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March 24, 2021

Re: SB 401

Dear Chari Prozanski and Senate Judiciary Members:

Earlier I submitted letters in opposition to SB 401 prepared by victims of violent crime in Yamhill County. Inadvertently, I omitted one submission. Please see that letter below. Thank you for taking the time to review it.

Respectfully,

Bradley C. Berry
Yamhill County District Attorney

BCB: dg
Enc.

I am the grandmother of two beautiful granddaughters that were sexually abused by what they considered their grandpa. They were six and nine at the time. this continued for almost 2 years. He was at the time my significant other. When they were a seven and 10 things hadn't been good and We were living as roommates and he was not contributing anything to the household and for that reason I had Him leave the home. When the youngest granddaughter became preteen and teenager she became very depressed confused and even suicidal. We had no idea what was going on. On Halloween of 2013 She broke down and told her dad about the abuse at that time her sister broke down and said it had also happened to her! We immediately called the police. We got them both into counseling. We began to make sure he was prosecuted and paid for the damage he had done to these poor children! At that time the officer asked if I could place a call To Everett And record the call to see if he would admit anything. This was very hard and it took me approximately a month to make that call which was recorded and played for the grand jury. In this call he told me things no grandmother should have to hear about their granddaughters. He blamed them for him putting his hands down their pants. he said it was their fault that's she would grab his hand and put it down her pants and he would pull it out and she would do it again so he would give into her! I asked him how would any child no to do something like that if it hadn't already happened to them he said he didn't know why he did it!

We as a family discussed how hard it would be for these two girls to have to go through a trial with this evil person and we we're told he was willing to take a plea bargain and he knew it was a measure 11 offense. We explain to them what m11 meant and assure them that he would have to stay in jail and could not get out a day early for any reason! So as a family mostly the girls decision was to except the deal and not put them through trial. Now even though the people of our state Voted and passed measure 11 now legislature thinks it's OK to just change it And let this evil man and others out early. This is wrong how do we go back and expect these girls to ever trust what we vote on if it can be just changed at any time. They have thought about this and not too long ago we discussed how much more time he had and they had already started thinking about it And dreading that day they may have to come face-to-face with him in some store or restaurant or anywhere now it could be anytime. They still suffer and go to counseling to this day. If someone could just change their life sentence this man has given them and tell them this is long enough .you don't have to suffer anymore and bingo it's all over for them and they'll never think about this evil person again but that will never happen and he excepted his sentence under measure 11 knowing it was measure 11 and he couldn't get out early so why should he now or any other person sentenced under measure 11 not have to stay and spend their time! If the legislatures think it should be changed let the people vote on it but the ones that are there now, know what they did. The ones that were sentenced under measure 11 should stay with there measure 11 sentence. give these victims as much comfort as we can they did nothing to deserve this! he did!!!!!! Please consider the victims not the criminal!!!!!! This has been a life sentence for our whole family!!!!!!