



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

February 23, 2023

The Honorable Jason Kropf, Chair
House Committee on Judiciary

Subject: House Bill 2535

Chair Kropf and members of the committee, my name is Joe Bugher, and I am the Assistant Director of Health Services for the Oregon Department of Corrections (DOC). I am providing testimony in support of House Bill (HB) 2535.

What the Bill Does:

HB 2535 requires DOC to establish a doula program for pregnant and postpartum adults in custody at Coffee Creek Correctional Facility (CCCF). It outlines the requirements of the program and doula services that must be provided to pregnant adults in custody (AICs) and during a one-year postpartum period. It prohibits shackling of AICs during labor, childbirth, and postpartum recovery in hospital. It prohibits restrictions in movement that interfere with a postpartum individual's ability to hold or nurse infant, establish milk supply, or receive postpartum recovery care. It prohibits pregnant AICs who arrive at a DOC facility from undergoing specified types of searches and permits exceptions when determined and documented concern for safety or suspicion of contraband exists. Lastly, it requires specified searches to be performed by health care professionals.

DOC agrees with the intent of this bill and is in support of establishing a doula program at CCCF. DOC currently has a staff position who partners with pregnant AICs on their birth plans, and this program implementation could be added to that current role. There is a growing body of research that supports the utilization of doulas to aide in the birthing process as well as modification of restraint practices. Two peer reviewed reference articles have been placed at the bottom of this testimony. Other states that have implemented doula programs have been able to help mitigate costs by collaborating with community partners for the services. DOC intends to both collaborate with community partners for these services, and ensure that services can be provided if community partners are unavailable.

There are some concerns primarily with the restraint and search language in the introduced HB 2535, so collaborative work is underway with the bill sponsor on amendments. DOC is confident an amended bill will help ensure responsiveness to the intent of the house bill, while also maintaining flexibility for DOC. In corrections work, it is important to be able to assess individual cases and sets of circumstances to provide the appropriate level of restraints and/or searches needed for the safety and security of the AIC, community, staff, and facility.

For these reasons and pursuant to anticipated amendments, DOC supports this bill.

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Thank you for your time and consideration.

Submitted by:

Oregon Department of Corrections

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Wilson, S. H., Marsh, L. N., Zielinski, M., Corbett, A., Siegler, A., & Shlafer, R. (2022). [Enhanced perinatal programs for people in prisons: A summary of six states' programs](#). *Journal of Criminal Justice*, 101965.

Pendleton, V., Saunders, J. B., & Shlafer, R. (2020). [Corrections officers' knowledge and perspectives of maternal and child health policies and programs for pregnant women in prison](#). *Health & Justice*, 8(1), 1.