



KATIE BROWN  
Governor

## COMMUTATION OF SENTENCE

**WHEREAS**, in 2019, with widespread support, the legislature passed Senate Bill 1008, which, among other important juvenile justice reforms, amended Ballot Measure 11.

**WHEREAS**, now, as of January 1, 2020, those youth who commit Measure 11 offenses are afforded a waiver hearing in which the court determines whether it is appropriate to impose adult punishments for the crime and, even if the youth is sentenced in adult court, the individual is now entitled to a “second look” hearing half way through their sentence and, if applicable, a parole hearing after fifteen years.

**WHEREAS**, juveniles convicted of Measure 11 offenses, for which SB 1008 would have impacted, typically have greater capacity for rehabilitation than their adult counterparts and many have benefitted from and will continue to benefit from the additional rehabilitative programming that our corrections system is able to offer.

**WHEREAS**, SB 1008 takes into account the fact that these individuals—initially incarcerated as youth—are capable of tremendous transformation and, due to the age and immaturity at the time of their offenses and behavior thereafter, should be able to petition for release (on parole or post-prison supervision) by demonstrating maturity and rehabilitation.

**WHEREAS**, SB 1008 did not apply retroactively to those youth who were sentenced to fifteen years or more of incarceration prior to 2020 and, as a result, these individuals are unable to petition the Oregon State Board of Parole and Post-Prison Supervision (the “Board”) for future release consideration under the process described in ORS 144.397.

**WHEREAS**, in September of 2021, I asked DOC to help identify individuals who met the following commutation criteria: (1) Was a juvenile at the time of committing the offense for which they are in custody; (2) Be serving a sentence that was ordered prior to January 1, 2020; (3) Be serving a sentence of fifteen years or more of imprisonment; (4) Not be serving a sentence for which any convictions are for crimes that were committed as an adult; and (5) Not be serving a sentence with a current projected release date in 2050 or later, which shall not exclude those serving life sentences without the possibility of parole (collectively the “Commutation Criteria”).

**WHEREAS**, DOC has identified each individual listed in Exhibit A (collectively the “Commutees” and each a “Commutee”), attached hereto and incorporated herein by reference, as meeting the Commutation Criteria described above.

**WHEREAS**, in recognition of the unique and extraordinary circumstances of each Commutee, and in recognition of the determination that the Commutees each satisfy the Commutation Criteria described above, I have determined that each Commutee should be able to petition the Board for release on parole or post-prison supervision under the process described in ORS 144.397 and any rules promulgated thereunder by the Board.



**COMMUTATION OF SENTENCE  
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**NOW THEREFORE**, by virtue of the authority vested in me under Article V, Section 14, of the Oregon Constitution, I, Kate Brown, Governor of the State of Oregon, hereby commute the sentence of each Commutee, under the respective Judgment of Conviction referenced in Exhibit A, such that each Commutee—after serving 15 years of imprisonment as described in ORS 144.397(1)—has the opportunity to petition the Oregon State Board of Parole and Post-Prison Supervision for future release consideration under the process described in ORS 144.397 and any rules promulgated thereunder by the Board, effective as of the 4th day of December, 2021, immediately upon execution of this order. This order does not relieve any of the Commutees of parole, post-prison supervision, or incarceration. The Board shall make its own determination as to whether each Commutee, based on the consideration of their age and immaturity at the time of the offense and their behavior thereafter, has demonstrated maturity and rehabilitation pursuant to ORS 144.397 and any rules promulgated thereunder by the Board. Upon the Board's determination that a Commutee has demonstrated maturity and rehabilitation, it shall release that Commutee pursuant to ORS 144.397(7) and any rules promulgated thereunder by the Board.

Done before me at Salem, Oregon this 20<sup>th</sup> day of October, 2021.



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KATE BROWN  
GOVERNOR

ATTEST:

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SHEMIA FAGAN  
SECRETARY OF STATE

