



HB 2535 REPORT

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Submitted to the
Senate and House
Committees on
Health Care and
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Executive Summary

The Oregon Department of Corrections (DOC) is pleased to submit this report to the Legislative Assembly as directed by Oregon Revised Statute (ORS) 192.245. Paper copies of this report may be obtained from DOC Headquarters, 3723 Fairview Industrial Drive SE, Suite 200, Salem, Oregon 97302.

In June 2023, the Oregon Legislature passed House Bill (HB) 2535, relating to pregnancy in correctional facilities. Specifically, HB 2535 requires DOC to a) establish a doula program for pregnant and postpartum adults in custody (AICs) at the Coffee Creek Correctional Facility (CCCF); b) identify one employee to serve as the primary contact and coordinator; c) limit use of mechanical restraints during labor, childbirth or postpartum recovery in a hospital; d) minimize the severity and invasiveness of the transport and arrival procedures, including strip searches and body cavity searches; e) participate in at least two listening sessions with individuals who gave birth while in custody of DOC; and f) develop procedures and checklists informed by feedback from stakeholders and the listening sessions. The house bill further defined the doula services and documentation requirements, with implementation by June 1, 2024. Lastly, HB 2535 required this report on the actions taken to implement the doula program.

DOC's Health Services Division provides medical, dental, nursing, mental health, and pharmacy care for AICs at each institution on-site and through arrangements with local specialty service providers. As CCCF is DOC's only female facility, its services include maternity care for pregnant AICs. The addition of a doula program is a welcome expansion and DOC worked collaboratively with the HB 2535 bill sponsor to support this bill's passage. DOC has convened a workgroup for the implementation efforts comprised of DOC employees as well as representatives from the Governor's Office, Legislature, and the community, including trained doulas and subject matter experts from the Minnesota Prison Doula Project and the Ostara Initiative. (For more information about the Ostara Initiative, please see www.ostarainitiative.org.)

Doula Services

DOC has made progress in identifying the scope of doula services that will be provided to pregnant AICs at CCCF as well as AICs who have given birth or had another pregnancy outcome, such as miscarriage, in the past 12 months. Doula services will include one-on-one patient support and assistance, education, and group work. There is a lot of support and excitement about DOC's implementation of a doula program, and a significant amount of information available from which it can be built. For example, DOC obtained a data dictionary from a multi-site study of perinatal programs for people in prison. This will help guide the questions Health Services needs to ask during CCCF's intake process to ensure all impacted AICs are afforded the opportunity to benefit from doula services. Additionally, members of this workgroup have connected DOC with students in a program at Portland State University to explore opportunities to collaborate on pamphlets or other material, such as training, regarding the doula program.

DOC is negotiating a contract with the Ostara Initiative, who will provide trained Oregon doulas for CCCF's program. DOC is working through contractual details so it may move forward to the

Department of Justice (DOJ) for legal sufficiency review. The intent is to have an established contract in place by June 1, 2024. DOC is exploring other means for the provision of doula services by June 1, 2024, if the contract has not been executed by that date.

Primary Contact and Coordinator

DOC has identified a CCCF Nurse Manager to serve as the primary point of contact for the doula program. The Nurse Manager is building a multi-disciplinary team (MDT) to coordinate maternity care and doula services and evaluate outcomes. Roles of MDT members, such as Family Advocate, Security Representative, or Dietician, and the team's tasks, will be further defined in policy.

Listening Sessions

With assistance from the Governor's Office and facilitated by Trauma Informed Oregon, CCCF hosted the first of two listening sessions on March 1, 2024. Attendees included six AICs currently in DOC custody who either have given birth while at DOC or are currently pregnant. Additionally, two AICs requested to submit written input rather than participate in the listening session. The goal was to provide a safe space for the AICs to talk freely, and they appeared to share their experiences openly. The first session identified opportunities for improvement in consistency of communication and care to the AICs as well as education about the pregnancy process. There was positive feedback overall about the onsite obstetrics and gynecology care the AICs have received. Click [HERE](#) for the list of questions from the first session.

The date of the second listening session is to be determined and will include individuals from the community who previously gave birth while in DOC custody.

Checklists/Policies/Procedures

DOC is reviewing and drafting internal post orders, policies and procedures concerning the addition of the doula program at CCCF and changes to restraints and searches in alignment with HB2535. These documents will be further informed by the listening sessions and shared with community partners for their input prior to implementation. DOJ has also confirmed that DOC has rule-making authority for the doula program to be incorporated into administrative rule ahead of implementation, and those efforts are underway. These revisions will ensure pregnant and post-partum AICs are subject to medically appropriate care constituting the least restrictive means to ensure safe transport to and arrival at a DOC facility. Implementation steps will be coordinated with the workgroup and align with the doula timelines.

Conclusion

Through the expertise and engagement of the workgroup members, DOC is positioned to have its new doula program operational by June. It will be a welcome addition to the services and care provided at CCCF.