

Oregon Voices News

News from Oregon that you can use

Oregon Voices Supports Justice, Fairness, and Rational Laws

Oregon Voices is committed to justice and rationality in policies regarding sex offenses and will continue to work toward supporting legislation that will positively impact the lives of registered citizens and their families. Due to the ominous presence of COVID-19, it is especially critical for our organization to continue to work tirelessly with other non-profit groups to advocate for the early release of those within our prison system who have compromising health conditions as well as work toward reducing the overcrowdedness that is prevalent in the state's correctional facilities.

It is also important for OV to provide up-to-date information about such things as seeking relief from the registry and Oregon's use of the Static-99R to establish classification risk levels. In addition, board members will keep you informed about state and federal legislation that impacts registered citizens (RCs).

Two OV board members have loved ones who are currently incarcerated so they understand how difficult it is for many of you. It is challenging to say the least when visitation rights have been suspended and other means of communication have become practically non-existent. It is frightening as you watch the numbers rise of those testing positive within the confines of the prison walls and no end seems to be in sight. Be reassured that those same groups that have been relentlessly advocating for change in order to safeguard the health of all inmates have not given up. These include The Oregon Justice Resource Center, Partnership for Safety and Justice as well as the ACLU. OV encourages you to visit their websites in order to keep informed and to find out how you can assist them in their efforts:

Oregon Justice Resource Center: <https://ojrc.info>

Partnership for Safety and Justice: <https://safetyandjustice.org/takeaction/#/24/>

ACLU: <https://www.aclu.org/affiliate/oregon>

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Tracking COVID-19 Cases in Oregon Prisons

The Oregon.gov website reports the number of confirmed COVID-19 cases at all of its corrections facilities. As of October 29, there have been a total of 1,258 confirmed AIC positive cases, 1,145 recoveries and 16 deaths. There have been 300 confirmed staff positive cases, and 286 recoveries. The site provides additional information as to how they report data. There is also a tracking tool that gives the data for each facility.

<https://www.oregon.gov/doc/covid19/Pages/covid19-tracking.aspx>

Another resource that provides daily updates related to the numbers of COVID-19 cases in Oregon prisons is found on the website of the Oregon Justice Resource Center by clicking of the tab, COVID-19 DASHBOARD. The Dashboard also gives specific data for each prison site. <https://ojrc.info/covid-dashboard>

On October 27, the Federal Bureau of Prisons reported that 1,904 federal inmates and 837 BOPs tested positive for COVID-19 nationwide. Currently, 14,980 inmates and 1,297 staff have recovered, and 128 inmates have died.

Ongoing Efforts to Provide Early Release for AICs Due To The Virus

If you recall, nearly seven months ago, on April 9, Governor Brown of Oregon discussed a potential release plan that would have alleviated overcrowdedness in our 14 state prisons and possibly saved the lives of some of the 16 individuals who have since succumbed to the virus. She had identified seven categories to be used as criteria for releasing prisoners and had asked the Oregon Department of Corrections to provide data identifying those who might qualify, which amounted to 3,244 individuals. It was at this time that the Governor asked prison, parole, and protection officials to come up with estimates and report their findings by Monday, April 13. On that date, we were disappointed when she announced she would not be releasing any adults in custody in state institutions at that time. Instead, she informed us that our state prison population was producing 3,000 to 4,000 cloth masks a day in order to provide personal protection; however, most of us knew early on that much more would be needed to protect inmates who live in extremely crowded conditions from the risks of getting the coronavirus.

Two months later, in June, Governor Brown agreed to reconsider early release for those who were medically vulnerable, not serving a sentence for a crime against another person and had served at least 50% of their sentence. They also had to have a plan in place for returning to their community. Later that month, she approved the release of 57 people. On August 25, she asked for another list of people who met the same criteria to consider for commutations. On September 29, Governor Brown commuted the sentences of 66 individuals. These included those who were medically vulnerable to COVID-19 or were within two months of their release dates.

Nearly eight months have passed since this virus first impacted us and yet, the end is nowhere in sight; therefore, we will continue efforts to push for the early release of even more individuals. Please be assured that we haven't forgotten people inside. We will continue to work with other groups to get more individuals released early. We also will further efforts to address the basic concerns of overcrowding, the lack of personal protection equipment and sanitation, the lack of testing and monitoring, and the use of prison industries that endanger safety on the inside.

It is encouraging to see more publicity about the situation. There are newspaper articles, such as the recent one in *The Oregonian/Oregon Live*, that advocate for AIC rights. The article, "COVID-19 is 10 times higher in Oregon prisons than in rest of state, stoking widespread fear among inmates.," posted by Aimee Green, presents a very thorough picture of the challenges that AICS encounter day and night as they try to avoid contracting the virus.

