

Eugene Re-entry Court challenges 'backward' federal policy

The innovative program serves as a support group to help drug offenders get back on track

BY JONATHAN STULL
CONTRIBUTING WRITER

EUGENE — U.S. District Judge Ann Aiken hands James Brown his certificate of graduation and announces that she has signed the order to commute his supervision. In July, he and a fellow graduate will be free men, and the room at the Wayne L. Morse U.S. Courthouse erupts in applause. A full-time salesman at his printing company and a former methamphetamine addict, Brown falls quiet while the applause subsides. Nearly 20 years after his first arrest he is clean, he has found a job he enjoys, he has a stable and healthy life, and he has graduated from the Eugene Re-entry Court.

But were it up to the federal administration, Brown wouldn't be here.

In a memo in May, Attorney General Jeff Sessions ordered federal prosecutors to seek the strongest charges in cases they prosecute. The order is a reversal of former Attorney General Eric Holder's Obama-era policy that federal prosecutors seek the maximum sentences for only the most serious drug-related offenses, like high-volume trafficking and violent crime.

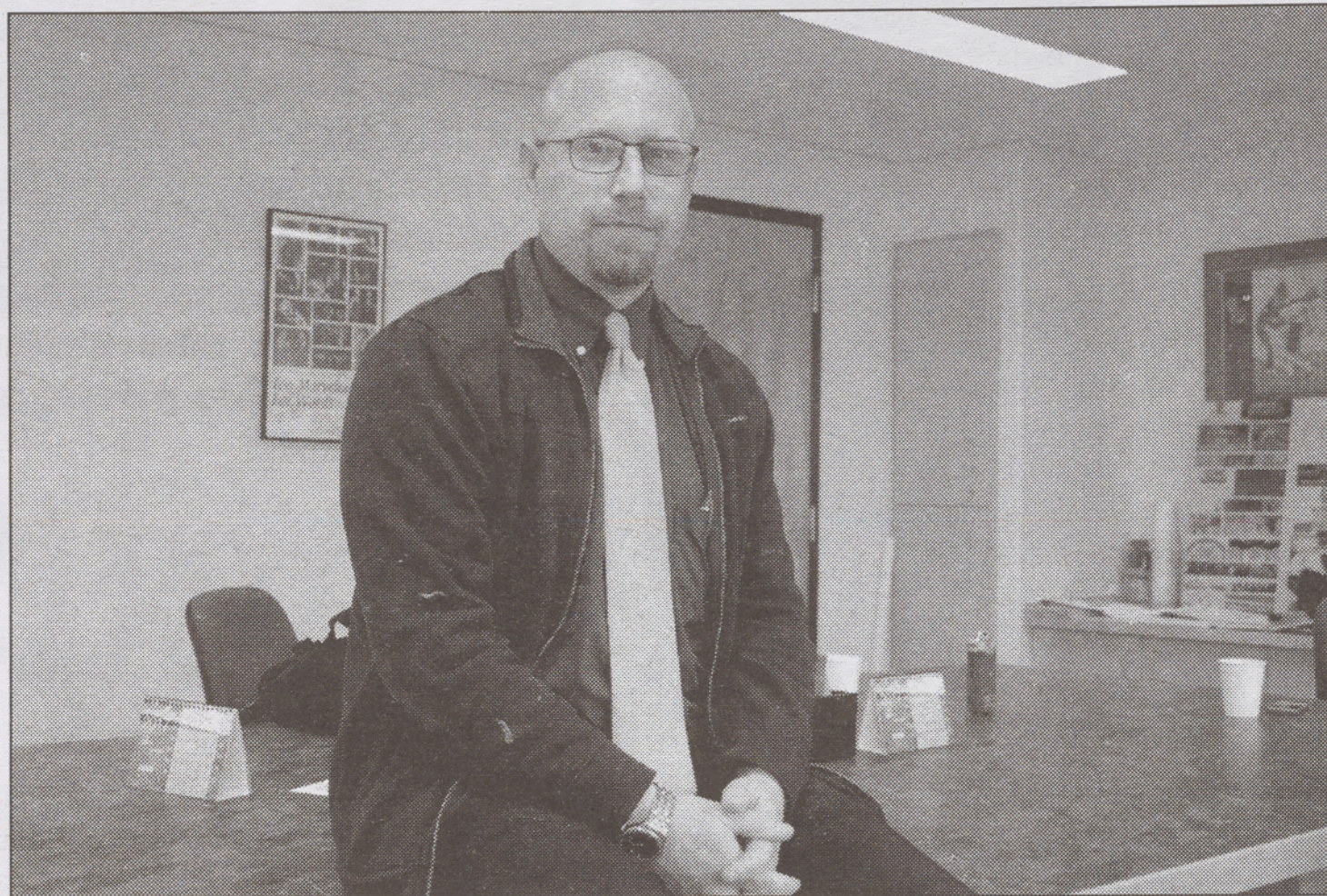
Aiken described the policy as insane.

