



# ISSUE BRIEF

## SPECIAL HOUSING

The Oregon Department of Corrections (DOC) has engaged in an intentional effort to change agency culture and to normalize the correctional environment for adults in custody (AICs) and for DOC staff. Reducing time spent by AICs in segregation is a major component of this culture change.

In undertaking segregation reform, DOC has forged four significant partnerships which provide a roadmap to effect this change:

- Partnership with Disability Rights Oregon (DRO). In 2015, DRO wrote a report entitled “Behind the Eleventh Door” which led to a signed agreement between DOC and DRO to transform the treatment of AICs with mental illness and align standards of treatment with constitutional standards of care.
- A partnership with the Vera Institute of Justice (Vera) informed the movement of DOC away from the use of solitary confinement. Vera worked with five jurisdictions to consider alternatives to such confinement and to provide technical assistance to each one. The results of that initiative are summarized in “Rethinking Restrictive Housing” (May 2018).
- DOC’s partnership with the Norwegian Correctional Service and the University of California San Francisco’s Amend program, which resulted in the development of “The Oregon Way,” focuses on two issues: segregation reform and staff well-being – with a more specific focus on humanizing and normalizing the experience for both adults in custody and the staff who work with them.
- The fourth and most significant partnership is between DOC’s leadership and employees. DOC team members across divisions recognized the need to develop effective treatment programming while maintaining safety for adults in custody who struggle with serious mental illness, and who also struggle with behavioral disturbances.

### **Special Housing Reform – Short-term Changes**

With the goal of reducing the use of disciplinary segregation (DS), significant changes have been made to Oregon Administrative Rule 291-105 – Prohibited Conduct and Processing Disciplinary Actions. These changes drastically reduce the maximum sanctions in disciplinary segregation for some violations and eliminate disciplinary segregation as a sanction for others.

### **Bed Impact of Short-term Changes**

Prior to DOC’s 2015 work with Vera, Oregon housed a yearly average of 702 AICs in disciplinary segregation for misconduct. Last year, there were 382 AICs in disciplinary segregation due to misconduct.

DOC's research team partnered with the Oregon Criminal Justice Commission (CJC) to estimate the bed impact from these short-term changes to disciplinary segregation. The CJC estimates DOC's population in DS would be reduced by another 60 beds by July 30, 2023.

### **Special Housing Reform – Long-term Changes**

DOC is working to increase the out-of-cell time for people in segregation. Several years ago, in partnership with DRO, the Oregon State Penitentiary steadily increased both unstructured and structured out-of-cell time for AICs living in the Behavioral Health Unit.

Sustainable change will take time and additional resources, such as the Resource Teams modeled after the Norway correctional system. To that end, DOC will partner with interested legislators, labor partners, and external stakeholders during the 2023 Legislative Session.

### **Preventing the Violence that Leads to Segregation**

Relying on evidence-based assessment tools to identify those at highest risk to engage in violence before they engage in misconduct is another long-term solution to reducing segregation.

DOC is realigning its Security Threat Management (STM) team to focus on identifying those most likely to be disruptive to safe and secure operations. Those identified will be placed on a management caseload and provided with cognitive programming designed to help them assess their own behavior.

A pilot program for AICs coming to general population from the Intensive Management Unit (IMU) is underway. Upon successful completion, DOC hopes to expand the program to include those AICs identified as high risk at intake.

### **Peer Mentorship Certified Program**

Lastly, engagement with AIC peers who have a record of living safely and productively in general population and overcoming the myriad of temptations to misbehave is critical. DOC is building a Peer Mentorship Certification Program to respond to this need. With staff facilitated oversight, certified Peer Mentors from the AIC community are a powerful voice that can model pro-social behavior. Additionally, these mentors more closely reflect the racial composition of the prison population.

Addressing substance use disorders (SUD) is another area which may help to maintain order without resorting to segregation.

### **Obstacles to Overcome**

These changes are in their infancy. DOC will continue to focus on retention and recruitment of qualified employees to stabilize staffing levels. Without a greater number of correctional professionals (especially in the field of mental health), DOC will be unable to achieve the long-term goals of transforming disciplinary segregation.