# EXHIBIT A

First Name	Last Name	County of Conviction	Age	Crime	Case Number	Conviction Date	Sentence Length in Months	PPS Length
Alejandro	Alarcon	Marion	15	Sodomy I	10C42029/06	5/12/2011	100	140
		Marion	15	Sodomy I	10C42029/11	5/12/2011	100	120
		Marion	15	Sodomy I	10C47310/01	5/12/2011	100	110
		Marion	15	Sodomy I	10C47310/02	5/12/2011	50	110
		Marion	15	Sodomy I	10C47310/06	5/12/2011	130	110
Casey	Alexander	Marion	15	Sodomy I	09C45606/02	12/28/2009	100	140
Joseph	Allen	Multnomah	16	Manslaughter I	070230865/01	6/1/2009	216	240
Carl	Alsup	Multnomah	17	Murder Aggravated	030632925/01	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/02	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/03	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/04	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/05	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/06	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/07	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder Aggravated	030632925/11	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder	030632925/12	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder	030632925/13	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder	030632925/14	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Murder	030632925/15	9/12/2005	Life w/ Parole	Life
		Multnomah	17	Robbery I	050533107/01	9/12/2005	90	36
		Multnomah	17	Robbery II	050533107/02	9/12/2005	42	36
		Multnomah	17	Robbery II	050533107/02	9/12/2005	28	0
Multnomah	17	Assault II	050533107/03	9/12/2005	28	0		
Multnomah	17	Assault II	050533107/03	9/12/2005	42	36		
James	Anderson	Marion	17	Murder	96C21305/01	1/31/1997	Life w/ Parole	Life
Christopher	Baker	Multnomah	16	Attempted Murder Aggravated	16CR75101/01	10/31/2017	120	36
		Multnomah	16	Kidnapping I	16CR75101/07	10/31/2017	90	36
		Multnomah	16	Rape I	16CR75101/09	10/31/2017	100	240
		Multnomah	16	Sodomy I	16CR75101/11	10/31/2017	20	240
		Multnomah	16	Sodomy I	16CR75101/11	10/31/2017	80	0
		Multnomah	16	Sex Pen I	16CR75101/13	10/31/2017	100	240
Multnomah	16	Assault I	16CR75101/14	10/31/2017	90	36		

Parrish Robert	Bennette Brown	Multnomah Deschutes	16	Manslaughter I	110431522/02	1/17/2013	216	24
			17	Murder Aggravated	88CR0328WE/2	11/4/1988	Life w/ Parole	Matrix
Earl Charley Reynaldo	Carnahan Carnes Ceja	Lane Douglas Multnomah Multnomah	17	Murder	209817719/01	1/26/1999	Life w/ Parole	Life
			17	Murder	07CR1962FE/1	11/16/2009	Life w/ Parole	Life
			15	Manslaughter I	130733069/01	10/4/2017	216	24
			15	Attempted Aggravated Murder	130733069/03	2/12/2015	120	36
Gustavo	Chavez-Ramos	Marion	16	Assault I	09C44687/02	11/9/2009	90	36
		Marion	16	Assault III	09C51538/01	1/13/2010	24	12
Austin Samuel	Clark Cochrane	Douglas Marion Marion	16	Murder	07CR1888FE/1	2/16/2010	Life w/ Parole	Life
			16	Rape I	14C40283/04	10/14/2014	100	140
			16	Unlawful Sexual Penetration I	14C40283/06	10/14/2014	100	140
Martin	Covarrubias-Rivera	Marion	16	Murder	10C46958/02	08/22/2011	Life w/ Parole	Life
Juan	Cruz	Marion	17	Sex Abuse 1 New	17CR83630/02	2/8/2018	75	45
		Marion	17	Sex Abuse 1 New	17CR83630/03	2/8/2018	75	45
		Marion	17	Sodomy II	17CR83630/01	2/8/2018	75	45
Cody	Dalton	Jefferson	17	Sex Abuse 1 New	03FE0008/07	10/20/2003	75	120
		Jefferson	17	Sex Abuse 1 New	03FE0008/09	10/20/2003	75	120
		Jefferson	17	Sex Abuse 1 New	03FE0008/12	10/20/2003	75	120
		Jefferson	17	Sex Abuse 1 New	03FE0008/14	10/20/2003	75	120
Todd Jamie	Davilla Davis	Clackamas Multnomah Multnomah	16	Murder	9200004/01	3/6/1992	600	Life
			17	Manslaughter I	C880431892/02	1/20/1988	360	Matrix
			17	Manslaughter I	C880431892/03	1/20/1988	360	Matrix
			17	Manslaughter I	C880431892/05	1/20/1988	360	Matrix
Miguel Timothy	Espinal Espinosa	Clackamas Marion	17	Murder	17CR75186/01	7/31/2018	Life w/ Parole	Life
			17	Murder Aggravated	98C51963/01	5/5/1999	Life w/ Parole	Life
		Marion	17	Murder Aggravated	98C51963/02	5/5/1999	Life w/ Parole	Life
Cayce Ellen	French Friar	Multnomah Jackson	17	Murder	061136448/03	8/8/2007	Life w/ Parole	Life
			15	Criminal Conspiracy to commit an A Felony	17CR65627/01	4/2/2019	240	Life
		Jackson	15	Criminal Conspiracy to commit an A Felony	17CR65627/02	4/2/2019	60	36
Thomas Christopher	Garcia Gonzalez	Lincoln Marion	15	Murder	100548/01	5/21/2013	Life w/ Parole	Life
			17	Attempted Murder	07C51425/01	3/21/2008	90	36
Brian	Hardegger	Lane	17	Murder	200118898/03	9/11/2002	Life w/ Parole	Life

