

HB 2345 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/14

WHAT THE MEASURE DOES:

Directs the Department of Corrections (DOC) to study programs available to adults in custody. Requires DOC to report to the appropriate interim committee of the Legislative Assembly by December 1, 2024. Repeals the measure on January 2, 2025.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Directs the Department of Corrections (DOC) to undertake reasonable efforts to reduce the number of days an adult in custody (AIC) may be in segregated housing. Directs DOC to establish a committee to study the implementation of the reduction of the use of segregated housing. Specifies minimum membership requirements of the committee. Requires DOC to report to the interim Judiciary committees by September first of every year, on the recommended changes regarding to staffing, program and facility needs directly related to reducing the use of segregated housing. Limits the number of days an AIC may spend in segregated housing to 14 consecutive days, effective July 1, 2027. Repeals the requirement for DOC to have a committee on January 2, 2028. Takes effect on the 91st day following sine die.

BACKGROUND:

The Department of Corrections (DOC) and prisons and jails all over the country use segregation, also known as solitary confinement, restrictive housing or colloquially as "the hole," which can include isolation and sensory deprivation. There are different types of segregation, including administrative (institutional safety concerns), disciplinary (sanction for rule violations), and protective custody (protect AICs when at risk of harm). In Oregon, stays in segregated housing can be lengthy, and people of color and those with mental health needs have been overrepresented. In 2015 the DOC partnered with Vera Institute of Justice (Vera) in the Safe Alternatives to Segregation Initiative. In October 2016 Vera released a report entitled "The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Oregon Department of Corrections." This report included the results of an assessment of Oregon's use of segregation and suggestions for reform. In May 2018, Vera published "Rethinking Restrictive Housing - Lessons from Five US Jail and Prison Systems." DOC was one of the five partner agencies in the report, and Vera documented its findings, recommendations and reported on DOC's progress in improving the quality of life in its administrative segregation unit for adults with serious mental illness. In March of 2022, a legislative workgroup was formed to continue discussions on solitary confinement and its impact on AICs.

House Bill 2345 is a placeholder measure. The -1 amendment directs the Department of Corrections (DOC) to undertake reasonable efforts to reduce the number of days an adult in custody (AIC) may be in segregated housing, requires the DOC to create a committee to determine how to accomplish that directive, and effective July 1, 2027, it would limit the number of days an AIC may spend in segregated housing to 14 consecutive days.