



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

February 6, 2019

The Honorable Floyd Prozanski, Chair
Senate Committee on Judiciary

RE: Senate Bill 498

Chair Prozanski and members of the committee, I am Jim Paul, Assistant Director of the Administrative Services Division for the Oregon Department of Corrections (DOC). I am here to provide testimony related to SB 498.

SB 498 would require DOC and other government entities to adopt rules prohibiting correctional facilities from having contracts with providers of telephone services under which the department, city, county, or facility receives payment for services provided to adults in custody (AICs). If enacted in its current form, this bill could potentially have a significant impact to both AICs and DOC in a number of ways.

Section two of this bill would expressly prohibit DOC from receiving a fee or other form of payment for telephone services provided to AICs. The department is currently in the midst of a contract recompetete process (via Request for Proposal procurement effort) for the Inmate Communication System (ICS) program. The ICS program provides telephone, text messaging, and video entertainment services to 14,900 AICs. The contract recompetete process excludes the collection of any fees or other form of payment specifically associated with telephone services provided to AICs. However, this process does include a requirement associated with the entertainment services provided, whereby DOC would be compensated by the vendor for the department's costs for oversight and monitoring of the entire ICS program.

Without the ability to be compensated for these costs, DOC would potentially have to make a request for additional General Fund (GF) resources. There are approximately one million AIC communication events statewide per month (phone calls, video calls, sent/received text messages) supported by the DOC. This necessitates a number of dedicated staff to continuously manage and monitor all types of communications for safety and security purposes. The magnitude of the cost of this support is estimated to be in the millions of dollars per year.

If this bill were to be interpreted in such a way that put DOC at risk of not being reimbursed, and general funds were not available to fill the gap, DOC would likely be faced with curtailing staff support and monitoring of the entire ICS. This would be expected to give rise to substantial and significant AIC distress and result in significant

security concerns for both staff and institutional operations. It also could reasonably be assumed to contribute to AIC dissatisfaction and broad unrest.

Any substantive disruption to AIC opportunities to communicate with their families and friends would also adversely impact one of DOC's key objectives to improve and support family reunification and supportive relationships in the community.

In summary, while the current language of SB 498 can be interpreted to be consistent with the department's current goals and objectives, there is a risk of alternative interpretations that could potentially have a significant impact to both adults in custody and DOC in a number of ways.

Thank you for your time and consideration. I'm happy to answer any questions you may have.

Submitted by:

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