



## SENATE MAJORITY OFFICE

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### NEWS RELEASE

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### **Canines should not be used to force inmates out of their cells**

*SB 495: Prohibits use of dogs to extract people in custody from cells*

SALEM – No one should be threatened with an attack dog, including inmates. Unfortunately, Oregon law has not been sufficient to protect inmates from being threatened with and attacked by dogs while in a correctional facility.

The Oregon Senate passed [Senate Bill 495](#) today on a 25-4 vote. The bill prohibits county jails and Department of Corrections and Oregon Youth Authority facilities from using canines to extract incarcerated people from cells. The bill stems from an incident in the Columbia County Jail in 2017, which was caught on video and received media coverage. An inmate was mauled by a dog in his cell for failing to come out. The 48-year-old was awarded \$251,000 in a lawsuit settlement late last year. Since that time, the jail voluntarily stopped using dogs for this purpose.

“Snarling dogs should never be used to intimidate or discipline frightened people, regardless of whether they are in a correctional institution,” said Sen. Sara Gelser (D-Corvallis), who carried the bill on the Senate floor. “It is inhumane and cruel. This practice should be prohibited, and this bill does that.”

The bill still allows using canines for tracking, searching for contraband, quelling disturbances and preventing escapes. Dogs also still can be used to address immediate health or safety risks and for training programs, treatment and rehabilitation purposes. Dogs currently are used in correctional facilities for rehabilitation, treatment and vocational education, including the use

of specially-trained therapy dogs and the “Rehabilitation of Canines and Offenders” program. In that program, inmates help socialize dogs so they can safely be adopted by the general public.

“The use of a fierce animal to control an imprisoned person is inherently degrading, and there is a common understanding among the majority of corrections professionals that the use of dogs for cell extractions is neither necessary nor appropriate since there are always better and equally effective alternatives,” American Civil Liberties Union of Oregon Policy Director Kimberly McCullough submitted as part of written testimony. “Using dogs for cell extractions also results in unnecessary injury to incarcerated persons, tends to escalate situations that would be better managed through the use of de-escalation techniques, and can be deeply traumatic for people who are being subjected to a canine cell extraction, other incarcerated individuals in the vicinity, and corrections officers.”

Currently six states, including Oregon, allow police to use canines to forcibly remove individuals in custody from their cells. While the Department of Corrections does not use canines for this purpose, it is used in some other facilities. This bill will end that practice in Oregon, and it gained support from the Oregon State Sheriffs’ Association.

“Your Oregon Sheriffs believe in the humane treatment of those committed to our care and custody in our jails,” Marion County Sheriff Jason Myers testified on behalf of the association. “While there are times that compliance must be gained to maintain the safety and security in a correctional setting, we do not believe it should be done with a police protection canine. Instead our corrections professionals look to other options that seek to de-escalate the situation and mitigate the risk of injury of those in our custody.”

Senate Bill 495 now goes to the House of Representatives for consideration.

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