

The Facts Surrounding Jim Torrey's Ads Featuring Janyce Iturra

On October 4, 2006, Jim Torrey, Republican candidate for Senate District 7, sent a letter from Janyce Iturra to residents of the district. The letter claimed that Senator Walker was indifferent to Ms. Iturra's requests for assistance on legislation in which she was interested. Television and radio ads followed, repeating a similar message.

The facts do not support the claims in the letter. The following information is provided to assist in setting the record straight:

CLAIM: *"As an ordinary citizen, I made many attempts to contact Senator Walker during the 2005 session, with NO response."*

FACTS:

- Postal, e-mail, phone, and visitor records from the 2005 session confirm that Ms. Iturra contacted Senator Walker only twice. And, both times, Ms. Iturra received a written response.
- The first contact occurred when Ms. Iturra appeared for the Senate Judiciary Committee hearing on SB 435, which would have reduced certain criminal sentences.
- Ms. Iturra's written testimony opposing SB 435, dated April 12, 2005, is in Senator Walker's bill file. Also, the file contains Senator Walker's handwritten notes from the meeting, including a note that she suggested an amendment that would have prevented the bill from applying to Ms. Iturra's son's murderers. Senator Walker did listen to Ms. Iturra's compelling story, and their interaction during the committee meeting is part of the official audio of the committee meeting:

<http://www.leg.state.or.us/listn/archive/archive.2005s/SJUD-200504121310.ram>

(Ms. Iturra begins testifying and sharing her son's story at 1:33:39. At 1:37:47, after Senator Burdick asks about an amendment that would prevent the bill from applying retroactively to Ms. Iturra's son's murderers . . .)

BURDICK: *Senator Walker?*

WALKER: *Madame Chair, you asked the question I was going to ask. And I want to thank Ms. Iturra for testifying. I remember the case well and I'm sorry for your son's loss. And that was going to be my question, if that would change your mind in any way. But . . .*

ITURRA: *Absolutely not.*

WALKER: *I can see that.*

ITURRA: *Thank you for hearing me.*

WALKER: *And, I appreciate your testimony.*

- Ultimately, the bill did not move forward, as Ms. Iturra requested. Senator Walker then went so far as to follow up, after having a constituent come to Salem, by sending her a letter, dated April 19, 2005:

April 19, 2005

*Janyce Iturra
1310 Rutledge St.
Eugene, OR 97402*

Dear Janyce:

I would like to thank you for your heartfelt testimony regarding SB 435 in the Senate Judiciary Committee meeting on April 4th. I appreciate you sharing the tragic story of the murder of your son and how this legislation could affect your family. I applaud your work with Crime Victims United and Parents of Murdered Children. Thank you for traveling from Eugene and making the effort to be an active citizen in our legislative process. Best wishes to you and your family as you continue to rebuild your lives.

Sincerely,

*Vicki L. Walker
State Senator*

- Computer records indicate that the letter was “created April 29, 2005, 2:57:41 PM”. Additionally, it was recorded in Senator Walker’s constituent contact database: “4/19/05 Sent letter thanking her for testimony on SB 435 on 4/12/05 in Judiciary Committee. Her son was murdered and SB 435 would allow those involved in his murder to be released earlier.”

CLAIM: *“I sent several e-mails”*

FACTS:

- Legislative Information Systems Department staff conducted searches of all of Senator Walker’s received and sent e-mail back to 2004 and found no messages from Ms. Iturra. There were messages from other constituents related to SB 435 and HB 3037, which did receive responses.

CLAIM: *“and attempted to make an appointment.”*

FACTS:

- Senator Walker’s staff logged all phone calls, visits to the office, and appointment requests during the 2005 session. A review of those records shows no calls, visits, or appointment requests from Ms. Iturra.
- Ms. Iturra was working with Steve Doell and Anne Pratt of Crime Victims United in advocating for HB 3037. On July 7, 2005, Mr. Doell and Ms. Pratt requested a meeting with Senator Walker to discuss the bill and Ms. Iturra’s story. That request was granted, and the meeting took place the next morning. The appointment appears in Senator Walker’s handwritten and computerized calendars and Senator Walker’s notes from the meeting are in her HB 3037 bill file, including a mention of the Iturra case.
- Senator Walker also met with advocates opposed to the bill, including the Oregon Catholic Conference and the Oregon ACLU.

CLAIM: *“With sheer determination I tried once more to contact her; I wanted to give her the benefit of the doubt. I mailed her a certified letter in which I pleaded for her help. The letter required a return receipt with a signature that verified delivery to her Capitol office. I know it was delivered because it was signed for. Yet I still received absolutely NO response.”*

FACTS:

- Senator Walker’s files contain one letter from Ms. Iturra regarding HB 3037, dated July 5, 2005.
- On July 11, 2005, Senator Walker did send her a letter in response:

July 11, 2005

*Janyce Iturra
1310 Rutledge
Eugene, OR 97402*

Dear Janyce:

Thank you for writing and bringing my attention to this matter.

Testifying, whether it is before a criminal or juvenile court, is often a heroic act. Your son placed his faith in our legal system and was tragically punished for it. The mother who took his life to protect her own son cannot be shown pity. Thank

you again for raising such a civically minded child, and offer my deepest condolences for his death. Truly, your loss is a loss to us all.

I am familiar with House Bill 3057, and the amendment that you mention. As you know it has been referred to the Senate Rules committee, where concerns and thoughts such as yours may be heard. I am watching with anticipation as this important piece of legislation is refined and approaches the senate floor for a vote.

Thank you again for your visit last April, and for your letter. Your actions are making the memory of your son a positive force.

Sincerely,

*Vicki L. Walker
State Senator*

- Computer records indicate that the letter was “created: Monday, July 11, 2005, 2:05:30 PM”.

CLAIM: *“I recognize indifference and disrespect when I see it. I then realized I was non-existent to Senator Walker.”*

FACTS:

- In addition to the sympathy, consideration, and responsiveness shown to Ms. Iturra in the above examples, as when any constituent raises a significant issue about a bill, Senator Walker went so far as to comment on Ms. Iturra’s tragic situation during her speech to all of her Senate colleagues on the floor of the Senate:

<http://www.leg.state.or.us/listn/archive/archive.2005s/SENATE-200508011300.ram>

(Fast forward to the end of the file. It will then roll over to a second file. Senator Walker is the second speaker on the bill, and her floor speech begins at 44:10.)

This has been a tough one for me. You know every once in a while in this session, almost every session, you get a bill that’s really hard to figure out which way you’re going to vote. Because there is a sense there is some unfairness in the way the death penalty has been applied. It can be—in this case, actually, Ms. Iturra is in my district. She is my constituent. And it is her son who was killed. And it is her son who does not get the same justice as others who have been killed. But that’s where I look to my own heart, and my own soul, and my own morality. And I have been opposed to the death penalty since I was old enough to make those choices . . .