

HB 3096-1
(LC 1438)
2/26/21 (JLM/ps)

Requested by Representative SANCHEZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 3096**

1 In line 2 of the printed bill, delete “prescribing an effective date” and
2 insert “declaring an emergency”.

3 After line 2, insert:

4 “Whereas incarcerated women face unique challenges; and

5 “Whereas incarcerated women have access to fewer resources and services
6 to prepare for reintegration than incarcerated men; and

7 “Whereas incarcerated women have lower rates of formal education, vo-
8 cational training and employment history than incarcerated men; and

9 “Whereas incarcerated women are more likely than incarcerated men to
10 be sexually abused by prison personnel; and

11 “Whereas incarcerated women are more likely than incarcerated men to
12 have intimidation tactics used against them by prison personnel; and

13 “Whereas 90 percent of incarcerated women are survivors of domestic vi-
14 olence or sexual assault and carry high trauma loads; and

15 “Whereas incarcerated women are not treated with a trauma-informed
16 approach; and

17 “Whereas incarcerated women are often retraumatized while in prison;
18 and

19 “Whereas 85 percent of incarcerated women were the primary caregivers
20 of minor children prior to their incarceration; and

21 “Whereas women have significant needs around access to legal services

1 pertaining to their role as custodial parents; and

2 “Whereas incarcerated women receive 50 percent fewer visits than
3 incarcerated men; and

4 “Whereas women have complex medical needs related to pregnancy,
5 childbirth, the postpartum period and general health; now, therefore,”.

6 Delete lines 4 through 11 and insert:

7 **“SECTION 1. (1) As used in this section:**

8 **“(a) ‘Culturally responsive’ means taking into account the beliefs,**
9 **practices, culture and linguistic needs of diverse victim and offender**
10 **populations and communities whose members identify as having par-**
11 **ticular cultural or linguistic affiliations by virtue of their place of**
12 **birth, ancestry or ethnic origin, religion, preferred language or lan-**
13 **guage spoken at home.**

14 **“(b) ‘Gender-responsive’ means taking into account gender-specific**
15 **needs that have been identified in research, including but not limited**
16 **to socialization, psychological development, strengths, risk factors,**
17 **pathways through systems, responses to treatment intervention and**
18 **other unique gender-specific needs facing justice-involved persons.**

19 **“(c) ‘Listening session’ means a gathering, open to the public, held**
20 **for the purposes of participants sharing their perspectives and prefer-**
21 **ences.**

22 **“(d) ‘Trauma-informed’ means incorporating gender violence re-**
23 **search and the impact of all forms of trauma in designing and imple-**
24 **menting policies, practices, processes, programs and services that**
25 **involve understanding, recognizing and responding to the effects of all**
26 **types of trauma with emphasis on physical, psychological and emo-**
27 **tional safety.**

28 **“(2)(a) The Governor shall designate at least person to be the cor-**
29 **rections gender-responsive coordinator. The designated person or per-**
30 **sons shall serve in the position for at least the duration of the**

1 assessment described in subsection (3) of this section and the listening
2 sessions described in subsection (4) of this section.

3 **“(b) The gender-responsive coordinator must:**

4 **“(A) Have adequate training on gender-responsive, culturally re-**
5 **sponsive and trauma-informed correctional practices and appropriate**
6 **standards, policies and practices for individuals serving sentences of**
7 **incarceration at Coffee Creek Correctional Facility;**

8 **“(B) Not be an employee of or under the direction of the Depart-**
9 **ment of Corrections or any department facility, including the Coffee**
10 **Creek Correctional Facility; and**

11 **“(C) Ensure that those who are incarcerated or formerly**
12 **incarcerated are able to participate in the assessment process de-**
13 **scribed in subsection (3) of this section, and the listening sessions de-**
14 **scribed in subsection (4) of this section, safely and without concern for**
15 **retaliation.**

16 **“(c) The Department of Corrections shall provide the gender-**
17 **responsive coordinator with access to Coffee Creek Correctional Fa-**
18 **cility that is sufficient to allow the coordinator to carry out the duties**
19 **described in this section.**

