

Chair Bynum and members of the committee,

My name is Melissa Campbell and I'm writing in support of House Bill 4110.

I grew up in McMinnville, Oregon district number 24, where two other young women and I were victims in a criminal case involving multiple measure eleven offenses. The defendant was convicted following a bifurcated jury/ bench trial, but my portion, which was the jury trial, is currently being appealed due to the Ramos v. Louisiana decision.

In my case, the defendant put us through months of litigation while he tried to get into all of my mental health history, arguing that there was something in the discoverable materials that indicated they should have access to my privileged and irrelevant records. The district attorney's office was helpful and allowed my attorney to drive from Portland to McMinnville to review the file in preparation for defending my right to my health history, but it was not enough time. There were thousands of documents submitted into discovery and it was not possible for my attorney to review everything in the few hours available to look through the materials; this is a problem that would have been alleviated if we could have requested and received copies of law enforcement agency records concerning my case the same way they were provided to the defense attorney. This dragged the case on for months, an added weight to an already heavy and draining legal process.

In the end, after a lengthy litigious battle, even though the defense couldn't prove what they claimed the records showed, we weren't able to disprove it, and so my mental health records were taken and turned over for in camera review. The court determined that only one page of my records were relevant, and it was turned over to the defense, but it took months and hours of work and emotional energy to get there. All of which could have been avoided had we simply had the same access to the discovery as the defense.

HB 4110 would have had a great impact on my legal proceedings and will support other people who come forward to share their story as survivors. We could use all the support available as the legal system is not built for us to heal. I acknowledge my privilege as a white cisgender woman who was fortunate enough to have had my case on trial rather than locked in a case file for years, as happens to so many other survivors. There are people who disclose their abuse and have nothing ever come of it, yet are still barred from obtaining any information held about THEM. HB 4110 would support victims by creating a policy of transparency and accessibility, which we all deserve. With this bill in place survivors would at least have access and a chance to disprove some of the exhausting defenses brought against them in court.

Many of us have held onto our abuse alone and in secret; the information withheld from survivors in case files about our bodies and lives is only a continuation of that secrecy. I urge you to please vote yes on HB 4110 because transparency and accountability give survivors their power back and create a more just system of justice for everyone.

Sincerely,

Melissa Campbell