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March 23, 2021

Re: SB 401

Dear Chair Prozanski and Senate Judiciary Members:

I am aware that this matter had a hearing this morning. You had the opportunity to hear about the legal matters from other District Attorneys as well as from others. I will not repeat some of what you heard. What I am sharing, copied from letters and emails my office has received in the last week, are statements, stories and thoughts about Measure 11 crimes from Yamhill County victims of Measure 11 crimes.

I cannot tell you enough how much these victims and I, appreciate you taking the time to review them.

Respectfully,

Bradley C. Berry
Yamhill County District Attorney

BCB: dg
Enc.

March 21, 2021

Oregon Legislative Board

Dear Board Members,

I am writing this letter on behalf of our Granddaughter. I want to address Measure 11. The way 11 sits today I think it needs to stay and not ease up. On the punishment on for such crimes as sexual, violent, or deadly crimes. The "Monsters" that commit these crimes should have to be in prison for the full sentence and NOT be released early for good behavior. Of course, they behave inside the Prison walls but a lot of them get out and commit the crime AGAIN! Where is the justice for the victims?! The MONSTER that tried to KILL my Granddaughter had committed the same crime a few years before. Then got out and attacked our Granddaughter in a very VIOLENT way. He tried to kill her and threatened her with it if she screamed. Thank God for one of her neighbors that called 911 otherwise She may not be here with us. He is an incredibly angry man. He WILL do it again! Please keep these HORRIBLE MONSTERS behind bars where they belong to the fullest measure!

Thank You,

Stephanie Bowlin

March 21, 2021

To: The Oregon Legislative Board

March 3rd, 2020 my life changed forever. I was brutally attacked and nearly beaten to death by someone I loved. I was strangled, suffocated, and took multiple blows to my head and face. My abuser broke almost every bone in my face and beat me repeatedly to the point where I was unconscious. If it was not for my neighbor who called the police that night, I know for a fact I would not be here today. He had a goal that night and that goal was to end my life.

My abuser was charged with attempted murder, second degree assault, strangulation, coercion, menacing, and fourth degree assault. Two out of those six charges he had are Measure 11 crimes. Before my attack, my family and I did not know a lot about the Oregon Judicial System but throughout my healing journey and the court process we were explained by the Yamhill County District Attorney's office what Measure 11 crimes were and the consequences and prison time that came along with it.

My abuser was convicted of second-degree assault in another state previously, and his time he was supposed to serve was 5 years, he only served two out of the five before they let him out. The fact the Oregon is considering re-calling measure 11 crimes truly makes me sick to my stomach. Violent, sexual, and deadly crimes should ALWAYS have a mandatory "minimum" sentence. Knowing that my abuser HAS to serve everyday of the 70 months gives my family and I time to prepare and provided me with comfort knowing I will be safe for at least the mandatory time he has to serve. Without Measure 11 my family and I would not feel safe these next years going by because we would fear that the monster who attacked me would be let out early on "good behavior"

Do not re-call the Measure 11 crimes. If the state decides to re-call this myself, along with other victims and their families have no hope or safety for the future of what happens to these monsters who commit these awful crimes.

Thank you,

Isabelle Davison- Domestic Violence Survivor

Letter of Opposition for the Reduction of Measure 11 Crimes

In November of 1994 Oregon State voters passed one of the greatest victim rights measure's in Oregon State history, Measure 11. Measure 11 crimes are of the utmost heinous person to person crimes that any one person can commit. As they are known by society as being the most immoral of all acts that a person can commit against another person, I truly believe and support they should have strict punishments which cannot be reduced as they have mandatory sentencing guidelines without the chance of being released for having "Good Behavior."

