les AuCoin

Steve Novick for U.S. Senate

The Change We Need The Leadership We Want

Steve Novick is a principled progressive, with the right kind of experience. He defeated Bill Sizemore. He recovered \$129 million from big polluters in the famous Love Canal case. And he has the courage to make the tough choices to protect what's most important.

Quality, Affordable, Universal Healthcare

Only Steve's plan includes coverage for all, and strong steps to controls costs.

"I am convinced that Steve Novick is the candidate Oregonians can count on to take bold action on health care."

Governor John Kitzhaber

Standing Up for Middle Class Families

Steve's plans will create jobs, help the middle class with the cost of everyday life, end tax breaks for the wealthy and stop trade policies that ship good jobs overseas.

Steve believes in fiscal fairness and responsibility, including saving Social Security by insisting the wealthy pay Social Security taxes on all their income, not just the first \$100,000. He also believes that those who work for a living shouldn't pay a higher tax rate than those whose income comes from speculation.

Endorsed By Educators of the Oregon Education Association

"Steve Novick stood up for Oregon's children by stopping the outrageous giveaways of our schools' lottery dollars to special interests."

Jada Pearson, Beaverton Kindergarten Teacher

Against the Iraq War from the Beginning

Steve Novick opposed the Iraq War from the start, without falling for Republican tricks. He will fight to bring our troops home safely, honorably and soon.

Steve Novick for Senate Principled. Progressive. Fighting for us.

Find out why Oregon Democrats are so excited about Steve:
www.NovickForSenate.org

(This information furnished by Novick for Senate.)

The above information has not been verified for accuracy by the State of Oregon.

Democratic Candidates**United States Senator****Roger S. Obrist**

Democrat

Occupation: Retired**Occupational Background:** Construction, Blueprint Machine Operator, Timechecker and Timekeeper; Elementary School Custodian.**Educational Background:** The Dalles High School Graduate; Attended Clark College.**Prior Governmental Experience:** Candidate for State Representative District 10 (May 1998); District 10 (May 2000); District 51 2002); District 51 2004).

"Working for the people"

Roger Obrist: Education.

I will work to secure adequate and stable funding for our schools.

Roger Obrist: Crime.

It is important that we get serious offenders off the street. However, we must seek out and attack the root causes of crime.

Roger Obrist: Environment:

I will work to protect and enhance our natural resources for future generations of Oregonians.

Roger Obrist: Global Warming.

I will work to pass legislation that will: cut Global warming pollution 20% by 2020 and 80% by 2050--with enforceable deadlines.

Roger Obrist: Taxation.

I will work always to cut down the tax load and will demand full value for the taxpayers dollar.

Roger Obrist: Homelessness.

Many families experiencing homelessness are living with friends or relatives in overcrowded conditions. I want to help families find the resources they need to become self-sufficient.

Roger Obrist: Labor.

Oregon's labor force wants jobs, opportunity and equal treatment, with a fair share of the nations gross national product. I'll fight for these, as well as insist on full protection for our working people. Against cheap foreign Labor.

Roger S. Obrist Democrat for United States Senator.

*(This information furnished by Roger S. Obrist.)***Representative in Congress
2nd District**

No photo submitted

Noah Lemas

Democrat

Occupation: Entrepreneur & Inventor**Occupational Background:** Retail Business Owner**Educational Background:** Bachelor of Arts, University of

California, Santa Barbara; Master's in Business Administration, Portland State University

Prior Governmental Experience: Business liaison to City of Bend

Mr. Lemas' platform includes lessening dependence on foreign oil by developing practical and alternative energy sources, developing realistic state and nationwide healthcare programs, returning vital funds to Oregon's public education system, and changing Washington, D.C.'s special interest orientation.

Noah and his wife of 15 years, Rachel, live in Bend, Oregon with their two children, ages six and two. Lemas and his family are outdoor enthusiasts, enjoying Central Oregon's four-season beauty and activities. In addition, Mr. Lemas is active in Bend's baseball and mountain-sport communities, serving as Little League coach and as Central Oregon's informal snowboard ambassador on and off Mt. Bachelor.

Lemas is a graduate of the University of California, Santa Barbara, where he earned a Bachelor of Arts, and of the Graduate School of Business at Portland State University, where he was conferred an MBA. As part of his studies at Portland State University, Mr. Lemas also studied International Finance at Euromed Marseille Ecole de Management in Marseille, Provence, France.

Prior to running for United States Congress, Lemas enjoyed more than eleven years as a small-business owner and dedicated entrepreneur. In 1994 he founded Sunriver Snowboards in Sunriver, Oregon and developed the endeavor for more than six years before selling the business to a former competitor in late 2000. In 1999, he founded Side Effect Boardshop, one of the nation's influential and recognizable independent board-sports retailers. After operating Side Effect for more than six years, Lemas sold the growing business to James and Anne Jackson, of Bend, and enrolled at the Portland State University Graduate School of Business.

If elected, Mr. Lemas offers a meaningful promise to true integrity and a dedication to the citizens of Oregon's 2nd district.

Now you "Noah" who to vote for!

(This information furnished by Noah Lemas For Congress.)

Secretary of State



Kate Brown

Democrat

Occupation: State Senator

Occupational Background:
Family, Juvenile Law Attorney

Educational Background:
University of Colorado, B.A.;
Northwestern School of Law,

Lewis and Clark College, J.D., Environmental Law Certificate;
Senior Executive Program, Kennedy School of Government,
Harvard

Prior Governmental Experience: State Representative
1991-1996; State Senator since 1997

The Right Choice for Secretary of State

"I know all the candidates in this race. I've been Oregon's Secretary of State. Kate Brown is my strong choice. Her integrity, dedication and experience make her the outstanding leader to be Oregon's next Secretary of State."

Governor Barbara Roberts

Fair Elections, Every Vote Counted

I will continue shining a light on the influence of money in campaigns, as I did by creating campaign reporting to "follow the money," so voters see where campaigns get their money and where they spend it. Having won my first race by only 7 votes, I know that every vote matters.

Every Tax Dollar Spent Efficiently and Effectively

"Senator Brown is a champion for public education. As Secretary of State she will find creative ways to provide services while keeping an eye on the public's bottom-line, so we can put more dollars into our priorities, like education and health care. That's one reason educators across Oregon are supporting her."

Rebecca Levison, Portland Association of Teachers

Progress for all of Oregon

When I was elected to the Senate, Republicans outnumbered Democrats two-to-one. To move Oregon forward, the voices of Democrats had to be heard. I got to work, rolled up my sleeves, and delivered. **After years of dreaming, Oregonians' priorities have become law – more funding for schools, civil rights, access to health care, and an expanded Bottle Bill.** As the first woman Senate Majority Leader, I helped make the difference. **That's the kind of leader I will be as your Secretary of State.**

Endorsed by:

Oregon League of Conservation Voters
Oregon Education Association
NARAL Pro-Choice Oregon PAC
Basic Rights Oregon PAC
21st Century Democrats

www.KateBrownForOregon.com

(This information furnished by Kate Brown Committee.)

The above information has not been verified for accuracy by the State of Oregon.

Secretary of State



Rick Metsger

Democrat

Occupation: State Senator

Occupational Background:
Journalist, KOIN-TV; Teacher;
Public Relations

Educational Background:
Lewis & Clark College, B.S.,

M.A.T.

Prior Governmental Experience: State Senator

Rick Metsger: The Change Oregon Democrats Have Been Waiting For

For years we have trusted Rick Metsger to give it to us straight as an award winning KOIN-TV journalist and now as State Senator.

"The common thread in all his legislative work is Metsger's desire to protect the interests of ordinary people: consumers, ratepayers, low-income borrowers and injured workers."

The Oregonian

October 18, 2006

Quality Schools

Rick's leadership delivered \$260 million additional dollars for K-12 class size reduction and vocational programs. As steward of the Common School Fund, Rick will fight to reverse the destructive Bush-Cheney policy that has drained hundreds of millions of dollars from our rural schools.

Protecting Every Voice

Oregonians want a real change in leadership. Rick's the only candidate to vote against the bill (HB2614) that severely limits the ability of non-affiliated candidates to run for most major offices including Secretary of State. Rick has successfully brought urban and rural communities together and given Oregonians a refreshing, effective voice.

Creating a Sustainable Economy

Rick created thousands of new jobs by co-authoring the largest investment in our transportation infrastructure since the 1950's.

As SOS, Rick will use the audits division to hold state government accountable for meeting environmental benchmarks.

Fighting For Us

Rick co-authored and passed the bill that stopped utility companies from collecting taxes from ratepayers that they put into their pockets instead of public services.

While working families struggle with \$4 gasoline and rising healthcare costs, many corporations pay only \$10 a year in income tax. As head of the Secretary of State's Corporation Division, Rick will champion relief for ordinary taxpayers and make large corporations pay their fair share.

Dear Fellow Oregonians,

I ask for your trust and support. Together we can help Oregon lead our nation in a bold new direction.

www.rickmetsger.com

(This information furnished by Friends of Rick Metsger.)

The above information has not been verified for accuracy by the State of Oregon.

Democratic Candidates**Secretary of State****Vicki L. Walker**

Democrat

Occupation: State Senator;
Court Reporter**Occupational Background:**
State Senator 2003-present;
Self-employed Court Reporter**Educational Background:**

University of Oregon, BS; Lane Community College, Court Reporting Program

Prior Governmental Experience: State Representative 1999-2002; Secretary-Treasurer, Cal Young Neighborhood Association; Chair, Lane County Democrats**Personal:** Vicki has lived in Oregon since 1960. She and her husband Steve raised their two children in Lane County.**VICKI WALKER—COUNTING FOR OREGON**

"She has a knack for calling attention to issues that her colleagues have overlooked, and has built a reputation as a lawmaker who will fight for the powerless."

—*The Register-Guard* 9/5/05

As a State Senator, Vicki Walker has consistently stood up to powerful interests, shining a bright light on waste, fraud and abuse in state government.

Vicki is running for Secretary of State because Salem needs to bring the same accountability and transparency towards counting your votes and your tax dollars correctly.

Read Vicki's plan www.vickiwalker.com to make every Oregonian count:

- Supporting rotating regional primaries so Oregonians have a greater say in choosing their next President
- Publishing the largest contributors to ballot measure campaigns in the voters' pamphlet
- Cracking down on ballot measure fraud
- Ensuring corporate subsidies bring in more revenue than they take
- Utilizing state trust lands to develop rural jobs with clean, renewable energy
- Maximizing revenues to the Common School Fund to reduce class sizes and lower the achievement gap

As Chair of the Senate Education Committee, Vicki led the legislature to adopt an 18% increase in public school funding, expanded the Oregon Opportunity Grant to make college affordable for more students, added 3,000 children to Head Start, and prohibited golden parachute contracts for school administrators.

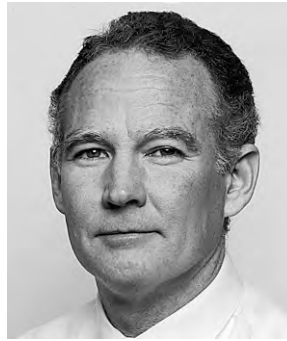
"VICKI WALKER WAS NAMED A WORKING FAMILIES CHAMPION BY THE OREGON AFL-CIO"
Tom Chamberlain

Endorsed:

Senator Margaret Carter
Representative Terry Beyer
Portland City Commissioners Randy Leonard and Erik Sten
Former Democratic Party of Oregon Chair Jim Edmunson
Former Speaker of Oregon House of Representatives Phil Lang

(This information furnished by Committee to Elect Vicki Walker.)

The above information has not been verified for accuracy by the State of Oregon.

Secretary of State**Paul Damian Wells**

Democrat

Occupation: Design Engineer**Occupational Background:**
Electrical Engineer**Educational Background:**
BSEE Purdue University**Prior Governmental Experience:** Voter Advocate since 1992

"The Secretary of State, as Chief Elections Officer, must first and foremost, be a committed vocal advocate for voters when individuals or groups try to manipulate the election process for personal or political gain. The current officeholder has performed this task very poorly and I intend to do much better.

I support the proposal to make the office of Secretary of State nonpartisan. This is a small but very reasonable step toward long overdue election reform."

Paul Wells

What is a nonpartisan office?

- In a nonpartisan race, only the top two candidates for each office qualify for the General Election in November. Voters select these candidates in the May Nominating Election.
- "Nonpartisan" means that all voters, regardless of party affiliation, have the right to participate in both the nominating and general elections.
- "Nonpartisan" doesn't mean that all candidates must be Independent. Political Parties should be allowed to endorse candidates for any non-judicial office and the party name can be printed after the candidate's name on the ballot. Voters need and want this information.

Aren't partisan elections unconstitutional?

- In 1988, the Oregon Supreme Court ruled that candidates for public office could be segregated by party affiliation. (*Libertarian Party of Oregon v. Roberts*) This ruling validated the four separate standards used to qualify candidates for partisan office in Oregon. Even school children know - the "separate but equal doctrine" is a sham.
- Currently, if Oregon courts choose to interpret the constitution in some absurd way, or ignore it entirely, little can be done by the voters or legislature. (There are no "checks and balances" on the court.)
- Acts of the Legislature are subject to voter referendum. Rulings of the Court are just as important and should be subject to referendum as well - with no time limit.

www.thekeel.org

(This information furnished by Paul Wells.)

The above information has not been verified for accuracy by the State of Oregon.

State Treasurer



Ben Westlund

Democrat

Occupation: Healthcare delivery specialist, Northwest Professional Management

Occupational Background: Agribusiness, small business owner

Educational Background: B.A., History, Whitman College

Prior Governmental Experience: State Representative 1997-2003, State Senator 2003-present

Married to Libby, two children, BJ (19), Taylor (15)

BEN WESTLUND GETS THINGS DONE

"Westlund won a House seat in 1996 and quickly showed he had a knack for understanding complex issues and for **developing relations on both sides of the aisle.**"

The Oregonian (6/3/2005)

"Ben Westlund is the right person to be our next State Treasurer and protect the hard-earned retirement dollars of working Oregon families. As a legislator and former budget chief during some of Oregon's toughest economic times, **Ben balanced fiscal accountability with social responsibility.** As long as I have known him, I have been impressed with his ability to work across the aisle to get results for Oregon."

Governor Ted Kulongoski

Endorsed by Oregon Education Association

BEN WESTLUND UNDERSTANDS OUR ECONOMY

"**From small business issues to infrastructure needs and natural resources, I know Ben Westlund will bring a fresh perspective and sure-handed sensibility to the State Treasurer's office.** Ben has been one of the best and brightest members of the legislature, and his background as a successful business owner and his experience with complex funding issues and the state budget will serve Oregon extremely well."

U.S. Senator Ron Wyden

Endorsed by Oregon Small Business for Responsible Leadership

BEN WESTLUND IS WORKING TO LOWER HEALTH CARE COSTS

Ben Westlund co-authored the Healthy Oregon Act that created the blueprint for **health care reform to lower costs, improve quality and provide access to every Oregonian.**

Endorsed by SEIU Locals 49 & 503, Oregon Nurses Association, AFSCME Council 75

BEN WESTLUND CHAMPIONS RENEWABLE ENERGY AND CLEAN TECHNOLOGIES

Ben is an outspoken advocate for renewable energy and clean technology economic development. **He helped pass bills to increase Oregon's renewable energy use and to increase investments in emerging technologies.**

Endorsed by Oregon League of Conservation Voters, Oregon AFL-CIO

WWW.BENWESTLUND.COM

(This information furnished by Ben Westlund.)

Democratic Candidates**Attorney General****John R. Kroger**

Democrat

Occupation: Oregon law professor**Occupational Background:** federal prosecutor; law professor**Educational Background:** Yale University, B.A., M.A.; Harvard

Law School, J.D.

Prior Governmental Experience: U.S. Marine Corps; Senior Policy Analyst, U.S. Department of the Treasury; federal prosecutor, Enron prosecutor, U.S. Department of Justice**JOHN KROGER FOR ATTORNEY GENERAL
THE RIGHT EXPERIENCE TO DELIVER
THE CHANGE WE NEED**

John Kroger is a tough, award-winning prosecutor and legal scholar with a record of integrity. He has new energy, new ideas and vast experience in court:

- As a prosecutor, John convicted mafia killers, drug traffickers and corrupt government officials, winning every trial and appeal.
- John prosecuted Enron executives who defrauded millions of Americans.
- John teaches criminal law and legal philosophy at Lewis & Clark Law School.

“John is tenacious, fearless and brilliant. His ethics and moral compass are second to none.”

Andrew Weissmann**Former Director of Prosecution, Enron Task Force****JOHN KROGER'S PLAN TO MOVE OREGON FORWARD**

- Fight meth aggressively, with more effective enforcement and drug treatment.
- Hold every polluter responsible for the damage they cause to our environment.
- Ensure every parent gets the child support payments to which they are entitled.
- Protect consumers and seniors from scam-artists, identity thieves and crooked companies.
- Defend civil rights, a woman's right to choose and Oregon crime victims.

“John's courtroom experience and his thoughtful ideas for protecting our children and the environment make him the right person for the job.”

Gov. John Kitzhaber**ENDORSED BY LAW ENFORCEMENT
AND PEOPLE WE TRUST**

Governor John Kitzhaber

22 Oregon District Attorneys and 7 Oregon Sheriffs

Oregon State Police Officers' Association;

Portland Police Association

The Sierra Club, Oregon Chapter

Oregon Education Association

Portland City Commissioners Randy Leonard, Dan Saltzman and Erik Sten

Eugene Mayor Kitty Piercy

Bend Mayor Bruce Abernethy

Pendleton Mayor Phillip Houk

SEIU Locals 503 and 49

Check www.johnkroger.com for the full list and to learn more

(This information furnished by John Kroger for Attorney General.)

The above information has not been verified for accuracy by the State of Oregon.

Attorney General**Greg Macpherson**

Democrat

Occupation: Oregon State Representative**Occupational Background:** Attorney**Educational Background:** J.D., Georgetown University;

A.B., Harvard University, West Albany High School

Prior Governmental Experience: Oregon Law Commission; Chair, House Judiciary Committee; House Co-Chair, Measure 49 Committee; Chair, Multnomah County Planning Commission

Married to Victoria Macpherson; two children.

Protecting Oregon

Oregon's Attorney General is the people's chief advocate – the person most responsible for protecting Oregonians from crime, consumer fraud, threats to civil rights, and damage to our environment.

I'm the only candidate for Attorney General with a proven record of fighting to protect Oregon families:

Protecting Oregonians' personal safety: I passed the country's toughest restrictions on the raw material used to make meth, nearly eliminating home meth labs from Oregon. I passed legislation cracking down on internet sex predators and repeat offenders. As Attorney General, I'll make sure these laws are enforced.

