



March 19, 2025

Re: SB 1179

To Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Committee on Judiciary,

On behalf of the Oregon National Organization for Women (NOW) Legislative Task Force, I urge your support of Senate Bill 1179.

Oregon would not be the first to pass trauma-informed sentencing practices. The New York Domestic Violence Survivors Justice Act of 2019 and Oklahoma Domestic Abuse Survivorship Act of 2024 serve as examples of current legislation.

The [New York Domestic Violence Survivors Justice Act of 2019](#) provides judges the freedom to mitigate sentencing and allows for retroactive sentence reduction in specific circumstances. [Completion of applications for resentencing](#) is a slow, painstaking process that can take months. Six departments throughout the state are responsible for thoroughly investigating applicable cases.

An example of retroactive sentence reduction can be seen in Buffalo, NY in [the case of Patrice Smith](#). In 1999, Erie County Acting Supreme Court Justice Sheila DiTullio sentenced teenager Patrice Smith to 25 years to life for second-degree murder and robbery. 71-year-old Rev. Robert Robinson, Sr., spent eight months **grooming, sexually abusing, trafficking**, and forcing 16-year-old Patrice to traffick other girls. She was convicted of second-degree murder for strangling Robinson, Jr. to death. Judge DiTullio was still on the bench for resentencing, using the new law, in 2022. Finding that the “**abuse and exploitation** Robinson inflicted on Smith was ‘**inextricably interlinked**’ to her actions on the night of the crime,” Judge DiTullio reduced Patrice’s sentence to time served at 12 years.

As the first Southern state to pass a survivor justice act, The [Oklahoma Domestic Abuse Survivorship Act of 2024](#) has yet to be fully implemented. Drafting of the application process is ongoing. It can provide an example of Republican-led legislation passed with bipartisan support. As written, the act allows domestic abuse survivors to present evidence of **physical, sexual, and/or psychological abuse** at the time of sentencing or to apply for resentencing if that abuse was a significant factor in the crime.

[April Wilkens was the first to file a petition under Oklahoma's new law.](#) Following **years of physical and sexual abuse**, April shot and killed her abuser. After a period of hours of **sexual assault at gunpoint**, she was able to take her abuser's gun and shoot him in self defense. She was convicted of first-degree murder and was handed a life sentence. After spending half of her life in prison, April now has the chance to have her sentence reduced.

Giving judges the discretion to consider domestic violence at the time of sentencing lessens the time and resources used to mitigate such cases retroactively. Revisiting cases where a survivor received a mandatory sentence - despite their status as a victim themselves - is necessary for justice to be truly served. The Oregon NOW Legislative Task Force urges you to join Oklahoma and New York in passing and implementing legislation that protects domestic violence survivors from further victimization by the judicial system.

Respectfully submitted,

Heather Bell

Member, Oregon NOW Legislative Task Force