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The Honorable Michael Dembrow, Chair
Senate Education Committee
Oregon State Legislature

RE: SB 235, SB 234, SB 241, SB 756

Dear Chair Dembrow, Vice Chair Thomsen, and members of the Senate Education Committee:

I write to you in enthusiastic support of all four of the above mentioned “prison education bills.” I am a former criminal defense attorney, an Associate Professor at Portland State University, and a co-founder and director of PSU’s Higher Education in Prison Program. I am a member of the Oregon Coalition of Higher Education in Prison (OCHEP). I closely follow, learn from and dialogue with the National Alliance of Higher Education in Prison and its many members across the country, and I am a trained ‘Inside Out’ instructor. I care deeply about transformational opportunities for people in prison, and welcoming support for people upon reentry to the community, for both personal and civic-minded reasons.

Abundant data supports the effectiveness of higher educational opportunities for people in prison. While access to postsecondary training and education was drastically reduced with the 1994 Crime Bill, that eligibility was recently restored by Congress after 26 years of pressure from advocates, educators, corrections officials, business leaders, and students. Preceding this monumental change was the 2016 launch of the Second Chance Pell Experimental Sites Initiative by the U.S. Department of Education. Oregon was fortunate to have Chemeketa Community College selected to participate in the first cohort and Treasure Valley Community College in the second earlier this year. Unfortunately, the pandemic has stalled these efforts as well as other programming offered outside of the Second Chance Pell initiative by other members of OCHEP.

However, the pandemic has also offered us an opportunity to build a stronger, more robust education infrastructure within Oregon prisons and a deeper partnership between education providers and the DOC. My desire, shared by many members of OCHEP, is for Oregon’s prisons to be prepared to take full advantage of the federal funding that comes with the overturning of the ban on Pell Grants in prisons. With sufficient funding, many more people in custody will have the opportunity to pursue additional training, certifications, or academic pathways. But funding alone will not make this a reality. These bills will help ensure that the current infrastructure within Oregon’s prisons will meet the expected demand for access to and successful participation in higher education and training programs in Oregon, and that Pell implementation happens effectively and equitably across the state.

Technology access is key to the goal of effective and equitable education opportunity. The delivery of postsecondary education and training overall has been changing for years as technology allows

for greater remote interaction with students via platforms such as Zoom, Skype, and others. The pandemic has created obstacles to continuing traditional classroom delivery, but it has also prompted significant advances in how students can study and where they are located. Nationally, many corrections agencies and their college partners have found ways to deliver or supplement education using technology in a safe and secure manner. Throughout this pandemic, our institutions of higher education across Oregon have been able to successfully provide the courses and instructor interactions that students need in order to successfully continue their learning. I believe incarcerated students should have similar opportunities.

For people to be competitive upon release, it is important to ensure that the education and training programs offered inside prisons meet the rigor, availability, and effectiveness of those offered on-campus. Given the limitations imposed by COVID-19 and the inability to accommodate alternative course delivery methods, those currently incarcerated in Oregon are at a significant disadvantage. Continued delay to their progress will inevitably impact their success and may have adverse effects on all the positive outcomes we know are made possible through education, including a reduction in recidivism rate, increased employment, facility safety, and greater positive family reunifications.

There are many options now for technology that can be safely and securely used within a correctional setting. Many states have been using a variety of tools for months or even years. Currently, college students in Oregon's prisons are only allowed to continue their work through paper packets. Packets alone are also not an option allowable under the Second Chance Pell initiative. This means the Oregon DOC and its incarcerated students will lose out on programming fully funded by Pell Grants because of the lack of technology access. My understanding is that despite the availability of privately purchased computers or existing tablets, software, and supervision, students have been denied access. We at PSU, and I believe others across OCHEP, are eager to work with the Department of Corrections to think creatively about low-cost technology access, assist by writing funding proposals, conduct case studies of other states to understand how they were able to achieve technology access for their adults in custody, and truly partner together to make technology access available to students in Oregon's prisons.

There are a multitude of examples, partners, and vendors from across the country that could be utilized to reinforce the safety and security of the computers and software needed to allow students to continue their education in a way consistent with their campus peers. For example, in Washington state, every incarcerated student is issued a tamper-proof laptop that has no capacity to access the internet, yet docks to a station in the facility to upload and download assignments from their instructors, eliminating the need for congregation in classrooms or the delivery of paper packets during lockdowns, but work continues on an individual basis. Unfortunately, this option still does not allow for teacher/student interaction via technology, continuing to leave students at a disadvantage. Colorado, Oklahoma, and Iowa all offer distance learning with live instruction via Zoom-like platforms with students from multiple facilities participating in one class in some cases. In Wisconsin, students are given access to allow-listed websites in a DOC computer lab for FAFSA completion, library research, and career services. In Iowa and Tennessee, a separate instance of the college's Learning Management System is allowed-listed, giving students access to relevant course materials on laptops they retain in their housing units. In Michigan, Indiana, and several other states, students have work packets delivered on a consistent basis and supplement their instruction through free email communications using the existing email providers incarcerated students already have access to and paid for by the college. This last example is a temporary solution that allows instruction to continue until face-to-face programming can continue. In New York, the Department of Corrections and Community Supervision immediately opened up email communication between faculty and students when the pandemic caused closures.

There are many examples to draw from to help guide DOC IT staff to make the right decisions to protect students, faculty, staff, and the public. I recognize that, as with many things that used to be prohibited but are now allowed inside, technology comes with risk. However, I know that risk can be monitored, mitigated, and managed, as it has been in other states.

In addition to technology access, students need time to be in classes (when the public health situation allows), and to read, study, and complete assignments. Since most work to receive their PRAS points (performance awards), their time for education is limited. Many of my students at CCCF needed special permission to leave work to come to class twice a week. Even those with permission missed classes sometimes due to a heavy workload at their job, and others still could not participate at all due to their work schedule. I know that men at Corban College in OSCI already receive PRAS points/performance awards for their education, allowing them to focus on academics. Certainly, this could be implemented statewide, including at CCCF for women, allowing students to prioritize academics.

Finally, for those people who are more interested in pursuing trades, rather than higher education upon leaving prison, every support should be made available to them. We all live in a safer, more productive and happier community when people who have served their sentence are supported and welcomed home, and offered meaningful opportunities for success and community participation.

For all of these reasons, I urge you to support SB 235, SB 234, SB 214, and SB 756.

Thank you.

Sincerely,

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