

Dear Judiciary Committee Members,

Thank you for listening to our support of House Bill 2797, or “Taylor’s Law”. My name is Erin Martinek. I am the oldest of the Martinek children and was one year older than Taylor. In January of 2017, I lost my brother to an “accidental overdose”, as it states on his death certificate. Taylor was one of my closest siblings. He had been struggling with addiction for a few years, but had been in recovery for about six months, and things were looking up. Taylor was a salesman, and had just been promoted to manager. Taylor and I played on a volleyball team together, had weekly dinners, and spoke every day. I was a Patrol Deputy with the Washington County Sheriff’s Office at the time of his passing. I was scheduled to work the exact district he passed away in, but luckily was removed from the schedule for the evening. Otherwise, I would have been dispatched to my own brother’s call. That evening, I heard the words, “What do you mean he’s black and blue?”, as his roommate frantically called my mom. As a police officer, I knew “black and blue” is not something you come back from. I knew Taylor was gone.

Throughout my career, I had constant internal battles regarding arrests made on people for drug possession. As I learned about my brother’s illness, I wanted to enforce possession laws less and less. After my brother passed, you couldn’t have found a more empathetic Deputy to respond to an overdose call. I cried with the families, hugged them, and listened to them as they expressed their frustration with the lack of resources and help they received while their loved one was battling addiction. It simply became too much for me. I responded to overdose after overdose, often having to perform CPR on a young person who was likely never coming back. I left the first responder world. Without sounding arrogant, I must say this is simply a tragedy because we need good, honest, and empathetic police officers.

My brother, as you know, became addicted to opioids after his multiple sports-related surgeries. Taylor was a bright, shiny, loving person, who warmed any room. Taylor was everyone’s cheerleader. You could ask 20 of his friends and they would all say they believed Taylor was their best friend. I lost my best friend and biggest supporter in this world because of addiction, and more importantly, because of drug dealers facing little to no consequences, despite the results of their actions.

When a person is impaired, and driving (DUI), they receive the option to attend diversion, assuming it’s their first offense. I arrested many people for DUI on their first offense. For most of them, the experience, due to the monetary issues, jail, arrest, and, frankly embarrassment, was enough for them to not repeat the offense. However, some people become impaired and end up killing another person because of their actions. These people are held accountable because a life has been lost. These people are not offered diversion and suffer a stricter consequence. This stricter consequence often serves as a deterrent. I hear my friends and peers say all the time to take an Uber because it’s not worth their life, or taking someone else’s life. **So why is dealing drugs any different?**

Taylor purchased what he thought were Oxycontin and Xanax pills. I have attached photos of the actual pills Taylor purchased so you can see how realistic they looked (Appendix A). Taylor believed he was purchasing a normal dose of Oxycontin and Xanax. Taylor only took one of each of these pills – which would not kill a small child. **So why did he die?**

Taylor's pills were laced with Fentanyl. Taylor was not told they were laced with Fentanyl, and that he would be taking a lethal dose of a synthetic, high-powered opioid. Taylor wanted to live. He did not want to die. Adam, the first level dealer, received absolutely no punishment. Theodore Vandomelen, the second level dealer, received 12 months probation, for delivering a controlled substance, illegally, which resulted in death. Mason Sinner, the third level dealer, received 28 months in prison, but only because it was combined with the Robbery he committed the following day. These people delivered a controlled substance, which **DIRECTLY** led to my brother's death, and yet they received no stricter consequence than if my brother had lived. Delivery of a controlled substance is also considered a "victimless crime", that of which it is not.

I urge you to pass this bill. If Adam, Theodore, and Mason knew they could receive 5-11 years in prison, if someone died directly from their actions, maybe one, if not all, would have thought before they acted.

I understand the concern for putting more people in prison, but we need to hold dealers accountable for their actions. I am in full support of prison reform. I visited my brother on Christmas Day in jail and watched him walk into our visiting room in an orange jump suit. Up until that point, I had spent 22 Christmases with him at home, never once before in jail. I know our prison system is outdated, dating back to the medieval times when we believed "penitence" was the way to "fix" criminals, hence penitentiaries. We need change, but we also need to deter people from profiting from addictions.

Adam was Taylor's co-worker and knew Taylor was in recovery, and was clean. Taylor told us that Adam was trying to get him to buy pills and asked Taylor to over and over, for months. Taylor told him "no" probably at least a dozen times, before finally giving in, and dying. And yet, society blames Taylor. The internet trolls who've commented on "Taylor's Law" articles have stated, "It's not the seller's fault", "Your son made a choice...there has to be focus on personal responsibility", and "It comes down to self-discipline".

But, what about the dealers? Who took advantage of Taylor's illness and exploited his vulnerability? How about we take the blame off of the users, who are struggling with a medical issue, and begin to place blame where blame is due. We understand this will not fix our addiction and supply problems, but it is a step in the right direction.

Support HB 2797. If we can save one life, this will be worth it.

Sincerely,

Erin Martinek

Taylor's Sister

Washington County, OR, Resident

Appendix A

