

Enrolled
House Bill 3289

Sponsored by COMMITTEE ON JUDICIARY (at the request of Representative Jeff Barker)

CHAPTER

AN ACT

Relating to correctional facilities; creating new provisions; repealing ORS 169.530 and 169.540; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Oregon Criminal Justice Commission shall conduct studies on local and regional correctional facilities across this state as follows:

(a) The commission shall study current practices at each facility related to data and data collection, including:

(A) The collection and availability of census data.

(B) The collection and availability of death rates.

(C) The collection and availability of data on the medical, mental and behavioral health conditions of prisoners.

(D) The use of data systems and availability of data reporting generally.

(E) The use and availability of aggregate data from local and regional correctional facilities across this state.

(b)(A) The commission shall study current practices at each facility related to health care, including:

(i) The manner and means by which health care is currently provided.

(ii) The current cost of health care in the facilities.

(iii) Barriers to the provision of adequate health care.

(B) As used in this paragraph, "health care" includes medical, mental and behavioral health care.

(c) The commission shall obtain and analyze the standards, policies and procedures used by each facility and report as to whether the standards, policies and procedures:

(A) Adequately protect the rights of prisoners under the Oregon and United States Constitutions.

(B) Are in conformance with national best practices in jail administration.

(2) For the study described in subsection (1)(a) of this section, local and regional correctional facilities shall submit primary, unprocessed data regarding their in-custody populations to the commission.

(3)(a) The commission shall convene an advisory council for the studies described in subsection (1) of this section which must include representatives from a sheriff's organization, a district attorneys association, a criminal defense association, a civil rights and civil liberties organization, a disability rights organization, the Oregon Health Authority, the De-

partment of Justice, a member of the House of Representatives, a member of the Senate and a representative from the Governor's office.

(b) The commission, in consultation with the advisory council, shall determine the content and acceptable format for any data, information or documentation submitted by local and regional correctional facilities for the studies described in subsection (1) of this section.

(c) Local and regional correctional facilities shall submit all data, information or documentation for the studies described in subsection (1) of this section by January 1, 2020.

(4) The commission shall present the results of the studies described in subsection (1) of this section, along with any national best practices, local promising practices, and recommended legislative changes, in a report to the interim committees of the Legislative Assembly related to the judiciary in the manner provided under ORS 192.245 on or before September 15, 2020.

SECTION 2. ORS 169.530 and 169.540 are repealed.

SECTION 3. Section 1 of this 2019 Act is repealed on January 2, 2021.

SECTION 4. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.

Passed by House April 23, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 15, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

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Bev Clarno, Secretary of State