

# More than half of Oregon's most serious juvenile offenders make governor's commutation plan

By **NOELLE CROMBIE**

The Oregonian  
More than half of the people serving time in Oregon prisons for crimes they committed as juveniles will be eligible to seek parole or in some cases released outright under a commutation plan by Gov. Kate Brown.

About three-quarters of the estimated 250 prisoners who meet Brown's criteria were sentenced under Measure 11, the state's mandatory minimum sentencing law, which applies to the most serious crimes, including sexual abuse, rape and murder.

The governor's plan represents the latest significant effort to reexamine criminal justice policy in Oregon. In recent years, the state has undertaken multiple major reforms, including rethinking how it prosecutes juveniles.

The move will apply to some notorious young killers, further fanning the simmering philosophical debate about where victims and their families fit in the reform picture.

Brown wants to emphasize crime prevention and rehabilitation over "harsh punishments and lengthy and costly prison sentences," said

her spokesperson Elizabeth Merah.

The governor's criteria does not apply to people convicted of crimes as juveniles whose projected release dates are in 2050 or later or those who were convicted as juveniles but are also serving time for offenses they committed as adults.

So Kip Kinkel — who fatally shot his parents before killing two students and wounding 24 others at Thurston High School — in 1998 isn't among the group.

Brown's office released to The Oregonian the names of all offenders who met her criteria. The list is comprised of people who committed crimes as young as 14 through 17 and are now in the adult prison system.

Several have convictions dating to the early 1980s. About two dozen are serving life sentences.

Brown is looking at two groups:

An estimated 78 people who were convicted of felonies as juveniles and have served at least 15 years of their sentences.

And an estimated 214 people who were convicted of crimes as juveniles and have

served half their sentences or will have served half of their sentences by the end of next year.

Combined, the two groups represent about 63% of all people in Department of Corrections custody who are serving time for crimes they committed as juveniles. Two years ago, the Legislature passed Senate Bill 1008 with the goal of keeping teens accused of Measure 11 crimes in the juvenile system, which places an emphasis on rehabilitation, instead of moving them into the adult system.

The law made several changes. Perhaps the most significant: Juveniles accused of Measure 11 crimes are no longer automatically prosecuted as adults. Prosecutors must seek a hearing before a judge who decides whether a juvenile will be waived into adult court.

Lawmakers at the time stressed the law would apply only to future cases, but Brown this month said she would use her authority to review older cases as well.

The governor "intends to use her constitutional clemency powers to consider youth — on an individualized basis — who didn't benefit from

that legislation," Merah said.

Merah said Brown this week plans to grant commutations for dozens of people who have served at least 15 years for crimes they committed as juveniles. She stressed that Brown will not make decisions about their release.

"That discretion lies with the Parole Board in these cases," she said in an email.

She said 45 days after the governor authorizes the commutation, defendants can begin seeking a parole hearing. She said victims and their families will "receive notifications in accordance with the standard victim notification procedures for commutations, and they will have an opportunity to participate in the hearing process."

She said the governor will use a different approach with people who have served at least half of their sentences. In those cases, Brown's office will "engage in an individualized review process" that will include conversations with prosecutors and victims.

"If the governor determines that a commutation is warranted, the youth will be granted a conditional release," Merah said.



Lisa Britton/Baker City Herald

The forest room is full of papier-mache creations. Corrine Vegter, along with Brigid and Blake Musselman, use their artistic backgrounds when designing the Haunted Studios at Churchill School.

## CHURCHILL

Continued from A1

And throughout it all is artwork — designs on the walls created with phosphorescent paint that glow in the black lights, and slanted walls to look like a mine shaft, and a jagged row of teeth that makes it feel like you're stepping through a monster's mouth.

"We just have a vision and hope it works," Vegter said.

She said she's enjoyed haunted houses for as long as she can remember, and the Musselmans have worked on haunting the Nile Shriners Golf Course in Seattle.

"We gained a little experience that way," Brigid said.

The Churchill basement is divided into themed rooms, and real actors haunt the spaces to jump out when it's least expected.

Above the decorations, Vegter points out the pipes and wires that were already part of the old school, which

was built in 1926.

"It's already creepy without anything," she said.

Especially when the sun goes down and the basement has no ambient light from outside.

"It does get quite scary and eerie," Vegter said.

Which is, after all, the point of a haunted house.