Protecting Oregon's consumers: I passed bills cracking down on ID theft and predatory lenders. I'll vigorously enforce Oregon's laws protecting older citizens from scams, and make sure health insurers pay the benefits they owe consumers.

Protecting Oregonian's civil rights: I've always fought for a woman's right to choose, and stood up to extremists trying to chip away at our civil rights. As Attorney General, I'll protect equal rights for all Oregonians and defend the freedom to make reproductive decisions without government interference. That's why I'm **endorsed by NARAL Pro-Choice Oregon PAC.**

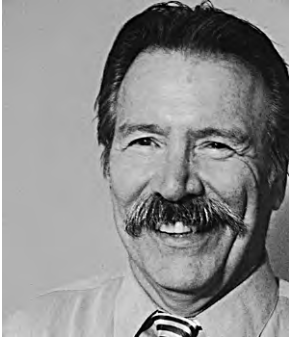
Protecting Oregon's environment: I led the fight for Measure 49, protecting farmlands and open space from developers. As the state's top environmental defender, I'll enforce Oregon's laws reducing greenhouse gases. That's why I'm **endorsed by the Oregon League of Conservation Voters.**

I'm the only candidate who raised a family in Oregon, the only candidate who practiced law in Oregon, and the only candidate with a record of public service in Oregon. That's why I'm **endorsed by Governor Ted Kulongoski, former Governor Barbara Roberts, and Attorney General Hardy Myers.**

I'll be honored to have your vote.

(This information furnished by Friends of Greg Macpherson.)

The above information has not been verified for accuracy by the State of Oregon.

**State Representative
58th District****Ben
Talley**

Democrat

Occupation: Law Librarian**Occupational Background:** Professional Librarian, College Instructor, Natural Foods Store Owner**Educational Background:** BS,

Dana College; MLS, Brigham Young University

Prior Governmental Experience: Governor's Commission for Voluntary Action and Service**We need a change of direction.**

When the power of decision-making lies at the hands of our State Representatives we need someone who isn't an obstructionist and doesn't play party politics.

"Our current representative is a decent man, but he has consistently backed the policies and the partisanship by the Republican House leadership that have devastated our schools and blocked virtually every positive proposal on health care for our families, businesses and communities." - Ben Talley

We need someone to side with Pendleton-not party bosses.

Ben Talley knows that the job of a legislator is to fight for our community. That does not mean blocking debate on fully funding our schools and ending "golden parachutes" for school administrators. It does not mean blocking debate on expanding low cost prescription drug programs.

"Independence means independent thinking and leadership. I want to put Oregon first and partisan politics a far second." - Ben Talley

We need security first.

Rather than corporate interests and an unhealthy dependency on federal subsidies controlling our food

Elect Ben Talley to Oregon House District 58

Email: bentalley@bmi.net Phone: 541-310-7909

*(This information furnished by Committee To Elect Ben Talley.)***State Representative
59th District****Mike
Ahern**

Democrat

Occupation: Realtor; Jefferson County Commissioner.**Occupational Background:** Small Businessman: Owner Ahern's Grocery and Black Butte General Store.**Educational Background:** Madras High School; University of Oregon Graduate.**Prior Governmental Experience:** Jefferson County Commission; Madras City Council; Deschutes River Management Commission; Jefferson County Public Health Advisory Committee; 509-J School District Budget Committee; Citizens' Review Board; Madras Planning Commission; Commission on Children and Families.**Prior Community Experience:** Jefferson County Chamber of Commerce, President; Madras Kiwanis, President; Madras Elks; Knights of Columbus; Youth Basketball and Soccer Coach.**Family:** Mike lives in Madras with his wife Jane, who is Youth Services Director at the Jefferson County Library. He has 3 grown sons.

VOTE MIKE AHERN! EXPERIENCE, LEADERSHIP, VISION.

In Jefferson County, MIKE AHERN is already well known as a hard-working, common sense leader. MIKE AHERN is a neighbor we have trusted to protect our rights and values.

Now MIKE AHERN is introducing himself to voters in Wasco, Sherman, Gilliam, Grant, Wheeler and northwest Deschutes Counties, as he works to become our representative in Salem.

AHERN WILL PROVIDE THE STRONG, COMMON-SENSE VOICE WE NEED IN SALEM!**ECONOMIC DEVELOPMENT AND JOBS:** Mike feels we can do more to turn state resources towards helping economic development and job creation on this side of the Cascades. Too often our needs have been ignored in Salem. Mike will be the voice we need.**QUALITY OF LIFE:** Across District 59, from The Dalles, to Madras, to John Day; our communities need leadership in Salem to protect our quality of life, and renew our towns, communities, farms and ranches. Health Care, Education, Taxes, Crime - these are the issues that Mike will take on in Salem.

NOTE FROM MIKE:

Fellow Oregonian,

I know it's frustrating to watch more politics as usual. We need to work together to build a positive, prosperous future. I'LL GO TO WORK IN SALEM TO MAKE SURE SALEM IS WORKING FOR US. I ask for your vote.

Sincerely, Mike Ahern

(This information furnished by Elect Ahern.)

Participation in Nominating Process



Only One Nominating Process

The Oregon Legislative Assembly has adopted a new law that states an elector may participate in one and only one, nomination process for each partisan public office to be filled at the General Election. Partisan public offices to be filled at the 2008 General Election include.

- US President
- US Senator
- US Representative
- Secretary of State
- State Treasurer
- Attorney General
- State Senator
- State Representative
- any county or city offices designated as partisan

Participation in a nominating process includes any of the following:

- **returning a Democratic or Republican ballot** at the 2008 Primary Election, regardless of how the ballot is voted
- **participating in a minor political party's candidate nominating process**, which is established in the minor political party's by-laws and is usually by a nominating convention
- **signing the minutes of an assembly of electors** to nominate a nonaffiliated candidate (a candidate not affiliated with any political party) to the General Election
- **signing a certificate of nomination by individual electors** to nominate a nonaffiliated candidate (a candidate not affiliated with any political party) to the General Election



example

Elector A is registered to vote as a member of a major political party and is issued and **returns a partisan ballot** at the 2008 Primary Election. Elector A votes for most, but not all, of the partisan races listed.

In July 2008, Elector A signs a petition to nominate a nonaffiliated candidate for State Representative District 25 to the 2008 General Election. Elector A's signature **is not** a valid signature and must be disqualified. Elector A is deemed to have already participated in a nominating process for **all** partisan offices for the 2008 General Election by returning a partisan ballot for the 2008 Primary Election.

Republican Candidates



Duties and Responsibilities of Republican Precinct Committeepersons 22

Candidates 23-28

Duties and Responsibilities of Republican Precinct Committeepersons

Precinct committeemen and committeewomen are the grassroots representatives of the Republican Party in Oregon. A Precinct Committee Person (PCP) is the “face” of the party and an advocate for Republican political principles in their neighborhoods and communities. They are asked to attend regular meetings of their county Republican Central Committee in order to help set the party agenda in the county and to strategize how to spread the Republican message at the local level.

As a PCP, you have a voice in selecting Republican Party leadership on the county, state, and national levels. You may even seek a leadership position yourself. County leaders, in turn, help select the state party leaders who participate on the Republican National Committee and elect the national party leaders. PCPs also select Oregon delegates and alternates to attend the Republican National Convention.

PCPs are often called on by Republican candidates to help with grassroots campaigning. You may be asked to “walk” your precinct with a candidate and introducing the candidate to friends and neighbors. You may also be asked to participate in making phone calls and distributing campaign materials in your precinct. You will become the Republican Party in your community!

PCPs should be able to convey these basic principles of the Republican philosophy:

- Republicans believe the strength of our nation lies with the individual and each person’s dignity, freedom, ability, and responsibility must be honored.
- Republicans believe in equal rights, equal justice, and equal opportunity for all, regardless of race, creed, sex, age, or disability.
- Republicans believe that free enterprise and encouraging individual initiative has brought this nation opportunity, economic growth, and prosperity.
- Republicans believe government must practice fiscal responsibility and allow individuals to keep more of what they earn.
- Republicans believe the proper role of government is to provide for the people only those critical functions that cannot be performed by individuals or private organizations, and that the best government is that which governs least.
- Republicans believe the most effective, responsible, and responsive government is government closest to the people.
- Republicans believe Americans must retain the principles that have made us strong while developing new ideas to meet the challenges of changing times.
- Republicans believe Americans value and should preserve our national strength and pride while working to extend peace, freedom, and human rights throughout the world.
- Republicans believe our party is the best vehicle for translating these ideals into positive and successful principles of government.

This fall, Oregon Republicans will work to elect Republicans in the Oregon House and Senate, United States Congress, and the White House. PCPs will play key roles in bringing about these victories. While Republican precinct committeepersons are encouraged to support the candidates of their choice in the primary election, it is expected PCPs, as representatives of the party during the general election, will support all Republican candidates receiving the Party’s nomination.

If you would like more information about the Oregon Republican Party, or would like to be more involved with the GOP in Oregon, please call our state party headquarters at (503) 587-9233. You may send e-mail to info@orgop.org or visit our website at www.orgop.org.

Vance D. Day
Chairman, Oregon Republican Party
P.O. Box 789 Salem, OR 97308

(This information furnished by the Oregon Republican Party.)

Republican Candidates**United States Senator****Gordon Leitch**

Republican

Occupation: Retired Ophthalmologist**Occupational Background:** Ophthalmology Practice**Educational Background:** Portland Public Schools;

Whitman College; Johns Hopkins Medical School

Prior Governmental Experience: Precinct Committeeman**UNDERSTANDING THE SHNOOKER CAUSING OUR ECONOMIC CHAOS:**1870; Knox v. Lee, 79US457; The Supreme Court held:

1) No one doubted a \$1000 debt contracted before 1834, could be paid by 100 eagles coined after 1834, though they contained no more gold than 94 eagles coined when the contract was made.

FACT! A \$1000 debt before 1834 couldn't be paid by 100 eagles coined after 1834! The debt was revalued fairly, so it took 106 new eagles to pay it.

2) By the act of June 28, 1834, a new gold coin weight and value was adopted, and about 6% was taken from the weight of each dollar.

FACT! No gold dollar existed in 1834 to take any weight from!

3) The effect of this [weight taking] was that all creditors suffered a corresponding loss; debts became solvable with 6% less gold than before.

FACT! Because the 1834 act increased the value of the old eagle to \$10.665, there was no corresponding loss. Debts didn't become solvable with 6% less gold than before!

4) The creditor who had \$1000 due him 31 July 1834, the day before the act took effect, was entitled to \$1000 of coined gold of the weight and fineness of the existing coinage. The day after, he was entitled to a sum 6% less in weight and market value, or to a smaller number of silver dollars.

FACT! The creditor who had \$1000 due him 31 July 1834, was entitled to 100 old eagles. The day after, due to Congress's equitable revaluation, he was entitled to a sum greater in weight and market value, making it mathematically impossible he was entitled to a smaller number of silver dollars.

ELECT **LEITCH** TO U.S. SENATE!

THE HONEST MONEY CANDIDATE!

THE BORDER BACKBONE CANDIDATE!

Suggested Personal Action: Reading THE FEDERALIST

*(This information furnished by Gordon Leitch.)***United States Senator****Gordon H. Smith**

Republican

Occupation: United States Senator**Occupational Background:** Smith Frozen Foods**Educational Background:** Southwestern University, JD;

Brigham Young University, BA

Prior Governmental Experience: United States Senator, 1997-present; Oregon State Senator, 1993-1997; President, Oregon State Senate, 1995-1996.**SENATOR GORDON SMITH
COMMON GROUND. COMMON GOOD.**

"There's too much partisanship and not enough leadership in Washington, D.C. As your Senator, I've shown a better way. Republican-Democrat, rural-urban, left-right, ...from taxes to health care, energy to the economy, security and safety, I have succeeded in finding common ground for the common good."

Common Ground: Jobs & Economy

- Supported tax cuts for families, small businesses and home-buying
- Working to stop a job-killing \$1.2 trillion tax increase and to ensure tax cuts for families and businesses are made permanent

Common Ground: Health Care

- Supported a prescription drug benefit for Oregon seniors and protected a half million Oregonians from unfair cuts to Medicaid
- Working to protect and expand health insurance for 48,000 Oregon children

Common Ground: Rural Oregon

- Fought for water for Klamath farmers and sustainable logging to create jobs and promote forest health; secured funding for a deeper Columbia River to expand state agriculture exports
- Working to protect funding for rural counties hurt by unfair reductions in timber harvests

Common Ground: Energy & Environment

- Supported first increase in car-mileage standard in 20 years and new incentives for green energy: wind, wave, solar and alternative-fuel cars
- Working to protect 128,000 acres of scenic Mt. Hood wilderness

Common Ground: Security & Safety

- Support continued American leadership and strong international participation in fighting aggressive war on terror
- Working to end the war in Iraq swiftly, safely and with honor

**SENATOR GORDON SMITH
COMMON GROUND. COMMON GOOD.**

"I am working to break Washington's partisan paralysis and to find common ground and common good for all Oregonians – I ask for your vote."

-- Gordon H. Smith

www.gordonsmith.com*(This information furnished by Friends of Gordon Smith.)***The above information has not been verified for accuracy by the State of Oregon.****The above information has not been verified for accuracy by the State of Oregon.**

**Representative in Congress
2nd District****Greg
Walden**

Republican

Occupation: U.S. Congressman**Occupational Background:**
Small business owner**Educational Background:**
Graduate: University of Oregon;

Hood River Valley High School

Prior Governmental Experience: State Senator; State Representative**“The middle class is getting hit hard by rising fuel, food and health costs. It’s time for new policies. The old ways just don’t get it done.”**

With 21 years of experience as a small business owner in rural Oregon, Greg Walden knows what it takes to create jobs.

“Better management of our forests would create more jobs, reduce wildfires and cut back on pollution. We should turn biomass into energy and take other major steps to make America more energy independent.”

And Walden’s working hard to make our communities safer from illegal drugs; he’s getting local law enforcement officials the tools they need to combat criminals.

“Like most parents, my wife and I are deeply concerned about illegal drugs and the damage they inflict on families. I’ve aggressively pursued changes in the law to shut down meth labs and drug cartels. But more work remains.”

Walden’s a leader in Congress advocating for changes in the health care system to improve quality, increase access and reduce costs and errors. And that includes expanding services for our veterans.

“We owe a great debt to those who have worn our nation’s uniform and safeguarded our freedom. It’s essential that Congress takes better care of veterans and those who are serving today.”“The congressman has a huge challenge and responsibility. The vast district was built on a strong foundation of agriculture and natural resources. Today new opportunities abound in such areas as technology, energy and telecommunications. Walden has been up to the challenge to date, and probably keeps in better contact with his district than just about any congressman. He travels cross country most weekends, which helps him remember who butters his bread...” *The La Grande Observer*, February 26, 2008**Congressman Greg Walden:
Making a real difference for us.***(This information furnished by Walden for Congress.)***Secretary of State****Rick
Dancer**

Republican

Occupation: TV Journalist**Occupational Background:**
KEZI-TV, 1989 – 2008; KVAL-TV
1987-89; KCBY-TV 1985-87**Educational Background:**
Hillsboro High School, 1977;

Portland Community College, Pacific University (Forest Grove), B.A. Communications, 1983

Prior Governmental Experience: None**Community Service:** Special Olympics, Looking Glass Youth Programs, Directions Services, City Club of Eugene (President, 2006-07)

SECRETARY OF STATE – KEEPING GOVERNMENT HONEST

As a journalist for more than twenty years, my job was to investigate the facts and bring people the truth. As Secretary of State, I’ll be doing very much the same thing, primarily overseeing elections and auditing program to keep the government honest.

MAKE SECRETARY OF STATE NONPARTISAN

It is hard for the public to be confident that the Secretary of State’s office will fairly and impartially oversee elections, whether for candidates or ballot measures, when the Secretary of State is selected in a partisan election. There is no Democrat or Republican way to be fair. Fairness starts by leaving partisanship outside the door of the Secretary of State’s office.

KEEP ELECTIONS FAIR AND OPEN

Only people legally entitled to vote should vote, but everyone who has the right to vote should be encouraged to vote and every vote should count. That goes for signatures on initiatives and citizen referrals as well. No one should ever have to wonder whether their vote or their signature might be disallowed because of the personal or political views of the Secretary of State.

AUDIT GOVERNMENT PROGRAMS FOR EFFICIENCY AND EFFECTIVENESS

The Secretary of State should be responsible not only for financial audits that make sure every dollar is account for but should also conduct performance audits to make sure government programs are accomplishing their objectives as efficiently and effectively as possible.

THE SECRETARY OF STATE WORKS FOR THE PEOPLE, NOT THE POLITICAL PARTIES

(This information furnished by Rick Dancer for Secretary of State.)

Republican Candidates**State Treasurer****Allen Alley**

Republican

Occupation: Corporate Board Member, Private Investor**Occupational Background:** Over 30 years of experience creating, building and financing global companies. Company

Co-Founder, President, CEO and Board Member; Venture Capital Investor; Marketing Executive; Automotive and Aerospace Engineer.

Educational Background: BS in Mechanical Engineering, Minor emphasis in Business: Purdue University. Public schools K-12.**Prior Governmental Experience:** Deputy Chief of Staff, Governor of Oregon. Appointed by President George W. Bush to the US Japan Private Sector Government Commission.**Family:** Married for 25 years to Debbie, three children**Community Service:** Former Chairman: OMSI, Oregon Council of the American Electronics Association, Oregon Council for Knowledge and Economic Development, and the Oregon Business Plan. Board Member: Oregon Innovation Council, Oregon Nanoscience and Microtechnologies Institute, and Oregon Business Council. Youth soccer and baseball coach. Governor's Community Involvement Award.**Allen Alley
Performance and Trust**

The Treasurer must be an experienced and trusted manager whose top priority is providing financial peace of mind for our retirees and schools. Oregonians need to know that the investments they rely on to support them are sound. Allen has 30 years of private sector experience in starting companies, managing investments, and creating jobs for Oregonians. *The Business Journal* named him 2002's High Tech Executive of the Year and one of Oregon's top CEOs in 2004. *Forbes* magazine recognized his company the "Fourth Fastest Growing Technology Company" in the US in 2005.

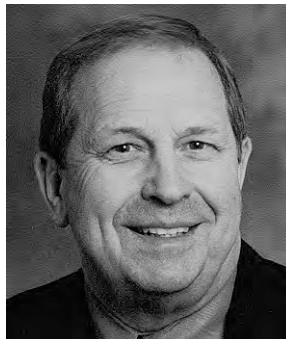
**Allen Alley
Fiscal Strength in a Global Economy**

While other career politicians have been running for office, Allen has been running businesses and gathering the experience Oregonians need in a trusted public servant. Oregon must have leadership who understands the global economy of the 21st century. Allen's life experiences allow him to fully understand all of our investment options in an increasingly competitive, complex and fast paced world. He will provide steady, experienced investment leadership to continue earning the highest possible investment returns for Oregonians.

