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Governor Kate Brown Announces Decision to Commute Sentences of 57 Medically Vulnerable Adults in Custody

June 25, 2020

A case-by-case review conducted by the Oregon Department of Corrections screened adults in custody for underlying health conditions, crimes committed, prison conduct, time served, and determined that they do not present an unacceptable public safety risk

Portland, OR—Governor Kate Brown today announced that she will commute the sentences of 57 medically vulnerable adults in custody, due to their risk for significant health challenges should they contract COVID-19. This decision comes following the Governor's direction (https://drive.google.com/file/d/1cfXnMSrNDu8X_CbOR-fWCcozevHgNB_E/view) to the Oregon Department of Corrections (DOC) to perform a case-by-case analysis of adults in custody vulnerable to COVID-19. DOC's review identified individuals who:

• Are particularly vulnerable to COVID-19, as identified by DOC medical staff;

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- Are not serving a sentence for a person crime;
- Have served at least 50% of their sentence;
- Have a record of good conduct for the last 12 months;
- Have a suitable housing plan;
- Have their out-of-custody health care needs assessed and adequately addressed; and
- Do not present an unacceptable safety, security, or compliance risk to the community.

“I received a list of 61 adults in custody from the Department of Corrections for consideration of commutation. I have authorized the commutation process to begin for 57 of those individuals (https://drive.google.com/file/d/1cqeKrm01CNkU--mX03R3JqlcXqOhywA6/view) , all of whom are particularly vulnerable to COVID-19 and who do not present an unacceptable public safety risk. I would like to thank Director Peters and her team for their diligence in completing their case-by-case analysis,” said Governor Brown.

Three adults in custody were reviewed by DOC, but were not offered commutation by the Governor because they are scheduled for release within the next seven days, meaning the commutation process would not meaningfully affect their release date. One additional adult in custody on the review list was not scheduled for release until 2025, and the Governor decided that commutation at this time would be premature.

DOC has confirmed that 13 adults in custody on the commutation list have housing and continuity of health care plans in place. For those individuals, the commutation process can begin as soon as the adult in custody tests negative for COVID-19. The commutation process for the remaining adults in custody will begin once DOC confirms each of their housing and release plans are in place and they have tested negative for COVID-19.

Those granted commutation will still be subject to post-prison supervision (PPS). Time remaining on each adult in custody’s original prison sentence will be converted to post-prison supervision and added to their PPS sentence. PPS typically requires released individuals to meet a number of conditions, including regularly checking in with their parole officer, participating in substance abuse and mental health evaluations, and not possessing any firearms. Individuals who violate the terms of their PPS are subject to sanctions, including a return to prison and revocation of their commutation.

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