

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/oregon-governor-grants-review-for-people-incarcerated-as-children/>

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11.09.21

Oregon Gov. Kate Brown has issued a [commutation](#) that provides parole eligibility for more than 70 people who were children when they were sentenced to 15 years or more in prison. The move ensures that recent changes in the way Oregon treats children accused of crimes apply to everyone who was condemned to a hopeless prison sentence as a child.

In 2019, Oregon passed a reform bill, SB 1008, that [abolished death-in-prison sentences](#) for children. It also transformed how children are treated in the legal system by requiring judges to hold a waiver hearing before trying a child as an adult.

For children who are tried and sentenced in adult court, the new law provides a second look hearing halfway through their sentence and a parole hearing after 15 years.

SB 1008 did not apply retroactively to children sentenced before the laws enactment in 2020. The commutation means those individuals will now have an opportunity to petition the parole board for release after they have served 15 years.

Oregons reforms stemmed from [recent Supreme Court rulings](#) recognizing that children are developmentally different from adults.

Because they are less capable of responsible decision-making, more vulnerable to outside influences, and more likely to change as they grow up, the Court held that children must be treated differently from adults when it comes to sentencing.

Related Resource

The U.S. is the only country in the world where kids as young as 13 have been sentenced to life imprisonment without the possibility of parole.

The governors [commutation](#) echoes the Courts rulings, confirming that people sentenced to prison when they were children should be able to obtain release by demonstrating maturity and rehabilitation.

Observing that children have greater capacity for rehabilitation than their adult counterparts, the commutation observes that the individuals whose sentences were commuted are capable of tremendous transformation.

Tags:

[Children in Adult Prisons](#)

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