



Testimony SB 835

March 29th 2021

Dear Chair Prozanski, Vice-Chair Thatcher, members of the Judiciary Committee,

My name is Lluvia Magali Merello, I work with Oregon Physicians for Social Responsibility as the Energy Justice Organizer, I have also been personally impacted by mass incarceration for most of my life.

In preparing this testimony I have been reflecting on all the ways that mass incarceration has impacted me and my family but for the sake of time I will focus on two issues that SB 835 addresses; the need to update Oregon's compassionate medical early release laws and why Oregon state prisons need to be better prepared for the next health emergency, natural disaster, fire/smoke etc.

I have had the privilege of working on SB 835 and what I know is that the updates that are being proposed targets a very specific population of AIC's who are severely medically fragile and who would be more appropriately cared for in the community. SB 835 would only start a process for AIC's to apply for early medical release, SB 835 guarantees no AIC release.

Please do not get confused, this bill will not trigger a mass release of AIC's in any way. Making a process more accessible and transparent should not be a threat to any system with morals.

[Herman Wallace](#) member of the Angola Three, was a mentor to me for a few years of his over four decades in solitary confinement in Angola State Prison in La. He was kind enough to offer advice and support as I fought for the life of a loved one that had been wrongly accused of killing a police officer in New Orleans La. Herman at the age of 71 in 2014 was released from Angola State prison just days before he passed.

Herman, Robert King Wilkerson and Albert Woodfox are the three members of the Angola 3, a worldwide movement to free these three political prisoners. Herman had lawyers, family, countless supporters and entire governments (in 2003 the South African Government endorsed and fully supported the Angola 3 movement), and still he had to fight for decades to be free, only to die a few days later of health complications. While I recognize that Louisiana is not Oregon, in my experience our state prison culture can be very similar anywhere in the United States.

SB 835 would give AIC's like Herman a chance to receive the care that they are in need of in the community while the Medical Advisory Board would be an independent body with medical expertise to best determine when someone medically qualifies for early release.

For me Emergency preparedness in jails and prisons again is a very personal and important issue. I have another example from Louisiana and what happened to some AIC's during hurricane Katrina. Again I recognize that Oregon is not Louisiana but Louisiana does lead the world in incarceration rates and can provide us with some examples of what not to do.

Before hurricane Katrina there was no effort to move any [AIC's out of New Orleans](#) so when the city flooded many (not all) AIC's were left locked in their cells surrounded by over 10 feet of



water in every direction, they were left there without food, medicine or water for over a week. Officials never admitted it but many prisoners drowned in their cells and/or died from other medical needs while waiting for help. All of this could have been avoided had the Orleans parish sheriff and local and state governments had a real emergency plan to follow. I pray that we here in Oregon never have to live through such a disaster but this last year has shown us that we have to be prepared NOW for the unexpected.

As officials, how do you see Oregon being able to respond to medically fragile AIC's in say, an earthquake? How will ODOC be able to transport medically vulnerable AIC's in any emergency? I ask you to consider this because I see SB 835 as part of our long term emergency preparedness plan in Oregon.

Thank you for your time

Lluvia Magali Merello
Energy Justice Organizer
Oregon Physicians for Social Responsibility
lluvia@oregonpsr.org