



Testimony in Support of House Bill 2806

March 5, 2015

Chair Barker and Members of the House Judiciary Committee:

My name is Jeffrey Hernandez. I am a Sergeant at the Oregon State Penitentiary and have worked for the Department of Corrections for over ten years in three different institutions. I also was a part-time Corrections instructor at DPSST for four years and, prior to my employment, studied criminal justice and human/gender studies at Portland State University and New York University. I have been a member of the Corrections Policy Committee with DPSST for over one year.

I am urging you to support HB 2806. Correctional officers around the state have an extremely high risk, high stress job, walking a fine line between the enforcement and application of rules and productive rehabilitation with the adults and youths in custody that they work with. Officers are at risk of assault on a daily basis, subjected to verbal abuse, and sometimes have to go from a "resting" state into immediate physical action. At the conclusion of their shift, they are expected to go home, forget about whatever happened that day, and engage with their family and friends. Sometimes, it can be very difficult for these friends and families to understand exactly what the officer's job entails. Many officers have no wish to burden their loved ones with the stresses of their career, nor do they want to frighten them about getting hurt, so often the day's activities consisted of "nothing special" or "it was pretty quiet." But the stress is still there.

This can sometimes lead to officers using alcohol or other substances to cope with the stress and pressure. They don't want to be bitter and angry, so they stop at a bar on the way home, to be "loose" when they finally get home. Sometimes this "pressure release" gets out of control and these officers find themselves in situations they never expected; arguments, fighting, money troubles, separation, divorce, jail time. I know firsthand, because the stress and anxiety I felt from my career directly contributed to the dissolution of my marriage within a year of its beginning. I was fortunate enough to have friends stand by me and help me with what I needed at the time. Others aren't so lucky. They have a run-in with police first that results in an arrest. Or they simply aren't able to control their addiction and it bleeds over into their workspace. That's when the State steps in and takes over control of the Officer's life and future. As a member of the Corrections Policy Committee, I have seen cases where Officers' addiction to a substance (most commonly alcohol) has led to them being arrested for

fighting in bars, driving while intoxicated, or otherwise engaged in inappropriate behavior. Sometimes the officers refuse to seek help and claim that there is no problem. Others have claimed and accepted responsibility, sought out treatment, and complied with their court-mandated orders and employer requirements. Their employer sees them as a valuable employee, worthy of staying with their agency.

But as a member of the Corrections Policy Committee, I still see these cases. DPSST still investigates, and if the officer involved was under the influence of a substance at the time of the arrest, and made a statement that was false (whether the officer knew it was false or not at the time they made it, due to their intoxication), DPSST has the ability, through the Corrections Policy Committee, to revoke their certification - for life. I believe fully in what the Committee achieves, and I believe that every case that reaches that level has been judged fairly by the standards currently in place. All the cases I've seen that have reached this level have been discussed, analyzed, and heard fairly. I do not want to make the impression that this system is broken, because it isn't. It is being handled exactly the way that the policy, rule, and law says it should be handled.

I do not, however, agree that all of these cases should have reached the Committee level. An officer so intoxicated they cannot fully remember their situation, who makes a statement while in this state, but then admits to their wrongdoing later while sober, should be given the opportunity to seek out treatment and address their addiction. The person might not deserve two, three, or four chances. But they should get one. One chance to realize how close their career is to being over, one good hard look in the harsh light of day, and one chance to make those necessary changes. The answer is not to strip them of a career because an addiction, a sickness, created a circumstance where they made a mistake. When the officer seeks out help, allows the Employer to discipline as they see fit, they deserve a chance before another agency revokes their certification. If the officer violates these provisions again, by all means, proceed with the revocation process through DPSST. But give that officer a chance to take responsibility for and address the situation first.

Thank you for your time,

Sgt. Jeffrey Hernandez

Association of Oregon Corrections Employees