

YES ON SB191

We all have undoubtedly seen the report by the Oregon Criminal Justice Commission released earlier this year that showed that minorities are up to 4 times likelier to receive a Measure 11 sentence than white individuals of similar criminal histories. Measure 11 has clearly proven itself to be a racist measure, not to mention the effect of mandatory minimum sentencing on recidivism rates. But I'm here to talk about another mistreated and unfairly sentenced group of people who have asked me to speak on their behalf here today: incarcerated victims of domestic violence.

There are many women who currently sit in Coffee Creek Correctional Facility just a few minutes north of Salem who are there because they were forced to fight back against their abusers. And these women – and many more around the state you can be certain – absolutely should not be behind bars but ARE thanks to Measure 11.

I am not aware of any study conducted to the effect of Measure 11 on victims of domestic abuse. It is an unfortunately overlooked group in more ways than one. However, thanks to a friend at Coffee Creek, I am able to give you a decent ground-level look at these victims sitting in our prisons because they were forced to fight back.

We should all know by now the tactics that many abusers use to keep their power, their authority. Violence, threats of further violence, threats against calling the police, threats against leaving, against speaking, against simply looking at people, against everything a person might do when asking for help. So many don't. They can't. So when these abusers – these monsters – finally push someone to point of needing to protect themselves or their families, their children, the victims often have to rely on violence themselves.

Terrible and unsurprising, most victims of domestic abuse are women. And when a woman needs to fight back they will most likely need a weapon or risk being overpowered and possibly killed themselves. What Measure 11 does to those who have used a weapon in defense against an abuser is tell them that they aren't worth a second chance, that their life isn't worth or capable of being redeemed.

What Measure 11 does is remove humanity from our court system. It removes mercy, compassion, and the understanding of the circumstances surrounding a crime. And that is not right. There is a reason why a human being sits up on that bench. There is a reason why we still have juries of our peers. Because our judicial system is made stronger by our compassion and understanding for everyone in the courtroom. Everyone.

I have several quotes here from the women of Coffee Creek Correctional Facility, many of whom are there because they were forced to fight back and received no understanding, no compassion, and no mercy from the courts.

“I know several girls here, **the guys beating on her or her kids**, she shoots him and gets 10, or 20, or 30 years.”

“What if you shoot your boyfriend because he's beating your child? Your baby. You shoot him in the leg, not a kill shot. He doesn't die, but that's a Measure 11. All they do is check off the boxes: person injured, with a weapon. The circumstances don't matter to them – but **circumstances ALWAYS matter**, that's what makes us human. You've taken the humanity out of dealing with people in desperate circumstances.”

“Women fighting back against abusers USE WEAPONS – men are bigger and stronger. Men don't need weapons, men beat women with their fists. So what this measure does is discriminate against those who NEED a weapon - on the basis of your gender. **This Measure is basically an ongoing civil-rights violation against the battered women of Oregon.**”

“**Mainly the people with Measure 11s are the best behaved**, which gives you some clue that they really shouldn't be in here. And then you see the other people here for drug crimes, stuff like that, and it's basically a revolving door.” (I was asked to specifically point out that this is from a woman who has been in prison for 10 years on a M11)

“What are we striving for in here? Shouldn't we be the ones who get psychological help and counseling? **Why do we have no incentive? How is that rehabilitation?**”

“My ACR score is .01, literally the lowest it can possibly be, so you're basically telling me that you predict that **I am not going to reoffend but that I'm not good enough for release programs. I'm not good enough for a second chance.**”

“If you're already assessed as being low risk to offend and yet you're not giving them access to any programs, **how exactly are you rehabilitating these people?**”

“We're just sitting here going to work day after day. What is me working in a kitchen going to change? We are required to go to work, but we're not allowed to be in classes that will **help us actually better ourselves.**”

“My mental health counselor sat there and told me, '**This is definitely something you'll want to pursue when you're out of here, but unfortunately in this setting it's not available to you.**'”

“**Your lack of criminal history doesn't matter**, every indication that this was a freak circumstance doesn't matter. Not to a prosecutor.”

“90% if not 95% of all the programs in here don't want Measure 11s and **100%** of release programs definitely don't.”