

# Lawmakers hope to avoid second women's prison

By **PARIS ACHEN**  
Capital Bureau

In an effort to avert the cost of opening another women's prison, a Gresham lawmaker wants to expand an early-release program that already has saved 182,642 state prison bed days.

Known as short-term transitional leave, the program has been "the most successful sentencing change" in the three-year old "Justice Reinvestment" law in terms of saving money and increasing public safety, said Michael Schmidt, executive director of the Oregon Criminal Justice Commission.

Inmates eligible for the program are released 90 days short of their sentence. Rep. Carla Piluso, D-Gresham, is sponsoring a bill that could increase that to 120 to 180 days.

"We are trying to save our state money, and we are trying to do what is right for public safety and these incarcerated women," Piluso said.

The 2013 law also lowered penalties for certain property and drug possession crimes and authorized about \$55 million in grants since 2013 to pay for counties to set up and enhance support services for offenders on probation and parole.

Inmates who don't have a mandatory minimum sentence and have no violations or program failures in the past 12 months are eligible for short-term transitional leave.

Doubling the length of the program would help delay opening a second women's prison by at least two years and possibly longer, according to an analysis by the Oregon Justice Commission. Combined with other efforts, the program might help eliminate the need for a second women's prison in the future, Piluso said.

The program's expansion to 90 days has saved 182,642 prison bed days since January 2014. That represents a cost savings of at least \$16.6 million, after subtracting the cost of jail beds for offenders

who violate conditions of release, according to a calculation by the Pamplin Media Group/EO Media Group capital bureau using DOC's cost per inmate per day.

Results since January 2014 so far have been promising. Only 5 percent of participants have failed the program, and most of them failed for technical reasons, said Jeremiah Stomberg, assistant director of the DOC Community Corrections Division.

Critics of the early release program, however, say there is not yet enough data to determine if the program has been working.

Timothy Colahan of the Oregon District Attorneys Association said criminal justice officials need at least three to four years of results to accurately predict recidivism rates and other impacts of releasing inmates early.

Colahan said the association would likely oppose any legislation to expand the program at this point, especially if lawmakers provide no

additional resources for housing inmates on early release.

Overcrowding at the state's only women's prison, Coffee Creek Correctional Facility in Wilsonville, could force the Department of Corrections to open a second women's prison at the old Oregon State Penitentiary Minimum Security facility in January 2018. Opening the second prison will cost an estimated \$9.5 million, according to the Department of Corrections. The minimum security facility was shuttered in 2010 because of budget cuts.

The threshold number of inmates that can safely be housed at Coffee Creek is 1,280, said Colette Peters, director of the Department of Corrections. The prison's population hovers just above or below the threshold on a daily basis, Peters said.

Increasing the transitional leave program to 180 days would delay the need to open that facility by at least two years, according analysis by the Criminal Justice Commission.

That could give lawmakers time to try other strategies to reduce the women's prison population.

Piluso said she is still garnering feedback on the proposal from prosecutors, DOC, county corrections offices and the Criminal Justice Commission.

During a recent meeting of the legislative emergency board, Ways and Means co-chairman Richard Devlin said to avoid opening a second women's prison, lawmakers will need to act fast on solutions.

"I think we all recognize that legislation we passed in the last session did not have the degree of positive results we had hoped it would have," Devlin said. "But we need to have more than a philosophical discussion here and theoretical discussion of programs, because unless we show an actual long-term ability to keep (the population) under that threshold, we are going to have to open the Oregon Women's Correctional Facility. We will not have a choice."

# Surfer punched shark in gills to survive

By **GILLIAN FLACCUS**  
Associated Press

PORTLAND — Joseph Tanner was resting his arms on his surf board, his lower body dangling in the water, when something grabbed his right leg and yanked him under the waves.

In an instant, Tanner knew he was being attacked by a shark in the chilly waters off the northern Oregon coast and he wondered if he would die, he recalled Wednesday, nearly three weeks after the Oct. 10 attack north of Cannon Beach.

The shark had his right leg in its jaw — a bite that would later measure 26 inches from his upper thigh to his ankle — and as Tanner struggled to break free, he remembered that he should try to punch the shark in the nose or poke it in the eye.

