



**KEVIN BARTON**  
**WASHINGTON COUNTY DISTRICT ATTORNEY**

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November 8, 2021

RE: Impact of juvenile Measure 11 commutations in Washington County

Dear Washington County legislative delegation:

I am writing regarding the recent commutations of juveniles convicted of Measure 11 crimes. You may receive questions from the community about these commutations and I would like to ensure you are aware of the impact these commutations will have on public safety and victim rights in Washington County.

As you are likely aware from news coverage, Governor Brown recently commuted the sentences of approximately 70 individuals who were convicted as juveniles of violent crimes such as murder, rape, assault and manslaughter. Furthermore, an additional approximately 200 convicted juvenile offenders were identified as potentially eligible for commutation in the coming weeks and months. The primary rationale provided for these commutations is SB 1008 (2019), which is not retroactive on its face, but is effectively retroactive with these commutations. Notably, victims and districts attorneys throughout Oregon learned of these commutations from reading about it in the news.

Attached to this letter is a list of the 25 Washington County cases affected by these commutations. As you can see, the majority (18) of these cases are violent sex crimes committed by teenage offenders against younger children. The remainder are violent crimes including manslaughter, attempted murder, and robbery. In four of these cases, a judge has already considered and denied the offender an early "second look" release due to victim and community safety considerations. And in one notable case involving the sodomy of a young child at a daycare, the offender was an adult at the time of the crime, not a juvenile.

I am sharing this information with you because I know you care deeply about the safety of our community and the rights of crime victims. My office, including myself personally, has reached out directly to the victims in these cases to inform them of these developments and I can report to you that the impact of these commutations is significant. We are left without answers to questions about why victims had no advance notice or why the governor did not seek out victim or DA input when making such a monumental decision.

A governor is of course entitled by the Oregon Constitution to exercise the commutation power. However, the same Oregon Constitution also provides victims with rights,

including the right to be treated with “due dignity and respect,” the right to be “reasonably protected,” and the right to a “meaningful role in the criminal and juvenile justice systems.”<sup>1</sup>

As is noted in the attached letter from the Oregon Crime Victims Law Center, these rights mean that victims of violent crime should have an opportunity to provide input *prior* to a commutation and should not be left to learn of the early release of their convicted offenders from news articles. Respectfully, it is my suggestion that perhaps additional legislation in this area might help ensure the rights of crime victims are fully honored in the future.

Thank you for your attention to this matter and I welcome any questions or discussion you wish to have.

Sincerely,



Kevin Barton  
District Attorney for Washington County

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<sup>1</sup> Oregon Constitution, Article I, Sec. 42 and 43



## Oregon Crime Victims Law Center

7412 S.W. Beaverton-Hillsdale Hwy, Suite 209

Portland, OR 97225

(503) 208-8160 • Fax (866) 838-4142

October 26, 2021

Governor Kate Brown  
Office of the Governor  
900 Court Street NE, Suite 254  
Salem, OR 97301-4047

Dear Governor Brown:

The Oregon Crime Victims Law Center is a nonprofit organization that provides free legal representation to crime victims throughout the state to assist victims in asserting their constitutional and statutory rights in the criminal justice system. OCVLC's mission is to ensure that victims' voices are heard and that the rights guaranteed to victims by the Oregon Constitution and by statute are protected.

As you know, the criminal justice system is undergoing changes regarding equity, racial disparity, and juvenile justice reform. While these changes are welcome and necessary, the rights of crime victims must be taken into consideration when making decisions that will impact victims as well as society as a whole. OCVLC asks that you simultaneously consider and honor the rights of the victims of those crimes as your office considers the release of hundreds of juvenile offenders who were convicted of Ballot Measure 11 crimes,

Under the Oregon Constitution, crime victims have the right to be notified of the future release of a convicted defendant. OR Const, Art I §42(1)(b). That same right is provided by statute. ORS 147.421(1) (providing that upon the victim's request a "public body" that is the custodian of information "about the defendant or convicted criminal" must provide the victim with information about defendant's "future release from physical custody").

Unfortunately, a number of victims first learned that the person who harmed them is being considered for early release through an article in *The Oregonian* on October 22<sup>nd</sup>. The victims that clicked on that list of offenders being considered for commutation unfortunately learned in the least trauma-informed manner possible that the person who caused their harm is now being considered for release. Some of those on the list are not even half-way through their sentences, and others are serving life sentences. This insensitive manner of communication of significant changes in release dates seems contrary to the Oregon Constitution's guarantee that victims will be treated with "due dignity and respect." Or Const, Art I §42. Further, OCVLC is concerned that the victims' statutory and constitutional rights to notification of early release, mentioned above, were not honored before the article was published.

