

HB 3096-2
(LC 1438)
3/9/21 (JLM/ps)

Requested by Representative SANCHEZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 3096**

1 In line 2 of the printed bill, delete “prescribing an effective date” and
2 insert “declaring an 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
6 to prepare for reintegration than incarcerated men; and

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

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

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

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

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

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

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

21 “Whereas women have significant needs around access to legal services

1 pertaining to their role as custodial parents; and

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

4 Delete lines 4 through 11 and insert:

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

6 **“(a) ‘Culturally responsive’ means taking into account the beliefs,**
7 **practices, culture and linguistic needs of diverse victim and offender**
8 **populations and communities whose members identify as having par-**
9 **ticular cultural or linguistic affiliations by virtue of their place of**
10 **birth, ancestry or ethnic origin, religion, preferred language or lan-**
11 **guage spoken at home.**

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

17 **“(c) ‘Listening session’ means a gathering, open to the public, held**
18 **for the purposes of participants sharing their perspectives and prefer-**
19 **ences.**

20 **“(d) ‘Trauma-informed’ means incorporating gender violence re-**
21 **search and the impact of all forms of trauma in designing and imple-**
22 **menting policies, practices, processes, programs and services that**
23 **involve understanding, recognizing and responding to the effects of all**
24 **types of trauma with emphasis on physical, psychological and emo-**
25 **tional safety.**

26 **“(2)(a) The Governor shall designate at least one person to be the**
27 **corrections gender-responsive coordinator. The designated person or**
28 **persons shall serve in the position for at least the duration of the as-**
29 **essment described in subsection (3) of this section and the listening**
30 **sessions described in subsection (4) of this section.**

1 **“(b) The gender-responsive coordinator must:**

2 **“(A) Have adequate training on gender-responsive, culturally re-**
3 **sponsive and trauma-informed correctional practices and appropriate**
4 **standards, policies and practices for individuals serving sentences of**
5 **incarceration at Coffee Creek Correctional Facility;**

6 **“(B) Not be an employee of or under the direction of the Depart-**
7 **ment of Corrections or any department facility, including the Coffee**
8 **Creek Correctional Facility; and**

9 **“(C) Ensure that those who are incarcerated or formerly**
10 **incarcerated are able to participate in the assessment process de-**
11 **scribed in subsection (3) of this section, and the listening sessions de-**
12 **scribed in subsection (4) of this section, safely and without concern for**
13 **retaliation.**

14 **“(c) The Department of Corrections shall provide the gender-**
15 **responsive coordinator with access to Coffee Creek Correctional Fa-**
16 **ility that is sufficient to allow the coordinator to carry out the duties**
17 **described in this section.**

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

25 **“(b) The Oregon Department of Administrative Services and the**
26 **third-party organization shall coordinate with gender-responsive coor-**
27 **dinator and include the coordinator in the assessment process.**

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

29 **“(A) Whether the following are gender-responsive, culturally re-**
30 **sponsive and trauma-informed:**

- 1 **“(i) Intake;**
2 **“(ii) Placement;**
3 **“(iii) Risk assessment;**
4 **“(iv) Case management;**
5 **“(v) Mental, behavioral and physical health services;**
6 **“(vi) Vocational programs;**
7 **“(vii) Rehabilitation programs;**
8 **“(viii) Correctional staff;**
9 **“(ix) Organizational structure;**
10 **“(x) Reentry and transition programming; and**
11 **“(xi) Other policies.**

12 **“(B) Whether there are currently in place adequate protections,**
13 **policies, procedures, oversight and hiring practices to ensure that in-**
14 **dividuals serving sentences of incarceration at Coffee Creek**
15 **Correctional Facility are not subjected to sexual assault or sexual**
16 **harassment and to determine whether the current responses to sexual**
17 **assault or sexual harassment are gender-responsive, culturally re-**
18 **sponsive and trauma-informed.**

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

22 **“(A) Individuals incarcerated or formerly incarcerated at Coffee**
23 **Creek Correctional Facility.**

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

26 **“(C) Stakeholders with expertise regarding gender-responsive poli-**
27 **cies, practices, programs and services.**

28 **“(D) Stakeholders with expertise regarding trauma-informed prac-**
29 **tices.**

30 **“(b) The gender-responsive coordinator shall meet with the**

1 **Gender-Responsive Advisory Council at least quarterly and receive in-**
2 **put on:**

3 **“(A) The assessment; and**

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

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

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

16 **“(5) The gender-responsive coordinator shall provide a report to the**
17 **Legislative Assembly and to the committees of the Legislative As-**
18 **sembly related to the judiciary, in the manner provided in ORS 192.245,**
19 **during the 2023 regular session of the Eighty-second Legislative As-**
20 **sembly, that includes:**

21 **“(a) A summary of the assessment;**

22 **“(b) Information gathered from the listening sessions described in**
23 **subsection (4) of this section; and**

24 **“(c) Policy recommendations regarding the development and im-**
25 **plementation of evidenced-based, gender-responsive, culturally re-**
26 **sponsive and trauma-informed practices that address the findings of**
27 **the assessment.**

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

29 **“SECTION 3. This 2021 Act being necessary for the immediate**
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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