David	Hauser	Lane	15	Sex Abuse 1 New	200827512/06	7/29/2009	75	120
		Lane	15	Sex Abuse 1 New	200827512/07	7/29/2009	75	120
		Lane	15	Sodomy I	200827512/02	7/29/2009	100	240
Nicolas	Hernandez	Marion	17	Attempted Aggravated Murder	15CR01109/01	6/8/2015	120	36
		Marion	17	Attempted Aggravated Murder	15CR01109/02	6/8/2015	96	432
		Marion	17	Attempted Aggravated Murder	15CR01109/03	6/8/2015	120	36
		Marion	17	Attempted Aggravated Murder	15CR01109/04	6/8/2015	120	36
Timothy	Higgins	Multnomah	15	Robbery II	031035086/01	4/9/2004	30	40
Justin	Hubbard	Multnomah	17	Burglary I	14CR08336/09	11/24/2014	72	240
		Multnomah	17	Kidnapping I	14CR08336/01	11/24/2014	90	60
		Multnomah	17	Sex Abuse 1 New	14CR08336/14	11/24/2014	75	60
		Multnomah	17	Sodomy I	14CR08336/04	11/24/2014	100	60
		Multnomah	17	Unlawful Sexual Penetration I	14CR08336/07	11/24/2014	36	240
		Multnomah	17	Unlawful Sexual Penetration I	14CR08336/08	11/24/2014	300	240
Shayne	Jacobs	Clackamas	16	Murder	81413/02	7/1/1981	Life	Matrix
		Clackamas	16	Murder	81413/04	7/1/1981	Life	Matrix
		Clackamas	16	Murder	81413/02	7/1/1981	Life w/ Parole	Matrix
		Clackamas	16	Murder	81413/04	7/1/1981	Life w/ Parole	Matrix
Michael	Jasper	Multnomah	17	Murder	051036460/01	12/11/2006	Life w/ Parole	Life
Elaine	Jeffers	Lane	17	Assault I	17CR08323/11	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/01	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/03	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/05	1/9/2018	10	36
		Lane	17	Robbery I	17CR08323/05	1/9/2018	80	0
		Lane	17	Robbery I	17CR08323/07	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/09	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/12	1/9/2018	90	36
		Lane	17	Robbery I	17CR08323/14	1/9/2018	90	36
		Lane	17	Unauthorized Use of a Vehicle	17CR08323/16	1/9/2018	50	10
Michael	Jenkins	Multnomah	16	Kidnapping I	791134298/02	7/30/1980	240	Parole
		Multnomah	16	Rape I	791134298/01	7/30/1980	240	Parole
		Multnomah	16	Rape I	791134298/04	7/30/1980	240	Parole
		Multnomah	16	Robbery III	791134298/05	7/30/1980	36	Parole
		Multnomah	16	Sodomy I	791134298/03	7/30/1980	240	Parole
Andrew	Johnson	Clackamas	17	Murder	CR1202005/01	3/18/2014	Life w/ Parole	Life
Delaine	Jones	Multnomah	17	Robbery I	880432918/01	9/13/1988	360	Matrix