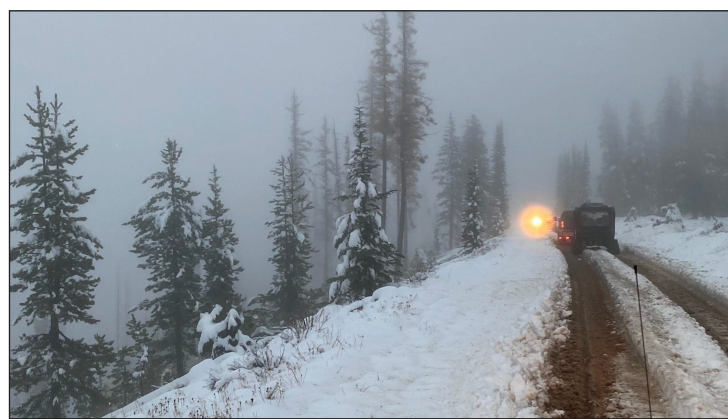
Justin Kendall has wired speakers to pipe original music throughout the basement. Kendall's 8-year-old son, Andrew, is one of the 16 actors who haunt the basement each weekend.

Vegter and the Musselmans are already thinking about what they will add for 2022.

"We already have plans for next year," Vegter said. "And every year we'll invest in more lights."

Blake seemed to be brainstorming as he warmed up his guitar in the "Music Never Dies" area of the haunted house.

"I've got some new ideas," he said with a smile.



Baker County Sheriff's Office/Contributed Photo

Members of the Baker County Search and Rescue team were able to drive side-by-sides part of the way before hiking into the Wallowa Mountains on Sunday evening, Oct. 24, seeking to rescue a horse-packer who was stranded in a blizzard.

## RESCUE

Continued from A1

They eventually had to retreat late in the evening on Sunday, McClay said.

On Monday morning, Baker County crews were joined by search and rescue members from Union County to resume the effort, McClay said. The Union County team members arrived at the Baker County Sheriff's Office around 5 a.m., traveling from there to

the mountains.

The sheriff's office had few other details Monday afternoon.

McClay said Borders apparently had left from the Cornucopia trailhead on Saturday, Oct. 23.

The weather deteriorated on Sunday, and according to the text message the man sent to his friend, he was unable to get back to the trailhead and needed help.

The first rifle elk season starts Wednesday, Oct. 27.

## RAIN

Continued from A1

Other totals:

- Burns — 0.59 of an inch
- Ontario — 0.52
- McCall, Idaho — 1.01

Although Baker Valley was comparatively dry on Sunday, locations not very distant were much more damp.

An automated weather station near Morgan Mountain, for instance, north of Huntington and about 33 air miles southeast of Baker City, recorded 1 inch of rain on Sunday, and a weekend total of 1.7 inches.

The Morgan Mountain weather station is at an elevation of 4,200 feet.

Even the Oregon Trail Interpretive Center, on Flagstaff Hill just a couple miles from the airport and, at 3,945 feet elevation almost 600 feet higher than the airport, was wetter on Sunday, with 0.30 of an inch.

Other three-day (Friday through Sunday) rainfall totals in the region:

- Blue Canyon, automated station, elevation 4,200 feet, near Old Auburn Lane about



Chelsea Judy/Contributed Photo

Snow falls Friday morning, Oct. 22 at Anthony Lakes Mountain Resort.

10 miles southwest of Baker City — 0.96

- Elk Creek, automated station, elevation 6,576 feet, in the Elkhorn Mountains near the Baker City watershed — 1.69 inches
- Mason Dam, elevation 3,900 feet — 1.02 inches
- Sparta Butte, elevation 4,265 feet, northwest of Richland — 1.24 inches
- Unity Dam, elevation 3,756 feet — 0.58 of an inch

According to the National Weather Service office in Boise, the atmospheric river extended from near San Francisco through Winnemucca, Nevada, Mountain Home, Idaho, and Salmon, Idaho.

That route kept the heaviest rain south and east of Baker Valley.

Some areas in the Boise

Mountains had three to four inches of rain — or, at higher elevations, a combination of rain and the water equivalent in snow.

Snow also accumulated in the Elkhorn Mountains, with about 3 inches on the ground at Anthony Lakes Mountain Resort Monday morning, said Chelsea Judy, marketing director for the ski area about 34 miles northwest of Baker City.

The ski area's lodge is at about 7,100 feet elevation, with the top of the chairlift 8,000 feet.

On Friday afternoon at about 3:30 p.m. winds toppled a power line, cutting power to about 700 members of Oregon Trail Electric Cooperative in the Sumpter area.

OTEC crews restored power at about 5:30 p.m. Friday.

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