This right to notification is critically important. Not only does it provide the victim with information that they are constitutionally entitled to, but it gives victims time to prepare themselves and their family members for the impending release, and to make important decisions regarding their safety.

The Oregon Constitution guarantees victims “(t)he right to be reasonably protected from the criminal defendant or the convicted criminal throughout the criminal justice process and from the alleged youth offender or youth offender throughout the juvenile delinquency proceedings.” Or Const Art I, § 43.

For the remaining inmates on the list who will not be going before the Board of Parole, careful consideration needs to be given both to victim notification as well as a victim’s right to protection. It is very important for victims to receive notification from a trained advocate rather than through media sources. Each victim should be given the opportunity to be heard regarding the effects of the harm that was done to them as well as their safety concerns if the offender is released.

Victims’ rights are a critical part of the administration of justice, and are protected as such by the Oregon Constitution, which promises victims a “meaningful role in the criminal justice system.” Or Const, Art I §42. We ask that when considering the release of inmates who have caused enormous harm that careful thought is put into the question regarding notification and victim safety. It is critical that victims be notified sufficiently in advance of an inmate’s release to make necessary plans for the protection of themselves and their families. We hope that victims’ voices are heard when making these commutation decisions that will have such a significant impact.

Thank you for your attention to this matter.

Sincerely,

*Rosemary W. Brewer*

Rosemary W. Brewer  
Executive Director

**Washington County commutation cases from lists published by *The Oregonian***

**Name:** I.H.A.

**Crime:** USP II, Sex Abuse I (x2)

**Facts:** Defendant (14-18) fondles and digitally penetrates two younger sisters (V1 = 9-14, V2 = under 12) and tries to do the same to third younger sister

**Conviction Date and Judge:** 12/7/2018, Oscar Garcia

**Sentence:** 90 Months

**Second Look / Result:** No

**Current Release Date:** 1/3/2026

**Halfway:** 4/5/2022

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**Name:** G.B.J.

**Crime:** Att. Rape I, Att. Sex Abuse I

**Facts:** Defendant (15) has sexual intercourse with 11-year-old stepsister

**Conviction Date and Judge:** 1/18/2019, Ron Grensky

**Sentence:** 48 Months

**Second Look / Result:** Yes / conditional release denied

**Current Release Date:** 7/16/2022

**Halfway:** 7/16/2020

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**Name:** H.B.V.

**Crime:** Att. Robbery II, Att. Assault II

**Facts:** 3 gang member Co-Defendants including this Defendant (15) assault Victim and steal his cell phone. This Defendant assaults Victim with punches and kicks.

**Conviction Date and Judge:** 10/18/2019, Eric Butterfield

**Sentence:** 48 Months

**Second Look / Result:** Yes / conditional release granted

**Current Release Date:** 10/23/2022

**Halfway:** 6/11/2021

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**Name:** G.W.B.

**Crime:** Att. Sodomy I (x2), Att. Sex Abuse I

**Facts:** Defendant (15) licks the vagina of 5-year-old cousin and asks Victim to touch/lick his penis (she refuses)

**Conviction Date and Judge:** 2/1/2017, Charles Bailey

**Sentence:** 72 Months

**Second Look / Result:** Yes / conditional release denied

**Current Release Date:** 7/21/2022

**Halfway:** 7/22/2019

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**Name:** J.H.C.

**Crime:** Manslaughter I

**Facts:** Defendant (17) and his Co-Def cousin kill their grandmother with a sledgehammer

**Conviction Date and Judge:** 10/6/2015, Rick Knapp

**Sentence:** 120 Months

**Second Look / Result:** No

**Current Release Date:** 10/15/2023

**Halfway:** 10/15/2018

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**Name:** A.C.M.

**Crime:** Using a Child (Multiple), Assault IV DV, Encouraging II

**Facts:** Defendant (17-19) engages in hands-on sexual offenses and receives sexually explicit images with numerous female victims (12-16 years-old) and assaults the mother of his child (16)

**Conviction Date and Judge:** 7/25/2014, Janelle Wipper

**Sentence:** 150 Months

**Second Look / Result:** No

**Current Release Date:** 11/6/2025

**Halfway:** 8/7/2019

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**Name:** K.R.C.

**Crime:** Att. Sodomy I (x2), Att. Sex Abuse I (x2)

**Facts:** Defendant (16) with a long juvenile history anally sodomizes and fondles the penis of a neighborhood boy (9)

**Conviction Date and Judge:** 6/9/2014, Kirsten Thompson

**Sentence:** 100 Months

**Second Look / Result:** Yes / conditional release denied

**Current Release Date:** 3/23/2022

**Halfway:** 1/21/2018

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**Name:** J.D.