Allen Alley - Experience you can Trust

www.friendsofallenalley.com

(This information furnished by Friends of Allen Alley.)

**State Senator
29th District****David Nelson**

Republican

Occupation: Grain Farmer/Oregon State Senator**Occupational Background:** Grain Farmer, 1963 to present; Oregon State Senator, 1997 to present; Prosecuting Attorney, 1971 to 1975; Attorney At Law, 1967 to 1981.**Educational Background:** University of Montana Law 1964 to 1967; University of Oregon, Political Science 1960 to 1964; University of California Berkeley 1959 to 1960; Pendleton, Oregon, 1959 Graduate.**Prior Governmental Experience:** Oregon State Senate, 1997 to present; Pondera County, Montana, DA 1971 to 1975.**Community Activities:** Pendleton Chamber of Commerce, Rotary, Oregon Wheat League, American Bar Association, Arts Council of Pendleton, College Community Theatre, Babe Ruth Association, Pendleton Swim Association, Education Foundation of Pendleton, Oregon East Symphony Board, Church of the Redeemer Episcopal.

As your state Senator, I represent Morrow, Umatilla, Union and Wallowa Counties with 28 cities, 23 school districts plus Blue Mountain Community College and Eastern Oregon University. My district is large and benefits from diverse communities.

My legislative experience has included chairing Senate Business Committees, Technology Committees; sitting on Senate Environment, Agriculture, Energy and Natural Resources Committees and Joint Ways and Means Committee. As well, I've had benefit of opportunity to serve on various task forces and boards including the Oregon Area Health Education Center Statewide Advisory Board, Oregon Dairy Air Task Force, Oregon Wireless Interoperability Network Working Group, and Senate Commission on Educational Excellence.

During these experiences, my focus is to see that your voices are heard in Salem; see that children and families have good educational and healthcare opportunities; to make sure communities are safe; and finally, to continue discussions for utilization, conservation and storage of Columbia River water in a wise, multi-use approach. My goal is to find practical solutions to problems facing our great state and particularly those problems affecting rural communities.

Thank you for the privilege to serve you.

David Nelson

(This information furnished by David Nelson.)

**State Senator
30th District****Ted
Ferrioli**

Republican

Occupation: Executive Director, Malheur Timber Operators, Inc.**Occupational Background:** Association Director, Forest products company general manager; rancher; small

business owner; Veteran's Affairs Loan Officer

Educational Background: BA, University of Oregon**Prior Governmental Experience:** Oregon State Senator 1997-present; Senate President Pro-Tempore; Member, Task Force on Federal Forest Payments and County Services; Vice-Chair, Senate Rules and Ethics Committee**Community Service:** Co-founder, Oregon Lands Coalition; Member, Chamber of Commerce President, Oregon Hanford Waste Board.**A record as rural Oregon's most effective advocate**

- Added over 50 Oregon State Police to rural Oregon highways
- Provided mentors for new teachers and school administrators in rural Oregon
- Saved Baker City's historic Carnegie Library Arts Project
- Defeated plan to reduce payments to rural schools
- Gave rangeland communities new tools to protect themselves from fires
- Opposed higher taxes and increased fees
- Increased bail amount for meth dealers

"The natural resource community has a champion advocate in Ted Ferrioli. Few others are as passionate and forceful on the issues of concern to farmers and foresters across the state."

Sharon Livingston, current chair of the Oregon Cattlemen's Association and an alternate to the Oregonians for Food and Shelter Board of Directors (*Blue Mountain Eagle*, 10/17/2007)

"Your grade 'A' voting record with Farm Bureau during the last session was exemplary. It demonstrates that you understand the issues important to agriculture, and your commitment to get good results for Oregon's family farmers and ranchers and rural communities."

Barry B. Bushue, President, Oregon Farm Bureau

"It is a privilege to be a strong advocate for the people when government actions affect the lives of citizens in our part of the state. Fighting for rural Oregon means keeping a sharp eye on state agencies and speaking with a clear voice among the urban interests. Thank you for the honor of allowing me to serve."

Senator Ted Ferrioli

(This information furnished by Friends of Ted Ferrioli.)

**State Representative
57th District****Greg
Smith**

Republican

Occupation: Small Business Owner, Oregon State Representative.**Occupational Background:** Business Development Professional, Gregory Smith &

Company, LLC; Economic Development Professional, Port of Morrow; Board of Directors, Morrow Cold Storage; Board of Directors, Greater Eastern Oregon Development Corporation; Intern, House Majority Leader Greg Walden.

Educational Background: B.S., Eastern Oregon University; M.B.A., Eastern Oregon University; 2001 Eastern Oregon University Distinguished Alumnus Award Recipient.**Prior Governmental Experience:** Assistant Majority Leader, Oregon House of Representatives; Vice-President, Pacific Northwest Economic Region.**Community Activities:** Eagle Scout, Boy Scouts of America; Cub Master, Boy Scouts of America, Pack 661; Member, Eastern Oregon University Alumni Board of Directors.**Experience with Eastern Oregon Priorities...**

Representative Greg Smith
Legislative Appointments:

Energy and the Environment-2007; Transportation-2007; Emergency Board-2005 & 2006; Emergency Board Subcommittee on General Government-2005 & 2006; Interim Committee on Real Estate Agency Oversight-2005 & 2006; Interim Committee on Transportation-2005 & 2006; Vice-Chair, Interim Committee on Economic Development - 2005 & 2006; Chair, Budget Subcommittee on General Government, Transportation & Economic Development-2005; Chair, Elections and Rules Subcommittee on Campaign Finance Reform-2005; Joint Committee on Ways and Means - 2003 & 2005; Vice-Chair, Committee on Government Operations Oversight-2003; Ways and Means Subcommittee on Human Resources-2003; Ways and Means Subcommittee on Transportation and Economic Development-2003 & 2001; Chair, Special Task Force on Jobs and the Economy-2001

Actions Speak Louder Than Words...

Representative Greg Smith
Legislative Priorities:

Representative Greg Smith....Investing in our children's future.

Representative Greg Smith....Bringing balance to our natural resource laws.

Representative Greg Smith...Advocating for the needs of seniors and our most vulnerable citizens.

Representative Greg Smith...Always remembering who pays for our government.

Available When You Need Him...**In-District:**

P.O. Box 219, Heppner, Oregon 97836-0219

Home Telephone: (541) 676-8719

Office Telephone: (541) 676-5154

Fax: (541) 676-5989

repgregsmith@windwave.org

Oregon State Capitol:

900 Court Street SE, H-280, Salem, Oregon 97301

Telephone: (503) 986-1457

rep.gregsmith@state.or.us

(This information furnished by Committee to Re-Elect Greg Smith.)

Republican Candidates**State Representative
58th District****Bob
Jenson**

Republican

Occupation: State Representative**Occupational Background:** Teacher; 26 years at BMCC, 4 years high school; small business owner; co-owner

family farm.

Educational Background: BS, MS, Montana State Univ.**Prior Governmental Experience:** Oregon State Representative 1997-present. Eastern Oregon Regional Airport Commissioner '88-'96. Pendleton Transportation Plan Advisory Member '95-'96. Delegate to White House Conference on Families, '80. Veteran, USAF '50-'54.**Personal:** Raised on a ranch; Married to Evelyn; 4 grown children, 9 grandchildren; 5 great grandchildren.**EXPERIENCE - AS YOUR REPRESENTATIVE**

I have chaired the following legislative committees:

- Joint Ways and Means General Government Sub Committee- '07
- Interim House Task Force on OR Health Plan- '05-'06
- Interim House Task Force on Seniors '05-'06
- House Water '03 & '05
- Interim House Subcommittee on Water -'03 '04
- Interim Joint Salmon and Streams-'01-'02
- House Species Recovery and Streams Restoration '01

In the '08 interim I serve on the:

- Emergency Board
- Joint Committee of Oregon State Hospital oversight
- Joint Education Design Task Force

PRIORITIES - AS YOUR REPRESENTATIVE

CHILDREN are the key to the future: Providing for their education, health care and safety will continue to be a passion for me.

SENIORS are the key from our past: No senior should go without needed prescription drugs. In home services for the frail elderly must be enhanced. District 58 and rural seniors need improved transportation services.

AGRICULTURE the key to District 58's economic health: Water storage program(s) are needed to enhance our supply for irrigation and municipalities. District 58 farmers deserve ethanol and biodiesel development that will expand their markets.

HEALTH CARE the key to an enjoyable life: All Oregonians deserve affordable health insurance. Health care professionals must be available in every community.

AS YOUR REPRESENTATIVE

I appreciate the opportunity to be your representative and will always work to fulfill these priorities. Thank you for your continued support.

*(This information furnished by Committee to Re-Elect Bob Jenson.)***State Representative
59th District****John E.
Huffman**

Republican

Occupation: State Representative; Commercial property owner**Occupational Background:** Manager, Q104 radio, 1985-2007; Ford Dealership Manager

1980-1984; US Army, 1978-79.

Educational Background: Some college**Prior Governmental Experience:** Oregon Investment Board; The Dalles Chamber of Commerce Economic Development

"John's a good man who understands small business and agriculture, and has long been a positive force in his community. He's a strong voice for rural Oregon."

Congressman Greg Walden

Creating Opportunities and Jobs

As a small business owner, John understands the importance of a healthy economy—it means tax revenues go up, and schools and necessary social services are funded. John is working with state and county officials to expand local job opportunities:

1. Keeping the Regional Rural Investment Program alive with help from Oregon Economic and Community Development.
2. Identifying funding for Columbia Gorge Community College for Nursing, Wind Smith Programs and the Work Force Center.
3. Capturing Connect Oregon II dollars for local jobs.

Getting the Job Done in Salem

In a few short months, John has a list of accomplishments that will help solve several problems here at home:

1. Through a public/private partnership, getting cellular telephone to Fossil this year.
2. Connecting communities with funding for infrastructure projects and necessary programs.
3. Reduce the inheritance tax burden for heirs of natural resource property like family farms.

Working to Represent a Diverse District

There are almost 30 communities in this district—all with different needs. John is traveling throughout the district, meeting people and listening to their concerns. As your state representative, he takes his job seriously when it comes to knowing what is happening in communities he represents.

"John Huffman is dedicated to learning not only about the issues that face our region, but also to understanding the structures that make government work. That is what I like about him and why I support him for this office."

Laura Pryor
Interim Director,

Northern Oregon Regional Correctional Facilities

(This information furnished by Committee to Elect John E. Huffman.)

**County Commissioner
Sherman County**

No photo submitted

**Sherry
Kaseberg**

Republican

Occupation: Sherman County Commissioner; Sherman County Historical Society Museum Coordinator.

Occupational Background: farm business owner/operator;

retail business owner/operator.

Educational Background: Eastern Oregon (College) University, BA General Studies 1988; Oregon State (College) University 1955-1958; Sherman County Public Schools.

Prior Governmental Experience: Sherman County Commissioner 1999-present; Sherman County Planning Commission; Sherman County High School Board of Directors; Wasco School Board of Directors; Oregon Geographic Names Board; Sherman County Republican Precinct Committee.

Winds of change. At an exciting time, Sherry is prepared to continue to help build Sherman County's capacity to shape change and solve problems while taking advantage of opportunities.

Opportunities. In a strong agricultural economy with developing wind energy and ample space for growth, Sherry sees opportunities for thoughtful strategic planning to improve rural education, county-wide infrastructure, and culture. Equally important are opportunities to strengthen potential, emerging and present leaders, community collaboration, citizen involvement, and community services.

Experience. This is the time for a team-player with experience, character and integrity. A County Commissioner for nine years, Sherry has focused on housing, project funding, mental and public health, leadership training, the County web site and newsletter, public transit, the new public/school library, tourism marketing, historic preservation and services for seniors and youth. Her experience with regional and state boards brings a broad perspective to her work.

A Personal Stake. "We're all in this together," Kaseberg says. "I have a personal stake here where we raised our children, operated a business, and have grandchildren in school. It's a privilege to serve and I pledge to continue to work hard for the best interests of Sherman County."

Because Sherry understands the County's needs and issues, there will be no lawn signs or posters for her campaign. Instead, she contributed to local youth organizations where the need is great.

(This information furnished by Elect Sherry Kaseberg.)

**County Commissioner
Sherman County**

**Mike
Smith**

Republican

Occupation: Computer Technical Service and Consulting

Occupational Background: ADP Dealer Services Hardware Technical Support, 03/1993 – Present; Computer Consulting,

Network Design, and Repair, 09/1996 - Present; Vantor Electronics (Part owner), 01/1990 – 07/1993

Educational Background: Attended University of Oregon and Portland State University. Multiple industry and corporate certifications in the computer technical field.

Prior Governmental Experience: Moro City Councilman 2004 – Present; Tri-County Community Corrections Volunteer Liaison 07/2003 – 02/2005

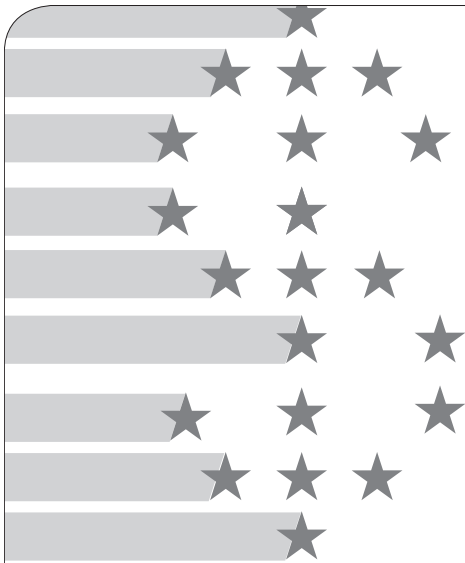
My name is Mike Smith and I am proud to announce I am running for the position of Sherman County Commissioner. Many of you may know me from my profession, where I have visited your home as a computer technician, as the Scoutmaster for the Sherman County Boy Scouts, as a Moro City Councilman, or from the local school system where my son attended. I have truly enjoyed living in Sherman County for the past 12 years and am thankful to be a member of this great community.

Our county is facing a time of change and growth. With the new opportunities we have I believe we must work diligently and wisely to invest in our county in order to attract more families, businesses, tourism, and to strengthen our school system. All this while protecting our standard of living and the strong heritage of farming this county was founded on. I look forward to visiting with all of you about my vision for our future as well as listening to your goals for our great county. If given the opportunity I will do my very best to serve as Sherman County Commissioner with openness and integrity.

Sincerely

Mike Smith

(This information furnished by Mike Smith.)

ORESTAR

Follow the Money with ORESTAR

**What is ORESTAR?**

ORESTAR (Oregon Elections System for Tracking and Reporting) is a web-based electronic filing and disclosure system for elections information in Oregon.

What information can I find in ORESTAR?

Anyone with internet access can use ORESTAR to search for political committees registered in Oregon, campaign finance information filed by political committees, and candidacy filings for candidates running for state office.

Public search of ORESTAR can be found by clicking on the link at:

www.oregonvotes.org

Nonpartisan Candidates

**Candidates**

30-32

**Judge of the Supreme Court
Position 1**

**Thomas A.
Balmer**

Nonpartisan

Occupation: Associate Justice,
Oregon Supreme Court

Occupational Background:
Attorney in private practice;
managing partner of law firm;
Oregon Deputy Attorney

General; U.S. Department of Justice trial attorney; maintenance painter; mailroom clerk

Educational Background: Portland, Oregon Public Schools; B.A. with High Honors in Government, Oberlin College (1974); J.D., University of Chicago Law School (1977)

Prior Governmental Experience: Deputy Attorney General, Oregon Department of Justice (1993-97); Trial Attorney, U.S. Department of Justice (1979-80)

**Re-elect Justice Tom Balmer to Oregon's Supreme Court
"Balmer's selection strengthens and broadens the court."**

The Oregonian, October 5, 2001

Since 2001, Tom Balmer has served on Oregon's Supreme Court with distinction, exhibiting fairness, intelligence and an extraordinary work ethic. That performance is no surprise.

Experience

The foundation of Justice Balmer's success is his hands-on experience in the key areas the Supreme Court deals with every day. He has tried jury cases, argued before the U.S. Supreme Court, advised individual and business clients on a wide variety of matters, and counseled elected and government leaders on constitutional and public law issues. As Deputy Attorney General, he argued criminal, election and constitutional law cases in Oregon and Federal courts. And Tom Balmer's reputation as a thoughtful scholar and a practical problem-solver is well known. His broad, well-rounded experience and integrity has earned widespread respect.

Part of the Community

Tom Balmer can represent our communities on the Supreme Court because he is part of the community. He has served as a volunteer for Legal Aid, the Classroom Law Project, local arts and parks organizations, and the Goose Hollow Family Shelter.

Broad Support

It is a mark of Tom Balmer's fairness and integrity that he has won support from across the political spectrum and from all parts of the legal profession.

"Tom Balmer is fair, honest and hardworking. He does honor to the traditions of Oregon's Supreme Court."

**Betty Roberts, Former Oregon Supreme Court Justice
Edwin J. Peterson, Former Oregon Supreme Court
Chief Justice**

(This information furnished by Re-Elect Supreme Court Justice Tom Balmer Committee.)

**Judge of the Court of Appeals
Position 1**

**David
Schuman**

Nonpartisan

Occupation: Judge, Oregon
Court of Appeals

Occupational Background:
Judge; Deputy Attorney General
of Oregon, 1997-2001; Professor
and Associate Dean, University
of Oregon Law School, 1987-1996; English Professor, 1968 - 1981

Educational Background: J.D., University of Oregon Law School; Ph.D., University of Chicago; B.A., Stanford University; Public schools, K - 12;

Prior Governmental Experience: Deputy Attorney General; Assistant Attorney General; Member, Council on Court Procedures; Member, Judicial Conduct Committee of the Oregon Judicial Conference

Community Service: Youth sports coach; Board of Directors, FOOD for Lane County; Board of Directors, Wayne Morse Center for Law and Politics; Former member and Chair, Executive Committee, Oregon State Bar Constitutional Law Section; Former member and Vice-President, Jewish Federation of Lane County; Board of Directors, University of Oregon Law School Alumni Association

Personal: Judge Schuman and his wife of 39 years have two grown children.

As an Assistant Attorney General, David Schuman successfully prosecuted scores of criminal and civil appeals for the people of Oregon.

As a UO Law School Professor, David Schuman earned a reputation as one of the country's leading experts on state constitutional law.

