



**To: Members of the Joint Emergency Board**

**From: State Representative Maxine Dexter, M.D., House District 33; State Representative Janelle Bynum, HD 51; Senator Michael Dembrow, SD 23; State Representative Tawna Sanchez, HD 43**

**Date: January 8th, 2021**

**Subject: Department of Corrections Ombuds Program**

Speaker Kotek, President Courtney, and Members of the Joint Emergency Board,

We would like to personally thank you for placing the funding of the Corrections Ombudsman within the Office of the Governor on the Emergency Board agenda today. We are grateful that state leaders are elevating the importance of increasing transparency within the Department of Corrections and as members of the legislature, we look forward to supporting whomever is appointed into this role.

Since COVID-19 was first recognized in Oregon, there have been 2,588 reported COVID-19 cases among adults in custody (AICs), and 24 deaths. The death rate in Oregon correctional facilities is 17 per 10,000 (ranking 13th highest in the nation for correctional institution rates). This is 532% higher than the Oregon death rate overall. The known case rate in Oregon prisons is 1,790 per 10,000. This is 352% higher than the state overall. It is important to point out the significantly higher relative rate of death and infection in Oregon correctional institutions -- our state is 3rd-best in the nation for overall case rates per capita and yet we have the 13th-highest rate in correctional facilities.

Washington, in contrast, has had an Ombudsperson, appointed by Governor Inslee in August of 2018, who has had a team working to mitigate the risk of COVID-19 in their 12 facilities since the virus was first detected in their state. There have been 7 deaths in their facilities for a rate of 4.1 per 10,000. Their focus on protecting AICs and mitigating risk to staff has made a significant difference in keeping their death rates in their facilities lower than other states, with their ranking being 41st in the nation as opposed to Oregon's being 13th highest despite Washington's overall rates of infection per capita being higher than Oregon's.

It is our intention that having a third-party individual with professional knowledge of the law and appropriate insight into the expected protections for AICs in the Ombuds role will help us fulfill our obligation as a state to keep those who we put into custody safe. COVID-19 has caused great distress, illness and death in our facilities. Our AICs, their families, and the people who work in our facilities all deserve much better. This position, if fully empowered as hoped, will lead to greater transparency and accountability for the current state and operations of the Oregon Department of Corrections. Additionally, this role will have the capacity to collect data independently about the experiences within the Department of Corrections, allowing legislators to create more informed and beneficial policy that impacts adults in custody.

We look forward to working with Governor Brown to fill and sustain this crucial position. Should the allocated amount of \$250,000 be not enough to cover all expenses, it may be appropriate for the legislature to revisit the funding amount during the 2021 legislative session.

Sincerely,



Representative Maxine Dexter, M.D.  
House District 33



Senator Michael Dembrow  
Senate District 23



Representative Janelle Bynum  
House District 33



Representative Tawna Sanchez  
House District 43