



Oregon

John Kitzhaber, MD, Governor

Department of Corrections

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February 12, 2013

Senator Jackie Winters, Co-Chair
900 Court St. NE, S-301
Salem, OR 97301

Representative Jennifer Williamson, Co-Chair
900 Court St. NE, H-372
Salem, OR 97301

Senator Doug Whitsett
900 Court St. NE, S-311
Salem, OR 97301

Senator Richard Devlin
900 Court St. NE, S-211
Salem, OR 97301

Representative Jeff Barker
900 Court St. NE, H-480
Salem, OR 97301

Representative Bruce Hanna
900 Court St. NE, H-382
Salem, OR 97301

RE: Responses to questions asked during Ways and Means presentation on February 11, 2013

Dear Ways & Means Public Safety Subcommittee Members:

I'd like to provide follow-up information to the questions that were asked during the Oregon Department of Corrections' (DOC) Ways & Means Public Safety Subcommittee presentation on Monday, February 11, 2013.

1. List of education and programs offered at each institution.

DOC offers education and programs in each of our institutions as follows:

- Adult Basic Skills Development programs are offered at EOCI, SRCI, TRCI, CCCF, DRCI, OSCI, OSP, PRCF, SCCI, CRCI, SCI, and WCCF
- Work-based education programs are offered at SRCI, CCCF, OSP, and DRCI
- Alcohol and drug programs are offered at CRCI, CCCF, DRCI, PRCF, OSCI, and SCCI
- Cognitive restructuring programs (Pathfinders) is offered at CCCF, CRCI, DRCI, EOCI, MCCF, OSCI, OSP, SCCI, SCI, SRCI, TRCI, and WCCF
- Parenting programs are offered at CCCF, CRCI, DRCI, EOCI, OSP, OSCI, SRCI, and TRCI
- A re-entry program – Community Partners Reinvestment (CPR) - is offered at CRCI and OSCI

2. Number of employees that retire under disability with PTSD or a similar condition.

The department tracks employees who retire due to a disability but not by the type of disability. PERS records show 78 DOC retirements in 2012; two were duty disability retirements (there were no non-duty disability retirements). We also did a national search and were unable to find anything on this topic.

3. PREA standards

A. Is sexual abuse still happening?

This is an ongoing issue for our agency and many other corrections departments across the nation. Inmate-to-inmate and staff-to-inmate sexual abuse occurs within our institutions. Zero-tolerance is our policy, and we work every day to detect, investigate, and respond to sexual abuse. In 2012, the U.S. Department of Justice published federal standards for PREA, and we are aggressively implementing those. Many states have looked to us as a guide in implementing their PREA strategies. However, one victim is too many, and we will continue to make stopping sexual abuse a priority.

B. Who is reporting?

Both male and female inmates have reported incidents of inmate-on-inmate sexual abuse incidents, as well as incidents of alleged sexual abuse involving DOC staff. We estimate that there will be an uptick in reporting due to our efforts in making it easier and more comfortable for offenders to report. As we continue to move forward with implementing the PREA strategies, we expect the number of incidents to taper off.

C. Potential cost of litigation on pending PREA cases?

It's difficult to estimate future litigation costs. These costs are dependent on the number of victims and whether the cases are settled or go to trial.

In 2012, state authorities paid a total of \$1.5 million to current and former inmates to settle lawsuits stemming from sexual abuse by corrections workers.

D. What are our DOJ costs?

Below are the department's DOJ costs; however, we do not track costs by type of claim, such as PREA.

- In the 2009-11 biennium, the department spent \$2,169,147 General Fund, \$6,591 Other Fund, and \$95,565 Non-budgeted
- In the 2011-13 biennium, Human Resources spent \$296,739 General Fund on DOJ costs to date (through November)
- In the 2011-13 biennium, the agency spent \$1,475,383 General Fund, \$2,031 Other Fund, \$1,101 Federal Funds, and \$12,434 Non-budgeted on DOJ costs to date (through November)

4. How many female offenders were victims of domestic violence prior to their incarceration?

This information is not currently tracked by DOC; however, we do track victims of abuse, which was also a question asked during our presentation. This information is self-reported by offenders at intake and we assume these numbers are low, especially in regards to the male population.

Snapshot of today's population

Female	Yes	No	% Yes
Ever Physically Abused	501	663	43.04%
Ever Sexually Abused	561	602	48.24%
People who raised you strike one or hit one another	589	576	50.56%
Male			
Ever Physically Abused	3454	8481	28.94%
Ever Sexually Abused	2050	9882	17.18%
People who raised you strike one or hit one another	4279	7648	35.88%

We also did a national search which produced the following information:

Abuse History Among Incarcerated Women

Last update: 5/20/11

Large, government-sponsored studies do tend to find rates of prior abuse among female inmates to be around 50%. However, other studies, typically using more in-depth research methods, find much higher rates (as high as 95% of incarcerated women reporting prior victimization). Different research methodology likely accounts for the discrepancy. And there is good reason to believe, based on the understanding of the different methods, that the more in-depth studies have more accurate results.

http://www.ncdsv.org/images/NCDBW_AbuseHistoryAmongIncarceratedWomen_updated_5-20-2011.pdf

5. Length of stay broken out by race.

This data is based on offenders who released in 2012.

