



February 1, 2022

House Committee on Judiciary
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of House Bill 4146

Dear Chair Bynum, Vice Chair Noble, Vice Chair Power, and members of the committee:

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). The ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to preserving and enhancing civil liberties and civil rights, with more than 28,000 members statewide. The ACLU of Oregon strongly supports House Bill 4146, which will direct the Oregon Department of Administrative Services and a contracted third party organization to conduct a trauma-informed, gender and culturally-responsive assessment of Coffee Creek Correctional Facility and will create a baseline for the strategic planning and policy recommendation that will improve conditions and protections for incarcerated people at Coffee Creek Correctional Facility.

Across the country and in Oregon, there continues to be a mass incarceration crisis. However, the burden of our mass incarceration system is not felt equally across our society, it is disproportionately felt by Black, Indigenous, and People of Color. In addition to a racial disparity in the system, an alarming gender disparity exists in our criminal justice system. While women represent a smaller segment of the overall prison population, nationally, women account for the fastest growing segment of the prison population. We must not underestimate the outsized impact our mass incarceration system has on women, transgender and non-binary people.

In 2020, the ACLU of Oregon joined legislators, community-based organizations, former justice-involved women, and others in the Gender Responsiveness Workgroup. In the meetings, we heard first-hand accounts of women and their experience in Oregon prisons, and the stories were both emotional and horrifying. A large proportion of justice-involved women experienced sexual abuse or other forms of victimization; engaged in substance abuse to cope with past and current trauma; engaged in criminal behavior while under the influence or to support drug use; are more likely to experience poverty or employment instability; and so much more. In prison, past traumas can be repeatedly triggered through the prison power dynamic, from exposure to physical and emotional violence, and from a lack of proper or responsive mental health treatment and gender responsiveness practices. The current practices and lack of services does not offer incarcerated people at Coffee Creek Correctional Facility the needed support and protections, instead they perpetuate a cycle of victimization, trauma, and harm.

The Oregon Department of Corrections (DOC) can and must do better for justice involved women, transgender and non-binary people here in Oregon. House Bill 4146 will provide the legislature with the needed information to address the needs and gaps that currently exist for women, transgender, and non-binary people at Coffee Creek Correctional Facility through their gender responsiveness assessment. Additionally from the required gender responsiveness assessment, the bill tasks the Governor with designating an independent gender-responsiveness coordinator to assist with the assessment process, lead a Gender-Responsiveness Advisory Council, and report back to the legislature on the assessment, community input, and policy recommendations. The findings of this assessment will be an important

baseline for strategic planning processes and policy recommendations to improve protections of individuals serving sentences of incarceration at Coffee Creek Correctional Facility.

In the 2021 session, this committee unanimously advanced this same proposal– HB 3096– to Joint Ways and Means. **The ACLU of Oregon urges your support and passage of House Bill 4146.**

Respectfully,

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