



KATE BROWN
Governor

June 12, 2020

Colette Peters
Director
Oregon Department of Corrections
2575 Center Street, NE
Salem, Oregon 97301

Director Peters,

I am requesting the Oregon Department of Corrections perform a case-by-case analysis of adults in custody vulnerable to COVID-19 for possible commutation, based on the criteria described below. Medically-vulnerable adults in custody who are eligible for commutation, do not pose an unacceptable risk to public safety, and are determined by DOC to meet the criteria will have the remainder of their term of incarceration commuted, pursuant to my authority as Governor, under Article V, Section 14 of the Oregon Constitution.

On March 8, 2020, I issued Executive Order 20-03 declaring a state of emergency due to the COVID-19 global pandemic and the threat it presents to public health and safety to all Oregonians. In formulating a strategy to address COVID-19, DOC has followed applicable guidance by the Centers of Disease Control and the Oregon Health Authority. The Department of Corrections has implemented a number of measures to prevent the spread of COVID-19 and to manage suspected and confirmed cases.

While DOC acted quickly to meet the threat presented by COVID-19, there are limits to the department's ability to implement physical distancing in a correctional setting. Given what we now know about the disease and its pervasiveness in our communities, it is appropriate to release individuals who face significant health challenges should they contract COVID-19.

In order to ensure the safety and security for Oregon communities, an adult in custody must meet all the following conditions to be eligible for commutation. Each adult in custody must:

- Be particularly vulnerable to COVID-19, as identified by DOC medical staff;
- Not be 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; and
- Have their out-of-custody health care needs assessed and adequately addressed.

Colette Peters
June 12, 2020
Page 2

After performing a case-by-case analysis of medically vulnerable adults in custody based on these criteria, please provide me with a list of eligible adults in custody by June 22, 2020.

Adults in custody eligible for commutation based on these criteria shall take a COVID-19 test prior to release. An adult in custody displaying symptoms or who has tested positive for COVID-19 is ineligible for commutation and shall be immediately isolated and subject to COVID-19 treatment procedures and protocols. Once an adult in custody no longer shows symptoms and tests negative for COVID-19, they will resume eligibility for commutation.

DOC shall follow its victim notification process for approved commutations.

In no case may an adult in custody be released if they present an unacceptable safety, security, or compliance risk to the community.

Sincerely,

A handwritten signature in cursive script that reads "Kate Brown". The signature is written in black ink and includes a horizontal flourish at the end.

Governor Kate Brown