

SB 269 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Gillian Fischer, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/27

WHAT THE MEASURE DOES:

Directs the Department of Corrections (DOC) to conduct a study on sexual assault within women's correctional facilities and report to the interim committees of Legislative Assembly on or before February 1, 2020. Requires dismissal of any employee of DOC or Corrections Enterprises upon conviction of a sex crime committed against an inmate or department employee. Requires DOC adopt and publish policy for reduction and prevention of sexual abuse. Declares emergency.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Requires the Department of Corrections to provide a final audit report prescribed by the Prison Rape Elimination Act to the committees of Legislative Assembly related to judiciary no later than the following February 1.

BACKGROUND:

The Prison Rape Elimination Act (PREA) of 2003 is a federal law that seeks to eliminate sexual assaults and sexual misconduct. It requires corrections and law enforcement agencies to enhance education, investigation, protection, prevention of re-victimization, and prosecution. In 2012, the U.S. Department of Justice finalized and published national PREA standards for all prisons, jails, lockups, and detention facilities in the United States. This law applies to all federal and state prisons, jails, police lock-ups, private facilities, juvenile facilities, and community correctional settings. Since 2014, every U.S. state has been mandated to audit one-third of its state facilities every year. This means each of Oregon Department of Corrections (DOC) facilities receives a national PREA audit by a USDOJ certified auditor every three years.