

Dear Chair, Vice-Chair, and Members of the Senate Committee on Judiciary,

My name is Linus Korbin Norgren. I am an entrepreneur, artist, and local food provider for our communities here in Portland, Hood River, and the surrounding areas. I am an amateur mycologist, wild foods expert, and wilderness guide. I aspire to be a regenerative farmer and have been working towards that goal for many years. Throughout the seasons, I harvest a variety of wild plants, mushrooms, berries, and greens, and provide them to my communities. I produce specialized seasoning salts, low sugar jams, syrups, as well as bespoke medicinal extracts of wildly harvested flowers and mushrooms for sale at multiple farmer's markets throughout Portland and beyond. I am blessed to be a pillar of these vibrant, thriving, joyous communities of farmers and small craft food makers. I serve thousands of people throughout the year, and sometimes within the span of a single month. Every year I professionally guide groups of people through the wilderness, teaching them how to safely identify and sustainably harvest choice edible wild mushrooms from our forests: This very spring I'm excited at the prospect of assisting a professor at Reed teaching a related subject. I am good friends with some of Portland's finest chefs, bakers, fisherman, farmers, and food craftsman; We love nothing more than our yearly trips hunting mushrooms together every spring and fall. I only mention all of these folks because they would be dumbfounded to learn that the Oregon Psychiatric Security Review Board erroneously believes that I am extremely dangerous. Undoubtedly, they have expended hundreds of thousands of dollars of state funding to fabricate this losing assertion and to maintain their control over my existence. Thankfully, even if they were to be made aware of it, my friends and other pillars within these communities would undoubtedly say the PSRB is off their rocker on this one. And that's because it simply isn't true. I'm not a dangerous person. I have been told by many seasoned experts in the fields of psychiatry and psychology that I don't have a mental illness. I haven't taken any medications to treat a mental health diagnosis for over eleven years. I haven't had an episode, or a relapse of symptoms, for

nearly 12 years, despite undergoing extremes of stress for a person of any age to experience: Nearly lethal, life-altering viral infection, multiple deaths in my family, the COVID pandemic, riots, unemployment, rising housing costs, wrongful imprisonment, and now the daily violations of my civil rights under PSRB's jurisdiction which are omnipresent and seemingly without limit. I was only twenty years old when this all happened to me. I am now thirty-two, and I deserved my freedom years ago.

In saying that I'm not a dangerous person, and no longer suffer from a mental illness, I am not merely making wildly out-of-color subjective self-assessments. These are clinical realities that are validated extensively throughout my record. They are statements made by forensic psychologists at trial under oath, words spoken by the judge who placed me under the PSRB, testimony given by various licensed mental health professionals contracted by the PSRB to supervise me in the community, and countless other pieces of material evidence. More than two years ago, Dr. Mohandessi, (the very psychiatrist tasked by the PSRB to manage the bulk of conditionally released patients in our communities via Cascadia in Portland at the time,) stated under oath that he was not treating me for a mental illness. This follows testimony and extensive evaluations provided by a forensic psychologist who stated that I no longer fit the criteria for a diagnosis of bipolar disorder. He believed I had made a full recovery. He stated that I was not just in remission, but that I was longer affected by bipolar disorder at all. That was five years ago now. But today the PSRB is still refusing to discharge me. Today, the PSRB is preventing me from living at my childhood home, working on building our farm and protecting the future survival of our family business. Even though I am fully capable of living independently, and these beds are in high demand as the Oregon State Hospital is overflowing, today the PSRB threatened me with involuntary commitment to this very hospital. First, they forced me to move away from my family home a month ago, after living there safely and productively for almost a year, and demanded I move in with my girlfriend. Now they're telling me I can't live with her despite my partner being my biggest supporter in all aspects of not only life, but also in business. They're

putting me in a group home, despite demonstrating that I can live in a studio by myself, or with one of my oldest friends. This has placed me under immense emotional distress, and caused me serious financial disadvantages. The most frustrating thing about these actions taken by the PSRB is that they are not only entirely unnecessary, but they are likely unlawful as well. I haven't fit the criteria for PSRB jurisdiction ever since I was adjudicated GEI five years ago. And even if I did fit the criteria, I have now spent almost twelve years under state custody for a crime that carries a maximum penalty of ten years.