Selected by Attorney General Hardy Myers to serve as his Deputy, David Schuman was second-in-command at the Oregon Department of Justice, where he supervised over 200 lawyers and successfully represented the people of Oregon in defending numerous laws.

As a Judge on the Court of Appeals, David Schuman has authored over 280 written opinions and participated in over 1000 decisions for the court.

"An impressive judge. . . . He brings to the court an extraordinary background, in breadth and depth, in both the practice and theory of law." *The Oregonian* (Portland), April 12, 2002

"[Schuman's] extraordinary background and experience could serve as a template for future judicial aspirants." *The Register-Guard* (Eugene), May 3, 2002

(This information furnished by The Committee to Re-Elect Judge David Schuman.)

Nonpartisan Candidates**Judge of the Circuit Court
10th District, Position 1****Phillip A.
Mendiguren**

Nonpartisan

Occupation: Circuit Court Judge, 10th district (1997 - present)**Occupational Background:** Judge, Circuit Court, Union/Wallowa Counties (1997 -

present); Presiding Judge, Circuit Courts, Union/Wallowa Counties (1999 - 2007); Private Attorney, La Grande (1979 - 1997); U.S. Army (1972 - 1974).

Educational Background: JD, with Honors, Gonzaga University Law School, 1978; BA, Political Science, University of Oregon, 1972; High School Diploma, Ontario, Oregon, 1968.**Prior Governmental Experience:** Presiding Judge, Circuit Court, 10th district (1999 - 2007), Pro-Tem Judge, Oregon Appeals Court (2004).**RE-ELECT JUDGE MENDIGUREN,
Vote with Confidence & Keep the Court Moving.****Judge Mendiguren does more than promise to be a good judge:** He has demonstrated his abilities for the last twelve years. As Presiding Judge, he had the added responsibility of reviewing and establishing improved court practices.**Judge Mendiguren helps the people of Eastern Oregon, because he cares.** He made the Union County Court House available for a successful legal aid program, allowing low-income people a chance to be reasonably represented in Court. Judge Mendiguren brought the concept of Drug Court to fruition in 2002, which continues to assist addicts to overcome addiction and become productive members of the community. Judge Mendiguren was instrumental in implementing Juvenile Drug Court, which helps juvenile offenders earn second chances. Judge Mendiguren takes the time to listen to people who appear before him and treats them with respect.**Judge Mendiguren will continue to support our criminal justice system.** He will continue to hold offenders accountable through appropriate sentencing and support victims' rights through fair-minded verdicts.**Judge Mendiguren is endorsed by many in the legal and law enforcement communities.**

Eric Valentine;

Tim Thompson;

Jason Larimer;

Wes Kilgore, Chief of Police, Enterprise, Oregon;

Local Attorneys: David Baum, Janie M. Burcart, Wade Bettis,

Brandon Eyre, George Galloway, Steve Joseph, Cory Larvik,

Jonel Ricker, Alyssa D. Slater.

**For more information visit:
www.ReElectTheJudge.com***(This information furnished by Committee to re-elect Phillip Mendiguren.)***Judge of the Circuit Court
10th District, Position 1****Daniel
Ousley**

Nonpartisan

Occupation: Attorney for 34 years**Occupational Background:** Private practice attorney, including criminal defense; city attorney; city manager; county counsel; and District Attorney for Wallowa County**Educational Background:** Cornell University, BA, Government; University of Oregon Law School, JD**Prior Governmental Experience:** City Attorney and City Manager for Toledo, Oregon; District Attorney for Wallowa County for 12 years**Professional****Reasoned****Respected****Reasons for running for Circuit Court Judge:**

I can do a better job of administering justice in a careful and informed manner for the benefit of the citizens of Union and Wallowa Counties. I bring a broad experience in the law and a concerned and professional approach to the Judge's position and duties.

Experience in the legal profession:

My background includes criminal prosecution and defense, local government law and administration, elder law, and general practice in family law, real estate, contracts, corporations, and wills and estates, all of which I can draw on as Judge to make sound, reasoned decisions in all kinds of cases.

A professional approach to the Judge's duties:

- I will be thoroughly prepared for each court matter, having read all documents and memoranda before court appearances.
- I will continue to study the law and stay informed on current developments in all areas of the law.
- I will listen carefully to all witnesses and attorneys and their clients.
- I will research legal issues on my own, if necessary, before rendering judgments or passing sentence.
- I will evaluate all evidence and make careful, considered decisions without bias or special treatment.
- I will keep order in the courtroom without undue emotion or outburst, being courteous and free of unnecessary emotion, neither tolerating nor exhibiting rude or discourteous behavior.

In all of these areas, I can make a real difference and a significant improvement in the current operation of the Court.

Elect Dan Ousley, Circuit Court Judge for Union and Wallowa Counties!*(This information furnished by Daniel Ousley.)*

**County Assessor
Union County****Linda L.
Hill****Nonpartisan****Occupation:** Union County Assessor**Occupational Background:** Seventeen years as a registered appraiser, along with three years as county assessor, with the

Union County Assessor's Office; Administrative Assistant for Eastern Oregon University; Small Business Owner; Personal Property Appraiser.

Educational Background: Bachelor's Degree, Eastern Oregon University; numerous professional appraisal courses covering appraisal theory, methods and practice.**Prior Governmental Experience:** Union County Assessor; county appraiser.

Linda has lived in Union County for 28 years. She moved to Union County with her husband and two children in 1980. She and her husband owned and operated Hill's Antiques & Refinishing in La Grande. Linda was also a Certified Personal Property Appraiser, specializing in appreciable residential contents. In 1988, Linda worked as an Administrative Assistant to the Dean of Student Affairs at Eastern Oregon University. In 1990, she started with the Union County Assessor's Office as a registered appraiser.

Linda is active in her community. While her children were growing up, she was an active volunteer in Riveria Partners, Little League, and the youth wrestling program. She was instrumental in organizing the initial La Grande High School softball program. Linda is currently the secretary/treasurer for the Oregon State Association of County Assessors. She is also a member of La Grande Soroptimist International.

Linda is well qualified for the position of County Assessor. During her current term as county assessor, she has streamlined the tax collection process and has also offered new payment options for taxpayers, such as paying property taxes online. Linda has implemented a Geographic Informational System (GIS) in the Assessor's Office in order to provide efficiencies in the assessment and taxation process. Linda has the skills, ability and desire to provide effective leadership for the County Assessor's Office.

(This information furnished by Linda L. Hill.)

Vote by Mail Frequently Asked Questions

What is Vote by Mail?

Vote by mail is a method of conducting elections. Instead of using traditional polling places where voters go to cast ballots on election day, a ballot is automatically mailed to each registered voter. The ballot is then voted and returned to the county elections official to be counted.

As a voter, what do I have to do?

Your ballot packet will automatically be mailed to you between May 2 and 6, 2008. Inside the packet you will find the ballot, a secrecy envelope and a return envelope. Once you vote the ballot, place it in the secrecy envelope and seal it in the pre-addressed return envelope. Be sure you sign the return envelope on the appropriate line. After that just return the ballot either by mail or at a designated dropsite.

What if I am uncomfortable voting my ballot at home?

Privacy booths are available for you to cast your ballot. There are privacy booths at your county elections office and there may be others at dropsite locations elsewhere in your county. For further information, call your county elections official.

What if my ballot doesn't come?

If you are registered to vote and have not received your ballot within a week after they are mailed, call your county elections office. They will check that your voter registration is current. If it is, they will mail you a replacement ballot.

What if I have moved and have not updated my registration?

If you were registered to vote by April 29 but now have a different address, call your county elections office for instructions on how to update your registration and receive a ballot.

Do I have to return my ballot by mail?

You have the choice of mailing your ballot or returning it to any county elections office or any designated dropsite in the state. The times and locations of dropsites are available at your county elections office.

How much postage is required to mail the ballot back?

Your voted ballot can usually be returned using a single first-class stamp (41¢ prior to May 12 and 42¢ on or after May 12). In those instances where additional postage is necessary, it will be clearly indicated on the ballot materials.

When must the voted ballot be returned?

The voted ballot must be received in any county elections office or designated dropsite by 8pm on election night. **Postmarks do not count!**

How do I know if my ballot is received?

You can call your county elections office and ask if they received your ballot. A record is kept showing each voter whose ballot has been returned.

Can anyone find out how I've voted once I mail my ballot?

No. All ballots are separated from the return envelope before the ballots are inspected. This process ensures confidentiality.

What if I forget to sign the return envelope?

Generally, your elections office will either return it to you for signing or they will contact you, if possible, to come to the elections office to sign it. If the return envelope does not get signed before 8pm on May 20, the ballot will not be counted.

Can the public watch the election process?

All steps of the process are open to observation by the public. Contact your county elections official to make arrangements.

When will election results be known?

Ballot counting cannot begin until election day. Initial results are released at 8pm election night and will continue to be updated through election night until all ballots have been counted.

Important!

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot. One will be mailed to you as long as you request it by May 15. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

Your voted ballot must be returned to your county elections office by 8pm election day, Tuesday, May 20, 2008.

Postmarks do not count!

County elections offices are open on election day from 7am to 8pm.

Provisional Ballot Information

You will be issued a provisional ballot if:

- there is a question about your eligibility as a voter (for example, there is no evidence on file that you are an active or inactive voter in Oregon)
- you need to vote at a County Elections Office in a county other than the one you live in

In order to obtain a provisional ballot, you need to fill out a Provisional Ballot Request Form in person at the County Elections Office.

Your provisional ballot will not be counted until it is determined that you are eligible to vote.

After you have voted the ballot, you can call 1-866-ORE-VOTE (1-866-673-8683) or the County Elections Office in which you voted to find out if your ballot was counted. If your ballot was not counted, you can also find out the reason it was not counted.

If it is determined that you are ineligible to vote in this election, the completed Provisional Ballot Request Form will serve as your voter registration for future elections.

Voter Information

For questions about voter registration, ballot delivery and return, marking the ballot, requesting a replacement ballot, absentee ballots, signature requirements, the voters' pamphlet, when and where to vote, and other questions about elections and voting, call the toll-free voter information line at 1-866-ORE-VOTE (1-866-673-8683).

Voter information line representatives can provide services in both English and Spanish. TTY services for the hearing impaired are also available at 1-800-735-2900.

House Joint Resolution 49—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the Primary Election, May 20, 2008.

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Arguments in Opposition	None

Ballot Title

51

AMENDS CONSTITUTION: ENABLES CRIME VICTIMS TO ENFORCE EXISTING CONSTITUTIONAL RIGHTS IN PROSECUTIONS, DELINQUENCY PROCEEDINGS; AUTHORIZES IMPLEMENTING LEGISLATION.

RESULT OF "YES" VOTE

"Yes" vote provides crime victims effective court processes to enforce existing constitutional rights regarding participation, restitution in criminal prosecutions/juvenile delinquency proceedings; authorizes implementing legislation.

RESULT OF "NO" VOTE

"No" vote retains provisions giving crime victims specified constitutional rights in prosecutions/juvenile delinquency proceedings, but denying victims effective court processes to enforce these rights.

SUMMARY

Amends Oregon Constitution. Current constitution gives crime victims specified rights in criminal prosecutions/juvenile delinquency proceedings (including rights to: be present during specified proceedings, refuse defendants' discovery requests, receive restitution, obtain transcripts, consult about specified plea negotiations), but constitution denies victims effective processes for enforcing these rights in court. Measure provides victims shall have remedy by due course of law for violations of these constitutional rights. Measure provides victims may assert claim based on these rights in pending cases or, absent pending case, by mandamus. Authorizes legislature to enact implementing legislation. Measure does not allow victims to obtain compensation, invalidate an accusatory instrument, conviction or adjudication, terminate a criminal or juvenile delinquency proceeding, or suspend such proceeding if suspension would violate defendant's constitutional rights. Other provisions.

ESTIMATE OF FINANCIAL IMPACT

The direct financial impact to state and local governments is indeterminate because the impact depends on how often a victim would choose to bring an enforcement action to protect rights guaranteed under section 42, Article I of the Oregon Constitution, but denied by the court, district attorney or other public agency. These additional challenges could arise before a criminal case is filed, after a case is filed, and after the entry of a final judgment in a criminal case. Actions could be pursued in cases involving person and property crimes in violation, misdemeanor and felony cases, and the victim could file an enforcement action more than one time in a single case. Some cases involve multiple victims, each of whom could bring an individual enforcement action. The measure authorizes the legislature to enact laws providing detailed procedures for claims by victims, including the establishment of reasonable limitations on the time allowed victims to assert their rights and prescribing procedures for appeal. Legislation providing such procedures and limitations could change the direct costs of this measure. Direct costs may also be impacted by the degree of change in the current practice of restitution orders and payment, how many new victims are identified by the court, and the number of challenges that are appealed to a higher court.

Measure 51**Text of Measure****Be It Resolved by the Legislative Assembly of the State of Oregon:**

PARAGRAPH 1. Section 42, Article I of the Constitution of the State of Oregon, is amended to read:

Sec. 42. (1) To preserve and protect the right of crime victims to justice, to ensure crime victims a meaningful role in the criminal and juvenile justice systems, to accord crime victims due dignity and respect and to ensure that criminal and juvenile court delinquency proceedings are conducted to seek the truth as to the defendant's innocence or guilt, and also to ensure that a fair balance is struck between the rights of crime victims and the rights of criminal defendants in the course and conduct of criminal and juvenile court delinquency proceedings, the following rights are hereby granted to victims in all prosecutions for crimes and in juvenile court delinquency proceedings:

(a) The right to be present at and, upon specific request, to be informed in advance of any critical stage of the proceedings held in open court when the defendant will be present, and to be heard at the pretrial release hearing and the sentencing or juvenile court delinquency disposition;

(b) The right, upon request, to obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal and equivalent information regarding the alleged youth offender or youth offender;

(c) The right to refuse an interview, deposition or other discovery request by the criminal defendant or other person acting on behalf of the criminal defendant provided, however, that nothing in this paragraph shall restrict any other constitutional right of the defendant to discovery against the state;

(d) The right to receive prompt restitution from the convicted criminal who caused the victim's loss or injury;

(e) The right to have a copy of a transcript of any court proceeding in open court, if one is otherwise prepared;

(f) The right to be consulted, upon request, regarding plea negotiations involving any violent felony; and

(g) The right to be informed of these rights as soon as practicable.

(2) This section applies to all criminal and juvenile court delinquency proceedings pending or commenced on or after the effective date of this section. Nothing in this section reduces a criminal defendant's rights under the Constitution of the United States. Except as otherwise specifically provided, this section supersedes any conflicting section of this Constitution. Nothing in this section is intended to create any cause of action for compensation or damages nor may this section be used to invalidate an accusatory instrument, *[ruling of a court,]* conviction or adjudication or otherwise *[suspend or]* terminate any criminal or juvenile delinquency proceedings at any point after the case is commenced or on appeal. **Except as otherwise provided in subsections (3) and (4) of this section, nothing in this section may be used to invalidate a ruling of a court or to suspend any criminal or juvenile delinquency proceedings at any point after the case is commenced.**

(3)(a) Every victim described in paragraph (c) of subsection (6) of this section shall have remedy by due course of law for violation of a right established in this section.

(b) A victim may assert a claim for a right established in this section in a pending case, by a mandamus proceeding if no case is pending or as otherwise provided by law.

(c) The Legislative Assembly may provide by law for further effectuation of the provisions of this subsection, including authorization for expedited and interlocutory consideration of claims for relief and the establishment of reasonable limitations on the time allowed for bringing such claims.

(d) No claim for a right established in this section shall suspend a criminal or juvenile delinquency proceeding if such a suspension would violate a right of a criminal defendant guaranteed by this Constitution or the Constitution of the United States.

(4) Upon the victim's request, the prosecuting attorney, in the attorney's discretion, may assert and enforce a right established in this section.

(5) Upon the filing by the prosecuting attorney of an affidavit setting forth cause, a court shall suspend the rights established in this section in any case involving organized crime or victims who are minors.

[(3)] **(6)** As used in this section:

(a) "Convicted criminal" includes a youth offender in juvenile court delinquency proceedings.

(b) "Criminal defendant" includes an alleged youth offender in juvenile court delinquency proceedings.

(c) "Victim" means any person determined by the prosecuting attorney **or the court** to have suffered direct financial, psychological or physical harm as a result of a crime and, in the case of a victim who is a minor, the legal guardian of the minor. *[In the event that no person has been determined to be a victim of the crime, the people of Oregon, represented by the prosecuting attorney, are considered to be the victims. In no event is it intended that the criminal defendant be considered the victim.]*

(d) "Violent felony" means a felony in which there was actual or threatened serious physical injury to a victim or a felony sexual offense.

(7) In the event that no person has been determined to be a victim of the crime, the people of Oregon, represented by the prosecuting attorney, are considered to be the victims. In no event is it intended that the criminal defendant be considered the victim.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.

NOTE: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Explanatory Statement

Section 42 of Article I (the Bill of Rights) of the Oregon Constitution establishes rights of crime victims in adult criminal and juvenile delinquency cases. Those rights include, among others, the right to be present and to be heard at critical stages in the case, to obtain information about the defendant or alleged juvenile offender, to refuse to be interviewed by the defendant or alleged juvenile offender, to obtain a transcript of certain court cases and, upon request, to be consulted about plea negotiations in certain cases.

Currently, victims cannot enforce effectively any of the rights established in section 42 because section 42 provides that assertion of a victim's rights cannot invalidate a court ruling or suspend a case. Thus, victims cannot appeal from or otherwise challenge a ruling of a court denying any of their section 42 rights, and the constitution prevents the legislature from providing victims effective procedural rights by statute.

HJR 49 amends section 42 of Oregon's Bill of Rights. Under the measure, victims could individually seek remedies for violations of section 42 "by due course of law." Victims of crime could challenge a ruling of a court denying the victim a right secured for the victim by section 42. To effectuate their rights under section 42, the measure allows victims to seek a delay in an adult criminal or juvenile delinquency case. Victims could pursue remedies in the criminal or juvenile delinquency case if one is pending or, if no such case is pending, could initiate a case of their own. If the victim and the district attorney agreed, the district attorney could enforce the victim's section 42 rights. The measure authorizes the legislature to enact statutes providing the details of victims' remedial processes, including reasonable limitations on the time allowed for filing claims and the circumstances in which appeals are allowed.

In prosecutions involving organized crime, some victims may also be coconspirators. In other cases, children who are victims of crime may be subject to manipulation by the accused. The measure provides that in either type of case prosecutors may seek a court order suspending the rights secured by section 42.

