

March 23, 2021

RE: Supporting HB 2825

Chair Bynum, Vice-Chair Noble, Vice-Chair Power, and members of the House Committee

My name is Marchel Hirschfield, I use she/her pronouns and I am urging your support of House Bill 2825. I am a brown, queer, single parent, and survivor of domestic violence. And I hope to survive the "justice system." I was 21 when I first met my abuser; I was a single mom to a 1 year old boy and I lived away from my entire family. The first time I took the blame for my partner, we were at the park near my work on December 4, 2013. Case W13162275 I took the blame for having less than a gram of marijuana in my car. I remember the police officer coming to my window and said, "If I had a daughter I wouldn't ever let her go out with a guy like this. He's a monster." I was so shocked by the whole situation I didn't ask for more information.

I had known my abuser for only 2 months at this point and he had so much control over my life. I was not allowed to pick up my son directly from my son's father. I was not allowed to have conversations with other men, or wear certain clothes. I don't even remember how or when I started to allow the control. Four days later, December 8, 2013 was the first time he ever put his hands on me. He slapped me outside of the Waffle House on SE Powell St. and shoved my car key into my neck because I received a direct message from another boy. He threatened to drive us off the bridge and into the Willamette. That night I called my boss and mentor Amanda who told me I should call the police and report it. The next day my abuser called me and asked to meet with me to apologize. He told me he didn't mean to get so out of hand and wanted to make it up to me.

On December 9, 2013 that was the first time in my life I thought I was going to die. When he arrived at my apartment in Hillsboro, the first thing he checked was my ipad scrolling through my internet history and next my text messages. He suddenly became so angry that he grabbed a kitchen knife and chased me into my bedroom. Demanding answers to his questions he sat on my chest dragging the knife from my forehead to the waistband of my pants. This lasted for what felt like hours. Finally he decided he wanted to buy a gun instead and asked for me to drive him. Seeing this as my opportunity to escape I was able to get in the car before him and drive off to my workplace down the street that I knew had on-site security. A security guard called the police and they took my statement. That night they had all 3 counties looking for him and they charged him with kidnapping, theft, unlawful use of weapon, menacing, and strangulation. His judge at the time was Andrew Erwin, case # C132872CR. While my abuser was in jail, his mom would contact me with updates and ask me what I was going to do. I had no friends, no community relationships, and no active relationships with my family in Hawaii because no one supported my relationship. I remember I received a postcard from the jail

that my abuser drew for me that was addressed to my friend and that it said things like “he loved me so much.”

Feeling like I was in love, when I met with the district attorney I changed my story. I watched the district attorney's face fill with sadness as they explained to me what that would mean by changing my story. Choosing to stay in that relationship I endured physical, mental, and emotional abuse every single day. I had no idea what I was doing or how that would impact my life forever. My son's father took my son with him to Hawaii to protect our son from this trauma and I lost my job, friends, my relationship with my family members, and almost all of my belongings. My mentor tried her best to help me by offering me a job in Nashville, Tennessee. I accepted it but after a few months, my abuser followed me to Nashville and I ended up losing that job opportunity as well. We both ended up back in Portland, Oregon and I endured severe mental, emotional, and financial abuse. My next attempt to leave the relationship was in June 2015. I sought help at the Gateway Center and filled out a restraining order. It never went into effect because between filling it out and the court date, he had apologized and promised to never do it again.

In January 2016 I gave birth to our son and I was the sole provider for my abuser, my son, my step-son, and now my new born child. I could only work jobs approved by my abuser, and most times he sat in the car outside of my workplace until I was finished. When our youngest child got MRSA at the end of 2016 my abuser and I started to misuse the credit card of the company I worked for and my abuser began using the card as well. In August of 2016 my father died suddenly and I entered a very dark space of grieving. In the spring of 2017, my grandma who raised me had an unexpected stroke and it was a different type of grief to navigate. We had continued to use the company credit card and I continued to be the only person providing an income to the household. He controlled my bank accounts, credit cards, and paychecks. Still thinking I was in love, I married my abuser in July 2017.

Providing full cooperation with the investigation when the company I was working for discovered misuse, I became a felon by accepting 2 felony charges of a Class B Aggravated Theft charges. I protected my abuser and took full responsibility for a restitution amount of \$73,321.70 (case 18CR14216). My attorney and my judge did not ask for more information about the abuse. Ironically, my judge is Judge Andrew Erwin, the same judge who oversaw the case when I thought I was going to die for the first time. The last time I ever let my abuser put his hands on me was while I was on house arrest for this case. He dragged me into the living room and strangled me so hard that I was requested to take my ankle bracelet in for maintenance because it went off for possible tampering. The summer of 2019 I attended a leadership training through Planned Parenthood Advocates of Oregon fellowship program and my mind started to connect the dots on the intersectionalities of my experiences. Ever since I returned from that trip to DC with PPAO, I have left my abuser and will never go back but the effects of this relationship will affect me for the rest of my life. Currently on probation, I am still being abused by a system that is designed to fail me. Having taken full responsibility for the crime, I am fully responsible for paying the restitution amount.

I regularly meet with a therapist through the Gateway Center. She's diagnosed me with complex PTSD. Interactions I have with my judge, my probation officer, or any person in positions of power retraumatize me. When I was in front of my Judge the effects of PTSD cause physical and emotional disabilities as my body goes into flight, fright, and freeze mode. I am so fortunate to have found the fellowship with Planned Parenthood Advocates of Oregon that provided me the training I needed to find my voice, share my story, and use my experiences to shape policies, especially policies that would directly impact other survivors which ultimately led me to my current position as Political Director of APANO. When I read the statistics to the 2019 Women in Prison Conference Report that 65% of women who were in a relationship at the time of arrest reported experiencing abuse in their relationship and 44% of the women in a relationship at the time of arrest said the relationship contributed to their conviction. I cried so hard seeing myself reflected in these statistics.

Being a survivor was not considered when I was convicted of a crime and affects me every single day of my life. Because the systems in place does not support survivors. I took the entire blame for the crimes because that's what my abuser literally beat into my head-- that I am the problem, I am not worthy of freedom, and that I will need him the rest of my life. Still on probation and needing to pay restitution monthly, I am still legally married to my abuser. I am still isolated from my family with restrictions on traveling. I cannot be a parent volunteer in my children's school. I cannot build generational wealth because I need to pay \$1,000 per month. And I am not able to expunge my record because I have 2 class A felonies. In my restraining order I wrote, "Aviel has told me over and over that if he can't have me then no one else will. He has told me that I belong to him that I will never get away. That no one will love or take care of me like he can..." My husband, my abuser Aviel Hirschfield has the ultimate control over me and has the support from the system. He threatens calling the police on me if I try to have strict boundaries with him while we co-parent; He threatens use of my criminal record to take my children away from me. And he gets to live his life freely with no criminal record and no consequences for his actions.

Our current system is not set up to support survivors, so I am here to offer my lived experience and ask that you support survivors by supporting HB 2825.

Sincerely,

Marchel Hirschfield