<https://www.oregonlive.com/news/2020/10/covid-19-is-10-times-higher-in-oregon-prisons-than-in-rest-of-state-stoking-widespread-fear-among-inmates.html>

We realize that many people in the Oregon DOC, in the Federal BOP, and in county corrections share our concerns but that they cannot make necessary changes without the support of the governor, legislators, and other decision makers. Therefore, in our small way, we will continue to work with the above-mentioned organizations in the struggle to make life on the inside safer and more secure in this pandemic.

Although active cases inside have dropped in recent weeks, we have to be concerned that the surge in Oregon cases in late October will lead to renewed outbreaks inside.

Attorney General's Proposal to SORNA

The US Attorney General's office has issued proposed modifications to SORNA (Sex Offender Registration and Notification Act). These could potentially mean changes in all state registries. Oregon's registry is risk-based; the federal system is crime-based with tiers that conflict with our risk levels. Oregon Voices, and our affiliated organizations in other states, have submitted comments objecting to the proposed changes. We will continue to work both nationally and in Oregon to oppose these changes. Many thanks go out to one of our board members who crafted an outstanding response to these proposed changes on behalf of Oregon Voices. To learn more about the proposed modification, visit the ACSOL website. <https://all4consolaws.org/2020/10/acsol-and-allies-submit-formal-response-to-proposed-sorna-regulations/>

Update On The Relief Process Through BPPPS

The process for people to obtain relief from registration continues to move at a very slow pace. The OV board wanted to hold some workshops in order to assist those who are applying for relief; however, due to COVID restrictions, this plan has been put on hold. Instead, an OV committee is presently working on putting together a booklet to assist them. Watch for more information soon.

Sponsors Offers Housing For Individuals with COVID-19

At the beginning of the pandemic, Sponsors, in Eugene, partnered with Lane County officials to offer spaces for unhoused individuals sick with COVID-19.

Jeffery Commons, a campus of tiny homes, had just been completed and selected occupants were set to move in; however, they waited so that these tiny homes could be used by those stricken with the virus as a place to stay and recover.

If you would like to know more about Sponsors, its new tiny home village, and its many projects, please visit their website: <https://sponsorsinc.org>

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Covid-19 in the Prison Complex

Much of what we hear from those of you writing these days from inside has to do with ongoing conditions under Covid. In addition to crowded and unsafe conditions, we heard reports of some COs not wearing masks, and a few who seem to take pleasure in confronting AICs while refusing to wear masks themselves. Some institutions have dormitory-style housing which makes social distancing is impossible. All of these contribute to ongoing anxieties, both for AICs and for their families outside.

In addition to the reports we have seen in the press about the extremely difficult conditions experienced by women AICs evacuated from Coffee Creek during the fires, we have had first-hand descriptions of similar conditions from inside OSCI. We are told that AIC's from there were relocated to OSP with almost no advance warning and that they spent 12 hours on the ground in heavy smoke and falling ash, some without adequate clothing because there was little time to gather clothing and medications. The relocation appears to have completely overwhelmed the OSP facilities, which reports say made food and supplies inadequate and undermined health and safety.

Some of the long-range results of that relocation have been measurable. OSCI, which had remained largely untouched by Covid before the relocation, suddenly ballooned to 27 active cases by Oct. 29. Although in recent weeks, active case numbers have been dropping in most institutions, this surge now gave the OSCI the second highest number of active cases in the state.

Two people have written from inside to say that they have contracted Covid. One seems to have recovered. The other spent a prolonged period in the institution's infirmary, but now suffers from multiple ongoing symptoms—shortness of breath that makes speaking difficult, coughing, fatigue,

and most worrisome—short-term memory loss, which makes him worry that his inability to remember things may lead to write-ups and disciplinary actions.

AICs Entitled To Receive Stimulus Checks

In the spring, the IRS automatically sent stimulus checks worth \$1200 to AICs in Oregon DOC custody, who filed taxes in 2018 and 2019. If you don't think you received one but feel that you qualified, you may want to file and, unfortunately, the deadline to apply by snail mail is November 4 and, for claims made online, November 21.