The measure continues the current provision of section 42 that prevents a recovery of money damages for violation of a victim's rights, and the current provision that prevents an assertion of a victim's rights from invalidating an accusatory instrument, conviction or adjudication, or from terminating any criminal or juvenile delinquency case at any point after the case begins. The measure also provides that no claim for a right established in section 42 shall suspend a criminal or juvenile delinquency case if suspension would violate a right of a defendant or alleged youth offender guaranteed by the Oregon Constitution or United States Constitution.

(This impartial statement explaining the measure was provided by the 2007 Legislature.)

Measure 51 Arguments

Legislative Argument in Support

Section 42 of Article I of the Oregon Constitution establishes rights of crime victims. Ballot Measure 51 relates to enforcement of Section 42 rights including the rights to be present at critical stages in the prosecution of an offender, to be heard at sentencing, to receive prompt restitution for loss or injury and to be consulted about plea negotiations. Currently, victims cannot individually enforce these rights.

Ballot Measure 51 would empower victims individually to seek remedies for violations of their Section 42 rights. Victims can assert and enforce their rights or ask prosecutors to assert and enforce their rights; prosecutors can decline, leaving victims free to do so. In cases involving organized crime or victims who are minors, Ballot Measure 51 allows prosecutors with cause to believe the victim's rights would impair effective prosecution to have a court suspend the rights.

Ballot Measure 51 authorizes the legislature to enact detailed laws for enforcing Section 42 rights, including reasonable limitations on the time allowed for claims and the circumstances in which expedited appeals are allowed. Until the legislature exercises this authority, victims can assert their constitutional rights in a pending criminal case or, if no such case is pending, by initiating a lawsuit to compel public officials to respect their rights.

Ballot Measure 51 provides that a victim's claim for a Section 42 right can invalidate a court's ruling or suspend a criminal or juvenile delinquency proceeding if such suspension would not violate a right of a criminal defendant or alleged youth offender guaranteed by the Oregon or United States Constitutions.

Ballot Measure 51 continues current provisions of the Oregon Constitution preventing recovery of money damages for violation of a victim's rights, and preventing victim's claims from invalidating an indictment or other accusatory instrument, conviction or adjudication, or from terminating any criminal or juvenile delinquency proceeding at any point after the case is commenced or on appeal.

Committee Members:

Senator Floyd Prozanski
Representative Wayne Krieger
Representative Greg Macpherson

Appointed by:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

Argument in Favor

Fellow Oregonians:

I encourage you to vote "yes" on Measure 51 in order to strengthen the rights of crime victims.

In 1999, I led the effort to adopt measures to give crime victims certain rights. These were to balance a system which focused so much on the rights of the criminal defendant that the actual victim was almost forgotten. One such reform was the adoption of a constitutional amendment which gave crime victims:

- the right to be present at trial and to be notified of important court proceedings
- the right to be heard at pretrial release hearings
- the right to be heard at sentencing proceedings
- the right to prompt restitution
- the right to be consulted about plea negotiations involving any violent felony charge.

Voters approved this amendment by a wide margin in November 1999.

We have since seen major changes in how crime victims are treated. Generally, these victims' rights have been respected by the courts.

Unfortunately, some courts have failed to fully respect victims' rights, and some criminal defense lawyers have tried to "use" crime victims' rights as a lever to help criminal defendants, by raising procedural issues under the pretense of "protecting" victims' rights.

Measure 51 will help address these problems.

First, it specifically grants crime victims the legal authority to use the courts, and to appeal, to enforce their rights.

Second, it makes it clear that criminal defendants do not get to use victims' rights as a lever to "game" the justice system.

This Measure has broad bipartisan support.

Please vote "yes" on Measure 51 to better protect crime victims' rights.

Sincerely,

Kevin Mannix

(This information furnished by Kevin L. Mannix, Kevin L. Mannix, P.C.)

This space purchased for \$500 in accordance with ORS 251.255.
The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Argument in Favor

MEASURE 51 ESTABLISHES REAL RIGHTS FOR VICTIMS OF CRIME

Section 42 of the Oregon Constitution's Bill of Rights establishes rights of crime victims. These rights include, among others, the right to be present at critical stages in the criminal case or juvenile proceeding, to consult with prosecutors about certain plea negotiations, and to be heard at the criminal sentencing or juvenile case disposition.

You might think victims denied these and other rights provided by the Oregon Constitution could go to court to enforce their rights—but you would be wrong. **Currently victims cannot individually enforce any of their Section 42 rights.**

A right without a remedy is an illusory right. A "yes" vote on Measure 51 will allow victims to seek remedies "by due course of law" for violations of their constitutional rights. **A "yes" vote will make the constitutional rights of victims real.**

MEASURE 51 STRIKES A FAIR BALANCE IN THE CRIMINAL/JUVENILE JUSTICE SYSTEMS

Measure 51 is carefully drawn to make victims' rights enforcement consistent with an accused's constitutional rights and with the orderly progress of a criminal or juvenile case. The measure

--permits victim rights enforcement to suspend temporarily a criminal or juvenile proceeding if consistent with an accused's speedy trial or other constitutional rights;

--continues current constitutional provisions that prevent a victim's rights violation from invalidating an accusatory instrument or a conviction, terminating a criminal or juvenile proceeding, or creating a right to recover money damages.

MEASURE 51 WILL PROVIDE REAL RIGHTS FOR GENERATIONS OF VICTIMS

Measure 51 authorizes the legislature to establish by law the details of implementing the measure but provides remedies for victims until the legislature acts. The measure will thus form an historic, enduring foundation for Oregonians today and in the years ahead to realize the rights the Oregon Constitution grants them if they are victims of crime.

I urge you to join me in supporting Measure 51.

Attorney General Hardy Myers

(This information furnished by Hardy Myers.)

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Argument in Favor

Crime Victims United, Mothers Against Drunk Driving and Parents of Murdered Children urge you to **VOTE YES on Ballot Measures 51 and 52.**

We ask you to help us complete a 25-year quest for crime victims' rights:

- The right to be reasonably protected from the defendant
- The right to refuse to be interviewed by the defendant's investigator or lawyer
- The right to be informed of hearings
- The right to be consulted regarding plea negotiations
- The right to be present in court
- The right to be heard at sentencing
- The right to obtain information about the offender's criminal history
- The right to prompt restitution

From the state's establishment through the early 1980's, crime victims in Oregon had no rights in statutory law or in the Oregon Constitution. In 1986 the voters of Oregon established crime victims' rights in statutory law. In 1999 voters established crime victims' rights in the Oregon Constitution.

But in 2008, crime victims in Oregon still do not have standing to appeal when their rights are violated.

Measures 51 and 52 will give crime victims enforceable rights.

Crime Victims United, Mothers Against Drunk Driving, and Parents of Murdered Children have seen the difficulties crime victims face in the criminal justice system. We strongly support these measures.

Measures 51 and 52 received unanimous support from the Oregon House and Senate. They have the support of law enforcement.

Now we ask for your support, through your vote, to make crime victims' rights enforceable.

Please join Crime Victims United, Mothers Against Drunk Driving and Parents of Murdered Children, by voting:

YES on Measures 51 and 52

(This information furnished by Steve Doell, Crime Victims United, Mothers Against Drunk Driving, Parents of Murdered Children.)

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Argument in Favor

Compared to victims' rights laws enacted across the US and the globe, **Oregon's current laws fall far short of excellent.**

- True, our rights in the justice system are comprehensive. They meet the fundamental needs of victims to be informed, present, and heard at critical stages in the prosecution their accused offenders.
- True, too, they are enshrined in our constitution – just like rights long accorded the accused.
- And the existence of these rights has fostered better treatment of victims by justice officials statewide.

And it's true that **our rights are voluntarily honored** most of the time. **But not always. That is the grave injustice Measure 51 will put to an end.**

Today, if a victim is denied the right to be consulted over a plea, or is barred from the courtroom, or is denied the right to speak at sentencing, there is no way to undo the wrong. **Such people are now twice victimized – first by the offender, now by our own justice system.** Sadly, this injustice was created on purpose– the very amendments laying out our rights forbid courts from undoing any violation of those rights.

Measure 51, if approved, will finally give victims the right to protest any violation of their rights and, when the courts agree with them, they can make the case step back and redo the proceeding where the violation occurred – with the victim's rights fully protected.

True, victims must raise their objections in a timely way because in our constitutional system, there is no turning back once an offender is found guilty and sentenced. But until that point, victim justice is finally guaranteed.

To further insure our rights are honored, our Department of Justice has already put in place an educational and compliance system. Also, the justice system is contemplating user-friendly procedures for enforcing our rights if these measures are adopted.

Give us real rights. Support Measure 51.

(This information furnished by John H. Stein, International Organization for Victim Assistance.)

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Measure 51 Arguments

Argument in Favor

I am a Law Professor in Oregon and Director of the National Crime Victim Law Institute. As one of the nation's leading legal experts on crime victims law, I urge you to VOTE YES on Ballot Measures 51 and 52. These measures are designed to change what are now illusory crime victims' rights into real and enforceable crime victims rights.

Right now the victim's rights already in the Oregon Constitution cannot be enforced. In particular, provisions denying stays and the language preventing judicial review of any ruling involving victims' rights make unavailable the traditional rights enforcement. Such traditional rights enforcement procedures accompany other constitutional rights, but not crime victims' rights. What this means is that victims' rights are rights without remedy. Rights without remedy goes against long-standing legal and constitutional tradition. In our American legal tradition, rights are accompanied by remedies. Ballot Measures 51 and 52 will place victims rights within the American tradition of enforceable rights with remedy.

In providing enforcement for violation of victims' rights, Measures 51 and 52 also grant the legislature authority to provide procedures. Thus, the legislature may facilitate enforcement of the rights through procedures it establishes. Moreover, this legislative authority allows for flexibility, so that procedures can be modified when needed to ensure that victims' rights are enforced. With the constitution already providing rights, with the passage of Measures 51 and 52 the legislature will be able to see to it that those constitutional rights can be efficiently enforced in the courts.

Throughout the years, Oregonians have been strong supporters of crime victims' civil rights. What is needed now to achieve meaningful, enforceable rights is the passage of Measures 51 and 52. Both Houses of the Oregon Legislature voted unanimously to refer these two measures to the people and I urge you to join them in voting YES on Ballot Measures 51 and 52.

Douglas E. Beloof
Professor of Law
Director, National Crime Victim Law Institute

(This information furnished by Douglas E. Beloof, National Crime Victim Law Institute.)

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Argument in Favor

OREGON DISTRICT ATTORNEYS ASSOCIATION SUPPORTS MEASURE 51

Measure 51 provides needed tools for enforcing crime victims' rights. Between 1996 and 2000, Oregonians enacted important Constitutional amendments that provide rights to victims of crime. These rights ensure victims are not revictimized by the criminal justice system and include the right to be present at the trial, the right to restitution, the right to be heard at the sentencing hearing, and the right to know when offenders are released from custody. Unlike other rights and privileges in Oregon's Constitution, if crime victims are denied these rights they may not appeal to the Oregon Supreme Court. Measure 51 makes crime victims' rights enforceable in the state appellate system.

Effective crime victims' rights improve the criminal justice system. All 36 Oregon district attorneys operate victims' services programs. These programs provide information and resources to victims. These units do not provide legal services to victims. Prosecutors represent the public interest in criminal proceedings, not victims. Under the current system, victims

must rely on prosecutors to enforce their constitutional rights – a design susceptible to conflicts of interest. Measure 51 gives victims legal standing to independently enforce their constitutional rights.

Appellate review provides uniform application of the law. Oregon's Court of Appeals and Supreme Court provide clarity as to the meaning of the Constitution and the application of the law. Decisions by these appellate level courts must be followed by circuit courts throughout the state. Currently, circuit court decisions related to crime victims' rights cannot be appealed by victims. As a result, constitutional provisions can be interpreted differently by different courts with no opportunity to seek review by higher courts. The result can be inequitable treatment from courtroom to courtroom with no opportunity for recourse. Ballot Measure 51 will ensure that the most complicated cases can be appealed to and decided by the appellate court system.

Ballot Measure 51 ensures victims equitable treatment and a meaningful role in the criminal justice system.

(This information furnished by Kevin Neely, Oregon District Attorneys Association.)

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Argument in Favor

JOIN OREGON'S LAW ENFORCEMENT LEADERS Vote YES on Ballot Measure 51

The members of the Oregon Association Chiefs of Police urge you to vote YES on Ballot Measure 51.

Over the past decade, Oregonians and the legislative process have taken important steps to insure that the needs of crime victims are considered by our judicial system and that their voices are heard. As law enforcement leaders in the State of Oregon, we see the harm and pain that crime victims experience on a daily basis. We strongly believe that their stories and perspectives play a critical role in our criminal justice system. Above all, we believe that the rights of crime victims should be fully enforceable in the courts. It is not sufficient to provide victims with the appearance of rights without providing them a real remedy when their rights are violated.

As presently written, the Oregon Constitution provides rights for crime victims but doesn't provide recourse when these important rights are violated. Ballot Measure 51 will insure that the rights we offer to victims in Oregon are meaningful and real. Ballot Measure 51 will give judges the authority they need to enforce the rights of crime victims the way other constitutional rights are enforced. Just as the rights of defendants are honored by the criminal justice system, so too should the rights of victims.

The Oregon House of Representatives and Oregon State Senate voted unanimously to refer Ballot Measure 51 to you, the voters. Such bipartisan agreement testifies to the common sense nature of this important proposal. Please join Oregon's police chiefs in supporting this vital measure to secure the enforcement of crime victim's rights.

We urge you to vote YES on Ballot Measure 51!

(This information furnished by Kevin Campbell, Oregon Association Chiefs of Police.)

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Argument in Favor**State Legislators Support Ballot Measures 51 & 52**

Crime victims deserve our respect and the best our state laws can provide. That's why we urge you to join us in supporting Ballot Measures 51 and 52.

We have all served on the House Judiciary Committee and understand the importance of victims' rights in the Oregon Constitution. Under the current language in the constitution, these rights are often empty promises because they are unenforceable.

The Oregon Legislature voted unanimously to refer Measures 51 and 52 to the ballot so those pre-existing rights could be enforced. We were proud to join our colleagues in approving these measures. **"Yes" votes on Measure 51 and 52 will give victims in Oregon the same rights as those in other states** and similar provisions as federal law.

We're talking about a victim's right to be protected from harm and be involved in the court process, to participate in plea bargains, and to get restitution. Perhaps the **most important element of these measures honors victims by ensuring judges can enforce these rights** when there are violations.

These measures not only allow courts to act immediately to help victims, but also give the legislature the ability to improve the process. Finally, and importantly, **this law does not conflict with the constitutional rights of criminal defendants**; all the defendants' rights are preserved.

Oregon is one of handful of states with constitutional rights for crime victims that can't be enforced. **With your support for Ballot Measures 51 and 52, crime victims will be able to exercise and enforce their rights.** With your "Yes" vote our victims' rights laws will be among the most progressive and effective in the country.

We would appreciate your support!

State Representative Linda Flores- Beaver Creek, Boring, Clackamas, Damascus, Estacada, Oregon City.
State Representative Kim Thatcher- Keizer, Newberg, St. Paul.
State Representative Gene Whisnant- LaPine, Redmond, Sisters, Sunriver, Tumalo.

(This information furnished by State Representatives Flores, Thatcher & Whisnant.)

This space purchased for \$500 in accordance with ORS 251.255. The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.



for unofficial election
results starting at
8pm on May 20th
visit:

www.oregonvotes.org



for more information about
voting in Oregon

call **1 866 ORE VOTE/673 8683**
se habla español

visit **www.oregonvotes.org**

TTY **1 800 735 2900**
for the hearing impaired



Measure 52

House Joint Resolution 50—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the Primary Election, May 20, 2008.

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Arguments in Favor	44
Arguments in Opposition	None

Ballot Title**52**

AMENDS CONSTITUTION: ENABLES CRIME VICTIMS TO ENFORCE EXISTING CONSTITUTIONAL RIGHTS IN PROSECUTIONS, DELINQUENCY PROCEEDINGS; AUTHORIZES IMPLEMENTING LEGISLATION.

RESULT OF "YES" VOTE

"Yes" vote provides crime victims court processes to enforce existing constitutional rights regarding protection from offenders throughout criminal prosecutions/juvenile delinquency proceedings; authorizes implementing legislation.

RESULT OF "NO" VOTE

"No" vote retains provisions giving crime victims specified constitutional rights in prosecutions/juvenile delinquency proceedings, but denying crime victims effective court processes to enforce these rights.

SUMMARY

Amends Oregon Constitution. Current constitution gives crime victims specified rights in criminal prosecutions/juvenile delinquency proceedings (including rights to: protection from offenders, have pre-trial release decisions based on principles of protection, have release prohibited under specified circumstances), but constitution denies crime victims processes for enforcing these rights in court. Measure provides victims shall have remedy by due course of law for violations of these constitutional rights. Measure provides victims may assert claim based on these rights in pending cases or, absent pending case, by mandamus. Authorizes legislature to enact implementing legislation. Measure does not allow victims to obtain compensation, invalidate an accusatory instrument, conviction or adjudication, terminate a criminal or juvenile delinquency proceeding, or suspend such proceeding if suspension would violate defendant's constitutional rights. Other provisions.

ESTIMATE OF FINANCIAL IMPACT

The direct financial impact to state and local governments is indeterminate because of the uncertainty of how many victims choose to bring an enforcement action to protect rights guaranteed under section 43, Article I of the Oregon Constitution, but denied by the court, district attorney or other public agency. The cost of this measure could increase the number of pretrial release hearings and increase the number of criminal defendants held and the length of incarceration before, during or after trials. Current provisions of the constitution establish a victim's right to be reasonably protected from the defendant during the criminal justice process, including pretrial detention of a criminal defendant. Current constitutional provisions require that there shall be no bail for a defendant accused of a violent felony where the defendant is a danger to the victim or others. Few of these criminal defendants awaiting trial are currently released, so the number of cases affected by this measure may be minimal. The measure authorizes the legislature to enact laws providing detailed procedures for claims by victims, including the establishment of reasonable limitations on the time allowed victims to assert their rights and prescribing procedures for appeal. Legislation providing such procedures and limitations could change the direct costs of this measure.

Text of Measure

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 43, Article I of the Constitution of the State of Oregon, is amended to read:

Sec. 43. (1) To ensure that a fair balance is struck between the rights of crime victims and the rights of criminal defendants in the course and conduct of criminal proceedings, the following rights are hereby granted to victims in all prosecutions for crimes:

(a) The right to be reasonably protected from the criminal defendant or the convicted criminal throughout the criminal justice process and from the alleged youth offender or youth offender throughout the juvenile delinquency proceedings.

