

MARION COUNTY DISTRICT ATTORNEY ASKS GOVERNOR KOTEK FOR REVOCATION OF COMMUTATIONS RECEIVED BY 57 INDIVIDUALS CONVICTED IN MARION COUNTY

In an effort to ensure community safety, Governor Tina Kotek formally asked Oregon's District Attorneys, along with Community Corrections Directors, for their assistance in determining if individuals convicted within their jurisdiction should have their commutations revoked. (Governor's letter attached) The governor has the power to grant a lesser sentence than was imposed by a judge to any individual who has committed a crime. Governor Brown used this power in historic numbers to reduce hundreds of sentences resulting in the otherwise premature release of those individuals from prison. As the current Governor of Oregon, Tina Kotek has the authority and discretion to revoke a commutation that was previously granted by Governor Brown.

In response to the Governor's request, Marion County District Attorney Paige Clarkson examined 138 individual defendants who had been prosecuted by the Marion County District Attorney's office, sentenced by a Marion County Judge, and then subsequently had their sentences commuted by Governor Brown. The analysis focused on any criminal involvement subsequent to receiving a commutation. As a result, District Attorney Clarkson has formally asked Governor Kotek to authorize the revocation of commutations received by 57 convicted individuals from Marion County. (District Attorney Letter, Attached)

In an effort to ensure that the requests for revocation were fair and just, District Attorney Clarkson's staff exerted considerable time, effort, and resources to assess each commutation recipient on a case-by-case basis. (Spreadsheet Attached) In summary, District Attorney Clarkson's analysis found, as follows:

- 11 of the 138 persons with Marion County commutations have victimized others by committing various person felonies and/or misdemeanors.
- An additional 28 are currently wanted for crimes and violations or have already been convicted of a non-person crime since their grant of commutation and release from prison.
- Two are currently serving prison sentences for felonies committed after their release but do not appear to have had their clemency revoked.
- One is currently awaiting trial for Murder in the Second Degree with a firearm committed within only one year of Governor Brown's release.

District Attorney Clarkson thanks Governor Kotek for her shared desire in keeping Oregon a safe place to live. For Clarkson, “Public safety should be a priority for every leader in our state. We must remain committed to a process of justice that keeps that goal at the forefront. Our review of these commutations is evidence that prior decisions lost sight of that. With this request to our Governor, we ask that previous missteps be remedied.”

In her letter to Oregon’s District Attorneys and Community Corrections Directors, Governor Kotek stated, “If I believe someone is violating their conditions of release or supervision and revocation is warranted, I will not hesitate to use my authority and discretion as Governor to revoke their commutation.” The Marion County District Attorney’s Office has submitted its formal revocation requests along with detailed supporting documentation to the Governor’s Office. Governor Kotek’s office has responded that they will review these requests.