To our knowledge, the Oregon DOC has been assisting the AIC's with the paperwork and instructions to file if you didn't receive the automatic payment. By the way, if an inmate owes back child support arrearages, the Child Support Division will take money from the stimulus payment BEFORE the money is even sent to the inmate at the DOC. That deducted child support money will be sent to the child's caregiver. To get more information, check on the following link:

<https://www.lieffcabraser.com/2020/09/federal-judge-certifies-class-orders-trump-administration-to-stop-denying-pandemic-relief-funds-to-incarcerated-persons/>

Suggested Reading

Until We Reckon by Danielle Sered. This book was recently recommended by an AIC and we appreciate his sharing it. He says it is the best book on restorative justice he has read and an "amazing, persuasive write on the failure of incarceration to provide what victims..., communities and offenders need to heal and restore."

We would be pleased to publish more reading suggestions from other AICs.

Nonunanimous Juries Declared Unconstitutional

The U.S. Supreme Court ruled on April 20, 2020, that nonunanimous juries were unconstitutional. The opinion, written by Justice Gorsuch stated that nonunanimous juries were inconsistent with the constitutional right to a jury trial. Justices Sotomayor and Kavanaugh joined the ruling, remarking that split juries led to discrimination. Gorsuch also stated that the courts in both Louisiana and Oregon acknowledged that race was a motivating factor in the adoption of their states' respective non-unanimity rules.

Aliza Kaplan, head of the Criminal Justice Reform Clinic at Lewis and Clark, was invited to an OV meeting in April to talk about efforts to help many people on the sex offender registry who were convicted by nonunanimous verdict responses. She and her associates had agreed with the Department of Corrections, the Oregon Public Defense Services, the Oregon Judicial Department and the Department of Justice that they would go into all the

Oregon prisons (14) and help people (convicted by nonunanimous juries) fill out forms so they could have their cases addressed under the Ramos decision. This didn't happen because of COVID, so they spent time creating materials and videos to get all of this information sent out to each of the state prisons.

Recently, Aliza, along with Nicholas McGuffin, wrote the following article, "Attorney General Rosenblum must vacate all non-unanimous verdicts" that appeared in the guest column of the Bend Bulletin. It is very thorough in presenting reasons as to why Attorney General Rosenbaum should vacate the convictions of all people who were convicted with less than unanimous juries.

https://www.bendbulletin.com/opinion/guest-column-attorney-general-rosenblum-must-vacate-all-nonunanimous-verdicts/article_b4820c8a-e15f-11ea-a894-df12d798f1b2.html

On The Search for Housing Opportunities

The lack of affordable housing in Oregon and across the country leaves formerly incarcerated individuals competing for the same resources as those with no criminal histories. Having a sex offense and being on the registry makes finding stable housing especially challenging. Oregon Voices has created a database of housing resources for persons on the registry and is committed to enhancing our housing resource database to reflect evolving housing opportunities.

A statewide level of commitment and collaboration between support organizations, housing developers, property managers and owners is essential to creating inclusive, stable, and affordable housing opportunities for registered persons. Oregon Voices actively works with state and county agencies and other organizations to find creative solutions to assist registered persons with successfully reentry into their communities.

The following resources are known to accept formerly incarcerated and/or registered persons:

Portland area:

Mike Cross - Free on the Outside Program
Dave Nase Properties

Eugene area:

Sponsors, Inc.

For specific information about the housing resources listed above, or to find housing in other Oregon locations, please contact Oregon Voices at info@oregonvoices.org.

What's Up With Oregon's Real ID Driver's License?

If you didn't apply for a Real ID driver's license before October 2020, don't worry, because you have been given another chance. On April 27 of this year, Acting Secretary, Chad Wolf of The Department of Homeland Security extended the deadline Real ID for another year because the coronavirus is delaying issuance of the credential in DMVs across the country. *NOTE: The published Federal Register notice can be found at <https://www.govinfo.gov/content/pkg/FR-2020-04-27/pdf/2020-08481.pdf>*

This means that you can still board a plane or enter any federal facility using your regular driver's license (or a passport) until October 1, 2021

Be Aware of State and Federal Laws Before Completing Travel Plans

As most of you know, International Megan's Law is federal legislation that requires registrants to report international travel 21 days in advance. The 2019 legislative session passed a bill requiring such notice to be given to the Oregon State Police. The state police pass the information on to the Federal Marshals who in turn notify the airline, Interpol and the country of destination.

This law was coupled with a requirement to report a name change. For more information regarding the upcoming changes, please see the following for brief overview:

<https://www.oregon.gov/osp/programs/SOR/Shared Documents/New Reporting Requirements Notice.pdf>

A fuller explanation of the IML requirement is here:

<https://www.oregon.gov/osp/programs/SOR/Pages/offenderinformation.aspx#meganslaw>

The Oregon law goes into effect January 1, 2021 but Oregon Voices strongly recommends reporting any such travel before then because it is now noted on the annual registration form. Since federal law already requires that all registered sex offenders report international travel to their respective registration agencies, you could be arrested now for failure to report.