"I consider it legal malpractice," she said, "to treat addiction as anything other than a mental health issue."

Brown is a Re-entry Court success, but his path was long and troubled. A native of Springfield, he began injecting methamphetamine in 1998 to cope with the death of two friends who were killed at gunpoint.

"I lost it," Brown said. "I got messed up on meth."

Almost immediately, the arrests began to accumulate. By his count he had more than



James Brown is a graduate of the Eugene Re-entry Court.

PHOTO BY JONATHAN STULL

70 in three months — at one point including the theft of a federal marshal's computer and car stereo. He was arrested by federal law enforcement in November 1998 and sentenced to six years in the Oregon State Penitentiary in Salem.

Brown was released after three years, but he relapsed 18 months later. Charged with a felony firearm offense, he negotiated a minimum sentence of 15 years in the U.S. Penitentiary in Victorville, Calif. Under Sessions' policy, he might have served life in prison.

"It's a serious step backward," said Dwight Holton, former federal prosecutor and CEO of Lines for Life, a regional nonprofit based in Portland that offers crisis lines to offenders.

Mandatory minimum sentences should not be a blanket policy, he said, but rather criminal justice should incorporate mental health treatment and preventive measures, such as technology, in addition to the arrest and prosecution of high-level drug offenses.

"To disregard the first two disregards everything we've learned in the past two

decades," Holton said. "Attorney General Sessions has chosen the single-most-expensive way to address the drug problem."

Resources are already spread thin. A Portland probation officer works 16-hour days to keep up with his or her caseload.

In Eugene, the caseload is overwhelming, said Lynn Perdue, outgoing supervising probation officer, with each of the four officers managing up to 160 cases. According to a 2012 report by the Vera Institute of Justice, the average per-inmate cost of incarceration nationwide was \$31,286. Post-parole supervision that includes mental health treatment and preventive measures cuts that cost by more than 87 percent, according to a 2017 Re-Entry Symposium report.

Meanwhile, innovation abounds. Re-entry Court, one of several programs across the country and the second of its kind, was designed to help drug offenders get back on their feet. Re-entry Court is, in essence, a support group. With the help of peers and professionals, offenders who remain drug free for a year and complete hours of

service, among other tasks, shave a year from their supervised release — just like Brown.

There are re-entry programs like this across the country. Eugene's Re-entry Court, however, is different. Program participants gather in a conference room, not a courtroom, with Aiken, Probation Officer Todd Cantamessa and a collection of others, including federal prosecutors, public defenders and nonprofit representatives.

Like family, offenders and supervisors tease one another and discuss their struggles in an open and transparent environment. Items to address on the agenda: How do I handle a cop who makes a mistake when he pulls me over? How should I discipline my child when they talk about bringing weapons to school? How do I connect with my daughter? How should I approach a potential employer about finding a job?

The overall effectiveness of re-entry programs like the one in Eugene is uncertain, but initial reports show promise. Perdue, who will retire this year, estimated that in Eugene, seven of 10 program participants graduate. The Re-entry Symposium report suggests that the graduation rate and the termination rate have increased and decreased by 20 percent respectively. A formal internal review of Eugene's Re-entry Court is scheduled for this summer.

One thing is certain: The re-entry program helped Brown get to where he is today. After his release in 2016, Brown got to work.

"I hit the ground running. Job in two weeks. Driver's license in two weeks. Housing in three weeks. I haven't stopped," he said.

At 40 years old, he's in a hurry to catch up.

"I just bust my butt," he said.

But when his mother died shortly after his release, he had no one else to turn to. Alone and on supervised release, Brown joined the program.

He didn't need much from the program, he said. He just needed support.

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