

Testimony in Opposition to Sections 7-12 in HB 4041 A

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee,

My name is Natalia Hernandez. I am here to testify in strong opposition to HB 4041, which includes what is known as the “Torres-Lopez fix.” I am asking you to listen not just to policy, but to the human reality behind it.

I was lawfully released on August 12, 2025, after my sentence was recalculated. I walked out with nothing and nowhere to go. I was so scared to be released without support that I actually begged to stay and complete AIP. I was told I had already served past my lawful time and that I had to leave.

After my release, I made a promise to myself that I would never come back. I reunited with family I had not seen in years. I left Salem and entered sober living in Milwaukie, Oregon. I got a full-time job manufacturing joint and bone replacements. I attend NA and AA meetings every week. I voluntarily put myself into treatment because staying sober and rebuilding my life became my top priority. I now attend Parrot Creek Treatment Center and have worked every day to build stability and purpose.

I married my wonderful husband and became pregnant with our son. I am currently 23 weeks pregnant and due in June. For the first time in years, I felt proud of my life. I felt like I was finally becoming the person my children deserved.

Then, in November, I received a call saying there was a DOC warrant for my arrest. I was shattered. I had followed every rule. I had done nothing wrong. I did not understand how this could be happening, but I knew I could not run. So, I turned myself in.

While I was incarcerated, my husband carried everything alone. He worked to pay our bills and put money on my books so we could stay connected. We were supposed to be moving to Alabama to start over, and instead our lives were frozen. While pregnant in custody, I did not receive routine ultrasounds and had only minimal prenatal care. My release date changed over and over with no explanation. Every change brought a new wave of fear. I lived with the constant terror that I would give birth in prison and have my baby taken from my arms.

Eventually, on December 24th—Christmas Eve—at about 8:00 a.m., the Oregon Supreme Court ruled on my habeas corpus petition and found that I was being unlawfully incarcerated and ordered my immediate release. Even then, I was not released. We had to file a contempt of court action. It was not until around 7:30 p.m. after a second Supreme Court order, that I was finally released. Without the Family Preservation Project, I would have been released into the night with nowhere to go, while my husband was already in Alabama trying to build a future for us.

This instability has affected every part of my life. Mediation involving my daughter has been repeatedly delayed because of my re-incarceration and the continued attempts to return me to prison. These disruptions have caused deep trauma in my family. It has strained relationships, delayed reunification, and prolonged the pain of separation. Every time I am taken away, healing gets pushed further out of reach.

Today, I am working again. I am still in sober living. But my husband and I are financially drained and emotionally exhausted. It feels like our lives have been paused again and again for something that was never my fault. We now live in constant fear that no matter how much I do right, I could be taken away again.

Prison is supposed to have a purpose: rehabilitation, accountability, safety, and deterrence. In my case, that purpose has already been fulfilled. I am not the person I once was. I am a mother, a wife, a daughter, and a granddaughter. I show up for my recovery. I show up for my community. I provide for my family. Rehabilitation has happened. Growth has happened. Change is real.

Continuing to reincarcerate individuals who have clearly transformed and have lawfully completed their sentence is not justice—it is devastating. It sends the message that change does not matter, that growth does not matter, and that redemption is not real. For people like me who have fought every day to rebuild our lives, that kind of system doesn't create safety—it destroys hope.

My child should not grow up without his mother because of a policy. My husband should not lose his wife after we fought so hard to rebuild our lives. My daughter should not have to wait longer to come home because of repeated and unlawful incarceration. Policies like the "Torres-Lopez fix" will not make families safer—they will tear more families apart.

I am living proof that people can change. I am living proof that rehabilitation can work. Please do not create policies that erase that progress and punish people who are doing

everything right.

I fought to change my life so my children could have their mother back. Please don't pass HB 4041, a law that takes me away from them again.

Sincerely,
Natalia Hernandez