

ANALYSIS

Department of Corrections Substance Use Disorder Pilot and Drugs in Prison

Analyst: John Terpening

Request: Acknowledge receipt of a report on the status of implementation of a substance use disorder pilot program and operation of two K-9 units.

Analysis: The Department of Corrections (DOC) has submitted a report pursuant to a budget note approved in the budget report for SB 5504 (2023):

***Substance Use Disorder Pilot and Drugs in Prison:** The Department's budget includes funding for a substance use disorder pilot program to operate at Snake River Correctional Institution (SRCI) and the Oregon State Penitentiary (OSP), to provide treatment to adults in custody throughout their length of stay. Additionally, funding is included to operate K-9 units at OSP and Oregon State Corrections Institution. The Department is directed to return to the Public Safety Subcommittee of the Joint Committee on Ways and Means during the 2024 session with an update on the implementation of the pilot program and the utilization of the K-9 units and baseline measures for the proliferation of drugs in institutions, including drug testing results and drug-related contraband misconducts.*

The Department's report indicates that the programs are still in the initial stages and have not been implemented to-date. The Department is onboarding the K-9 handler positions and has purchased the dogs, with those teams expected to start training together in March. The central management staff for the substance use disorder program are in recruitment. Clinical staff position descriptions are completed and recruitment for those positions will occur in the coming months. The Department has also completed development of all program materials, so once clinical positions are filled at the institution, the program will be able to commence immediately. In the meantime, the Behavioral Health Services program at DOC has worked with Operations and Facilities staff at OSP and SRCI to identify space for the expanded SUD treatment services. Finally, wastewater testing will begin at OSP, SRCI and Oregon State Corrections Institution in March 2024. This will provide baseline data collection to compare before and after the programs are initiated.

Legislative Fiscal Office Recommendation: The Legislative Fiscal Office recommends acknowledging receipt of the report with instructions that the Department provide a follow-up status report on the substance use disorder pilot program, K-9 units, and wastewater testing to the Emergency Board prior to November 2024.

Department of Corrections

Fox

Request: Report on the Substance Use Disorder Pilot Program and the implementation of a K-9 program for drug detention in correctional institutions by the Department of Corrections (DOC).

Recommendation: Acknowledge receipt of the report.

Discussion: DOC was required by a budget note in the budget report for Senate Bill 5504 (2023) to report on the newly funded Substance Use Disorder (SUD) programs at the Snake River Correctional Institution (SRCI) and the Oregon State Penitentiary (OSP) and on K-9 drug detection programs at OSP and the Oregon State Corrections Institution (OSCI). DOC is also required to report on establishing baseline measures including through wastewater testing of drug use in correctional institutions.

K-9 Drug Detection Teams and Wastewater Testing: DOC posted two K-9 handler positions for recruitment in December 2023. The Department has signed a contract for wastewater testing and expects to begin tests in March 2024 at OSCI, OSP, and SRCI. With the baseline data established, the Department plans to compare controlled substance and contraband findings over time to capture the effect of the programs.

Substance Use Disorder Pilot Program: The Department's Behavioral Health Services (BHS) division has been working with Facilities and Operations Staff at OSP and SRCI to identify program locations and renovations for the expanded SUD treatment services to take place. DOC has received a quote for the renovation project and is working with each institution to plan for the projects. BHS has worked with the Department of Administrative Services Classification and Compensation Unit to appropriately classify the new positions funded for the program so they can be posted, and the Department can begin to recruit for the positions. The Department is now actively hiring for these positions.



Oregon

Tina Kotek, Governor

Oregon Department of Corrections

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January 19, 2024

Senator Elizabeth Steiner, Co-Chair
Representative Tawna Sanchez, Co-Chair
Joint Committee on Ways and Means
900 Court St NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairs,

The Oregon Department of Corrections (DOC) respectfully requests your acceptance of this letter as the implementation update to the Oregon Legislature required by the Substance Use Disorder Pilot and Drugs in Prison Budget Note contained in Senate Bill 5504 (2023).