(b) The right to have decisions by the court regarding the pretrial release of a criminal defendant based upon the principle of reasonable protection of the victim and the public, as well as the likelihood that the criminal defendant will appear for trial. Murder, aggravated murder and treason shall not be bailable when the proof is evident or the presumption strong that the person is guilty. Other violent felonies shall not be bailable when a court has determined there is probable cause to believe the criminal defendant committed the crime, and the court finds, by clear and convincing evidence, that there is danger of physical injury or sexual victimization to the victim or members of the public by the criminal defendant while on release.

(2) This section applies to proceedings pending or commenced on or after the effective date of this section. Nothing in this section abridges any right of the criminal defendant guaranteed by the Constitution of the United States, including the rights to be represented by counsel, have counsel appointed if indigent, testify, present witnesses, cross-examine witnesses or present information at the release hearing. Nothing in this section creates any cause of action for compensation or damages nor may this section be used to invalidate an accusatory instrument, [*ruling of a court,*] conviction or adjudication or otherwise [*suspend or*] terminate any criminal or juvenile delinquency proceeding at any point after the case is commenced or on appeal. **Except as otherwise provided in paragraph (b) of subsection (4) of this section and in subsection (5) of this section, nothing in this section may be used to invalidate a ruling of a court or to suspend any criminal or juvenile delinquency proceedings at any point after the case is commenced.** Except as otherwise specifically provided, this section supersedes any conflicting section of this Constitution.

(3) As used in this section:

(a) "Victim" means any person determined by the prosecuting attorney **or the court** to have suffered direct financial, psychological or physical harm as a result of a crime and, in the case of a victim who is a minor, the legal guardian of the minor. [*In the event no person has been determined to be a victim of the crime, the people of Oregon, represented by the prosecuting attorney, are considered to be the victims. In no event is it intended that the criminal defendant be considered the victim.*]

(b) "Violent felony" means a felony in which there was actual or threatened serious physical injury to a victim or a felony sexual offense.

(4)(a) The prosecuting attorney is the party authorized to assert the rights of the [*victim and the*] public established by this section.

(b) Upon the victim's request, the prosecuting attorney, in the attorney's discretion, may assert and enforce a right established in this section.

(5)(a) Every victim described in paragraph (a) of subsection (3) of this section shall have remedy by due course of law for violation of a right established in this section.

(b) A victim may assert a claim for a right established in this section in a pending case, by a mandamus proceeding if no case is pending or as otherwise provided by law.

(c) The Legislative Assembly may provide by law for further effectuation of the provisions of this subsection, including authorization for expedited and interlocutory consideration of claims for relief and the establishment of reasonable limitations on the time allowed for bringing such claims.

(d) No claim for a right established in this section shall suspend a criminal or juvenile delinquency proceeding if such a suspension would violate a right of a criminal defendant or alleged youth offender guaranteed by this Constitution or the Constitution of the United States.

(6) In the event that no person has been determined to be a victim of the crime, the people of Oregon, represented by the prosecuting attorney, are considered to be the victims. In no event is it intended that the criminal defendant be considered the victim.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.

NOTE: **Boldfaced** type indicates new language; [*brackets and italic*] type indicates deletions or comments.

Measure 52**Explanatory Statement**

Section 43 of Article I of the Oregon Constitution (the Bill of Rights) establishes rights of crime victims in adult criminal and juvenile delinquency cases. Section 43 establishes the right to be reasonably protected from the accused throughout the adult criminal and juvenile delinquency process and the right to have decisions by the court about the pretrial release of the accused based upon the principles of reasonable protection of the victim and the public, and the likelihood that the accused will appear for trial.

Currently, victims cannot enforce effectively any of the rights established in section 43 because section 43 provides that assertion of a victim's rights cannot invalidate a court ruling or suspend a case and because district attorneys are the only parties to a case that have authority to assert the victim's section 43 rights. Thus, victims cannot appear in court to assert their section 43 rights and cannot appeal from or otherwise challenge a ruling of a court denying any of their section 43 rights. The constitution prevents the legislature from providing victims such procedural rights by statute.

HJR 50 amends section 43 of Oregon's Bill of Rights. Under the measure, victims could individually seek remedies for violations of section 43 "by due course of law." Victims of crime could challenge a ruling of a court denying the victim a right secured for the victim by section 43. To effectuate their rights under section 43, the measure allows victims to seek a delay in an adult criminal or juvenile delinquency case. Victims could pursue remedies in the criminal or juvenile delinquency case if one is pending, or, if no such case is pending, could initiate a case of their own. If the victim and the district attorney agreed, the district attorney could enforce the victim's section 43 rights. The measure authorizes the legislature to enact statutes providing the details of victims' remedial processes, including reasonable limitations on the time allowed for filing claims and the circumstances in which appeals are allowed.

The measure continues the current provision of section 43 that prevents a recovery of money damages for violation of a victim's rights, and the current provision that prevents an assertion of a victim's rights from invalidating an accusatory instrument, conviction or adjudication, or from terminating any criminal or juvenile delinquency case at any point after the case begins. The measure also provides that no claim for a right established in section 43 shall suspend a criminal or juvenile delinquency case if suspension would violate a right of a defendant or alleged youth offender guaranteed by the Oregon Constitution or United States Constitution.

(This impartial statement explaining the measure was provided by the 2007 Legislature.)

Legislative Argument in Support

Section 43 of Article I of the Oregon Constitution establishes rights of crime victims. Ballot Measure 52 relates to enforcement of Section 43 rights including the rights to be reasonably protected from adult and juvenile offenders throughout the criminal justice process and to have court decisions about pretrial release of criminal defendants based, in part, on reasonable protection of the victim and the public. Currently, victims cannot individually enforce these rights.

Ballot Measure 52 would empower victims individually to seek remedies for violations of their Section 43 rights. Victims can assert and enforce their rights or ask prosecutors to assert and enforce their rights; prosecutors can decline, leaving victims free to do so.

Ballot Measure 52 authorizes the legislature to enact detailed laws for enforcing Section 43 rights, including reasonable limitations on the time allowed for claims and the circumstances in which expedited appeals are allowed. Until the legislature exercises this authority, victims can assert their constitutional rights in a pending criminal case or, if no such case is pending, by initiating a lawsuit to compel public officials to respect their rights.

Ballot Measure 52 provides that a victim's claim for a Section 43 right can invalidate a court's ruling or suspend a criminal or juvenile delinquency proceeding if such suspension would not violate a right of a criminal defendant or alleged youth offender guaranteed by the Oregon or United States Constitutions.

Ballot Measure 52 continues current provisions of the Oregon Constitution preventing recovery of money damages for violation of a victim's rights, and preventing victim's claims from invalidating an indictment or other accusatory instrument, conviction or adjudication, or from terminating any criminal or juvenile delinquency proceeding at any point after the case is commenced or on appeal.

Committee Members:

Senator Floyd Prozanski
Representative Wayne Krieger
Representative Greg Macpherson

Appointed by:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

Argument in Favor

Fellow Oregonians:

I ask you to vote "yes" on Measure 52 in order to better protect crime victims from being further victimized during or after a criminal trial.

Measure 51, also on this ballot, protects crime victims in several ways. I have written a voters' pamphlet argument in favor of Measure 51.

This Measure 52 also improves protections for crime victims. Because it affects a different Section of the Oregon Constitution, it requires a separate vote.

In 1999, I led the effort to put several victims' rights measures on the ballot. One of those measures became Section 43 of Article I, of the Oregon Constitution, when voters approved it by a wide margin. This Section 43:

- gives crime victims the right to be reasonably protected from the criminal defendant, pending trial, and from the convicted criminal, after trial
- requires courts to consider the protection of the victim and the public when deciding whether to allow pretrial release of a criminal defendant
- restricts bail for aggravated murder, murder, treason, violent felony, and sexual assault cases.

These provisions have been a great help in protecting crime victims, and the public, from predatory criminals. These provisions have been carried out in the great majority of cases where they apply.

Unfortunately, these provisions have not been fully enforced in some cases, and crime victims and prosecutors need more procedural tools to enforce these provisions in all relevant cases.

Measure 52 helps prosecutors better enforce the protection of crime victims and the public. It also gives crime victims a clear right to go to court on their own and "have remedy by due course of law" for violations of Section 43.

This Measure is backed by a broad range of law enforcement authorities and has strong bipartisan support.

I ask you to vote "yes" on Measure 52.

Sincerely,

Kevin Mannix

(This information furnished by Kevin L. Mannix; Kevin L. Mannix, P.C.)

This space purchased for \$500 in accordance with ORS 251.255. The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Argument in Favor**MEASURE 52 ESTABLISHES REAL RIGHTS FOR VICTIMS OF CRIME**

Section 43 of the Oregon Constitution's Bill of Rights establishes rights of crime victims. These rights include, among others, the right to be reasonably protected from adult and juvenile offenders throughout the criminal justice process and to have court decisions about pretrial release of criminal defendants based, in part, on reasonable protection of the victim and the public.

You might think victims denied these and other rights provided by the Oregon Constitution could go to court to enforce their rights—but you would be wrong. **Currently victims cannot individually enforce any of their Section 43 rights.**

Measure 52 Arguments

A right without a remedy is an illusory right. A "yes" vote on Measure 52 will allow victims to seek remedies "by due course of law" for violations of their constitutional rights. **A "yes" vote will make the constitutional rights of victims real.**

MEASURE 52 STRIKES A FAIR BALANCE IN THE CRIMINAL/JUVENILE JUSTICE SYSTEMS

Measure 52 is carefully drawn to make victims' rights enforcement consistent with an accused's constitutional rights and with the orderly progress of a criminal or juvenile case. The measure

--permits victim rights enforcement to suspend temporarily a criminal or juvenile proceeding if consistent with an accused's speedy trial or other constitutional rights;

--continues current constitutional provisions that prevent a victim's rights violation from invalidating an accusatory instrument or a conviction, terminating a criminal or juvenile proceeding, or creating a right to recover money damages.

MEASURE 52 WILL PROVIDE REAL RIGHTS FOR GENERATIONS OF VICTIMS

Measure 52 authorizes the legislature to establish by law the details of implementing the measure but provides remedies for victims until the legislature acts. The measure will thus form an historic, enduring foundation for Oregonians today and in the years ahead to realize the rights the Oregon Constitution grants them if they are victims of crime.

I urge you to join me in supporting Measure 52.

Attorney General Hardy Myers

(This information furnished by Hardy Myers.)

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Argument in Favor

Crime Victims United, Mothers Against Drunk Driving and Parents of Murdered Children urge you to **VOTE YES on Ballot Measures 51 and 52.**

We ask you to help us complete a 25-year quest for crime victims' rights:

- The right to be reasonably protected from the defendant
- The right to refuse to be interviewed by the defendant's investigator or lawyer
- The right to be informed of hearings
- The right to be consulted regarding plea negotiations
- The right to be present in court
- The right to be heard at sentencing
- The right to obtain information about the offender's criminal history
- The right to prompt restitution

From the state's establishment through the early 1980's, crime victims in Oregon had no rights in statutory law or in the Oregon Constitution. In 1986 the voters of Oregon established crime victims' rights in statutory law. In 1999 voters established crime victims' rights in the Oregon Constitution.

But in 2008, crime victims in Oregon still do not have standing to appeal when their rights are violated.

Measures 51 and 52 will give crime victims enforceable rights.

Crime Victims United, Mothers Against Drunk Driving, and Parents of Murdered Children have seen the difficulties crime victims face in the criminal justice system. We strongly support these measures.

Measures 51 and 52 received unanimous support from the Oregon House and Senate. They have the support of law enforcement.

Now we ask for your support, through your vote, to make crime victims' rights enforceable.

Please join Crime Victims United, Mothers Against Drunk Driving and Parents of Murdered Children, by voting:

YES on Measures 51 and 52

(This information furnished by Steve Doell, Crime Victims United; Mothers Against Drunk Driving; Parents of Murdered Children.)

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Argument in Favor

Our arguments in support of Ballot Measure 52 are fundamentally the same as for Measure 51, and we encourage voters to review that statement. Here we respond to two questions:

- Why are there already two constitutional amendments laying out victims' rights, which means both need the voters' approval to be updated?
- And what particular rights are at stake here?

First, in Oregon, we are allowed to make only one change in how we govern ourselves in any single ballot measure. In 1996, a comprehensive crime victims' bill of rights adopted by the voters was overturned by the Supreme Court for violating that "single subject" rule. Consequently, the legislature sent that proposal as component parts to the voters in 1999. The two "victims' rights" proposals were adopted as Sections 42 and 43 of Oregon's Bill of Rights.

In our argument for updating Section 42, we reviewed some of the rights it seeks to make enforceable, like the right to be allowed in the courtroom. Another critical right in that Measure, which bears on this Measure as well, is the right to speak at any pretrial release hearing.

The right which this Measure would make enforceable is to be "reasonably protected" from the accused or convicted offender, adult or juvenile. Reasonable protection can take many forms – from asking for a no-contact order at a release hearing, for example, or for one's name, address, and contact information to be kept private, or otherwise telling the court about one's safety concerns

By passing Measure 52, the voters will tell the justice system that it can no longer ignore these personal safety considerations with impunity. A justice agency that ignores a court order to take certain reasonable protective measures may be brought back into court – and the same for accused or convicted offender who violates such orders.

Please vote for Measure 52.

(This information furnished by John H. Stein, International Organization for Victim Assistance.)

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Argument in Favor

I am a Law Professor in Oregon and Director of the National Crime Victim Law Institute. As one of the nation's leading legal experts on crime victims law, I urge you to VOTE YES on Ballot Measures 51 and 52. These measures are designed to change what are now illusory crime victims' rights into real and enforceable crime victims rights.

Right now the victim's rights already in the Oregon Constitution cannot be enforced. In particular, provisions denying stays and the language preventing judicial review of any ruling involving victims' rights make unavailable the traditional rights enforcement. Such traditional rights enforcement procedures accompany other constitutional rights, but not crime victims' rights. What this means is that victims' rights are rights without remedy. Rights without remedy goes against longstanding legal and constitutional tradition. In our American legal tradition, rights are accompanied by remedies. Ballot Measures 51 and 52 will place victims rights within the American tradition of enforceable rights with remedy.

In providing enforcement for violation of victims' rights, Measures 51 and 52 also grant the legislature authority to provide procedures. Thus, the legislature may facilitate enforcement of the rights through procedures it establishes. Moreover, this legislative authority allows for flexibility, so that procedures can be modified when needed to ensure that victims' rights are enforced. With the constitution already providing rights, with the passage of Measures 51 and 52 the legislature will be able to see to it that those constitutional rights can be efficiently enforced in the courts.

Throughout the years, Oregonians have been strong supporters of crime victims' civil rights. What is needed now to achieve meaningful, enforceable rights is the passage of Measures 51 and 52. Both Houses of the Oregon Legislature voted unanimously to refer these two measures to the people and I urge you to join them in voting YES on Ballot Measures 51 and 52.

Douglas E. Beloof
Professor of Law
Director, National Crime Victim Law Institute

(This information furnished by Douglas E Beloof, National Crime Victim Law Institute.)

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Argument in Favor**OREGON DISTRICT ATTORNEYS ASSOCIATION
SUPPORTS MEASURE 52**

Measure 52 is a companion to Measure 51. Oregon's victims' rights are codified in more than one section of the Constitution. As a result, giving victims the authority to independently enforce the Constitutional protections requires two amendments to the Constitution. Measure 52 continues the important changes made by Measure 51 by mirroring them in a separate section of Oregon's Constitution.

Measure 52 protects victims' rights and also ensures timely administration of criminal justice. 34 states provide crime victims with constitutional protections. Only Oregon and one other state fail to provide victims a process to enforce these rights. Measures 51 and 52 contain provisions that preserve the speedy administration of justice and offer victims a meaningful mechanism for protecting their rights.

Enforceability of crime victims' rights has widespread support. The Oregon Legislature unanimously referred Measure 51 and Measure 52 to the ballot. The federal criminal

justice system already offers victims tools to enforce their rights. Measures 51 and 52 will more closely align Oregon with federal law.

Measure 52 provides legislative flexibility in the future. Both Measure 51 and Measure 52 authorize the legislature to enact laws to facilitate and streamline the process by which crime victims obtain relief in the courtroom. These provisions ensure that the state legislature has the ability to shape the effective and efficient administration of justice without additional Constitutional amendments.

Ballot Measure 52 makes important and responsible improvements to Oregon's Constitution.

(This information furnished by Kevin Neely, Oregon District Attorneys Association.)

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Argument in Favor**JOIN OREGON'S LAW ENFORCEMENT LEADERS
Vote YES on Ballot Measure 52**

The members of the Oregon Association Chiefs of Police urge you to vote YES on Ballot Measure 52.

Over the past decade, Oregonians and the legislative process have taken important steps to insure that the needs of crime victims are considered by our judicial system and that their voices are heard. As law enforcement leaders in the State of Oregon, we see the harm and pain that crime victims experience on a daily basis. We strongly believe that their stories and perspectives play a critical role in our criminal justice system. Above all, we believe that the rights of crime victims should be fully enforceable in the courts. It is not sufficient to provide victims with the appearance of rights without providing them a real remedy when their rights are violated.

As presently written, the Oregon Constitution provides rights for crime victims but doesn't provide recourse when these important rights are violated. Ballot Measure 52 will insure that the rights we offer to victims in Oregon are meaningful and real. Ballot Measure 52 will give judges the authority they need to enforce the rights of crime victims the way other constitutional rights are enforced. Just as the rights of defendants are honored by the criminal justice system, so too should the rights of victims.

The Oregon House of Representatives and Oregon State Senate voted unanimously to refer Ballot Measure 52 to you, the voters. Such bipartisan agreement testifies to the common sense nature of this important proposal. Please join Oregon's police chiefs in supporting this vital measure to secure the enforcement of crime victim's rights.

We urge you to vote YES on Ballot Measure 52!

(This information furnished by Kevin Campbell, Oregon Association Chiefs of Police.)

This space purchased for \$500 in accordance with ORS 251.255.
The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure 53

Senate Joint Resolution 18—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the Primary Election, May 20, 2008.

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Arguments in Opposition	None

Ballot Title**53**

AMENDS CONSTITUTION: MODIFIES PROVISIONS GOVERNING CIVIL FORFEITURES RELATED TO CRIMES; PERMITS USE OF PROCEEDS BY LAW ENFORCEMENT.

RESULT OF "YES" VOTE

"Yes" vote amends constitution to allow civil forfeitures for crimes similar to crime of conviction, permits proceeds to be used for law enforcement; other changes.

RESULT OF "NO" VOTE

"No" vote retains constitutional provisions prohibiting civil forfeitures unless property is directly related to crime of conviction and prohibiting use of proceeds by law enforcement.

