DRO | Disability Rights Oregon

May 8, 2019

TO: House Majority Leader Jennifer Williamson, Chair
        House Committee on Judiciary
FR: Bob Joondeph, Policy Consultant
RE: Support for SB 495A

Disability Rights Oregon (DRO) is the designated Protection and Advocacy agency for Oregon. DRO is mandated by federal and state law to advocate for the rights of individuals with disabilities. DRO supports SB 495A as a step to ensure the people with mental illness are treated humanely in jail.

DRO investigated an event in 2017 in which jail deputies used a police canine to violently force an inmate to leave his cell. This individual continues to suffer nightmares from the attack two years later. He also has vivid scars on his hip and arm that required dozens of stitches after the police canine bit him and dragged him to his cell's floor.

Canines should never be used to intimate or control inmates. Oregon is one of only six states that allow the practice. It poses an unnecessary risk of harm to both deputies and inmates when safer de-escalation strategies are available. For inmates with mental illness, the practice poses a double risk of harm. These individuals may be more likely to be subjected to the use of canines when their disability prevents them from understanding or following the commands from corrections officers.

SB 495A is a simple bill. It states that "An official of a correctional facility may not use a dog to extract an inmate from a cell." The remainder of the bill sets out careful definitions that make clear that other uses of dogs within a correctional facility are not affected by SB 495A.

We thank Oregon State Sheriffs' Association and the ACLU of Oregon that have both supported SB 495A. In any setting, including a correctional facility, it makes sense to:

- Use force only as last resort;
- Consider de-escalation and other interventions that address problematic behavior; and
- Use force in a way that minimizes the chance of injury to both inmates and staff.

Thank you for this opportunity to testify in support of SB 495A.