"Good Behavior" does not, and cannot, take away, alleviate, reduce, or dismiss the fact that a person found guilty of any Measure 11 crime has changed the lives of many people. Having experienced this first hand and having to hear the news that Isabelle Davison, a close and dear friend of mine, was subjected to numerous heinous assaults, domestic violence abuses, and beatings is something I never imagined possible. Isabelle is a smart, happy, caring, bright girl with a bright future. In March of 2020 Isabelle's bright future was nearly taken away by a male named Jonathon Molina, a repeat offender of domestic violence crimes, and somebody who was able to slip through the cracks of the criminal justice system before even meeting Isabelle. Jonathan's history of domestic violence was unknown by so many until he nearly took the life of my dear friend. People like Jonathan should not be allowed to walk free and prey upon unknowing future victims. Jonathan was a ticking time bomb that nobody saw coming. He relocated to Oregon, after having previously committed a major domestic violence assault in another state. There was no warning for Isabelle, her family, or friends of the kind of person Jonathan truly was (a predator and spouse beater). Isabelle fell for a male, NOT A MAN, who should never have been able to walk the streets freely without having to disclose the kind of person he really is. We have laws set in place that a sex offender must register as a sex offender so people can have warning of exactly the type of person they are coming in contact with, or dating. There is no registry of which I am aware of which makes a person register for acts of serious domestic violence, and if so, why was nobody notified? Jonathan's repeated abuse against a young trusting girl could and should have been prevented at the State level.

There is no peace of mind knowing Jonathan's charges could have put him away for twenty to twenty five years in prison, if he had been found guilty of each and every act he was charged with, and committed. At the State level, a Prosecutor took a plea deal without even consoling Isabelle, which put Jonathan away for approximately five short years. The only small amount of hope left in the criminal justice system for Isabelle, her family, and friends was Jonathan was found guilty of a Measure 11 crime, preventing him from being released any sooner than what was already a pathetic five year sentence for a repeat offender. What should have been a twenty to twenty five year sentence in jail was reduced to a pathetic (approximate) five years in jail. Knowing this repeat pathetic excuse of a human being will be out of prison around the time he is turning thirty years old, or sooner, is a complete fail on the criminal justice system.

I would ask each person in support of taking away Measure 11 mandatory sentencing to ask themselves how they would feel if it was their daughter, sister, mother, brother, father, friend, or even coworker who was subjected to any one of the worst crimes any one person can commit against another. You will never realize just how important Measure 11 sentencing is until someone you love has been a victim of one of the most heinous crimes a person can commit against another. Our current criminal justice

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system allows for the reduction or dismissal for many crimes, which we all found at the time Jonathan was able to enter a plea deal saving him fifteen to twenty years more in prison, which is exactly where a repeat offender of person to person crimes belongs. Charges are reduced, dismissed, plead down to unbelievably ridiculous low amounts for the time actually spent in jail on a daily basis. Taking the minimum sentencing away for the worst crimes a person can commit against another person should never be a question, nor would it be, if you knew someone who was a victim to any one of these crimes. Isabelle is not a victim of Jonathan but a victim of a broken criminal justice system which allows people like Jonathan to commit repeat domestic violence crimes and walk the streets freely looking for another person to prey upon.

In a time of criminal justice reform, which I actively support, I would ask the people in charge of reform to look anywhere else than completely taking away Measure 11 sentencing. If we can make laws that protect people in knowing they are living next door to a sexual predator, I would ask why we cannot do the same for those who commit serious domestic violence assault crimes. We should be protecting the rights of the people in the State of Oregon, not taking them away. Measure 11 was voted in by the people, in good faith, as we recognized the severity of the crimes which are listed under Measure 11. These types of crimes should have mandatory minimum sentencing's as no amount of "Good Behavior" will ever excuse the actions of the person or people who commit such heinous crimes.

I would ask each and every person to look into the bottom of their hearts, vote to keep Measure 11 in place the way it is today, and help give a small piece of mind to those who have been unfortunate enough to know someone, or be victimized, of a person to person crime which meets the level of a Measure 11 crime. The people who commit these crimes should be held accountable, Measure 11 helps make this possible!