"I opened my eyes and there were gills in front of me. I can't reach the nose and I can't reach the eyeballs, so I just started hitting the gills," said the 29-year-old.

The shark released him and he screamed a warning to his friends who were surfing about 40 feet away, then began paddling to shore on his board.

He was terrified the shark was following him, tracking him by the blood streaming from his



Stephanie Yao Long/The Oregonian via AP

**Joseph Tanner, who survived a shark bite while surfing on the Oregon Coast on Oct. 10 shows his scars while speaking with the media at Legacy Emanuel Medical Center in Portland.**

mangled leg.

Friends later told him he paddled about 200 yards — a five-minute ordeal — before catching a wave and riding it in for the last 40 yards, he said.

"I just paddled my life away.

That was probably the scariest moment, trying to get back to the shore and leaving a trail of blood," Tanner said. "I couldn't lift up my arms anymore and I just rolled off my board in six inches of water and people came from all over."

Tanner, a critical care nurse at Legacy Emanuel Hospital's intensive care unit, immediately

began telling his rescuers what to do.

He directed them to make a tourniquet from a T-shirt and, when that wasn't tight enough, he told them to make another out of the leash from his board.

Six people used a surfboard like a backboard and carried him up a steep slope and over rocky ground to the parking lot above.

While they waited for help, Tanner had them call the ambulance and provide his blood type in case he needed a transfusion.

He also told them to cut off his wetsuit so paramedics could start an IV when they arrived.

# Safeway says it is subject to Measure 97 after all

By **MIKE ROGOWAY**  
The Oregonian

PORTLAND — Safeway said Tuesday that it is, in fact, subject to taxation under Measure 97 — a reversal of what the company said in a statement last week delivered through the measure's opponents.

"We had a misunderstanding," said Jill McGinnis, Oregon spokeswoman for Safeway and Albertsons. She said Albertsons stores, which share a common owner with Safeway, are not subject to the tax.

The Oregonian/OregonLive reported online Tuesday that Safeway and Albertsons were exempt from the tax, a consequence of the unusual way Measure 97 is organized. The initiative proposes a 2.5 percent tax on sales within Oregon over \$25 million, but exempts certain types of businesses from the tax.

The confusion over Safeway's tax status underscores another feature of Measure 97, in that it's not evident to people outside a business whether it is subject to taxation or not.

Measure 97's tax applies to companies registered as C-corporations, which are often large businesses, but does not

affect a "benefit company" or S-corporation, reports *The Oregonian*.

There are many distinctions among the various types of companies, and different tax implications for each corporate status. But for our purposes think of it this way:

- C-corps frequently have many investors, like a publicly traded corporation.

- S-corps have few owners. Sometimes that's a family-owned business, but it can also be a large business controlled by one person or company.

- A "benefit company" is a special category of business under Oregon law, established to create public benefits in addition to profits for the owners.

On Tuesday, McGinnis said Safeway is actually a C-corporation, subject to the tax. But she said Albertsons' structure is exempt from the tax. Safeway has 94 stores in Oregon; Albertsons has 31.

McGinnis acknowledged that Safeway and Albertsons had signed off on the incorrect statement from Measure 97's opponents regarding their status.

Safeway and Albertsons have contributed \$1.8 million to the "No" campaign fighting Measure 97, as much as any other business.

## Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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## AccuWeather.com Forecast

TODAY	FRIDAY	SATURDAY	SUNDAY	MONDAY
Cloudy, showers around; cooler	Variable cloudiness	Mostly cloudy, a shower or two	A couple of afternoon showers	Mostly cloudy

### PENDLETON TEMPERATURE FORECAST

55°	42°	58°	44°	59°	42°	53°	43°	58°	43°
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### HERMISTON TEMPERATURE FORECAST

58°	42°	61°	45°	58°	44°	54°	43°	60°	42°
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### ALMANAC

**PENDLETON**  
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	61°	50°
Normals	59°	37°
Records	82° (1986)	14° (1911)

**PRECIPITATION**  
24 hours ending 3 p.m. 0.09"  
Month to date 1.67"  
Normal month to date 0.86"  
Year to date 9.74"  
Last year to date 6.03"  
Normal year to date 9.84"

**HERMISTON**  
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	59°	53°
Normals	61°	36°
Records	83° (1955)	19° (2002)

**PRECIPITATION**  
24 hours ending 3 p.m. 0.13"  
Month to date 1.36"  
Normal month to date 0.54"  
Year to date 6.80"  
Last year to date 3.75"  
Normal year to date 7.13"

### SUN AND MOON

Sunrise today	7:28 a.m.
Sunset tonight	5:49 p.m.
Moonrise today	4:20 a.m.
Moonset today	4:49 p.m.

