

## Oregon Jails during COVID-19 A Look Inside 26 County Jails

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### Jails in Oregon Slashed Population during Pandemic

Jails across Oregon have drastically reduced their populations. On average, jails have nearly 50% fewer people in custody as compared to their pre-pandemic population. This is true in both urban and rural settings. For example, three jails have reduced a pre-pandemic population:

- » From 120 to a Current Population of 29
- » From 45 to a Current Population of 13
- » From 466 to a Current Population of 152

Reducing the jail population has made jail conditions safer for those left in custody and the employees who work at jails, allowing for improved social distancing in a high-density setting that is ripe for an outbreak. To date, there have been no confirmed cases of COVID-19 among the inmate population in Oregon county jails.

### Basic Needs in County Jails to Respond to COVID-19

Jails told Disability Rights Oregon what their needs are. These include soap and sanitizer, tests for COVID-19 to use on staff, and tests for COVID-19 to use on inmates, and medical or security relief staff.



**13** jails  
need more  
soap and/  
or hand  
sanitizer

- » Benton
- » Crook
- » Grant
- » Jackson
- » Klamath
- » Lake
- » Linn
- » Malheur
- » Polk
- » Tillamook
- » Umatilla
- » Washington
- » Yamhill



**12** jails need tests for COVID for staff or inmates

- » Baker
- » Clatsop
- » Curry
- » Douglas
- » Grant
- » Klamath
- » Lane
- » Malheur
- » Tillamook
- » Union
- » Washington
- » Jackson (staff only)
- » Marion (staff only)



**4** jails need medical and/or security relief staff

- » Grant
- » Harney
- » Lincoln
- » Yamhill

### Reduced Jail Population by County

County	Pre-COVID-19 Jail Population	Current Jail Population	Reduction
Baker	30	13	56.7%
Benton	32	19	40.6%
Clackamas	466	152	67.4%
Clatsop	60	39	35.0%
Crook	56	25	55.4%
Curry	26	8	69.2%
Deschutes	290	150	48.3%
Douglas	194	73	62.4%
Grant	20	11	45.0%
Harney	9	3	66.7%
Jackson	315	210	33.3%
Klamath	129	76	41.1%
Lake	18	13	27.8%
Lane	400	225	43.8%
Lincoln	161	84	47.8%
Linn	207	115	44.4%
Malheur	82	34	58.5%
Marion	415	281	32.3%
Multnomah	1112	775	30.3%



County	Pre-COVID-19 Jail Population	Current Jail Population	Reduction
Polk	120	29	75.8%
Springfield	45	13	71.1%
Tillamook	56	32	42.9%
Umatilla	210	163	22.4%
Union	32	16	50.0%
Washington	572	272	52.4%
Yamhill	143	57	60.1%

## What This Data Means

Disability Rights Oregon, along with allies in law enforcement and government, has long called for decriminalizing mental illness and reducing the high rates of pretrial incarceration.

So many people are held in custody, not because they pose a risk to public safety, but because they have no money for bail or because, often due to homelessness or behavioral health concerns, they appear at risk of no-showing for their court date.

Jail commanders see the cost of unnecessary pre-trial incarceration first-hand, whether that's deprivation of healthcare, the trauma of solitary confinement, loss of contact with loved ones, losing health insurance or other public benefits, losing a job, or losing a spot on a wait-list for affordable housing or addiction treatment.

But generally, jails are not empowered to release people, even if they should not be in custody. Judges, law enforcement, and advocates agree that incarcerating people on low-level charges related to difficult life circumstances, disabilities, and behavioral health needs does more harm than good. Yet, the growing number of people in local jails has appeared, until now, to be an intractable problem.

## Local Approaches to Reducing the Population

The dramatic drop in jail populations in response to the pandemic was achieved through a variety of locally-driven solutions.

- » Most jails worked with courts and law enforcement to significantly curtail their admissions criteria, turning away arrestees who are charged with minor and/or non-person crimes, or who show signs of illness.
- » Jails also worked collaboratively with the courts and attorneys to release people with a short time left to serve or who could be safely supervised in the community.



- » Twenty-four jails reported that they involved medical staff in identifying inmates at risk of serious illness due to age or preexisting medical condition, and worked with the courts and attorneys to release these vulnerable individuals, where feasible.

## Recommendations: Charting a Path to Change

We can sustain this progress.

- » New legislation should give Sheriffs or Jail Commanders greater discretion to release people with minor pending charges, especially if they have health conditions that are difficult to care for in jail.
- » Courts should reassess their recognizance release criteria to prevent penalizing people who are homeless, unemployed, or have unmet behavioral healthcare needs.
- » District Attorneys should decline to proceed on low-level cases, especially where there is a nexus to disability.
- » Law enforcement should continue to operate with the expectation that jail is only an option if a risk to public safety is present.

These steps led to a statewide 50% reduction in jail population that appeared impossible prior to the pandemic.

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Now that Oregon communities have recalibrated our assessment of what charges and circumstances should trigger pretrial jail time, we have a unique opportunity not to revert back to the status quo of harmful and unnecessary incarceration.

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## Why this Survey was Conducted

On March 17, 2020, Disability Rights Oregon, ACLU of Oregon, Oregon Justice Resource Center, Partnership for Safety & Justice, Oregon Criminal Defense Lawyers Association, and Sponsors Justice Reimagined wrote to the Oregon State Sheriffs' Association seeking information about how Jail Commanders in Oregon are responding to the COVID-19 public health crisis. Disability Rights Oregon and our partners also urged County Sheriffs to:

- » Reduce Jail Populations
- » Provide for Adequate Cell and Personal Hygiene for Inmates and Staff
- » Educate Staff and Inmates about the Importance of Good Hygiene
- » Ensure Routine Assessment of Inmate Condition

## » Collect Data about the Impact of COVID-19 in Jails

After sending this letter, Disability Rights Oregon worked with the Oregon State Sheriffs' Association to distribute an online survey, sent to all Jail Commanders, to gauge whether jails are adhering to COVID-19 public health recommendations and to solicit input from jails about what support is needed in order to protect the health of inmates and staff during this pandemic.

## About the Survey Method

The survey was sent to all County Jail Commanders in Oregon. The survey was also sent separately to Springfield Municipal Jail, which has a capacity of 100 inmates and is comparable in size to many County jails. Responses were received between April 14 and April 22, 2020. Twenty-six jails responded to the survey.

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