

3.13.23 – Senate Health Care Committee – Public Hearing on SB 520

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Chair Patterson, Vice-Chair Hayden, and Members of the Committee,

For the record, my name is Kyle Hedquist. I am a Policy Associate with the Oregon Justice Resource Center (OJRC). I am here in support of SB 520.

In addition to my role at the Oregon Justice Resource Center, I am also here as someone who has experience of working on hospice within the Oregon Department of Corrections. I was part of the first group of hospice volunteers at the Oregon State Penitentiary when the program was established there in 1999. I would estimate that over the years I spent hundreds of hours, maybe thousands, sitting with people and helping take care of them. Hospice volunteer is very much a hands-on position: cleaning people up, helping them get showered, clipping their nails, the whole nine yards. But there's also an emotional side to the support: making calls to update their families, advocating for the patient, and sometimes being with them as they take their final breath. I know any of you who has been at the bedside of someone while they are dying will understand how deeply impactful that experience is.

One of the harshest realities of dying in prison is that even when someone is on hospice and it's apparent that they don't have much longer, getting their family into the prison to say goodbye is very difficult. I can't tell you how many hours I've spent trying to help facilitate bringing in the family to see their loved one before they pass and how many hurdles there are to getting that done. I think the saddest part is that children are not allowed in, almost without exception, so I've seen people die without getting to say goodbye in person to their kids.

What I have learned from working in a prison hospice is that we are unnecessarily incarcerating people who do not have the capacity to pose a threat to anyone. I have never seen any of the very sick people I helped take care of make a miraculous recovery to full health. There's no good reason why we should have people die in prison who could be at home with their loved ones.

Our current laws make it almost impossible for people to receive a compassionate medical release. We're asking them to follow a needlessly complicated process at a time when they're struggling to complete the most basic tasks of daily living. In fact, according to ODOC data, only nine AICs were released between 2013 and 2020, while 11 died awaiting assessment, decision, or release during that same time period.

What we need instead – and what SB 520 will provide – is a more straightforward process with a clear timeline and we need to have decisions made from a medical standpoint. SB 520 will still allow a judge or the Parole Board to consider any safety issues and make a final decision. This bill is more compassionate in how it treats our terminally ill AICs and a more appropriate response to the problem of continuing to incarcerate people we don't need to be incarcerating.

I urge you to support this bill.