

HB 2345 A STAFF MEASURE SUMMARY**Carrier:** Rep. Marsh**House Committee On Judiciary****Action Date:** 04/04/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 10-0-0-0**Yeas:** 10 - Andersen, Bynum, Chaichi, Conrad, Kropf, Lewis, Morgan, Reynolds, Tran, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Amie Fender-Sosa, LPRO Analyst**Meeting Dates:** 3/14, 4/4**WHAT THE MEASURE DOES:**

Directs the Department of Corrections (DOC) to establish on their publicly facing website, a dashboard with specific data regarding adults in custody (AICs) placed in a disciplinary segregation unit, effective February 1, 2024.

ISSUES DISCUSSED:

- Strains on DOC employees; staffing and physical resources needed when reducing segregated housing
- Harms AICs when solitary confinement is used as a tool; can cause serious mental health crises
- Disproportionately used against Blacks
- Violation of universal human rights standards
- Mandela Rules is no more than 15 days
- There are other safety interventions that are effective and less damaging
- Reasons for being placed in solitary can be opaque and without neutral review process
- Once in solitary, no meaningful way for an AIC to challenge placement
- Segregated housing is used as a deterrent to bad behavior, especially for AICs with life sentences
- DOC has reduced times allowed in segregated housing with recent administrative rules

EFFECT OF AMENDMENT:

Replaces the measure.

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, 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 in DOC custody.

House Bill 2345 A directs the Department of Corrections (DOC) to establish on their publicly facing website, a dashboard with specific data regarding adults in custody (AICs) placed in a disciplinary segregation unit, effective

This summary has not been adopted or officially endorsed by action of the committee.

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