

SB 269 A STAFF MEASURE SUMMARY

Carrier: Sen. Olsen

Senate Committee On Judiciary

Action Date: 03/27/19

Action: Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 3/27

WHAT THE MEASURE DOES:

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

ISSUES DISCUSSED:

- Oregon was an early adopter of PREA standards
- PREA compliance requires forty-three different standards to be met
- Oregon has completed two audits of correctional facilities
- Audits conducted on all correctional facilities

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The Prison Rape Elimination Act (PREA) of 2003, P.L. 108-79, 117 Stat 972, 34 USC 30301 - 30309, is a federal law that seeks to eliminate sexual assaults and sexual misconduct involving persons in state custody. 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, lock-ups, and detention facilities in the United States. PREA 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.

Senate Bill 269 A requires DOC to forward a final audit report, after auditing a correctional facility for women, to the interim committees related to judiciary no later than the following February 1.