

**Testimony of Enrique Bautista regarding SB 1511**  
**January 31, 2021**

I am Enrique Bautista, currently incarcerated at the Oregon State Penitentiary in Salem. I have been in prison for 19 years and 5 months. I was born in 1983 in California, and am now 38. I was 18 years old when the events occurred resulting in my imprisonment. I have spent more than half of my life in prison.

I was sentenced to four consecutive 70 month terms in prison after being convicted on four counts of Assault II, three of which resulted from non-unanimous verdicts. The sentences totaled 23 years and 4 months. I completed the sentence on the one unanimous verdict more than 13 years ago. I also completed my sentences on two of the three counts with non-unanimous verdicts, but I'm still in prison.


The four convictions resulted from two separate events. I used to be a gang member, and was in a gang on June 25, 2002, when I was confronted in Woodburn by a member of another gang. He had a gun and I had a baseball bat. I was charged with Assault II. I believe I acted in self-defense, but the jury unanimously convicted me of Assault II. The victim has now recanted his testimony, both in a declaration and at a deposition. The other three convictions came from separate events that happened 6 days later. I was with my co-defendant, Jose Chavez, who was then a fellow gang member. We were confronted by several men, and a fight happened. Jose and I were each charged with three counts of Assault for knife wounds three of the other men suffered. Jose pleaded guilty to knifing the others. I did not have a knife and pleaded not-guilty, but the jury returned non-unanimous verdicts against me on all three counts. Jose received a prison sentence, but he completed his sentence years ago and is free today.

I finished my sentence on the unanimous verdict on May 2, 2008, but am in prison because I still have four years remaining on the last of the three consecutive 70 month sentences from the non-unanimous verdicts. I have continued my education while in prison. I have not had any gang involvement since I was imprisoned.

I had a job in 2002 when the assault events occurred (I worked at Burger King), because I was trying to take care of my one year old daughter, Angeles. In the more than 19 years I have spent in prison, it has been extremely difficult for me to be a father to Angeles. I can only see her when visitation is allowed, and when I was in the Snake River prison, it was difficult for her to travel to visit me. Still, I have tried to be a father, and Angeles talks with me by telephone almost every day. Attached is an essay I wrote about Angeles in 2017. Angeles wants me home, and I just want to go home and be with Angeles and her mother, my wife Janet. Even if all my non-unanimous verdicts were overturned, the unanimous conviction for Assault would remain on my record, with all of the restrictions that result from a felony conviction.

Testimony by Enrique Bautista

Date: January 31, 2022 Signature:

  
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Jerry A. Riedinger  
Attorney for Mr. Enrique Bautista



*Enrique Bautista visits with his daughter in 2014 at Two Rivers Correctional Institution. She was 14, and he said he was being kept in the hole. She had been crying just before this photo was taken. (Photo courtesy of Enrique Bautista )*

## My daughter: An essay by a father behind bars

She ‘surpasses in importance even the harshest of mistreatments and living conditions in prison,’ Enrique says

by **Enrique Bautista** (/users/enrique-bautista) | 13 Oct 2017

*Enrique is an inmate at Oregon State Penitentiary who enjoys writing, drawing, reading and learning about history, religion and places. He says most of all, he likes to meet positive people.*

Can you imagine what it would be like to be sentenced to 280 months in prison at the young age of 18?

That is 23 years and four months to be exact, a lifetime by any standards, day for day, and no chance for early parole. I know what it’s like because that’s my life and I’m living it now.

As I write this, I’m sitting in my small cell here at the Oregon State Penitentiary in Salem, and I’m wondering if this story will give you a different perspective on prison life or prisoners for that matter.

I am surrounded by people, but no one is like me. We are all different. Some will be getting out tomorrow, and some will never taste the sweetness of freedom ever again. This will be their forever, and hundreds more, perhaps thousands will be touched by DOC (Department of Corrections) by the time I make it home; this life is not fun!

I could speak extensively about the struggles and injustices that take place in here on a daily basis.

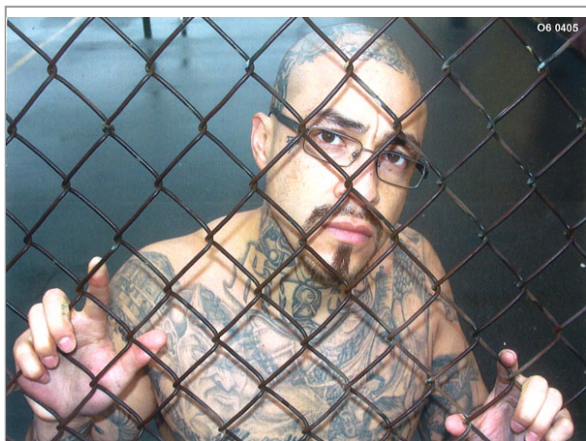
The heartaches and headaches and frustrations that I've had to tolerate for the past 15 years are very real and they affect not only myself, but the community in more ways than one.

But to me there is something else that surpasses in importance even the harshest of mistreatments and living conditions in prison, my 16-year-old daughter, Angeles.

