

To: All Members of the House Committee on Rules

From: Debra Oyamada, wife of Andrew J. McDonald, a murder victim of Matthew Dwight Thompson. I am also an assault victim of the murderer--an Oregon Death Row Inmate

Subject: Senate Bill 1013

DATE: June 9, 2019

My name is Debra Oyamada, a lifelong resident of Oregon and a left leaning registered Democrat.

I am writing to you because I am deeply concerned about SB 1013. I am a victim of Matthew Dwight Thompson who is currently residing on Oregon's Death Row. On November 18th, 1994, Thompson stabbed my husband, Andrew J. McDonald, to death and his own friend, Paul Witcher, who was a witness to the murder. Thompson stabbed me 2 times, once near a carotid artery and once in the forehead. He also stabbed a person who tried to help, William Jones, over a dozen times during his assault. He was convicted of 2 counts of Aggravated Murder and 2 counts of Aggravated Assault 1. He had been violent in his youth and attempts by the State to reform him had failed.

I challenge you to read about each of the 30 inmates Oregon's Death Row and their crimes:

<https://expo.oregonlive.com/news/g661-2019/03/f2fd9983933636/a-look-at-who-is-on-oregons-death-row.html>

These people are murderers whose dangerousness met the legal qualifications for the death penalty. These are the types of murderers this bill is concerned about. If they were convicted under this bill's definitions, NONE OF THEM would qualify for Aggravated Murder.

I am distressed that not only does this bill rewrite the definitions of Aggravated Murder in our state, but it undermines the intent of the voters of Oregon as embodied in current law. I don't need to remind you that the voters of Oregon approved the death penalty. This bill is very much sneaking behind the backs of every Oregonian. There has been very little reporting on SB 1013. I signed up to be informed of the proceedings through your government website and I have received no information whatsoever. If more Oregonians knew what SB 1013 is attempting to do, they would be outraged.

In my case, the trial was a jury trial—a panel of citizens who live and hope to never be touched by murder within their community, family or friends. They knew they could not let that influence them in their decision. Their decision to vote for the death penalty came about after weeks of testimony during the trial and the penalty phase. They took their job seriously and endured the infamous 'flood of 1996' to make it to trial. This bill disrespects the civic duty they solemnly performed.

Some questions to you regarding this bill:

-Why do two or more people have to be killed apparently in the act of ORGANIZED TERROR to be considered Aggravated Murder? Under this bill, the Orlando mass shooter would not qualify. How do you think Oregonians would react should something like that happen here? Do you really want to limit the definition of Aggravated Murder to acts performed by a GROUP of terrorists?

-If you pass this bill, which I pray you don't, would you be obligated to rename 'Life' imprisonment to "30 years"? Call it what it is! The public needs to know. I clearly recall how shocked I was during the discussions I had with the prosecutors back then how a 'life sentence' did not necessarily mean 'Life'-- as in the duration of person's life. Life meant 30 years, TRUE LIFE meant the latter. **This bill changes the presumptive sentence to Life with parole after 30 years.** I venture to guess that most citizens of Oregon would find that dangerous and grossly unacceptable.

-What about **serial killers**?

-Why will it be considered Aggravated Murder if the victim is under 14 years old but not others?

-Senate Bill 1013A removes the penalty phase question of future dangerousness of the murderer. I find that ironic because that is basically the same question in a twist of words that will be asked when the murderer is up for parole, only that person will be released into the public if *deemed* 'likely to be rehabilitated within a reasonable period of time'. What is a reasonable period of time for that person, a convicted murderer, while they're in the general public? Is the only way to find out if s/he is truly 'rehabilitated' is if they no longer murder people?

By the way, Thompson, while in jail and awaiting trial, told an inmate that he was planning on attacking a jail guard with an explicit description on how it was going to happen so he could escape. This information was presented during the penalty phase of the trial. One could deduce he would pose a threat in prison. In fact, he did end up spewing his bodily fluids on a guard while on death row for which he was punished.

This bill is a thinly disguised attempt to end the death penalty and our current laws without a vote of the people. Let OREGONIANS decide. That would be the just way of handling this issue.

Please, please, **VOTE NO** on SB 1013. Think of its consequences.

Respectfully,

Debra Oyamada