**Crime:** USP I, Sex Abuse I (x2), Rape III

**Facts:** Defendant (13-19) molests his three younger sisters (4, 10, and 13) to include digital penetration, sexual intercourse, and fondling, and makes his 8-year-old brother give him oral sex

**Conviction Date and Judge:** 10/9/2015, Rick Knapp

**Sentence:** 120 Months

**Second Look / Result:** No

**Current Release Date:** 4/15/2025

**Halfway:** 5/15/2020

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**Name:** M.G.P.

**Crime:** Att. Sex Abuse I

**Facts:** Defendant (16-18) makes his cousin, a (approx. 7-9 year-old boy), perform oral sex on him on a single occasion

**Conviction Date and Judge:** 12/11/2019, Theodore Sims

**Sentence:** 36 Months

**Second Look / Result:** No

**Current Release Date:** 11/18/2022

**Halfway:** 5/19/2021

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**Name:** C.R.G.

**Crime:** Sodomy I (x4), Sexual Abuse I (x10)

**Facts:** Defendant (14-19) makes his younger half-brother (6-11) masturbate him and perform oral sex on him. Victim discloses after Defendant finishes 3-year federal sentence for child pornography

**Conviction Date and Judge:** 11/28/2011, Rick Knapp

**Sentence:** 175 Months

**Second Look / Result:** No

**Current Release Date:** 2/5/2023

**Halfway:** 3/8/2018

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**Name:** J.H.P.

**Crime:** Att. Robbery II, Att. Assault II

**Facts:** 3 gang member Co-Defendants including this Defendant (15) assault Victim and steal his cell phone. This Defendant assaults Victim with a baseball bat.

**Conviction Date and Judge:** 10/18/2019, Oscar Garcia

**Sentence:** 75 Months

**Second Look / Result:** Yes / Pending

**Current Release Date:** 6/11/2024

**Halfway:** 7/26/2022

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**Name:** J.D.L.

**Crime:** Att. USP I, Att. Sex Abuse I (x2)

**Facts:** Defendant (11-17) fondles and digitally penetrates his best friend's little sister (4-9) on multiple occasions

**Conviction Date and Judge:** 2/6/2019, Andrew Erwin

**Sentence:** 75 Months

**Second Look / Result:** Yes / conditional release granted

**Current Release Date:** 6/6/2024

**Halfway:** 4/22/2021

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**Name:** D.L.C.

**Crime:** Att. Rape I (x3),

**Facts:** Defendant (15-16) repeatedly has sexual intercourse with his younger sister (8-9). The rapes are disclosed by Defendant during a polygraph following a separate conviction for Rape in the 3<sup>rd</sup> Degree of defendant.

**Conviction Date and Judge:** 3/8/2019, Danielle Hunsaker

**Sentence:** 50 Months

**Second Look / Result:** No

**Current Release Date:** 8/28/2022

**Halfway:** 7/28/2020

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**Name:** N.T.N.

**Crime:** Att. Robbery II (x2)

**Facts:** Defendant (17) with multiple pending juvenile referrals shoplifts from TJ Maxx and threatens to pull a gun when confronted by loss prevention

**Conviction Date and Judge:** 2/10/2017, Jim Fun

**Sentence:** 72 Months

**Second Look / Result:** Yes / conditional release denied

**Current Release Date:** 5/6/2022

**Halfway:** 12/5/2019

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**Name:** A.P.

**Crime:** Assault II w/ Firearm (x2)

**Facts:** Defendant (15) conducts a drive-by shooting, firing 5-6 shots into a house party, wounding two 16 year-old victims

**Conviction Date and Judge:** 1/19/2018, Jim Fun

**Sentence:** 90 Months

**Second Look / Result:** No

**Current Release Date:** 2/16/2025

**Halfway:** 5/18/2021

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**Name:** D.M.P.

**Crime:** USP I, Sodomy I, Sexual Abuse I

**Facts:** Defendant (12-20) digitally penetrates, orally sodomizes, and fondles his younger sister (8-17) over the course of years, often at knife point or after tying her body to a bed

**Conviction Date and Judge:** 11/13/2013, Kirsten Thompson

**Sentence:** 144 Months

**Second Look / Result:** No

**Current Release Date:** 12/9/2024

**Halfway:** 12/10/2018

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**Name:** E.E.R.

**Crime:** Att. Rape I (x2), Att. Sodomy I

**Facts:** Defendant (15) rapes and licks vagina of his 8-year-old sister

**Conviction Date and Judge:** 8/30/2019, Beth Roberts

**Sentence:** 72 Months

**Second Look / Result:** Yes / Pending

**Current Release Date:** 7/1/2025

**Halfway:** 7/2/2022

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**Name:** M.R.P.