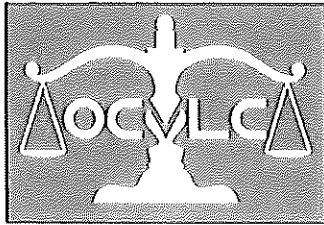
		Multnomah	17	Robbery I	880432919/01	9/13/1988	360	Matrix
Kenneth	Jones	Marion	15	Sodomy I	09C44446/02	12/7/2009	100	140
Michael	Jump	Multnomah	17	Robbery I	080431997/04	12/15/2009	90	36
		Multnomah	17	Robbery I	080431997/05	12/15/2009	66	36
David	Keever	Lane	17	Robbery I	200020673/04	12/20/2000	70	36
Seth	Koch	Deschutes	15	Murder Aggravated	01FE0367AB/3	8/14/2003	No Parole	
		Deschutes	15	Murder Aggravated	01FE0367AB/4	8/14/2003	No Parole	
Morgan	Larsen	Marion	15	Rape I	08C48507/06	5/19/2009	100	140
Justin	Link	Deschutes	17	Murder Aggravated	01FE0371AB/4	9/26/2003	Life w/ Parole	Life
		Deschutes	17	Murder Aggravated	01FE0371AB/5	9/26/2003	Life w/ Parole	0
		Deschutes	17	Criminal Conspiracy A Felony	01FE0371AB/6	9/26/2003	Life w/ Parole	0
		Deschutes	17	Criminal Conspiracy A Felony	01FE0371AB/7	9/26/2003	Life w/ Parole	0
		Deschutes	17	Criminal Conspiracy A Felony	01FE0371AB/8	9/26/2003	Life w/ Parole	0
		Deschutes	17	Criminal Conspiracy A Felony	01FE0371AB/9	9/26/2003	Life w/ Parole	0
		Deschutes	17	Criminal Conspiracy A Felony	01FE0371AB/10	9/26/2003	Life w/ Parole	0
		Deschutes	17	Robbery I	01FE0371AB/15	9/26/2003	Life w/ Parole	0
		Deschutes	17	Robbery I	01FE0371AB/16	9/26/2003	Life w/ Parole	0
		Deschutes	17	Robbery I	01FE0371AB/17	9/26/2003	Life w/ Parole	0
		Deschutes	17	Murder Attempt	01FE0371AB/11	9/26/2003	Life w/ Parole	0
		Deschutes	17	Murder Attempt	01FE0371AB/12	9/26/2003	Life w/ Parole	0
		Deschutes	17	Assault II	01FE0371AB/13	9/26/2003	Life w/ Parole	0
		Deschutes	17	Burglary I	01FE0371AB/19	9/26/2003	36	0
		Deschutes	17	Burglary I	01FE0371AB/20	9/26/2003	36	0
		Deschutes	17	Theft I	01FE0371AB/21	9/26/2003	Life w/ Parole	0
		Deschutes	17	Theft I	01FE0371AB/22	9/26/2003	Life w/ Parole	0
Emanuel	Lopez-Delgado	Marion	16	Murder Aggravated	05C45367/02	2/10/2006	Life w/ Parole	Life
		Marion	16	Murder	05C45367/06	2/10/2006	Life w/ Parole	Life
		Marion	16	Burglary I	05C45367/07	2/10/2006	Life w/ Parole	Life
Edward	Makarenko	Lane	17	Attempted Robbery I	17CR81347/03	5/3/2018	36	36
		Lane	17	Robbery I	17CR81347/01	5/3/2018	90	36
		Lane	17	Robbery I	17CR81347/02	5/3/2018	90	36

