

HOUSE AMENDMENTS TO HOUSE BILL 3096

By COMMITTEE ON JUDICIARY

April 23

1 In line 2 of the printed bill, delete “prescribing an effective date” and insert “declaring an
2 emergency”.

3 After line 2, insert:

4 “Whereas incarcerated women face unique challenges; and

5 “Whereas incarcerated women have access to fewer resources and services to prepare for rein-
6 tegration than incarcerated men; and

7 “Whereas incarcerated women have lower rates of formal education, vocational training and
8 employment history than incarcerated men; and

9 “Whereas incarcerated women are more likely than incarcerated men to be sexually abused by
10 prison personnel; and

11 “Whereas incarcerated women are more likely than incarcerated men to have intimidation tac-
12 tics used against them by prison personnel; and

13 “Whereas 90 percent of incarcerated women are survivors of domestic violence or sexual assault
14 and carry high trauma loads; and

15 “Whereas incarcerated women are not treated with a trauma-informed approach; and

16 “Whereas incarcerated women are often retraumatized while in prison; and

17 “Whereas 85 percent of incarcerated women were the primary caregivers of minor children prior
18 to their incarceration; and

19 “Whereas women have significant needs around access to legal services pertaining to their role
20 as custodial parents; and

21 “Whereas women have complex medical needs related to pregnancy, childbirth, the postpartum
22 period and general health; now, therefore,”.

23 Delete lines 4 through 11 and insert:

24 “**SECTION 1. (1) As used in this section:**

25 “(a) ‘Culturally responsive’ means taking into account the beliefs, practices, culture and
26 linguistic needs of diverse victim and offender populations and communities whose members
27 identify as having particular cultural or linguistic affiliations by virtue of their place of birth,
28 ancestry or ethnic origin, religion, preferred language or language spoken at home.

29 “(b) ‘Gender-responsive’ means taking into account gender-specific needs that have been
30 identified in research, including but not limited to socialization, psychological development,
31 strengths, risk factors, pathways through systems, responses to treatment intervention and
32 other unique gender-specific needs facing justice-involved persons.

33 “(c) ‘Listening session’ means a gathering, open to the public, held for the purposes of
34 participants sharing their perspectives and preferences.

35 “(d) ‘Trauma-informed’ means incorporating gender violence research and the impact of

1 all forms of trauma in designing and implementing policies, practices, processes, programs
2 and services that involve understanding, recognizing and responding to the effects of all
3 types of trauma with emphasis on physical, psychological and emotional safety.

4 “(2)(a) The Governor shall designate at least one person to be the corrections gender-
5 responsive coordinator. The designated person or persons shall serve in the position for at
6 least the duration of the assessment described in subsection (3) of this section and the lis-
7 tening sessions described in subsection (4) of this section.

8 “(b) The gender-responsive coordinator must:

9 “(A) Have adequate training on gender-responsive, culturally responsive and trauma-
10 informed correctional practices and appropriate standards, policies and practices for indi-
11 viduals serving sentences of incarceration at Coffee Creek Correctional Facility;

12 “(B) Not be an employee of or under the direction of the Department of Corrections or
13 any department facility, including the Coffee Creek Correctional Facility; and

14 “(C) Ensure that those who are incarcerated or formerly incarcerated are able to par-
15 ticipate in the assessment process described in subsection (3) of this section, and the listen-
16 ing sessions described in subsection (4) of this section, safely and without concern for
17 retaliation.

18 “(c) The Department of Corrections shall provide the gender-responsive coordinator with
19 access to Coffee Creek Correctional Facility that is sufficient to allow the coordinator to
20 carry out the duties described in this section.

21 “(3)(a) No later than October 15, 2021, the Oregon Department of Administrative Services
22 shall contract with an appropriate third-party organization to conduct an assessment of the
23 Coffee Creek Correctional Facility. The purpose of the assessment is to establish a baseline
24 for a strategic planning process, policy recommendation and improved protection of individ-
25 uals serving sentences of incarceration at Coffee Creek Correctional Facility.

26 “(b) The Oregon Department of Administrative Services and the third-party organization
27 shall coordinate with gender-responsive coordinator and include the coordinator in the as-
28 sessment process.

29 “(c) The assessment shall include a review of:

30 “(A) Whether the following are gender-responsive, culturally responsive and trauma-
31 informed:

32 “(i) Intake;

33 “(ii) Placement;

34 “(iii) Risk assessment;

35 “(iv) Case management;

36 “(v) Mental, behavioral and physical health services;

37 “(vi) Vocational programs;

38 “(vii) Rehabilitation programs;

39 “(viii) Correctional staff;

40 “(ix) Organizational structure;

41 “(x) Reentry and transition programming; and

42 “(xi) Other policies.

43 “(B) Whether there are currently in place adequate protections, policies, procedures,
44 oversight and hiring practices to ensure that individuals serving sentences of incarceration
45 at Coffee Creek Correctional Facility are not subjected to sexual assault or sexual

1 harassment and to determine whether the current responses to sexual assault or sexual
2 harassment are gender-responsive, culturally responsive and trauma-informed.

3 “(4)(a) The gender-responsive coordinator shall create a Gender-Responsive Advisory
4 Council. The council shall consist of justice-involved individuals, including:

5 “(A) Individuals incarcerated or formerly incarcerated at Coffee Creek Correctional Fa-
6 cility.

7 “(B) Individuals impacted by the justice system, including families of individuals
8 incarcerated at Coffee Creek Correctional Facility.

9 “(C) Stakeholders with expertise regarding gender-responsive policies, practices, pro-
10 grams and services.

11 “(D) Stakeholders with expertise regarding trauma-informed practices.

12 “(b) The gender-responsive coordinator shall meet with the Gender-Responsive Advisory
13 Council at least quarterly and receive input on:

14 “(A) The assessment; and

15 “(B) The development and implementation of evidenced-based, gender-responsive and
16 trauma-informed practices at the Coffee Creek Correctional Facility.

17 “(c)(A) The gender-responsive coordinator and Gender-Responsive Advisory Council shall,
18 no later than July 1, 2022, convene at least six community listening sessions to seek input
19 on the experiences of women and families in the criminal justice system, and how evidence-
20 based, gender-responsive and trauma-informed practices will impact women, families and
21 communities.

22 “(B) The listening sessions must be held in geographically diverse locations throughout
23 the state and shall be held at a time and location conducive to community participation.

24 “(5) The gender-responsive coordinator shall provide a report to the Legislative Assembly
25 and to the committees of the Legislative Assembly related to the judiciary, in the manner
26 provided in ORS 192.245, during the 2023 regular session of the Eighty-second Legislative
27 Assembly, that includes:

28 “(a) A summary of the assessment;

29 “(b) Information gathered from the listening sessions described in subsection (4) of this
30 section; and

31 “(c) Policy recommendations regarding the development and implementation of
32 evidenced-based, gender-responsive, culturally responsive and trauma-informed practices
33 that address the findings of the assessment.

34 “SECTION 2. Section 1 of this 2021 Act is repealed on July 1, 2023.

35 “SECTION 3. This 2021 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
37 on its passage.”.