Almost twelve years ago now, I was held against my will at gunpoint in the middle of nowhere whilst experiencing a sudden break with reality in October of 2013. Since that day, where I was repeatedly told I would have my head "blown off," if I so much as moved an inch, while I laid naked, in the fetal position on the ground, I have spent a combined total of nearly three years under house arrest awaiting trial, three and a half years in prison and jail serving a sentence for this crime that I did not commit, and now five years and four months under the jurisdiction of the Oregon PSRB. Ever since this happened, I haven't had a single day that was truly to myself, without experiencing the constant psychological pain that is implicit to our justice system. PSRB jurisdiction is not what it appears on the surface. The PSRB's publicly stated values are "Due Process, Research, Recovery, and Partnership." But the PSRB denies its patients their right to due process every day they are under their jurisdiction. The PSRB ignores the most groundbreaking scientific research into mental illnesses and how to treat those afflicted humanely. They deny patients the care, therapy, and treatment modalities they so desperately need. Recovery and successful reintegration into society is constantly assailed by arbitrary deprivations of liberty that are imposed long after it is clinically recommended, or even legally allowed. So you learn to accept this shadow of the life you should be living in place of what life should actually be — It is an existence rife with limiting constraints that damage your ability to make a living, pursue an education, travel, build a business, kindle a loving relationship, maintain friendships, and

give back to your community. And I say that as someone who has always been at the lowest level of care available under the PSRB; I have always lived independently since my adjudication, and have never been to the Oregon State Hospital as an inpatient, but only for legally mandated evaluations prior to trial. I cannot imagine the frustration and anguish of those trapped in the hospital because the resources are tied up to keep fully recovered, healthy people, bound up in their system, clogging their dockets which are always being pushed back repeatedly.

I am extraordinarily fortunate to belong to one of the most exclusive fraternities of men in the United States of America: I was freed from prison with the help of the Oregon chapter of the Innocence Project (OJRC) after spending three years and three months wrongly imprisoned at Snake River Correctional Institution. Every day I spent there was counted towards a ten year sentence for attempted murder, a charge which was eventually dropped against me. Had I not had my case reversed by the Supreme Court of Oregon, I would have been released from prison on the 25th of February, 2025 for that very crime. That is a month ago today. So over ten years ago, I was convicted of attempted murder, and five counts of assault II, and sentenced to ten years in prison. I would have been released from prison last month, but yet, here I am— Over five years ago now, I sought to resolve my case through a Guilty Except for Insanity stipulation after being advised by counsel that there was no legal framework from which the state could hold me under their jurisdiction. This is because six years had already elapsed between the time of my arrest and the time of my second trial, a lengthy period of time throughout which I clearly demonstrated that I was no longer mentally ill, and hadn't been for many years, despite undergoing an intense amount of scrutiny and state oversight throughout the entirety of that six years. When I was finally sentenced under GEI for charges of Assault II, the judge agreed that I was “no more dangerous than anybody else, in the way that any normal person could be dangerous,” but admitted that he did not fully understand how the law applied to my case, so he would send me over to the PSRB, and “let them figure it out.” He placed me under PSRB jurisdiction for the maximum

