

The voter's ballot measure guide: Why we do it & how we do it

This voters' guide to the ballot measures for the 2020 Oregon general election is provided as an educational resource approved by the Ecumenical Ministries of Oregon (EMO) board of directors, based on the recommendations of the Public Policy Advocacy Committee.

The Nov. 3 general election, like all elections, is important for people of faith and for all Oregonians. The production of this guide follows a tradition established by one of EMO's predecessor bodies—the Oregon Council of Churches—over 40 years ago and continued by EMO today. In it, we provide information, analysis and recommendations for the four measures on the state ballot. We hope our discussion of the ballot measures will provide valuable insights for Oregon's voters, especially for people whose faith is their ultimate guide.

Foundational to our social principles is the belief that to be faithful means to “love God, and to love our neighbor as ourselves.” Christian minister William Sloan Coffin once stated, “In Christ's sight, there are no insiders or outsiders, for we are finally of one nature and one flesh and one grief and one hope. In Christ's sight, if we fail in love, we fail in all things else.”

Ecumenical Ministries of Oregon has adopted a Statement of Social Principles that guides our public policy work. In this statement, we recognize the value of religious involvement in civic affairs and the governmental process, and we identify core principles and areas of social concern:

We affirm the value of love, the respect of all life, and the dignity of every human being ... In our public witness we embrace compassion and forgiveness in all relationships, non-violence, and working in constructive and creative ways to make a better world. We commit ourselves to a society in which all persons are free to live together in peace and harmony. We affirm an inclusive community for nurturing the shared life of humankind.

As we prayerfully engage in a discussion regarding each ballot measure, we consider arguments offered by both supporters and opponents of each measure, and we rely on the Scriptures, our social principles, our past positions on similar measures, and dialogue and deliberation in our Public Policy

Our faith traditions call us to be thoughtful and active advocates for peace, social justice, human dignity and environmental stewardship. Through reflection on core principles, understanding of the political process, and knowledge of the issues, EMO seeks to empower people of faith and all Oregonians to fulfill their role in the democratic process.

EMO Statement of Social Principles

Advocacy Committee and among the EMO board of directors. We ask that you, also, prayerfully consider the wisdom of your own tradition and engage in a thoughtful process of discernment in exercising your civic duty to vote.

The EMO Statement of Social Principles identifies six key areas of social concern: *Peace and Global Justice, Human Rights and Religious Freedom, Environmental Stewardship, Economic Justice, Family and Community Well-being, and Public Witness and the Common Good.*

In our discussions of the individual ballot measures found in this guide, we identify which area, or areas, of social concern relates to each measure. The complete statement of social principles can be found on our website at EMOregon.org/advocacy-action.

Vote and Make Your Voice Count

The Nov. 3, 2020, election is a statewide general election and will be vote by mail. Any Oregon resident who is at least 18 years old on Election Day is eligible to vote, but voter registration is required. Register online on the Oregon Secretary of State website at sos.oregon.gov/voting or turn in a voter registration card to any county election office within five calendar days after signing the card. The last day to register is Oct. 13.

A registered voter who has moved, changed address or changed their name must re-register. This information may be updated through Election Day at a county election office or on the Oregon Secretary of State website listed above.

Ballots will begin to be mailed to voters on Oct. 14. Voters can use any official ballot drop

And what does the Lord require of you ... but to do justice, to love kindness, and to walk humbly with your God. —Micah 6:8

Let justice roll down like waters and righteousness like an everflowing stream.—Amos 5:24

site in Oregon to return their voted ballot during the 20-day voting period. Locate Oregon ballot drop boxes at sos.oregon.gov. Ballots may also be returned in person or by mail to a county election office by 8 p.m. on Nov. 3.

Virtual Ballot Measure Forums

Due to the COVID-19 pandemic, Ecumenical Ministries of Oregon's ballot measure forums are going virtual. To schedule a virtual ballot measure forum with our advocacy team for your faith community or organization, please contact Olivia Asato, EMO public policy associate, at oasato@emoregon.org. View a current schedule of virtual Ballot Measure Forums at EMOregon.org/advocacy-action.

Ecumenical Ministries of Oregon is a statewide association of faith partners working together to improve the lives of Oregonians through community ministry, ecumenical and interreligious dialogue, creation justice and public policy advocacy.

The Roman Catholic Archdiocese of Portland in Oregon abstained from EMO's deliberations regarding the November ballot measures. The Archdiocese releases all public policy statements through the Oregon Catholic Conference.

Measure 107: Legislative Referral / Constitutional Amendment — *Allows Laws Regulating Political Campaign Finance*

Summary & Analysis — Currently, Oregon’s constitution prohibits the imposition of all laws that regulate campaign financing of state and local elections. Measure 107 would amend the Oregon Constitution to allow the creation of laws regulating campaign contributions, expenditures, disclosure of campaign finances and disclaimers about advertisements’ funding sources.

