

Kate Brown
Governor



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House Committee on Judiciary
Testimony in support of SB269
May 7, 2019, at 1 pm, Hearing Room E

Chair Williamson, Vice-Chairs Gorsek and Sprenger, and members of the Committee,

The Oregon Commission for Women, in its role as advocate for the women of Oregon, strongly supports SB269 which directs the Department of Corrections to conduct a study on sexual assault within their women's correctional facility and to report to interim committees of the Legislative Assembly related to judiciary on or before February 1, 2020.

When the government imprisons a person, it takes on the absolute responsibility to protect that person's safety. The standards set by the Prison Rape Elimination Act (PREA) represent a series of federal mandates intended to address the widespread sexual assault of prisoners. It established a zero-tolerance policy for sexual violence within correctional institutions nationwide, clarified various policies and practices, and required annual reporting for incidences of sexual assault in prisons. According to Oregon PREA statistics, there was a steady increase in sexual violence from 2011 to 2014, but a decline over the last two years. Can we assume that sexual violence is on the decline? Not necessarily.

Most incarcerated women in Oregon are previous victims of sexual abuse and domestic violence, making them vulnerable targets for predatory offenders. A recent study of inmates at Coffee Creek by the Oregon Justice Resource Center found that 75 percent of those surveyed experienced sexual abuse as a child or teen. Fifty-five percent reporting being sexually abused as adults, and another 59 percent reported experiencing physical violence. More than two-thirds of those surveyed said their trauma led to their involvement with the criminal justice system. The report states "Our current criminal system has not developed with women in mind and is not well-designed to consider the involvement of defendants' histories of victimization and trauma. This results in severe and unjust accountability." Today, there are more women in prison than at any time in Oregon's history. Most of these women have walked a long, difficult road of physical abuse, sexual abuse, addiction, mental illness, or homelessness. Many are mothers, struggling with deep pain and shame, who are separated from their children and families.

Since opening in 2001, there have been numerous reports offering a disturbing picture of ongoing sexual violence by staff at Coffee Creek Correctional Facility. Many of these reports resulted in criminal convictions of custodial sexual misconduct or large settlements paid out by the state. Most recently, in February 2019, the Statesman Journal reported that five current and former inmates are suing the state, claiming they were raped, groped, assaulted and molested by a nurse in the medical unit. The plaintiffs allege that the sexual abuse is "widespread" and accuse prison staff of ignoring and allowing the nurse's predatory behavior to continue for years and of retaliating against inmates who reported the alleged abuse. The state police investigation found that the case was unsupportable, yet women are proceeding with their public charges of sexual violence.

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We, at the Oregon Commission for Women, believe in the right of a woman to personal safety in correctional facilities as specified under the Prison Rape Elimination Act. SB269 would have the Oregon Department of Corrections study sexual assault incidents and then present their findings by February 1, 2020, to the interim committees of the Legislature Assembly related to judiciary. This is an important issue that needs immediate attention. We would hope that the study would provide recommendations for improving sexual safety that take into account the personal histories of women incarcerated prisoners. We urge an AYE vote on SB269.

A handwritten signature in blue ink, appearing to read "Dr. Barbara Spencer".

Dr. Barbara Spencer
Chair