Mason	Meeker	Multnomah	16	Criminal Conspiracy to commit an A Felony	16CR79955/02	12/19/2017	72	36
Alberto	Mejla- Espinoza	Multnomah	16	Manslaughter I	16CR79955/01	12/19/2017	204	36
		Marion	17	Unlawful Sexual Penetration I	09C45610/02	3/15/2012	100	140
Sintorri	Miranda	Marion	17	Assault I	15CR22375/02	10/7/2015	90	36
		Marion	17	Assault I	15CR22375/04	10/7/2015	90	36
		Marion	17	Attempted Murder	15CR22375/01	10/7/2015	90	36
		Marion	17	Unlawful Use of a Weapon	15CR22375/05	10/7/2015	60	0
Medero	Moon	Multnomah	17	Murder Aggravated	000937205/01	7/10/2003	Life w/ Parole	Life
Deandrae	Patten	Multnomah	17	Murder Aggravated	960936839/01	3/20/1998	Life w/ Parole	Life
Jessie	Payne-Rana	Clatsop	16	Murder Aggravated	991056/02	11/8/2000	No Parole	
		Clatsop	16	Murder Aggravated	991056/02	11/8/2000	No Parole	
Manuel	Perez	Marion	15	Robbery I	08C46805/03	7/13/2009	27	36
		Multnomah	17	Assault II	960633656/02	12/18/1996	70	36
Raymond	Perkins	Multnomah	17	Assault II	960633656/03	12/18/1996	70	36
		Coos	14	Murder	02CR1474/07	4/10/2003	240	Life
Anthony	Richardson	Coos	14	Unlawful Sexual Penetration I	02CR1474/09	4/10/2003	120	Life
		Marion	16	Criminal Conspiracy to commit an A Felony	98C46600/04	3/22/1999	300	Life
Andy	Santana-May	Marion	16	Murder	98C46600/03	3/22/1999	300	Life
		Multnomah	17	Criminal Conspiracy to commit an A Felony	16CR80360/02	12/19/2017	46	36
Juanito	Sebastian	Multnomah	17	Manslaughter I	16CR80360/01	12/19/2017	204	36
		Multnomah	15	Rape I	14CR23489/01	4/1/2016	100	140
		Multnomah	15	Rape I	14CR23489/02	4/1/2016	100	140
		Multnomah	15	Rape I	14CR23489/03	4/1/2016	40	140
		Multnomah	15	Rape I	14CR23489/04	4/1/2016	100	140
		Multnomah	15	Rape I	14CR23489/05	4/1/2016	100	140
		Multnomah	15	Sex Abuse 1 New	14CR23489/06	4/1/2016	75	45
		Multnomah	15	Sex Abuse 1 New	14CR23489/07	4/1/2016	75	45
		Multnomah	15	Sex Abuse 1 New	14CR23489/08	4/1/2016	75	45
		Multnomah	15	Sex Abuse 1 New	14CR23489/09	4/1/2016	75	45
Multnomah	15	Sex Abuse 1 New	14CR23489/10	4/1/2016	75	45		

Matthew	Sexton	Polk	17	Murder	98P3243/01	12/16/1998	Life w/ Parole	Life
		Polk	17	Murder	98P3243/02	12/16/1998	Life w/ Parole	Life
Brian	Smeltzer	Deschutes	17	Attempted Sodomy I	18CR15369/03	9/12/2018	40	120
		Deschutes	17	Sodomy I	18CR15369/01	9/12/2018	100	240
		Deschutes	17	Sodomy I	18CR15369/02	9/12/2018	100	240
Donevin	Smith	Washington	15	Attempted Sex Abuse 1 New	17CR57409/07	5/10/2018	10	60
		Washington	15	Attempted Sex Abuse 1 New	17CR57409/07	5/10/2018	20	0
		Washington	15	Attempted Sodomy I	17CR57409/05	5/10/2018	36	120
		Washington	15	Sex Abuse 1 New	17CR57409/01	5/10/2018	75	120
		Washington	15	Sex Abuse 1 New	17CR57409/02	5/10/2018	75	120
		Washington	15	Sex Abuse 1 New	17CR57409/03	5/10/2018	75	120
		Washington	15	Sex Abuse 1 New	17CR57409/04	5/10/2018	75	120
		Washington	15	Sex Abuse 1 New	17CR57409/06	5/10/2018	75	120
Justin	Sol	Marion	15	Sodomy I	06C47554/02	8/29/2006	100	240
Ashley	Summers	Deschutes	15	Robbery I	01FE0368AB/G	2/10/2003	90	36
Jason	Tapken	Yamhill	15	Attempted Rape I	CR020346/07	2/21/2006	45	36
		Yamhill	15	Attempted Sexual Penetration I	CR020346/09	2/21/2006	18	36
		Yamhill	15	Attempted Sodomy I	CR020346/08	2/21/2006	18	36
Trevelle Samuel	Taylor Vasquez	Multnomah	17	Manslaughter I	040431946/01	9/23/2005	240	36
		Multnomah	17	Manslaughter I	120130260/01	6/10/2013	204	36
		Multnomah	17	Unlawful Use of a Weapon	130532184/01	6/10/2013	60	0
Kendall	Vedder	Douglas	17	Sodomy I	02CR1734FE/J	7/15/2003	100	240
		Douglas	17	Sodomy I	02CR1734FE/K	7/15/2003	100	240
Joseph	Ventris	Columbia	16	Murder	961155/07	6/5/1997	300	Life
		Columbia	16	Robbery I	961155/08	6/5/1997	300	Life
Vladys	Volynets-Vasylchenko	Washington	17	Sex Abuse 1 New	C080575CR/05	3/6/2009	16	120
		Washington	17	Sodomy I	C080575CR/02	3/6/2009	100	Life
Dustin	Wallace	Douglas	16	Murder Aggravated	10CR1291FE/01	11/13/2012	No Parole	
		Douglas	16	Rape I	10CR1291FE/07	11/13/2012	100	140
Truett	Watts	Lane	17	Murder	200312821/01	9/27/2004	Life w/ Parole	Life
		Lane	17	Murder	200312821/01	9/27/2004	Life w/ Parole	Life
Bradley	Werder	Umatilla	17	Assault III	CF010224/03	8/6/2001	45	24
Stephen	Withrow	Deschutes	17	Manslaughter I	04FE0532ST/2	4/11/2005	240	0
Alek	Wright	Klamath	17	Rape I	17CR56698/01	8/25/2017	60	0
		Klamath	17	Rape I	17CR56698/01	8/25/2017	40	240
		Klamath	17	Murder	17CR00193/01	8/25/2017	Life w/ Parole	Life
Edward	Yeoman	Umatilla	17	Sex Abuse 1 New	CF100003/05	6/24/2010	75	120
		Umatilla	17	Sex Abuse 1 New	CF100003/14	6/24/2010	25	120