Individuals on both sides of the debate admit that the measure now likely bears less importance, due to the Oregon Supreme Court’s April 2020 ruling in favor of Multnomah County’s 2016 limits, which effectively allows other municipalities and the state to enact campaign contribution laws. However, the decision is still under review in the courts (where experts believe it will be upheld), is likely to endure legal challenges, and faces an uncertain timeline for implementation.

Supporters argue that Measure 107 is still necessary, as it would provide more increasingly comprehensive protections for campaign finance regulation than April’s state Supreme Court ruling. In particular, supporters note that Measure 107 would ensure governments can require political campaigns and advertisements to disclose information about their donations and expenditures. Additionally, supporters argue that a constitutional amendment is necessary to prevent future backtracking by the courts and to make it possible for governments to limit campaign expenditures (should the U.S. Supreme Court ever overturn its current stance that they are protected by the First Amendment).

Prior to April’s court ruling, supporters portrayed Measure 107 as the first step in

reforming what they perceive to be an inequitable campaign finance system. In sum, supporters argue that campaign finance reform is necessary to make Oregon’s government more equitable and responsive to the needs of all Oregonians, rather than beholden to the interests of a small number of wealthy individuals and corporations. Supporters point to concerns raised by the 2019 Oregonian/OregonLive series “Polluted by Money.” These issues include that Oregon is 1 of just 5 states with no contribution limits for state campaigns, corporations donate more per capita to Oregon lawmakers than those in any other state, and Oregon’s current system has left lawmakers susceptible to corruption that has resulted in environmentally destructive deregulation of industries.

The primary opponent of Measure 107 is the Libertarian Party of Oregon, which argues that allowing limits on campaign financing violates the human right of free speech, protected by both state and federal constitutions. Opponents believe that campaign finance regulations suppress political speech by placing limits on how much monetary support individuals and groups can provide to campaigns. They also argue political disclaimers suppress dissent by preventing individuals from anonymously voicing potentially unpopular opinions.

Financial Impact — The financial impact is indeterminate.

EMO Recommendation — Vote “YES” on Measure 107, based on EMO social principles of *Public Witness & the Common Good and Environmental Stewardship*.

Ecumenical Ministries of Oregon rejects the notion that campaign contributions equate to speech. We recognize that Oregon’s lack of campaign finance regulations reinforces unjust inequalities and potentially undermines lawmakers’ ability to fairly regulate the economy in a way that protects the wellbeing of everyday Oregonians. As people of faith, we are called—as stated in EMO’s Social Principles—to “seek a government and social order that is founded on principles of human dignity and political equality.” We view Measure 107 as a crucial opportunity to bring about such a social order, while acting upon EMO’s longstanding belief “that campaign finance reform is an

ethical imperative to ensure fairness and equal representation of all people in society.”

Ecumenical Ministries of Oregon also shares environmental advocates’ concerns that Oregon’s lack of state-level campaign finance regulation has had a detrimental impact on the natural world. Our shared faith and Social Principles recognize our moral imperative “to eliminate environmental injustice and work to heal and protect creation for future generations.” EMO believes that in making the political voices of all Oregonians more equal, Measure 107 will encourage our lawmakers to enact environmental regulations that prioritize protecting creation over promoting profit.

Measure 108: Legislative Referral — *Raises Taxes on Cigarettes/Cigars and Imposes Tax on Vaping Products to Generate Revenue for Medicaid / Healthcare Programs*

Summary & Analysis — This measure seeks both to reduce the health impacts of tobacco and to raise needed revenue for Oregon’s Medicaid program by:

- Increasing existing state taxes on cigarettes from \$1.33 per pack (ranked 37th in the United States) to \$3.33 per pack (would be ranked sixth);
- Raising the existing tax cap on cigars from \$0.50 per cigar to \$1 per cigar;
- Imposing a new tax on vaping products, such as e-cigarettes, which would be taxed at 65 percent of their wholesale price.

Ninety percent of the revenue generated from the measure will help fund Oregon’s Medicaid program, the Oregon Health Plan (OHP), which currently serves almost 1 million Oregonians. The remaining 10 percent of revenue will fund select public health programs—culturally specific providers,

Indigenous health care, and tobacco cessation programs working to reduce tobacco usage among communities targeted by the tobacco industry, such as youth, people of color and low-income Oregonians.

Supporters argue that this measure is necessary to ensure Medicaid can continue providing health care to low-income and marginalized Oregonians, especially in a time of rising need. The Oregon Health Authority (OHA) stated before the coronavirus pandemic that OHP would face a \$320 million funding gap during the 2021-2023 biennium, should Measure 108 fail to pass. This gap will likely grow as a result of the pandemic and its economic fallout, as many more Oregonians lose their jobs and are forced to turn to OHP for medical coverage.

