

Re: Testimony in support of SB 191-

Good day to you all, Honorable Public Servants and People of the state of Oregon.

For the Offender: I do not speak from an educated position in this matter, but one of experience. I was released April 20th, 2020, after serving just over 27 years of a life sentence. By the grace of God, I was blessed to be sentenced before Measure 11 came into effect. I cannot express how negatively this measure changed the entire prison culture, and I witnessed firsthand the sense of hopelessness that began to pervade every aspect of the community that was once a wellspring of learning, possibility for personal change and rehabilitation.

The situation then deteriorated rapidly, and within the first decade the results had completely obliterated any incentive for inmates to become better persons. A new era came into being, an era which fostered gangs, violence, substance abuse, addiction, and spiritual and moral decay. Budgets for much-needed Vocational, Educational, and Cognitive/Behavioral programs were cut in favor of newer and safer facilities, and well-trained staff with which to equip them. Sadly, Oregon became a "Prison State." The most precious resource we possess today is our youth, of which a large portion are spending their formative years behind bars. If we say "No" to this bill we will have made a clear statement to them that their hope for a brighter future is of no concern.

For the Victims: In approving this bill today, we are not telling the victims who have suffered due to the actions of others that the people who have harmed them will go unpunished. How could we ever disregard the healing of the Victims? How can we conscientiously deny them closure, or a renewed sense of safety and security for their families in the community? We are not saying that their pain is of no importance. We do not declare that those who have violated the letter and spirit of the laws of this state and nation will escape the penalty for their crimes. No, my fellow citizen, we are saying that there is a better way. If a person spends 5 years, 10 years, 20 years, etc. incarcerated and never has an opportunity for change offered them, or any incentive to learn the life-lessons that many of us learned apart from incarceration, have we not failed both them and the Victims of their crimes? Yes, we do stand on the side of justice, but we also beg for mercy on behalf of those we love that are serving time for their mistakes. There is a place where justice and mercy converge, and I believe that today we are standing at that crossroads. I ask that we all spend some time in reflection, and deeply consider what message we wish to convey.

There have been various statistic and analytical information supplied by those opposing SB191, stating how well Measure 11 has done for violent crime rates in Oregon, and also the "scare tactics" of who "may or may not" be released in the near future as a result of the passing of this bill. But I pose a question: If Measure 11 has had such an favorable effect on crime, then why has Oregon continued building prisons for all these decades after its imposition? Why is it that every fiscal shortfall is related to the public safety budget, and that mainly being Corrections?

And so, I will conclude with this: I sincerely believe that anyone sentenced under Measure 11 should be eligible to earn sentence reductions. It was very short-sighted of us not to allow individuals who have "exhibited true personal transformation" to have a chance at a reduction in their sentence. When prisoners are motivated to follow the rules and participate in programs, that benefits both the Dept of Corrections and the communities to which prisoners will return, as well as the prisoners themselves. It is ethically, socially, and fiscally beneficial to all parties represented.

The retroactivity of this bill will allow for those offenders who have displayed a newness of character to partake of the same benefits as those that will be sentenced in the future. As for those who have not chosen to embrace change, and have squandered their time during this interim period, let their actions speak on their behalf. If what we deem "rehabilitation" has been accomplished by, and in, the offender who has stepped up and toed the line before their sentence is up, any chance at being offered an earlier release is at the sole discretion of the Department, not the bill. I urge you to pass SB191, which is the only bill that makes sense for the future of the criminal justice system, and for the state of Oregon.

I offer my thanks to the Members of the Legislature and the People for this opportunity to share my thoughts and opinions in this matter.

Sincerely,

Joshua Wilburn