20 **“(3)(a) No later than October 15, 2021, the Oregon Department of**
21 **Administrative Services shall contract with an appropriate third-party**
22 **organization to conduct an assessment of the Coffee Creek**
23 **Correctional Facility. The purpose of the assessment is to establish a**
24 **baseline for a strategic planning process, policy recommendation and**
25 **improved protection of individuals serving sentences of incarceration**
26 **at Coffee Creek Correctional Facility.**

27 **“(b) The Oregon Department of Administrative Services and the**
28 **third-party organization shall coordinate with gender-responsive coor-**
29 **dinators and include the coordinator in the assessment process.**

30 **“(c) The assessment shall include a review of:**

1 **“(A) Whether the following are gender-responsive, culturally re-**
2 **sponsive and trauma-informed:**

3 **“(i) Intake;**

4 **“(ii) Placement;**

5 **“(iii) Risk assessment;**

6 **“(iv) Case management;**

7 **“(v) Mental, behavioral and physical health services;**

8 **“(vi) Vocational programs;**

9 **“(vii) Rehabilitation programs;**

10 **“(viii) Correctional staff;**

11 **“(ix) Organizational structure;**

12 **“(x) Reentry and transition programming; and**

13 **“(xi) Other policies.**

14 **“(B) Whether there are currently in place adequate protections,**
15 **policies, procedures, oversight and hiring practices to ensure that in-**
16 **dividuals serving sentences of incarceration at Coffee Creek**
17 **Correctional Facility are not subjected to sexual assault or sexual**
18 **harassment and to determine whether the current responses to sexual**
19 **assault or sexual harassment are gender-responsive, culturally re-**
20 **sponsive and trauma-informed.**

21 **“(4)(a) The gender-responsive coordinator shall create a Gender-**
22 **Responsive Advisory Council. The council shall consist of justice-**
23 **involved individuals, including:**

24 **“(A) Individuals incarcerated or formerly incarcerated at Coffee**
25 **Creek Correctional Facility.**

26 **“(B) Individuals impacted by the justice system, including families**
27 **of individuals incarcerated at Coffee Creek Correctional Facility.**

28 **“(C) Stakeholders with expertise regarding gender-responsive poli-**
29 **cies, practices, programs and services.**

30 **“(D) Stakeholders with expertise regarding trauma-informed prac-**

1 tices.

2 “(b) The gender-responsive coordinator shall meet with the
3 Gender-Responsive Advisory Council at least quarterly and receive in-
4 put on:

5 “(A) The assessment; and

6 “(B) The development and implementation of evidenced-based,
7 gender-responsive and trauma-informed practices at the Coffee Creek
8 Correctional Facility.

9 “(c)(A) The gender-responsive coordinator and Gender-Responsive
10 Advisory Council shall, no later than July 1, 2022, convene at least six
11 community listening sessions to seek input on the experiences of
12 women and families in the criminal justice system, and how
13 evidence-based, gender-responsive and trauma-informed practices will
14 impact women, families and communities.

15 “(B) The listening sessions must be held in geographically diverse
16 locations throughout the state and shall be held at a time and location
17 conducive to community participation.

18 “(5) The gender-responsive coordinator shall provide a report to the
19 Legislative Assembly and to the committees of the Legislative As-
20 sembly related to the judiciary, in the manner provided in ORS 192.245,
21 during the 2023 regular session of the Eighty-second Legislative As-
22 sembly, that includes:

23 “(a) A summary of the assessment;

24 “(b) Information gathered from the listening sessions described in
25 subsection (4) of this section; and

26 “(c) Policy recommendations regarding the development and im-
27 plementation of evidenced-based, gender-responsive, culturally re-
28 sponsive and trauma-informed practices that address the findings of
29 the assessment.

30 **SECTION 2.** Section 1 of this 2021 Act is repealed on July 1, 2023.

1 **“SECTION 3. This 2021 Act being necessary for the immediate**
2 **preservation of the public peace, health and safety, an emergency is**
3 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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