Supporters also argue that this measure will provide significant public health benefits by reducing smoking and vaping use, especially

among low-income Oregonians and communities of color. The OHA reports that tobacco-related illnesses kill 8,000 Oregonians each year, which would tie cancer for the leading cause of death in Oregon, if these deaths were recorded together. Smoking takes an especially high toll on the health of low-income Oregonians and many communities of color (especially Black, Indigenous and Pacific Islander), who smoke at significantly higher rates than other groups.

According to supporters, imposing a tax on vaping products represents the key to combatting the recent surge in tobacco use and nicotine addiction among Oregon youth. Research shows that long-term tobacco usage generally starts during adolescence and that youth vaping is associated with a greater risk of regularly smoking cigarettes. From 2017 to 2019, the percentage of Oregon 11th graders who had used a vaping product in the last 30 days rose from 12.9 percent to 21.4 percent.

Parties on both sides share concerns that the proposed taxes will disproportionately be paid by low-income Oregonians, since smoking rates tend to be inversely related to income. However, supporters point to research showing that tax raises produce long-term savings for low-income communities by leading more people to quit purchasing tobacco products altogether and by reducing often significant healthcare costs to treat tobacco-related illnesses. Supporters also emphasize that the measure will benefit low-income Oregonians by stabilizing funding for Medicaid.

Opponents of the measure, primarily from the local and national business community, argue that it will have detrimental economic effects for businesses and everyday Oregonians. These groups fear that increasing taxes on tobacco products will lead to shrinking revenues for retailers, especially convenience stores and other small businesses that rely on tobacco

sales. Opponents say that Measure 108 will all but eliminate sales to out of state purchasers (primarily from Washington and California), which account for over 25 percent of Oregon's tobacco sales.

Some opponents—especially representatives of e-cigarette manufacturers such as JUUL Labs—also claim that this measure will prevent some people from using vaping products to help them quit smoking, as tax raises on cigarettes and vaping products have been consistently shown to reduce the use of those products.

Financial Impact — Prior to the COVID-19 pandemic, the Legislature estimated that Measure 108 would generate \$351.1 million in the 2021-23 biennium. The Oregon Health Authority predicts that the cessation effects of this measure will also produce \$52 million in long-term savings for OHP by reducing tobacco usage among OHP patients and averting the costs of treating tobacco related illnesses.

EMO Recommendation — **Vote “YES” on Measure 108, based on EMO social principles of *Human Rights and Religious Freedom, Family & Community Well-being, and Public Witness & the Common Good.***

Ecumenical Ministries of Oregon recognizes that the funding mechanism in this measure is neither perfect nor equitable. However, we also believe that the COVID-19 pandemic makes it more important than ever that we ensure healthcare to all Oregonians. It is fair to say that this measure represents the only immediate option for ensuring the stability of OHP through an unprecedented health crisis that is intensifying Oregonians' need for both medical care and government-funded health insurance. Additionally, we stand with our partners from culturally specific providers who view this measure as an important step towards reducing the disproportionate harm that tobacco causes to communities of color, low-income Oregonians and youth.

Measure 109: Statutory Initiative — *Allows Manufacture, Delivery, Administration of Psilocybin at Supervised, Licensed Facilities*

Summary & Analysis — Measure 109 would allow for the creation of the Oregon Psilocybin Services Program under the Oregon Health Authority (OHA). The OHA will appoint and work with an independent advisory board of experts, such as those working in public policy or science and medicine. After a two-year rule-setting period, licensed facilitators would be allowed to administer psilocybin services to individuals 21 years or older who have been pre-screened. Facilitators, service center operators and producers of psilocybin mushrooms and products would all be required to have independent licenses. It does not allow for retail sales, home use or marketing of psilocybin products. Psilocybin is the active ingredient in what is colloquially known as “magic mushrooms.” After initial research and trials, the FDA declared psilocybin breakthrough therapy status, allowing for more extensive research and trials to be done around its effects and benefits for a range of mental health issues, such as a major depressive disorder. Psilocybin has been decriminalized in Oakland, Calif., Denver, Colo. and Santa Cruz, Calif. Oregon would be the first state to have a therapeutic model of psilocybin use implemented.

Proponents cite data that shows Oregon as the state with the highest rate of mental health issues in the country. They also cite initial studies that have shown psilocybin having a positive impact on individuals dealing with such health issues as major depressive disorder.

The principal funder of the campaign to pass Measure 109 is Dr. Bronner’s (a company that produces personal care products). This proponent argues that the mental health benefits of psilocybin are important to make available to Oregonians. They also argue that this measure will closely regulate every step of the process, from production to testing to administration and usage.

There is no organized opposition to this measure as of this writing.

Financial Impact — There is no financial impact on either state or local government expenditures or revenues. The revenue necessary for this program will be generated by licensing and taxing the psilocybin product itself.