There have been arrests already both nationally and in Oregon for failure to notify. One local man did not notice the information on notification when he had last registered, was turned back from Thailand and eventually faced federal charges. The penalty is a potential ten years in prison. Fortunately, the case was finally dropped, but after 2021 that is less likely. Since his arrest, the State Police now have the notification on the annual registration displayed more prominently.

If you plan to travel internationally, it would also be a good idea to visit the RTAG (Registrant Travel Action Group) website that focuses on international travel issues concerning registered citizens. It was organized and is maintained by Paul Rigney. You will find a travel matrix that is a list of nations along with information about how they handle registrants who are visiting or relocating. This information is compiled from various sources including travel experience reports submitted by users of the website. The list is kept as current and thorough as possible, but individual experiences may vary. Remember that the list is informational and in no way implies any guarantee.
<http://registranttag.org/resources/travel-matrix/>

At a conference presentation, Paul added additional information. There is a question as to whether the feds are requiring notification even for those off the registry and those who do not have a crime against a child. There are many gray areas.

If you are thinking of traveling to other states, be sure to check out the requirements that they have in place for visiting registered citizens. Both the ACSOL and NARSOL websites have information on various states' requirements.

News about Washington Voices

According to the August/September 2020 NARSOL State Reports, Washington Voices has been continuing to meet, share stories, and collaborate on projects. Most recently, they are involved in adding input to the Sex Offender Policy Board's task to present the legislature with research regarding the civil commitment of people convicted of sex offenses. They are committed to ensuring that all relevant data is included so that the legislators can make the most informed decisions possible about changing civil commitment policy. They are currently at the stage of gathering data and informing themselves on the current state of activities. Their website is currently under construction. Hint: *Don't do a search by entering Washington Voices; instead, type in Wavoices,*

Oregon Voices Website Under Construction

About a year ago, the OV website suddenly vanished. The platform was old and needed to be upgraded and, in the process of deciding what to do next, the site disappeared! Once this unfortunate event was discovered, a couple of our own RCs did their best to resurrect what they could. They managed to cobble together the Home Page which is all you have been able to see during the past ten months. Now, board members and RCs, along with a new website designer, are actively working to get the site up and running by providing much needed content, so keep checking in and watch the progress! We know that the OV website should be a place where you can go to get your questions answered as well as to learn about what is happening in Oregon and around the nation that impacts registered citizens. If any of you are interested in helping keep the site updated, please let us know. The OV website address is: <https://www.oregonvoices.org>

General Meetings Have Become A "Virtual Reality"

In response to current social distancing orders, we will continue meeting virtually via ZOOM. Our next general meeting is happening on Sunday, November 15, from 2 pm to 4 pm. An agenda will be sent out shortly, so check your inboxes! There will be some instructions as to how to join the meeting using an alias as well as how to avoid showing your image if that happens to be a concern. Remember that you can always choose to join the meeting by phone. We hope to resume regular in-person meetings by next February, if conditions permit as we miss our times together where we can enjoy visiting and eating before and after the meetings!

Miscellaneous Items of Interest

A member of Eugene Cure recently suggested listening to a podcast produced by Ear Hustle, A Proud Member of Radiotopia. It is Episode 48, “Are You Listening,” and consists of interviews with children of incarcerated parents.

<https://www.earhustlesq.com/episodes>

Ear Hustle creates podcasts of the daily realities of life inside prison, shared by those living it, and stories from the outside, post-incarceration. It was launched in 2017 and was the first podcast created and produced in prison featuring stories and the daily realities of life inside California San Quentin state prison shared by those living in it in 2020. The website states that it was named a finalist for a Pulitzer Prize in audio recording for bringing audiences a consistently surprising and beautifully crafted series of life behind bars. There are also other episodes that you might enjoy.

Our Eugene CURE contact also informed us of an upcoming online free event, The PEN America Prison Writing 2020 Awards Celebration where the winning entries in several categories will be read.

<https://pen.org/event/break-out-2020-pen-america-prison-writing-awards-celebration/>

Last, But Not Least

Oregon Voices is committed to working with other organizations within our state sharing a common goal of creating better support for our registered citizens and their families. We invite you to join us in our efforts. Help is always needed to work on such things as housing, employment opportunities, legal resources, the website, legislative issues and the OV newsletter.

If you are reading this newsletter and would like more information about Oregon Voices, or wish to volunteer in some capacity, please call 971-317-6868, or email:

info@oregonvoices.org

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