Background

Currently, the DOC adult in custody (AIC) population has fewer than 3% who are incarcerated for one or more drug crimes. However, approximately 65% of AICs in DOC have a need for substance use disorder (SUD) treatment. During the 2019 session, the Oregon Legislature recognized SUD as a chronic illness. For the 2023 Legislative Session, the department submitted an SUD policy option package (POP) requesting additional staff positions and resources to expand SUD treatment and to move treatment to a chronic disease model. While the POP was not funded in its entirety, the department was given staff positions to pilot two SUD treatment expansion programs and to implement a K-9 program for drug detection.

The 2023-2025 legislatively approved budget included the following budget note: *"The Department's budget includes funding for a substance use disorder pilot program to operate at Snake River Correctional Institution (SRCI) and the Oregon State Penitentiary (OSP), to provide treatment to adults in custody throughout their length of stay. Additionally, funding is included to operate K-9 units at OSP and Oregon State Corrections Institution (OSCI). The Department is directed to return to the Public Safety Subcommittee of the Joint Committee on Ways and Means during the 2024 session with an update on the implementation of the pilot program and the utilization of the K-9 units and baseline measures for the proliferation of drugs in institutions, including drug testing results and drug-related contraband misconducts."*

Agency Action

In December 2023, two K-9 handler positions were posted for recruitment, and we hope to have handlers hired in late February 2024 with the full program implemented a few months after. In the interim, we are actively inviting other law enforcement Drug Detection K-9 teams to help search the target institutions. These two positions will serve the Oregon State Penitentiary (OSP) and Oregon State Correctional Institution (OSCI) In coordination, the new wastewater testing program will begin by March 2024 at OSP, OSCI, and the Snake River Correctional Institution (SRCI). DOC will gather data to show the impacts of these new programs in conjunction with the SUD treatment plans provided by Behavioral Health Services (BHS). The data collection plans are:

- Compare the number of controlled substance evidence finds entered into an SIU evidence locker from before and after the new programs are initiated.
- Compare findings from adjudicated administrative hearings (misconduct reports) for contraband from before and after the new programs are initiated.
- Compare individualized Urine Analysis (UA) testing of AICs with the new wastewater testing program results.

The department's BHS has been working closely with Facilities and Operations staff at OSP and SRCI to identify program locations for the expanded SUD treatment services. At OSP, Physical Plant Staff contracted with a Construction Engineer to determine options for expanding locations for the additional SUD staff, peer mentors and group room needs. They identified three different locations in the institution where construction work can be done to add cubicles, additional offices, meeting spaces and group rooms. The department received the quote from the engineer on January 9, 2024, and will be meeting with Facilities and Physical Plant to determine next steps for moving forward with construction. The plans proposed by the engineer will provide cubicle, office and group space for the SUD program and it will also give additional office space for BHS providers. SRCI has identified office and group space to begin programming once the SUD treatment staff are onboarded.

While working with the institutions to identify space, BHS has also worked closely with the Department of Administrative Services (DAS) Classification and Compensation Unit to appropriately classify the positions, so they can post for recruitment. In January 2024, we received approval for the central SUD management positions. These will post for recruitment by the end of January 2024. These positions are critical to beginning the larger statewide recruitment efforts for the SUD clinical staff and for the ongoing collaboration with department and other agency stakeholders. The position descriptions for the clinical staff have already been approved and are in use by the department in existing treatment programs.

In 2021, BHS began moving some SUD treatment programs at CCCF to a chronic disease model. Since then, we have continued to develop and hone clinical practices for this treatment modality. We have also refined the selection, training, and on-going supervision requirements for the AIC peer mentors in our programs. These processes and practices will be utilized in the SUD expansion pilots at both OSP and SRCI.

Sincerely,

A handwritten signature in blue ink that reads "Michael Reese". The signature is written in a cursive, flowing style.

Michael Reese
Acting Director
Oregon Department of Corrections