I was a kid myself when she was born in 2001. That's when I felt true happiness for the first time in my life, but I didn't know what else to expect or how to process what happened next. It was a bittersweet moment and to this day I continue to feel the same way.

Angeles was one of many premature babies that were born that year. At 1 lb. and 8 oz. she was a miracle child. She spent the first 3 months of her life inside an incubator in the Doernbecher neo-natal unit at OHSU in Portland. Her mom and I visited a few times a week, but were not allowed to touch her, and that was something that I had not anticipated.

I always thought that being a dad would be different. During those 3 months Angeles went through several surgeries, two of which were major, and it was scary. Suddenly being a dad was a scary thing to me. But when she was released from the hospital things became somewhat normal. I changed diapers, made bottles, and I helped bathe her. I always held her in my arms until she fell asleep, and whenever she cried, I always worried that she was hungry or hurting because underneath the pink little outfits on her tiny body there were several scars left behind by the same surgeries that saved her life, but no one could see them. No one knew they were there. They were reminders to me of how lucky I was to have her and how easily she could be taken away from me.



*Enrique Bautista at Oregon State Penitentiary in 2016 before his last stint in IMU, which is a form of solitary confinement. He hopes his writing will help people see beyond his tattooed exterior to the man inside.*

*Photo courtesy of Enrique Bautista*

Now, this is my story so I will be honest and tell it like it is. I've been gang-affiliated since I was 14 years old and back then I didn't see, or couldn't see, the difference between what was important and what I "wanted" to be important in my life. I had no sense of direction or purpose; no goals or motivation. I was just a kid trying to figure it out on my own.

One night I went out as usual and I never came back. I've been here in prison ever since. It has been 15 long years. I'm no longer a kid! I'm still a dad, but I don't feel like one, however, I have learned a lot about myself, who I truly am and where I want to be in the future. I will be 34 years old in a few months, and I'm happy to announce that in eight years, I will be released from prison. I will get a second chance in life.



What I have lost I will never get back! I left a little baby who is a teenager now. Soon she will be a woman, and I'm OK with that.

I have a personal belief, my own philosophy if you will. I believe that life does not teach us, we teach ourselves, and we learn only if we are willing and ready to learn. I have learned a lot! I have goals now. My whole outlook on life has changed dramatically. My way of thinking, my ideas and even my taste in music and literature has changed, but part of me still struggles with my reality. The reality that I created for myself and for my loved ones, for my daughter.

She says that I'm the best dad because I'm funny and I listen to her and because I know how to give her advice in a way that makes sense to her and because I have always found ways to get her something on her birthday or for Christmas. Because I write and call constantly and because I send pictures and drawings and I share my poetry with her. Because I engage her and challenge her mentally with questions about history and Islam – which is her religion.

She says my tattoos look cool, but I know she secretly wishes I wouldn't get more.

We share a love for books and over the years we have been building our own library.

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I order books in the mail for her which she reads at home. I order a copy for myself which I read in my cell, and we discuss the books in the crowded but cozy visiting room here at the OSP.

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I order books in the mail for her which she reads at home. I order a copy for myself which I read in my cell, and we discuss the books in the crowded but cozy visiting room here at the OSP. There used to be a program with the same concept to bond with one's children through the reading of books back when Angeles' favorite was "Diary of a Wimpy Kid." When she used to sit on my lap for me to tell her stories of when she was a baby and I was still out. Eventually she became "too old" to sit on my lap anymore. And the board games we used to play became boring. The card tricks weren't amusing anymore and I was forced to learn new ways to be a better dad from prison.

I took the parenting class which is offered to us a couple of times a year here at OSP. I read countless books and I participated in different seminars and groups such as the mentorship class through the UHURU SASA club also here at OSP.

In 2004 I began to record my daughter's growth and development as well as our bond and our father daughter relationship because some day I want her to see that no matter how far I was from her, she was always in my heart and no matter how many months and years I spent in isolation trying not to lose my mind, she was always with me, giving me motivation and strength to make it out of there as a man and not as a creature on medication like a lot of people end up turning into only because they have no support from anyone, anywhere.

I have bought a journal on canteen for \$6. The best investment I've ever made. In that journal I've written stuff ranging from the loss of her first tooth and to the first concert she went to and the bully at school that took her book while she was reading it and threw it in the trash can. How that made me feel and how she must have felt. I also put pictures in there to show her how she went from knee height to being in high school and having a crush on Luis.

I plan on giving it to her on her 18th birthday. The same age I was when I came to prison and I hope that in that journal she finds the answers to some of the questions she may have in the future.

But *my* question is will I ever be a real dad? Will I ever “feel” like a real dad? I don’t know. All I know is that my daughter loves me and I feel it when she wraps her skinny arms around me and she says “I love you dad.”

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**FURTHER READING:** [Solitary confinement – an inmate's perspective](https://news.streetroots.org/2017/08/30/caged-solitary-confinement-inmates-perspective)  
(<https://news.streetroots.org/2017/08/30/caged-solitary-confinement-inmates-perspective>)

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