EMO Recommendation — EMO makes “No Recommendation” on Measure 109.

Although much of the research around psilocybin’s mental health benefits shows that it is beneficial, this is an area in which we see a need for more conclusive stances from the medical and scientific communities as a whole. Mental health and public health are not issues that EMO takes lightly. There are likely many Oregonians who would benefit from Measure 109, given the high rates of mental illness in Oregon. However, EMO has concluded that it is not our place to make scientific or medical recommendations when we are not experts.

Measure 110: Statutory Initiative — *Expands Addiction Treatment Services; Removes Criminal Penalties for Majority of Drug Possession Offenses*

Summary & Analysis — Measure 110 would increase access to addiction treatment services and decriminalize the possession of most drugs in Oregon. The measure would expand existing treatment services and establish a statewide network of Addiction Recovery Centers (ARC) to assess the needs of people who use drugs and link them to services. Measure 110 ensures that ARCs are spread across the state to provide access to rural Oregonians in areas where few resources currently exist. An oversight and accountability council—comprised of addiction treatment and recovery experts, as well as people from communities disproportionately affected by addiction and our current model of policing drug-related offenses—would oversee the ARC.

Additionally, Measure 110 would also make Oregon the first state to decriminalize low-level possession of most drugs. The measure would remove criminal penalties for personal, non-commercial possession of drugs listed as Schedule I, II, III or IV—the four classifications of drugs deemed by the federal government as the most likely to be abused. This means Measure 110 would decriminalize—but not legalize—possession of drugs like heroin, methamphetamine and Ecstasy. Possession of these substances would be reclassified from a Class A misdemeanor offence to a Class E violation resulting in a \$100 fine. Additionally, the measure encourages violators to pursue addiction treatment by referring them to their local Addiction Recovery Center and waiving their fine if they approach the ARC for a consultation.

Supporters believe that Measure 110 represents a more robust, compassionate and effective response to Oregon’s addiction crisis. They argue that addiction is a health care issue that requires a health care response, rather than a criminal justice issue that requires a punitive one. Supporters argue that Oregon desperately needs to enhance funding for addiction treatment because we currently rank last in the country in access to drug addiction treatment, and the Oregon Legislature has reduced state funding for drug addiction treatment by 89 percent over the past two years.

Supporters also argue that Measure 110 will remove unfairly harsh punishments for minor, nonviolent drug offenses that disproportionately burden communities of color. Measure 110 would make it impossible for Oregonians to be arrested and spend time in jail for cases in which low-level drug possession is the most serious offense. Currently, almost 9,000 Oregonians are arrested in such cases each year and roughly half of their cases result in convictions. Troublingly, Black Oregonians are over three times more likely than white Oregonians to be arrested for drug possession, despite similar rates of drug use. These disproportionate arrest rates not only reflect but also reinforce structural racism through the long-term harm that criminal records inflict on people’s ability to obtain jobs, work promotions, rental housing, student loans, professional licenses and credit cards.

Opponents of Measure 110—many of whom have law enforcement backgrounds—take issue with the measure’s decriminalization components. They argue that decriminalizing

most drugs will lead to increased rates of drug use and crime by removing an important legal deterrent. Opponents also argue that removing decriminalization will make it less likely that some individuals struggling with addiction receive treatment, because they will no longer be compelled to do so by courts. EMO does not share either of these fears, because they are not supported by research. In fact, research indicates that criminalization of drug possession does not reduce other types of crime (such as violent crimes or those involving property) and may actually increase their prevalence. Research also suggests that compulsory treatment may be less likely than voluntary treatment to prevent criminal recidivism and drug use.

Financial Impact — Treatment expansion would be funded by existing revenue—likely around \$100 million annually—from Oregon’s marijuana tax.

EMO Recommendation — **Vote “YES” on Measure 110, based on EMO social principles of *Human Rights and Religious Freedom, Family & Community Well-being, and Public Witness & the Common Good.***

As members of the Oregon faith community, we affirm the rights of all people to health care and our responsibility “to promote ... the overall health and economic stability of families and communities.” Unfortunately, this right is not ensured for thousands of Oregonians suffering from alcohol and drug addiction. Currently, only 1 in 10 Oregonians who are struggling with addiction are able to access the treatment that they need. Measure 110 provides Oregon with the opportunity to provide much-needed support and services to these neighbors in our communities.

Now more than ever, it is also clear that our country has a moral imperative to reform our criminal justice system and reduce the trauma it inflicts on communities of color. Our shared faith and Social Principles affirm every person’s right to not only health care but also “an equitable system of justice.” Despite the best intentions of many law enforcement officials, systemic racism continues to make Oregon’s policing of drug offenses inequitable. Measure 110 represents an important step towards a more just system that respects the inherent dignity of all people and treats all Oregonians equally and fairly.

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