Tyler	Young	Polk	15	Sodomy I	17CR19169/01	1/3/2018	100	240
		Polk	15	Unlawful Sexual Penetration I	17CR19169/05	1/3/2018	100	240



**Oregon Crime Victims Law Center**  
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October 26, 2021

Governor Kate Brown  
Office of the Governor  
900 Court Street NE, Suite 254  
Salem, OR 97301-4047

Dear Governor Brown:

The Oregon Crime Victims Law Center is a nonprofit organization that provides free legal representation to crime victims throughout the state to assist victims in asserting their constitutional and statutory rights in the criminal justice system. OCVLC's mission is to ensure that victims' voices are heard and that the rights guaranteed to victims by the Oregon Constitution and by statute are protected.

As you know, the criminal justice system is undergoing changes regarding equity, racial disparity, and juvenile justice reform. While these changes are welcome and necessary, the rights of crime victims must be taken into consideration when making decisions that will impact victims as well as society as a whole. OCVLC asks that you simultaneously consider and honor the rights of the victims of those crimes as your office considers the release of hundreds of juvenile offenders who were convicted of Ballot Measure 11 crimes,

Under the Oregon Constitution, crime victims have the right to be notified of the future release of a convicted defendant. OR Const, Art I §42(1)(b). That same right is provided by statute, ORS 147.421(1) (providing that upon the victim's request a "public body" that is the custodian of information "about the defendant or convicted criminal" must provide the victim with information about defendant's "future release from physical custody").

Unfortunately, a number of victims first learned that the person who harmed them is being considered for early release through an article in *The Oregonian* on October 22<sup>nd</sup>. The victims that clicked on that list of offenders being considered for commutation unfortunately learned in the least trauma-informed manner possible that the person who caused their harm is now being considered for release. Some of those on the list are not even half-way through their sentences, and others are serving life sentences. This insensitive manner of communication of significant changes in release dates seems contrary to the Oregon Constitution's guarantee that victims will be treated with "due dignity and respect." Or Const, Art I §42. Further, OCVLC is concerned that the victims' statutory and constitutional rights to notification of early release, mentioned above, were not honored before the article was published.

This right to notification is critically important. Not only does it provide the victim with information that they are constitutionally entitled to, but it gives victims time to prepare themselves and their family members for the impending release, and to make important decisions regarding their safety.

The Oregon Constitution guarantees victims "(t)he 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." Or Const Art I, § 43.

For the remaining inmates on the list who will not be going before the Board of Parole, careful consideration needs to be given both to victim notification as well as a victim's right to protection. It is very important for victims to receive notification from a trained advocate rather than through media sources. Each victim should be given the opportunity to be heard regarding the effects of the harm that was done to them as well as their safety concerns if the offender is released.

Victims' rights are a critical part of the administration of justice, and are protected as such by the Oregon Constitution, which promises victims a "meaningful role in the criminal justice system." Or Const, Art I §42. We ask that when considering the release of inmates who have caused enormous harm that careful thought is put into the question regarding notification and victim safety. It is critical that victims be notified sufficiently in advance of an inmate's release to make necessary plans for the protection of themselves and their families. We hope that victims' voices are heard when making these commutation decisions that will have such a significant impact.

Thank you for your attention to this matter.

Sincerely,

*Rosemary W. Brewer*

Rosemary W. Brewer  
Executive Director

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