



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

March 28, 2023

The Honorable Kathleen Taylor, Chair
Senate Committee on Labor and Business

Subject: Senate Bill 907

Chair Taylor and members of the committee, my name is Gail Levario, and I serve as the Assistant Director of the Oregon Department of Corrections (DOC) Employee Services Division. I am providing written testimony regarding Senate Bill (SB) 907 and to request a custodial and public safety exemption from the measure should it move forward.

The DOC is a 24/7 operation responsible for the safety and security of more than 12,250 adults in custody, as well as the successful supervision of more than 1,700 adults on supervision in Douglas and Linn Counties. We also include among our ranks, more than 4,500 public safety employees working inside correctional institutions, staff supporting the daily and statewide work of our 24/7 operations, as well as our partners responsible for supervising adults on probation, parole, post-prison supervision, or in another community setting.

Correctional officers, parole and probation officers, staff providing case management and counseling services, those providing physical and mental health care, staff working in food services, facility maintenance, as well as contractors and volunteers all understand that they work in an inherently dangerous environment. Each are trained to confront all manner of circumstance that involves danger when working with or around adults in our custody and those on supervision. They are instrumental in preventing harm, eliminating threats, and resolving conflicts while maintaining a safe environment for staff and others.

SB 907 creates the potential that workers who are critical to addressing a dangerous circumstance can refuse to respond if they have “a reasonable apprehension that the performance of the assigned task would result in serious injury or impairment to the health and safety of the employee or other employees.” This bill specifically allows an employee to refuse to perform an assigned task if it would cause the employee to report to or remain at a worksite during an evacuation due to a major disaster or emergency – even though they had made a commitment to do this work. The decision by an employee to refuse to respond, in the wide range of circumstances that have the potential for danger, puts others in even more danger.

The department (DOC), the Oregon Corrections Enterprises (OCE), and our county community corrections partners must be specifically named “as exempted” from this legislation because all department and OCE employees, regardless of their work location (including prisons, headquarters, IT Services, warehouse, etc.), can and are required to fill-in at institutions (or community corrections locations) should there be a state of emergency or other issue that results in the need to ensure the safety and security of state and local corrections services in all domains.

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Thank you for your time and consideration.

Submitted by:

Oregon Department of Corrections

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