New	First	Full	Last
Oct 30	Nov 7	Nov 14	Nov 21

### REGIONAL FORECAST

Coastal Oregon: Periods of rain today. Mostly cloudy tonight with a shower in places.

Eastern and Central Oregon: Mostly cloudy and cooler today with a couple of showers.

Western Washington: Mostly cloudy today; a shower, but periods of rain at the coast. A shower tonight.

Eastern Washington: Mostly cloudy today and tonight with a couple of showers.

Cascades: Cloudy today with a little rain.

Northern California: Cloudy today; rain, however, a couple of showers in the interior mountains.

### REGIONAL CITIES

	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Astoria	62	50	sh	64	51	pc
Baker City	56	33	sh	56	38	sh
Bend	51	34	r	52	41	pc
Brookings	59	49	r	59	51	c
Burns	55	31	sh	54	39	sh
Enterprise	54	39	sh	54	41	sh
Eugene	62	44	sh	60	47	pc
Heppner	55	40	sh	56	44	c
Hermiston	58	42	sh	61	45	c
John Day	54	44	sh	58	47	sh
Klamath Falls	52	37	r	53	41	c
La Grande	56	40	sh	58	45	sh
Meacham	52	39	sh	55	43	sh
Medford	60	45	r	59	47	c
Newport	60	50	sh	60	49	pc
North Bend	62	50	sh	63	51	c
Ontario	62	45	sh	61	45	c
Pasco	60	42	sh	62	46	pc
Pendleton	55	42	sh	58	44	c
Portland	62	48	sh	63	49	pc
Redmond	55	33	r	55	42	pc
Salem	62	46	sh	61	47	pc
Spokane	52	43	sh	55	40	pc
Ukiah	52	36	sh	56	40	sh
Vancouver	60	49	sh	62	51	pc
Walla Walla	57	44	sh	61	45	c
Yakima	59	38	r	60	44	pc

### WORLD CITIES

	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Beijing	50	41	r	56	29	pc
Hong Kong	88	78	s	88	78	pc
Jerusalem	78	62	pc	74	60	pc
London	60	50	pc	63	49	pc
Mexico City	71	45	pc	65	50	pc
Moscow	33	30	sn	34	30	c
Paris	57	43	pc	59	43	pc
Rome	71	50	s	68	47	s
Seoul	68	53	s	64	42	c
Sydney	70	60	pc	66	63	sh
Tokyo	68	57	s	64	61	r

### WINDS

(in mph)	Today	Friday
Boardman	S 4-8	NNE 4-8
Pendleton	W 4-8	NNE 4-8

### UV INDEX TODAY

0	1	1	1	1	0
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8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.  
0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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### NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

**National Summary:** Rain with accumulating wet snow on the northern tier will spread over the Northeast today. Rain will also expand from northern California and Nevada to Oregon. Most other areas will be sunny and tranquil.

**Yesterday's National Extremes:** (for the 48 contiguous states)  
High 95° in Phoenix, Ariz. Low 19° in Angel Fire, N.M.

### NATIONAL CITIES

	Today			Fri.			Today			Fri.			
	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	
Albuquerque	77	53	s	77	53	pc	Louisville	68	48	pc	75	60	pc
Atlanta	80	61	pc	84	61	s	Memphis	81	59	s	84	62	s
Baltimore	62	47	sh	60	42	s	Miami	83	76	c	85	77	c
Birmingham	83	59	pc	87	60	c	Minneapolis	52	42	c	65	55	pc
Boston	48	45	r	54	42	r	Nashville	79	51	pc	81	58	s
Charlotte, SC	82	60	pc	85	60	s	New Orleans	85	68	pc	86	66	s
Chicago	53	41	pc	66	58	pc	New York City	52	48	r	54	44	pc
Cleveland	59	42	c	59	53	pc	Oklahoma City	81	63	s	84	62	pc