**Crime:** Att. Sodomy I, Sexual Abuse I

**Facts:** Defendant (12-18) with a history of prior sex offenses admits during polygraph to historically fondling and orally sodomizing his cousin (7-13) and fondling his sister (8-14)

**Conviction Date and Judge:** 3/8/2018, Charlie Bailey

**Sentence:** 60 Months

**Second Look / Result:** No

**Current Release Date:** 10/3/2022

**Halfway:** 4/2/2020

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**Name:** S.J.S.

**Crime:** Att. Sodomy I, Att. Sexual Abuse I (x2)

**Facts:** Defendant (17) fondles, attempts to have sexual intercourse with and puts his mouth on the vagina of his 9-year-old stepsister

**Conviction Date and Judge:** 8/30/2016, Charlie Bailey

**Sentence:** 72 Months

**Second Look / Result:** Yes / conditional release initially granted but subsequently revoked and denied by court (8/20/2019)

**Current Release Date:** 3/27/2022

**Halfway:** 3/28/2019

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**Name:** J.D.T.

**Crime:** Att. Murder w/ Firearm, UYW w/ Firearm, UYW

**Facts:** Defendant (17) assaults Victim (16) with his fists and menaces him with a knife and firearm. The following day Defendant shoots Victim 5 times at close range

**Conviction Date and Judge:** 7/6/2018, Andrew Erwin

**Sentence:** 90 Months

**Second Look / Result:** No

**Current Release Date:** 8/15/2025

**Halfway:** 11/14/2021

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**Name:** A.J.V.

**Crime:** Rape I, Rape II, Sexual Abuse II

**Facts:** Defendant (13-21) rapes, fondles, and orally/anally sodomizes his stepsister (9-15) for over the course of years

**Conviction Date and Judge:** 4/21/2017, Oscar Garcia

**Sentence:** 120 Months

**Second Look / Result:** No

**Current Release Date:** 12/6/2026

**Halfway:** 12/6/2021

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**Name:** A.V.T.

**Crime:** Sodomy I, Sexual Abuse I, Att. Sexual Abuse I

**Facts:** Defendant (14-17) makes his niece (6-7) give him oral sex, attempts to fondle the vagina of a different niece (5-6), and gropes/grinds his penis against a young neighbor girl (8)

**Conviction Date and Judge:** 5/24/2018, Janelle Wipper

**Sentence:** 75 Months

**Second Look / Result:** No

**Current Release Date:** 4/11/2024

**Halfway:** 2/24/2021

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**Name:** J.J.W.

**Crime:** Robbery II w/ Firearm (x3),

**Facts:** Defendant (17) is part of group of sixteen individuals who push their way into a teenage house party and use the threat of a gun to rob attendees (age range 14-16) and steal items from the residence

**Conviction Date and Judge:** 3/1/2019, Kathy Proctor

**Sentence:** 70 Months

**Second Look / Result:** No

**Current Release Date:** 7/27/2024

**Halfway:** 8/26/2021

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**Name:** V.V.V.

**Crime:** Sodomy I (x2), Sexual Abuse I

**Facts:** Defendant (17-18\*) rapes and orally/anally sodomizes a 6-8 year-old girl who attended daycare at the same residence where Defendant lived

**Conviction Date and Judge:** 11/7/2013, Kirsten Thompson

**Sentence:** 216 Months

**Second Look / Result:** No

**Current Release Date:** 2/9/2026

**Halfway:** 2/14/2017

\* Trial jury voted that the offense(s) occurred on/after 4/24/06, confirming defendant was 18 years old when the crimes occurred. Case was remanded and negotiated to a plea with no further specification on judgment of conviction regarding age of defendant (plea petition used original date range on the indictment, on or between 6/1/05 and 6/30/06)

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**Name:** D.M.S.

**Crime:** Sexual Abuse I (x5), Att. Sexual Abuse I, Att. Sodomy I \*\*\*

**Facts:** Defendant (14-15) fondles and digitally penetrates the vagina his 9-year-old cousin and fondles and rubs his penis on the vagina of his 9 year-old sister

**Conviction Date and Judge:** 5/10/2018 \*\*\*

**Sentence:** 196 Months \*\*\*

**Second Look / Result:** No

**Current Release Date:** 5/24/2034 \*\*\*

**15 Year Served Date:** 1/31/2033 \*\*\*

**\*\*\* All But 2 Counts Reversed Under *State v. Black*, All Counts Currently Awaiting  
Retrial/Resentencing**