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OPINION

From the Desk of
**Senator
Alan Olsen**

Lawmakers may expand flawed program to release prisoners early (Guest opinion)

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Oregon Department of Correction's early release program was expected to be available primarily to non-violent offenders, yet nearly 40 percent of the qualifying offenders were in prison for violent, person or sex crimes, writes Steve Doell.(Beth Nakamura/Staff)

BY GUEST COLUMNIST

By Steve Doell

The legislature is again back to its get-out-of-jail-free ways. This time it's House Bill 3078, which releases violent and non-violent offenders early and reduces the penalties for identity theft from 18 months to 13 months. As always with such cuts, it's just a matter of time until they shatter the lives of innocent victims.

All too often kids are the victims. Nakiem Brown is alleged to have been involved in a May 22, 2017 [attack at a Gresham apartment](#) to avenge a gang vendetta. Reports of the crime indicate a nine-year old boy and his mother were shot multiple times after the assailant or assailants opened fire, spraying the apartment with dozens of bullets. Brown, a member of the Hoover Street gang, faces multiple counts of attempted aggravated murder and other violent crimes.

Around six weeks before the shooting, Brown walked out of prison despite having months left on his sentence. As with more than 4,000 other offenders, he was a beneficiary of a program called Short Term Transitional Leave. To save the state money, the legislature expanded the program from 30 to 90 days in 2013. The early release program was, at the time, expected to be available primarily to non-violent offenders and tacked on to the 20 percent "earned time" that many offenders already receive. Yet, to date, nearly 40 percent of the qualifying offenders were in prison for violent, person or sex crimes. This includes 19 offenders who killed their victims, more than 200 felons with guns, and dozens of convicted rapists.

Despite the tragic shooting of this 9-year old and many other preventable victimizations, lawmakers will be voting this week on HB 3078, which aims to expand this early release program from 90 to 120 days. The bill also ignores the vote of Oregon citizens by dramatically eroding sentences for identity theft and first-degree theft, which were established by Ballot Measure 57 in 2008.

The case of Nakiem Brown exemplifies the willingness of the legislature to sacrifice safety for savings. Brown should never have been eligible for release. He spent nearly six years in prison for second-degree robbery with a handgun. As a juvenile, he was convicted of multiple gun charges, third-degree assault, criminal mischief and reckless burning. While in custody, he received an additional eight-month sentence for supplying contraband. Nevertheless, the "risk score" he received at the Oregon Department of Corrections identified him as a candidate for early release. So, as long as he could demonstrate he had a place to live, out the door he went.

I've asked the Department of Corrections how Brown qualified for release. The answer? We can't tell you because there is an active criminal investigation. It is unclear to me how responding to this question impedes an investigation. Regardless, it is a question that must be answered. Especially since the legislature is now considering an

additional 33 percent expansion of this program. If passed, the legislature will have increased the early release for thousands of offenders by 400 percent in the last five years.

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A reasonable response from the elected leaders of this state would be to suspend this program until the problem is identified and fixed. That's what they'd do if a tax credit was abused or an employee embezzled. In this case, an innocent 9-year old almost lost his life. The response of the legislature? Hurry up and pass the legislation before the story gets out. I'm sickened.

The proponents of HB 3078 have the audacity to call their bill the Safety and Savings Act. They've got it wrong. This bill is the Savings over Safety Act. I don't care if this bill saves \$1 million or \$20 million, there is absolutely no savings that justify the violent victimization of another young Oregonian.

Steve Doell is president of Crime Victims United. His 12-year-old daughter Lisa was murdered in Lake Oswego in 1992.

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