Thank you for your consideration,

Chad Prentice

Chad Prentice

March 21, 2021

To: The Oregon Legislative Board

On March 3rd, 2020 my family's lives changed forever. Our youngest daughter was a victim of violent crime at the hands of someone whom she loved and thought she was loved by. Over the past year our family has been through hell. During the course of Isabelle's recovery and the court system we learned way more about the Oregon Judicial System than we ever wanted to know. Until this happened to our Isabelle, we knew nothing about Measure 11 Crimes. We had never heard of Mandatory Minimums and didn't understand the term. The Deputy District Attorney, Stephanie Harmon, explained the process and promised us that she and the Yamhill County District Attorney's office would make sure that Isabelle's abuser was prosecuted to the full extent of the law and explained how Mandatory Minimum sentences worked. Ultimately the District Attorney's office accepted a plea agreement from Isabelle's abuser which meant he would be sentenced to 70 months mandatory minimum in an Oregon State Prison.

Isabelle's abuser had previously been convicted of one of the same crimes he committed against Isabelle. He was sentenced in another state to 5 years but only served 2 of those years.

For our family, and for our Daughter, knowing that her abuser would serve everyday of those 70 months he's been convicted of has been somewhat of a comfort. We know that we have this time to help her heal, put safety measures in place before the Monster is released back into the same county, he committed those crimes and we have no doubt he will re-offend in some way and it is responsibility to make sure that he never hurts her again.

Please do not re-call Measure 11 Crimes, violent criminals almost always re-offend. There should be stronger punishment for violent criminals and the assurance for the victims and the victim's families that those offenders will be punished and the time they are sentenced to will be time served day for day.

Thank you,

The Davison Family

A handwritten signature in black ink that reads "The Davison Family". The signature is written in a cursive, flowing style with a long vertical line extending downwards from the end of the word "Family".

Hello my name is Tera I was molested from the age of 6 to 7 not just sparingly over the one year span but almost every time I was in the presence of Everett, the man, and the predator that changed my life forever. I want to ask a few questions, Have any one of you ever been so low that you had to peel yourself off the floor? Have you ever felt so empty that you didn't even feel like you were human anymore? Have you ever had to keep a secret that ate you physically and mentally alive? I deal with that almost everyday, I deal with recurring memories of the event when I'm helping someone at work, I see men walk on the street and have to make sure he isn't walking free, my mind has been taken over by darkness, and I never got the choice to feel these feelings on my own they got pushed onto me at six years old

Measure 11 protected me from him while I've had to go through a war with my own brain and body due to someone that thought they had an advantage over my body before I ever got a choice in the matter. When he decided to lay a finger on an innocent 6 year old he wrote his own sentence to jail in stone, but also wrote in stone the pain and confusion I have every single day of my life. To this day being 23 I go through many mental health problems and the thought that maybe my life could have been so much simpler if a man like him never laid a eye on me or touched me that thought eats me from the inside out everyday. He gets a mandatory 5 to 6 years due to measure 11, in my opinion that's is not enough, while I'm out in the free world having a life sentence of my own! A life sentence because of the trauma I went through at such a young age. I'm not writing this letter because I'm selfish and want to see the man that hurt me and changed my life forever behind bars I'm writing this because other kids like me need to know when they speak up about these predators that something actually gets done, that they are protected and that bad man or women can't hurt them again. Measure 11 helped me, to protect myself , my family and others. I waited years to speak out because I was afraid I repressed memories that started to appear in my dreams at the age of 12 thinking no this can't be true, to remember him showing up and giving us gifts to keep us quiet, I spoke out on Halloween at the age of 14. I was scared and feared for the worst but having him behind bars made my healing help and to this day I am still trying to heal!

Imagine if you child had to go through this or even you, there would be no question that measure 11 should still be! The thought of him being out makes me feel helpless once again. I believe that people need to pay for the things they do and a mandatory sentence gave me relief throughout the whole process knowing that something would be done for the things he or others have done! I thank you for listening and or reading this letter I hope that many other kids and adults can feel like they are safe away from the person that have caused harm to them, I hope that measure 11 stays so that not only the man that has hurt me stays in jail where he belongs, but also for kids and adults can feel safe knowing that the person that has harmed them are away serving the sentence they deserve!
Thank you