SUMMARY

Oregon's Constitution generally requires that property may be forfeited only if the owner is convicted of crime involving the property. Constitution currently prohibits use of proceeds for law enforcement purposes. Measure would allow civil forfeiture of property for crimes that are substantially similar to crime of conviction. Measure would permit forfeiture without conviction if the person took property with intent to defeat forfeiture, knew or should have known that the property constituted proceeds or instrumentality of criminal conduct, or acquiesced in criminal conduct. The measure requires proof by preponderance of evidence to forfeit personal property, and by clear and convincing evidence to forfeit real property. The measure provides an exemption for forfeiture of animals. The measure would allow using forfeiture proceeds for law enforcement purposes.

ESTIMATE OF FINANCIAL IMPACT

The direct financial impact of this measure to state and local governments is indeterminate due to the inability to accurately predict the number of civil forfeitures that may occur. If the frequency of civil forfeitures increases, then the amount of money going to the state and local jurisdictions will increase correspondingly. Any assets forfeited under this measure are distributed as follows: to the satisfaction of any foreclosed liens, security interests and contracts in the order of their priority; to the state or any of its political subdivisions for actual and reasonable expenses; and to the state or any of its political subdivisions for drug treatment programs. This measure will increase the revenue to the state and its political subdivisions, but the extent of the increase is unknown.

Text of Measure

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 10, Article XV of the Constitution of the State of Oregon, is amended to read:

Sec. 10. The Oregon Property Protection Act of 2000. (1) This section may be known and shall be cited as the "Oregon Property Protection Act of 2000."

(2) Statement of principles. The People, in the exercise of the power reserved to them under the Constitution of the State of Oregon, declare that:

(a) A basic tenet of a democratic society is that a person is presumed innocent and should not be punished until proven guilty;

(b) The property of a person **generally** should not be forfeited in a forfeiture proceeding by government unless and until that person is convicted of a crime involving the property;

(c) The value of property forfeited should be proportional to the specific conduct for which the owner of the property has been convicted; and

(d) Proceeds from forfeited property should be used for treatment of drug abuse unless otherwise specified by law for another purpose.

(3) Forfeitures prohibited without conviction. *[No] Except as provided in this section, a judgment of forfeiture of property in a civil forfeiture proceeding by the State or any of its political subdivisions [shall be allowed or] may not be entered until and unless the [owner of] person claiming the property is convicted of a crime in Oregon or another jurisdiction and the property [is found by clear and convincing evidence to have been instrumental in committing or facilitating the crime or to be proceeds of that crime].*

(a) Constitutes proceeds of the crime for which the claimant has been convicted;

(b) Was instrumental in committing or facilitating the crime for which the claimant has been convicted;

(c) Constitutes proceeds of one or more other crimes similar to the crime for which the claimant was convicted; or

(d) Was instrumental in committing or facilitating one or more other crimes similar to the crime for which the claimant was convicted.

(4) Forfeiture based on similar crimes. Property may be forfeited under paragraph (c) or (d) of subsection (3) of this section only if the claimant is notified in writing of the other crime or crimes claimed to be similar to the crime for which the claimant was convicted. The notice must be given at the time the claimant is given notice of the seizure of the property for forfeiture, and the claimant must have an opportunity to challenge the seizure and forfeiture of the property.

(5) Forfeiture without conviction of claimant. The property of a claimant who has not been convicted of a crime may be forfeited in a civil forfeiture proceeding only if the claimant consents to the forfeiture of the property or the forfeiting agency proves the property constitutes proceeds or an instrumentality of crime committed by another person as described in subsection (3) of this section and:

(a) The claimant took the property with the intent to defeat forfeiture of the property;

(b) The claimant knew or should have known that the property constituted proceeds or an instrumentality of criminal conduct; or

(c) The claimant acquiesced in the criminal conduct. A person shall be considered to have acquiesced in criminal conduct if the person knew of the criminal conduct and failed to take reasonable action under the circumstances to terminate the criminal conduct or prevent use of the property to commit or facilitate the criminal conduct.

(6) Standard of proof. (a) Except as provided in paragraph (b) of this subsection, if the property to be forfeited in a civil forfeiture action is personal property, the forfeiting agency must prove the elements specified in subsection (3) or (5) of this section by a preponderance of the evidence. If the property to be forfeited in a civil forfeiture action is real property, the forfeiting agency must prove the elements specified in subsection (3) or (5) of this section by clear and convincing evidence.

(b) If a forfeiting agency establishes in a forfeiture proceeding that cash, weapons or negotiable instruments were found in close proximity to controlled substances or to instrumentalities of criminal conduct, the burden is on any person claiming the cash, weapons or negotiable instruments to prove by a preponderance of the evidence that the cash, weapons or negotiable instruments are not proceeds of criminal conduct or an instrumentality of criminal conduct.

(7) Value of property forfeited. The value of the property forfeited under the provisions of this [subsection shall] **section may** not be excessive and shall be substantially proportional to the specific conduct for which the owner of the property has been convicted. For purposes of this section, "property" means any interest in anything of value, including the whole of any lot or tract of land and tangible and intangible personal property, including currency, instruments or securities or any other kind of privilege, interest, claim or right whether due or to become due. Nothing in this section shall prohibit a person from voluntarily giving a judgment of forfeiture.

[(4)] (8) [Protection of innocent property owners.] Financial institutions. In a civil forfeiture proceeding, if a financial institution claiming an interest in the property demonstrates that it holds an interest, *[its] the financial institution's interest [shall] is not [be] subject to forfeiture.*

[In a civil forfeiture proceeding if a person claiming an interest in the property, other than a financial institution or a defendant who has been charged with or convicted of a crime involving that property, demonstrates that the person has an interest in the property, that person's interest shall not be subject to forfeiture unless:]

[(a) The forfeiting agency proves by clear and convincing evidence that the person took the property or the interest with the intent to defeat the forfeiture; or]

[(b) A conviction under subsection (3) is later obtained against the person.]

[(5)] (9) Exception for unclaimed property and contraband. Notwithstanding the provisions of subsection (3) of this section, if, following notice to all persons known to have an interest or who may have an interest, no person claims an interest in the seized property or if the property is contraband, a judgment of forfeiture may be allowed and entered without a criminal conviction. For purposes of this subsection, "contraband" means personal property, articles or things, including but not limited to controlled substances or drug paraphernalia, that a person is prohibited by Oregon statute or local ordinance from producing, obtaining or possessing.

(10) Exception for forfeiture of animals. This section does not apply to the forfeiture of animals that have been abused, neglected or abandoned.

[(6)] **(11)** Law enforcement seizures unaffected. Nothing in this section shall be construed to affect the temporary seizure of property for evidentiary, forfeiture, or protective purposes, or to alter the power of the Governor to remit fines or forfeitures under Article V, Section 14, of this Constitution.

[(7)] **(12)** Disposition of property [*and proceeds*] to drug treatment. Any sale of forfeited property shall be conducted in a commercially reasonable manner. Property [*or proceeds*] forfeited [*under subsections (3), (5), or (8) of this section shall not be used for law enforcement purposes but*] **in a civil forfeiture proceeding** shall be distributed or applied in the following order:

(a) To the satisfaction of any foreclosed liens, security interests and contracts in the order of their priority;

(b) To the State or any of its political subdivisions for actual and reasonable expenses related to the costs of the forfeiture proceeding, including attorney fees, storage, maintenance, management, and disposition of the property incurred in connection with the sale of any forfeited property [*in an amount not to exceed twenty-five percent of the total proceeds in any single forfeiture*]; **and**

(c) To the State or any of its political subdivisions to be used exclusively for drug treatment, unless another disposition is specially provided by law.

[(8)] *State and federal sharing. The State of Oregon or any of its political subdivisions shall take all necessary steps to obtain shared property or proceeds from the United States Department of Justice resulting from a forfeiture. Any property or proceeds received from the United States Department of Justice by the State of Oregon or any of its political subdivisions shall be applied as provided in subsection (7) of this section.*

[(9)] **(13)** Restrictions on State transfers. Neither the State of Oregon, its political subdivisions, nor any forfeiting agency shall transfer forfeiture proceedings to the federal government unless a state court has affirmatively found that:

(a) The activity giving rise to the forfeiture is interstate in nature and sufficiently complex to justify the transfer;

(b) The seized property may only be forfeited under federal law; or

(c) Pursuing forfeiture under state law would unduly burden the state forfeiting agencies.

[(10)] **(14)** Penalty for violations. Any person acting under color of law, official title or position who takes any action intending to conceal, transfer, withhold, retain, divert or otherwise prevent any [*proceeds*] **moneys**, conveyances, real property, or any things of value forfeited under the law of this State or the United States from being applied, deposited or used in accordance with [*subsections (7), (8) or (9)*] **the requirements** of this section shall be subject to a civil penalty in an amount treble the value of the forfeited property concealed, transferred, withheld, retained or diverted. Nothing in this subsection shall be construed to impair judicial immunity if otherwise applicable.

[(11)] **(15)** Reporting requirement. All forfeiting agencies shall report the nature and disposition of all property [*and proceeds*] seized for forfeiture or forfeited to a State asset forfeiture oversight committee that is independent of any forfeiting agency. The asset forfeiture oversight committee shall generate and make available to the public an annual report of the information collected. The asset forfeiture oversight committee shall also make recommendations to ensure that asset forfeiture proceedings are handled in a manner that is fair to innocent property owners and interest holders.

[(12)] **(16)** Severability. If any part of this section or its application to any person or circumstance is held to be invalid for any reason, then the remaining parts or applications to any persons or circumstances shall not be affected but shall remain in full force and effect.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.

NOTE: **Boldfaced** type indicates new language; [*brackets and italic*] type indicates deletions or comments.

Explanatory Statement

In November 2000 voters amended the Oregon Constitution by approving the Oregon Property Protection Act of 2000. The amendment imposed several restrictions on the ability of state and local governments to civilly forfeit property. This measure would modify some of the restrictions on civil forfeiture of property.

The constitution currently requires that a person's property may be forfeited only if the person is convicted of a crime. In addition, the forfeiting agency must show by clear and convincing evidence that the property was an instrumentality of that crime, or proceeds of that crime.

This measure would allow civil forfeiture of instrumentalities and proceeds of other crimes that are similar to the crime that a person is convicted of committing, even though the person is not convicted of committing those other crimes. The measure requires notice to the person and opportunity to challenge the seizure and forfeiture.

This measure would also specify circumstances in which property may be forfeited without a criminal conviction. The measure would allow forfeiture if the person took the property with intent to defeat forfeiture, the person knew or should have known that the property constituted proceeds or instrumentality of criminal conduct, or the person acquiesced in the criminal conduct.

This measure also modifies the standard of proof in civil forfeiture proceedings, requiring proof by preponderance of evidence to forfeit personal property, and proof by clear and convincing evidence to forfeit real property. The measure makes an exception for cash, weapons or negotiable instruments found in close proximity to controlled substances or instrumentalities of criminal conduct, providing that claimant must prove by preponderance of evidence that the property is not subject to forfeiture.

This measure provides that forfeiture of animals is not subject to the Oregon Property Protection Act of 2000.

This measure removes the prohibition on using forfeited property for law enforcement purposes, and removes the cap on the amount of property that may be applied against the costs of the forfeiture proceeding.

This measure makes various other housekeeping amendments to the Oregon Property Protection Act of 2000.

(This impartial statement explaining the measure was provided by the 2007 Legislature.)

Legislative Argument in Support

The State of Oregon cannot seize and forfeit a person's property unless the person has been convicted of a crime, the crime is connected to the property and the value of the seized property is proportional to the crime committed.

This was not always true. Before Ballot Measure 3 in November, 2000, property could be forfeited even if the owner of the property had not been convicted of a crime. Measure 3 amended the Oregon Constitution to require a criminal conviction.

But Measure 3 left many things unclear. For example, can a large amount of cash found next to a large quantity of methamphetamine be forfeited? What can a county sheriff do to save neglected pets when it may take months to convict the pet's owners of neglect? Can the pets be put up for adoption? Can local law enforcement share in the proceeds when it assists federal law enforcement in carrying out a forfeiture under federal law?

In response to these unanswered questions, the 2007 Legislature worked with the Oregon Department of Justice, the Oregon District Attorneys Association, the Oregon Chiefs of Police, the Oregon State Sheriffs Association, the ACLU of Oregon, and the Oregon Criminal Defense Lawyers Association to develop Ballot Measure 53. If Ballot Measure 53 is adopted, certain abandoned property and neglected or abused animals can be forfeited without a conviction. Under Ballot Measure 53, the cash next to the methamphetamines can be forfeited, the pets can be put up for adoption, and local governments can share in the proceeds for assisting the federal government.

Committee Members:

Senator Floyd Prozanski
Representative Suzanne Bonamici
Representative Andy Olson

Appointed by:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

Argument in Favor**Ballot Measure 53 is a much needed correction**

Eight years ago, Oregonians passed the Property Protection Act (PPA), amending the Oregon Constitution to prohibit property forfeitures before a defendant's conviction. The PPA was intended to apply in drug cases. However, due to its overly broad wording, the PPA adversely affected the safety and well-being of Oregon's most vulnerable animals—those seized from an abuser. Under current law, just like a car or couch, animals are considered mere property and the PPA, applies to all property (not just the drug houses or the cars used to transport the drugs), meaning that Oregon's pre-conviction forfeiture statute applicable in animal cruelty cases was inadvertently compromised by the PPA.

Why is forfeiture so important in animal abuse cases?

Before the PPA, Oregon law allowed humane societies that cared for abused animals seized in criminal investigations to petition the court and transfer ownership of the animals—if the defendant didn't post a cost-of-care bond, then the court could order the animals forfeited to the humane society. This pre-conviction forfeiture process meant that seized animals did not have to be held indefinitely while the underlying criminal case moved through the system (a process that takes close to a year to complete—longer if an appeal is taken). Rather, animals could be placed in loving homes to live out the balance of their natural lives within weeks after having been rescued.

The fix is Ballot Measure 53

Ballot Measure 53 ensures that Oregon's animals will not languish in the "system" and that humane care providers do not have to hold the animals for months (if not years) while the criminal case drags on and on. Rather, the animals can be adopted into loving homes—a just result in light of what these animals had to endure before they were seized from the hands of their abusers.

Don't leave the safety of Oregon's animals up to chance. Vote Yes on Ballot Measure 53.

(This information furnished by Scott A. Heiser, Animal Legal Defense Fund.)

This space purchased for \$500 in accordance with ORS 251.255.
The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Argument in Favor**Vote Yes on Measure 53**

Measure 53 is simple: It will fix unintended problems caused by Measure 3.

Measure 53 fixes problems with Measure 3

In November of 2000, Oregon voters passed Measure 3. The purpose was to increase protections for property owners, and make sure that government did not confiscate property for criminal activity without first getting a criminal conviction. Unfortunately, the way Measure 3 was written created some unintended problems.

Convicted drug dealers keeping ill-gotten gains

One problem is that Measure 3 allows drug dealers to keep much of their ill-gotten gain, even after being convicted! That is just plain wrong, and must be corrected.

Abused and neglected animals suffering in shelters

Another unintended consequence of Measure 3 relates to abused and neglected animals, leaving them to languish in shelters for long periods of time pending the outcome of criminal cases. This must also be corrected.

Measure 53 Arguments**Measure 53 is the solution to these problems**

Representatives from law enforcement sat down with representatives from civil liberties and criminal defense groups and worked out a solution. The result was approved by the Oregon Legislature and became Measure 53.

Measure 53 deserves your support

VOTE **YES** ON MEASURE 53

(This information furnished by Rob Bovett, Legal Counsel, Oregon Narcotics Enforcement Association.)

This space purchased for \$500 in accordance with ORS 251.255.
The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Your voted ballot must be returned to your county elections office by 8pm election day, Tuesday, May 20, 2008.

Postmarks do not count!

County elections offices are open on election day from 7am to 8pm.

for more information about voting in Oregon

call 1 866 ORE VOTE/673 8683
se habla español

visit www.oregonvotes.org

TTY 1 800 735 2900
for the hearing impaired



Voters with Disabilities

The Oregon Secretary of State and the Elections Division are committed to making voting more accessible to people with disabilities.

Alternate Format Ballot

The Alternate Format Ballot (AFB) is a new voting tool that is available to voters with disabilities. The AFB allows voters with disabilities who are unable to mark a printed ballot to vote privately and independently at home if they have, or have access to, a computer with a web browser and a printer.

Call **1-866-ORE VOTE/ 673-8683** or your county elections official for more information.

Accessible Computer Stations

To accommodate voters with disabilities that do not have, or have access to, the required technology to vote the AFB from home, every county elections office will have at least two Accessible Computer Stations (ACS), one permanent and one portable. The permanent ACS is located at the county elections office and voters can go to the office and vote privately and independently using the AFB. The portable station allows county election officials to, upon request, take the ACS and AFB to remote locations or a location agreed upon by the voter and the county elections officials to accommodate participation in the voting process.

Voting Assistance Teams

Any voter with a disability that needs assistance can request assistance from the county elections office. A nonpartisan voting assistance team will be able to provide assistance marking a ballot, using the ACS and AFB or completing a voter registration card.

Call **1-866-ORE VOTE/ 673-8683** or your county elections official to request assistance.

Educational Videos

Go online at **www.oregonvotes.org** to view two educational videos about the Alternate Format Ballot/Accessible Voting Station and Assisting Voters with Disabilities. If you are an organization that provides services to people with disabilities you can request a copy of the videos on DVD by calling **1-866-ORE VOTE/ 673-8683**.

Voters with Disabilities**Signature Stamp Attestation Card**

If, because of a disability, a person is unable to sign a ballot or registration card, they may use a signature stamp or other indicator that represents their signature. A signature stamp attestation form must be completed along with an updated (or new) voter registration card.

Call **1-866-ORE VOTE/ 673-8683** or your county elections official for more information.

Large Print Voter Registration Card

Large print voter registration cards are available for voters with visual disabilities. Call **1-866-ORE VOTE/ 673-8683** or your county elections official for more information.

Statewide Voters' Pamphlet

Digital audio and accessible text versions of the Statewide Voters' Pamphlet are available on the web at: **www.oregonvotes.org**. A CD version (MP3 audio files) of the Statewide Voters' Pamphlet is available by request.

Call **1-866-ORE VOTE/ 673-8683** or **503-986-2352** to request a copy.

Other Voter Guide Resources (for statewide elections)

The SOS, with the help of HAVA funds, partners with Talking Book and Braille Services, Oregon Literacy, Inc., Oregon Advocacy Center and the League of Women Voters of Oregon Educational Fund to produce, print and distribute alternate formats of the Easy To Read and Regular Nonpartisan Voting Guides.

Easy To Read Voting Guide:

Available in digital audio and accessible text versions on the web at **www.lwvor.org/votersguide.htm**. Printed versions in both English and Spanish are also available from the partner organizations listed above.

