

June 10, 2025

Senate Committee on Finance & Revenue

Testimony of Julia Clark, Eugene, OR
In Opposition to House Bill 1196

Chair Meek and members of the Committee, my name is Julia Clark.

On October 4th, 2002, my father, Chapin Clark died a totally preventable death due to drowning in the Rogue River. He was an avid outdoorsman, a mountaineer, a man who modeled safety and respect for the forces of Nature. He and six other passengers were on a guided fishing trip. The first thing my father did that morning, before they entered the water, was put on his life vest. He was in the 3rd drift boat with one other passenger and a guide. The outfitter was in the first boat. He went through Coffee Pot rapids, a Class III rapid, kept going, and found a spot downriver for his passengers to fish. Boat 2 went through the rapids and pulled to the side to wait for boat 3 to go through the rapids. They waited. Safety protocol for going through challenging rapids. No sight of Boat 3. They then started seeing items floating by. The people in Boat 2 put out, grabbed rope, and headed back upriver on foot. They came upon a horrifying scene. The woman who was in the boat with my father was lying on her stomach on the ground, talking to my father, who was being held up against the wall of the channel by the frigid water. She kept telling him to hang on. He talked about his wife, my mother, and his daughter and son until he could no longer speak. His strength was waning.

The guide, who was not wearing his personal floatation device, was hysterically pacing on the other side of the river. My father had already gone under the water when the boat flipped and got caught in an eddy. When the people from Boat 2 arrived, they managed to get the guide's PFD back over to him. Instead of immediately securing his PFD and attempting to rescue my father, he continued to pace hysterically while Boat 2 passengers tried to talk him through the rescue steps. Attempts were made to get my father to a spot where they could get him on land, but they were too late. My father was already suffering from hypothermia, with water in his lungs, and a guide who froze and had to be told how to resuscitate. My father was dead. It had turned from a rescue to a recovery. The group of people from Boats 2 and 3 placed my father in a boat and they went downriver, where Boat 1 was still fishing. The Outfitter had no clue what had happened. They all continued down to a place they could put out and transported my father's body to the morgue in Gold Beach.

The outfitter and the guide did not follow safety protocols. One customer from the trip told me that there was no 'Safety Talk' before putting their drift boats in the river. We later learned that the guide in my father's boat had no rescue or lifesaving training. They didn't have the necessary rescue equipment on board.

When I saw my father off for his fishing trip, I had no idea it would be the last time I would see him alive. The next time I saw him was in the mortuary. My family had his body transported up to Eugene for an autopsy. His death was ruled a freshwater drowning. We, his family, were devastated. My parents had just celebrated their 50th wedding anniversary. We had so much more we wanted to do together! My father was not only precious to his family, but a beloved member of the Eugene community. He helped lead the University of Oregon Law School to

national prominence during his six-year tenure as Dean and his illustrious career on the law school faculty until his retirement in 1992. He was vital. He was loved.

This was a case of flagrant disregard for the safety and well-being of my father. He paid a good amount of money and trusted that the outfitter and his crew were skilled in basic whitewater safety and rescue.

In 2004 I helped advocate for Senate Bill 579 – that secured safety requirements for whitewater outfitters and guides running rapids of Class III or higher and other life-saving measures that frankly, could have saved my father. Strong opposition balked at requiring safety certifications, claiming such training is costly, required medical insurance for participants, and is meant to equip first responders rather than outfitters and guides. After strenuous negotiations, these common sense, life-saving measures were passed into law in July 2025.

**Please don't backtrack on ensuring safety for Oregonians.
Please vote No on Senate Bill 1196**