allowable sentence for assault II: Ten years. This is the same exact sentence I received from the same court five years prior for the same incident, for the guilty conviction of the much more serious crime of attempted murder. This tells us just how egregiously unjust the current law already is. But it actually gets worse from there in my case: I was placed under the PSRB for the maximum allowable sentence of ten years *starting from the time of the judgement*, entirely discounting the three and a half years I spent in prison and jail, ignoring the three years I spent under house arrest awaiting trial. And now five years later the PSRB is still denying me discharge, despite a constantly accumulating mountain of evidence that proves their jurisdiction has not been lawful for many years, and if it ever was, it certainly isn't any longer. So now we are approaching twelve years from the time of my arrest, and the PSRB is currently threatening to hold me for nearly five more years, despite this being in flagrant disregard of many state and national laws, including the eighth amendment of the US Constitution, which protects citizens from the infliction of cruel and unusual punishments. The PSRB has been comfortable with someone being placed under the jurisdiction of ODOC, county jail, and their jurisdiction, for a combined total of seventeen years for the crime of Assault II, despite literally thousands of pages of documentation describing the mitigating factors and contextual elements of the crime that made it all but impossible for me to do anything but defend myself from a heavily armed stranger who was forcing me to walk in front of him at gunpoint in the middle of nowhere. Despite the maximum allowable sentence for the crime (assuming I had an extensive criminal record to warrant such an upward departure) being only ten years.

Oregon is in crisis. The Oregon State Hospital is said to float at or over capacity 365 days of the year, while an epidemic of mental illness and drug addiction lines the streets of downtown Portland with houseless individuals, many of which are obviously in a state of acute ongoing psychosis. Our jails and prisons are also at or over capacity, and are horribly understaffed. Our jails and prisons have become de facto mental institutions as mental illness, homelessness, and drug addiction become

criminalized in our state. Meanwhile, Oregon is simultaneously experiencing a severe shortage of public defenders, a point of pain in our state which has been the center of scandal and intrigue for years with no end in sight. Of the six hundred some individuals under the jurisdiction of the PSRB, quite nearly all of them are represented by the same attorney: Harris Matarazzo. In other words, Matarazzo is our attorney on paper, but in practical effect we are all unanimously being deprived of effective representation. No attorney can possibly manage a caseload so vast under any circumstances, even supposing that the defendants were only charged with misdemeanors. The National Advisory Commission on Criminal Justice Standards and Goals (NAC) standards, developed in 1973, recommend that public defenders handle a maximum of 150 felony cases per year. (Note that this recommendation is total cases per *year*. Not an ongoing caseload.) Cases under the PSRB only become larger and more complex over time as hearings are repeatedly requested, grievances filed, appeal deadlines begin tolling or lapse, and more clients are placed under PSRB jurisdiction than those that are released from jurisdiction. Every client's case under the auspices of the PSRB carries an implicitly higher degree of weight due to the urgent nature of being involuntarily committed to a state mental hospital. The threshold for whether or not one's placement in a secure psychiatric facility is legally warranted must be met with a higher degree of stringency and public oversight than in any other related field of law enforcement or medicine, but currently that is far from the truth. The PSRB simply doesn't have the ability to maintain its current caseload without depriving everyone under its care with effective treatment while guaranteeing due process is being lawfully observed. So it is of urgent importance that this measure is passed so we can start addressing this discrepancy within the Oregon State Hospital, and within our communities. Every day that someone remains in the state hospital that should be on conditional release represents another person who is being denied that same treatment they so desperately need. Those who are hospitalized are forced to endure conditions intended only for those who are in acute phases of their illnesses, long after such restricted conditions would be clinically recommended in any other in-patient facility. Likewise, each person currently under conditional

release that recovered from their illness long ago, is eating up invaluable time and resources that could be better put towards providing a higher level of care and oversight to those who are just now resuming their lives out in the community.

The ultimate irony of this current law, which imposes mandatory maximum sentences for GEI cases, is that it was probably created with public safety in mind. But the reality is that this unconstitutional practice actually puts the public in danger. It endangers the public because it prevents those who are actually in acute crisis from receiving the urgent mental health services they direly need, because the hospital is filled with people who are serving absurdly long sentences. It endangers the public because limited state resources are exhausted in the supervision of individuals out in the community who are not dangerous and have been mentally stable for many years or decades at time, instead of emphasizing the closer supervision of those with higher risk factors. Again, all of this is in direct opposition of the PSRB's very first tenet of it's mission statement, which is due process. Due process is being violated, and measure SB1114 would help rectify that, and other institutional abuses inherent to a crisis such as this.

Truthfully,

Linus Korbin Norgren