Nonpartisan Regular Voters Guide:

Available in digital audio and accessible text version on the web at **www.lwvor.org/votersguide.htm**. Large print, Braille, CD and NSL compatible 4-track cassette versions are also available.

Contact Talking book and Braille Services at **1-800-452-0292** to request this voting guide.

Below is a listing of dropsite locations and the available days and hours the sites will be open to accept voted ballots. Ballots may be mailed to the county elections office or returned to any designated dropsite in the state. All ballots must be received by 8pm on Election Day, May 20, 2008. **Postmarks do not count!**

Gilliam County

Arlington Municipal Building Locust & First St. Arlington OR 97812	Monday – Friday, May 6 – May 19 Tuesday, May 20 <i>Election Day</i>	8:30am – 5pm 8:30am – 8pm
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Gilliam County Courthouse 221 S. Oregon St. Condon OR 97823	Monday – Friday, May 6 – May 19 Tuesday, May 20 <i>Election Day</i>	8:30am – 5pm 7am – 8pm
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Morrow County

New Boardman City Hall 200 City Center Circle Boardman OR 97818	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 8am – 8pm
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Irrigon Annex 205 NE 3rd St. Irrigon OR 97844	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 8am – 8pm
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Bank of Eastern Oregon 280 W Main St. Ione OR 97843	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	9am – 4pm 9am – 8pm
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Morrow County Road Office 365 W Hwy. 74 Lexington OR 97839	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 8am – 8pm
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Morrow County Courthouse 100 S Court St. Room 102 Heppner OR 97836	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 7am – 8pm
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Sherman County

Sherman County Courthouse 500 Court St. Moro OR 97039	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 7am – 8pm
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Wasco City Hall 1017 Clark St. Wasco OR 97065	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
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Rufus City Hall 400 Main St. Rufus OR 97050	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
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Grass Valley City Hall 109 SW Main St. Grass Valley OR 97029	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
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Umatilla County

Dropsite information for Umatilla County can be found in the county voters' pamphlet bound in the center of the state voters' pamphlet.

Dropsite Locations & Hours**Union County**

Cove City Hall 504 Alder St. Cove OR 97824	Monday – Thursday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
Elgin City Hall 180 N 8th Ave. Elgin OR 97827	Monday – Thursday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8:30am – 5pm 8:30am – 8pm
Imbler City Hall 180 Ruckman Imbler OR 97841	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
Island City Hall 10605 Island Ave. Island City OR 97851	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	9am – 1pm 9am – 8pm
La Grande City Hall 1000 Adams Ave. La Grande OR 97850	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 8am – 8pm
North Powder City Hall 635 3rd St. North Powder OR 97867	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	7am – 12pm 7am – 8pm
Union City Hall 342 S. Main St. Union OR 97883	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
Union County Clerk's Office 1001 4th St. La Grande OR 97850	May 2 – May 19 Monday – Thursday Friday Tuesday, May 20 <i>Election Day</i>	8:30am – 5pm 9am – 4pm 24 hour drop box 7am – 8pm

Wallowa County

Joseph City Hall 201 N. Main St. Joseph OR 97846	Monday – Friday, May 5 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 4pm 8am – 8pm
Wallowa City Hall 211 E. 2nd St. Wallowa OR 97885	May 5 – May 19 Monday – Thursday Friday Tuesday, May 20 <i>Election Day</i>	8:30am – 4:30pm 8:30am – 4pm 8:30am – 8pm
Wallowa County Clerk's Office Wallowa County Courthouse, 1st Floor 101 S. River St. Enterprise OR 97828	Monday – Friday, May 5 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 5pm 24 hour drive-thru drop box 7am – 8pm

Wheeler County

Wheeler Courthouse Clerk's Office 701 Adams St. Fossil OR 97830	Monday – Friday, May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	8am – 4pm 24 hour drop box 7am – 8pm
Mitchell Senior Center 108 S. Nelson St. Mitchell OR 97750	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm
Spray Senior Center 807 Winlock St. Spray OR 97874	May 2 – May 19 Tuesday, May 20 <i>Election Day</i>	24 hour drop box available until 8pm

County Elections Officials**Baker**

Tamara J. Green
Baker County Clerk
1995 3rd St., Suite 150
Baker City, OR 97814-3398
541-523-8207 TTY 541-523-9538
e-mail: tgreen@bakercounty.org

Benton

James Morales
Benton County Clerk
Elections Division
120 NW 4th St., Room 13
Corvallis, OR 97330
541-766-6756 TTY 541-766-6080
fax 541-766-6757

Clackamas

Sherry Hall
Clackamas County Clerk
Elections Division
1710 Red Soils Court, Suite 100
Oregon City, OR 97045
503-655-8510 TTY 503-655-1685
fax 503-655-8461
e-mail: elections@co.clackamas.or.us
http://www.clackamas.us/elections

Clatsop

Fred R. Neal
Interim Clatsop County Clerk
Elections Division
820 Exchange St., Suite 220
Astoria, OR 97103
503-325-8511 TTY 1-800-949-4232
fax 503-325-9307
e-mail: clerk@co.clatsop.or.us
http://www.co.clatsop.or.us

Columbia

Elizabeth (Betty) Huser
Columbia County Clerk
Courthouse, 230 Strand St.
St. Helens, OR 97051-2089
503-397-7214 TTY 503-397-7246
fax 503-397-7266
e-mail: huserb@co.columbia.or.us
http://www.co.columbia.or.us

Coos

Terri L. Turi, CCC
Coos County Clerk
Courthouse, 250 N. Baxter
Coquille, OR 97423-1899
541-396-3121 ext. 301
TTY 1-800-735-2900
fax 541-396-6551
e-mail: elections@co.coos.or.us
http://www.co.coos.or.us

Crook

Deanna (Dee) Berman
Crook County Clerk
300 NE Third, Room 23
Prineville, OR 97754-1919
541-447-6553 TTY 541-416-4963

Curry

Reneé Kolen
Curry County Clerk
PO Box 746
Gold Beach, OR 97444
541-247-3297 or 1-877-739-4218
TTY 1-800-735-2900
fax 541-247-6440

Deschutes

Nancy Blankenship
Deschutes County Clerk
1300 NW Wall St., Suite 200
Bend, OR 97701
541-388-6546 TTY 1-800-735-2900
fax 541-383-4424
e-mail: elections@deschutes.org
http://www.deschutes.org

Douglas

Barbara Nielsen
Douglas County Clerk
PO Box 10
Roseburg, OR 97470-0004
541-440-4252 TTY 1-800-735-2900
fax 541-440-4408
e-mail: pkhitt@co.douglas.or.us

Gilliam

Rena Kennedy
Gilliam County Clerk
PO Box 427
Condon, OR 97823-0427
541-384-2311

Grant

Kathy McKinnon
Grant County Clerk
201 S. Humbolt, Suite 290
Canyon City, OR 97820
541-575-1675 TTY 541-575-1675
fax 541-575-2248
e-mail: mckinnonk@grantcounty-or.gov

Harney

Maria Iturriaga
Harney County Clerk
Courthouse, 450 N. Buena Vista
Burns, OR 97720
541-573-6641
fax 541-573-8370
e-mail: clerk@co.harney.or.us
http://www.co.harney.or.us

Hood River

Sandra Berry
Director, Records/Assessment
601 State St.
Hood River, OR 97031-1871
541-386-1442
fax 541-387-6864

Jackson

Christine Walker
Jackson County Clerk
1101 W. Main St., Suite 201
Medford, OR 97501-2369
541-774-6148 TTY 541-774-6719
fax 541-774-6140
e-mail: walkercd@jacksoncounty.org
http://www.co.jackson.or.us

Jefferson

Kathy Marston
Jefferson County Clerk
66 SE "D" St., Suite C
Madras, OR 97741
541-475-4451
fax 541-325-5018
e-mail: kathy.marston@co.jefferson.or.us

Josephine

Georgette Brown
Josephine County Clerk
PO Box 69
Grants Pass, OR 97528-0203
541-474-5243 TTY 1-800-735-2900
fax 541-474-5246
e-mail: clerk@co.josephine.or.us

Klamath

Linda Smith
Klamath County Clerk
305 Main St.
Klamath Falls, OR 97601
541-883-5157 or 1-800-377-6094
fax 541-885-6757
e-mail: pharris@co.klamath.or.us
http://www.co.klamath.or.us

County Elections Officials**Lake**

Stacie Geaney
Lake County Clerk
513 Center St.
Lakeview, OR 97630-1539
541-947-6006

Lane

Annette Newingham
Chief Deputy County Clerk
275 W. 10th Ave.
Eugene, OR 97401-3008
541-682-4234 TTY 541-682-4320
fax 541-682-2303
email: elections.customer@co.lane.or.us
http://www.co.lane.or.us/elections

Lincoln

Dana Jenkins
Lincoln County Clerk
225 W. Olive St., Room 201
Newport, OR 97365
541-265-4131 TTY 541-265-4193
fax 541-265-4950
http://www.co.lincoln.or.us/clerk

Linn

Steve Druckenmiller
Linn County Clerk
300 SW 4th Ave.
Albany, OR 97321
541-967-3831 TTY 541-967-3833
fax 541-926-5109
e-mail: sdruckenmiller@co.linn.or.us

Malheur

Deborah R. DeLong
Malheur County Clerk
251 "B" St. West, Suite 4
Vale, OR 97918
541-473-5151 TTY 541-473-5157
fax 541-473-5523
e-mail: ddelong@malheurco.org
http://www.malheurco.org

Marion

Bill Burgess
Marion County Clerk
4263 Commercial St. SE, #300
Salem, OR 97302-3987
503-588-5041 or 1-800-655-5388
TTY 503-588-5610
e-mail: elections@co.marion.or.us
http://www.co.marion.or.us/co/elections

Morrow

Bobbi Childers
Morrow County Clerk
PO Box 338
Heppner, OR 97836-0338
541-676-5604 TTY 541-676-9061
fax 541-676-9876
e-mail: bchilders@co.morrow.or.us

Multnomah

Tim Scott
Director of Elections
1040 SE Morrison St.
Portland, OR 97214-2495
503-988-3720
fax 503-988-3719
e-mail: elections@co.multnomah.or.us
http://www.mcelections.org

Polk

Valerie Unger
Polk County Clerk
850 Main St.
Dallas, OR 97338-3179
503-623-9217 TTY 503-623-7557
fax 503-623-0717
e-mail: unger.valerie@co.polk.or.us
http://www.co.polk.or.us

Sherman

Linda Cornie
Sherman County Clerk
PO Box 365
Moro, OR 97039-0365
541-565-3606
fax 541-565-3312
e-mail: Lindac@co.sherman.or.us

Tillamook

Tassi O'Neil
Tillamook County Clerk
201 Laurel Ave.
Tillamook, OR 97141
503-842-3402 or 1-800-488-8280 ext. 4000
fax 503-842-1599
e-mail: toneil@co.tillamook.or.us
http://www.co.tillamook.or.us

Umatilla

Patti Chapman
Director of Elections
PO Box 1227
Pendleton, OR 97801
541-278-6254
fax 541-278-5467
e-mail: pattic@co.umatilla.or.us
http://www.co.umatilla.or.us

Union

Robin Church
Union County Clerk
1001 4th St., Suite D
LaGrande, OR 97850
541-963-1006
fax 541-963-1013
e-mail: rchurch@union-county.org
http://www.union-county.org

Wallowa

Dana Roberts
Wallowa County Clerk
101 S. River St., Room 100
Enterprise, OR 97828-1335
541-426-4543 ext. 17
fax 541-426-5901
e-mail: wcclerk@co.wallowa.or.us
http://www.co.wallowa.or.us

Wasco

Karen LeBreton Coats
Wasco County Clerk
511 Washington St., Room 201
The Dalles, OR 97058
541-506-2530 TTY 541-506-2530
fax 541-506-2531
e-mail: karenl@co.wasco.or.us

Washington

Mickie Kawai
Elections Division
3700 SW Murray Blvd., Suite 101
Beaverton, OR 97005
503-846-5800 TTY 503-846-4598
e-mail: elections@co.washington.or.us
http://www.co.washington.or.us/elections

Wheeler

Barbara S. Sitton
Wheeler County Clerk
PO Box 327
Fossil, OR 97830-0327
541-763-2400 TTY 541-763-2401
fax 541-763-2026
e-mail: bsitton@ncesd.k12.or.us

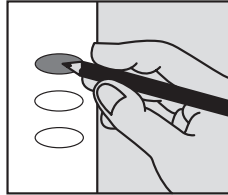
Yamhill

Jan Coleman
Yamhill County Clerk
414 NE Evans St.
McMinnville, OR 97128
503-434-7518 TTY 1-800-735-2900
fax 503-434-7520
e-mail: elections@co.yamhill.or.us
http://www.co.yamhill.or.us/clerk

Morrow County Umatilla County Union County Walla Walla County

marking your ballot

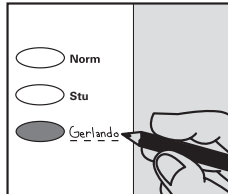
- 1 Carefully read and follow all instructions printed on your ballot. The instructions will say whether you should use a pen or pencil to mark your ballot.



- 2 To vote, completely fill in the oval next to your choice.

- 3 To write-in a candidate:

- Clearly print his or her name on the dotted line provided on the ballot
- Fill in the oval next to the name you wrote-in



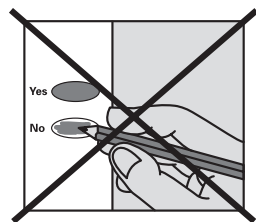
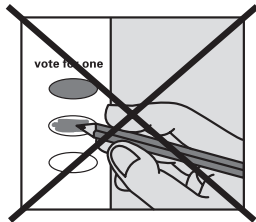
You must do both for your vote to be counted.

check your ballot!

If you vote for more candidates than allowed, or if you vote **both** Yes **and** No on a measure, it is called an overvote.

Your vote **will not count** for that candidate or measure.

You do not have to vote on all contests. Those you do vote on will still count.



getting a replacement ballot

Contact your County Elections Office or call 1 866 ORE VOTE to request a replacement ballot if:

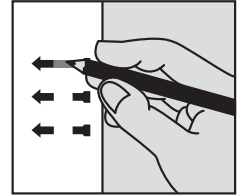
- you make a mistake
- your ballot is damaged or spoiled
- you lose your ballot

or for any other reason.

Gilliam County Sherman County Wheeler County

marking your ballot

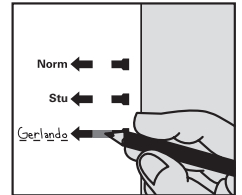
- 1 Carefully read and follow all instructions printed on your ballot. The instructions will say whether you should use a pen or pencil to mark your ballot.



- 2 To vote, fully complete the arrow next to your choice.

- 3 To write-in a candidate:

- Clearly print his or her name on the dotted line provided on the ballot
- Complete the arrow next to the name you wrote-in



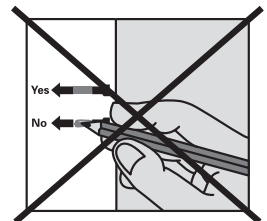
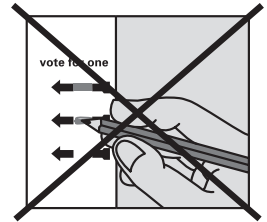
You must do both for your vote to be counted.

check your ballot!

If you vote for more candidates than allowed, or if you vote **both** Yes **and** No on a measure, it is called an overvote.

Your vote **will not count** for that candidate or measure.

You do not have to vote on all contests. Those you do vote on will still count.



getting a replacement ballot

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vote!

by May 20th



for more information about
voting in Oregon

call 1 866 ORE VOTE/673 8683
se habla español

visit www.oregonvotes.org

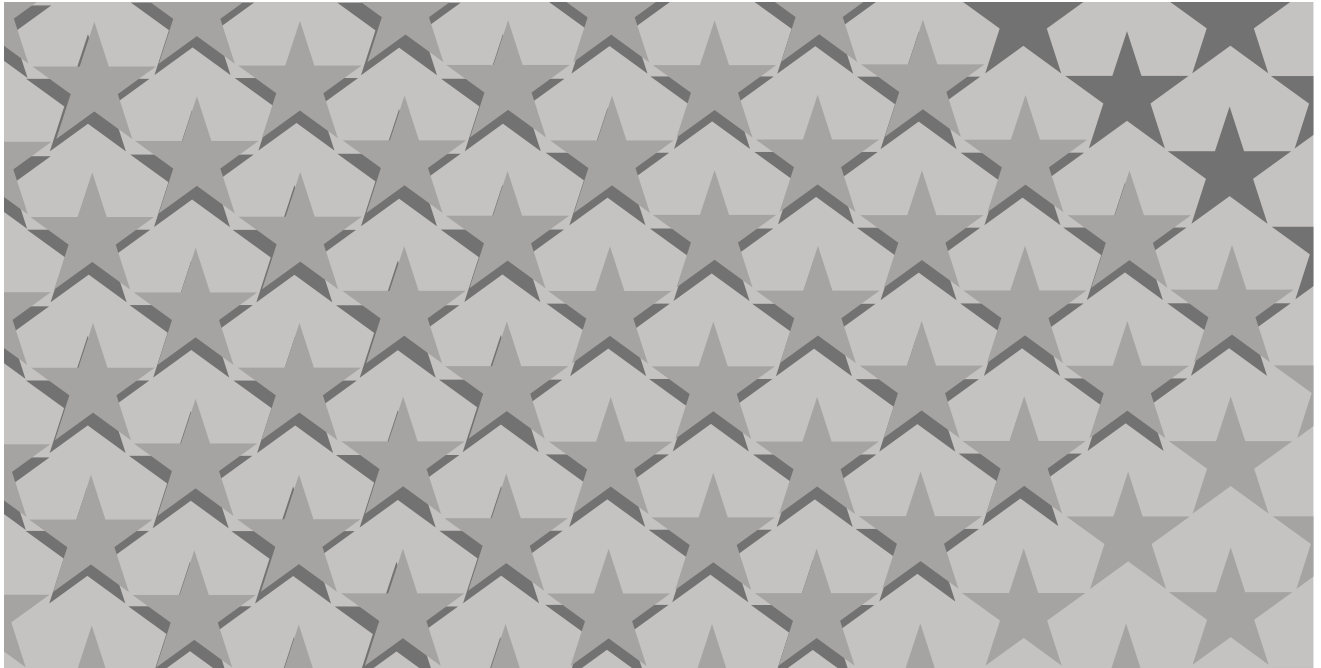
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Voters' Pamphlet

Oregon Primary Election

May 20, 2008

vote!



16 Gilliam, Morrow, Sherman,
Umatilla, Union, Wallowa, Wheeler