RACE	Number of Offenders	Average Length of Stay (months)
Asian	67	33
African American	392	35
Hispanic	584	35
Native American	114	35
Caucasian	3352	32

6. Why is the percentage of Asian population in DOC lower than percentage of Asians in Oregon?

As I explained in my testimony, we are unable to identify why the percentage of Asian inmates is lower than the percentage of Asians in Oregon. We've found very little research on this topic. In fact, the Bureau of Justice Statistics, The Sentencing Project, and the Prison Policy Initiative have all produced reports on inmates by race, but none tracked data on Asian American inmates (only white, black, and Hispanic).

7. How many offenders have children in foster care? (Specifically women offenders)

The department does not track this information, but according to the Oregon DHS Foster Care 2006 Report:

Children in foster care

Removal Reason	FFY 2004		FFY 2005		FFY 2006	
	Number	%	Number	%	Number	%
Incarceration Of Parent	112	2.0%	119	1.9%	99	1.9%

In addition, a national search produced the following information:

NIJ Journal No. 255, Nov. 2006:

Surprisingly, researchers found, the mother's incarceration was not the reason the child was placed in foster care. For the children who were in foster care for 30 consecutive days while their mother was

incarcerated, 9 in 10 had been placed in foster care prior to their mother's incarceration. The large majority of children—85 percent—were placed in foster care before the mother was arrested on charges that led to her incarceration.

8. Research our information regarding life expectancy of public safety workers.

We utilized the statistics produced by NIC, as many states have. NIC believes the data originally came from Met Life actuary tables, although these are not available online.

9. How many offenders have PTSD?

As of today, February 12, 2013, there are a total of 498 offenders diagnosed with PTSD (394 men and 104 women). This diagnosis can be identified at intake or at any other time during incarceration.

10. How many offenders were previously in foster care?

Oregon does not currently track this; however, in a national search we were able to find that California does track this, in a 2011 CA DOC survey, 14% of inmates said they had been in foster care.

11. Have we looked at inmate demographics in terms of economic status?

Hourly wage at time of offense

Female		
\$6.50 an hour or less	27	2.3%
Between \$6.50 and \$10.00 per hour	124	10.6%
Between \$10.00 and \$15.00 per hour	83	7.1%
Between \$15.00 and \$20.00 per hour	46	3.9%
More than \$20.00 per hour	47	4.0%
No Employment	845	72.1%
Male		
\$6.50 an hour or less	358	3.0%
Between \$6.50 and \$10.00 per hour	1618	13.5%
Between \$10.00 and \$15.00 per hour	1817	15.2%
Between \$15.00 and \$20.00 per hour	944	7.9%
More than \$20.00 per hour	833	7.0%
No Employment	6403	53.5%

12. What are the standards/requirements for offender participation with Oregon Corrections Enterprises (OCE) and how does it link to re-entry?

In order to participate in OCE Work Skills Certification programs, offenders must:

- Have at least six months of clear conduct
- Be within six years of a release date
- Possess a high school diploma, GED certificate, or be in the process of obtaining a GED within a specified period of time
- Be compliant with all other institution programming
- All inmates assigned to OCE must have a valid SSN

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Historically, OCE has operated its most labor-intensive business activities in higher level institutions such as Oregon State Penitentiary (OSP) and Snake River Correctional Institution (SRCI). Inmates in the past have lost these valued jobs due to them being unavailable in lower custody institutions as they step down and prepare for re-entry into the community.

To mitigate this, OCE has developed a concept known as "Continuum of Service" which allows inmates to transition into the same job in lower classification institutions over the course of their sentence. OCE has begun this by siting "contact centers" at all levels of custody from maximum (OSP), to medium facilities such as Eastern Oregon Correctional Institution (EOCI), to minimum custody facilities like Warner Creek Correctional Facility (WCCF).

This model not only serves the purpose of providing continuous job opportunities to the inmate population as they transition, it also brings needed business activities to minimum custody institutions. We will continue to develop this model by siting more contact center activity in minimum institutions such as Shutter Creek Correctional Institution in Coos County.

I hope this information is helpful. As always, please feel free to contact me about this or any other DOC issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colette S. Peters". The signature is written in black ink and is positioned above the typed name.

Colette S. Peters
Director