



February 19, 2019

TO: Chair Prozanski and [the Senate Judiciary Committee](#)
FR: Emily Cooper, Disability Rights Oregon (DRO)
RE: DRO's Testimony on SB 495 Limiting the Use of Police Canines

Disability Rights Oregon (DRO) is the designated Protection and Advocacy agency for Oregon. For nearly forty years, DRO has been mandated by federal and state law to advocate for the rights of individuals with disabilities. DRO provides this testimony consistent with these mandates to ensure people with mental illness are not abused by police canines while these individuals are detained in jail.

Disability Rights Oregon supports SB 495 as it prohibits the practice of using police canines to intimidate, control, or punish jail inmates. The use of a police canine to physically control inmates with mental illness is inconsistent with established disability rights protections and correctional best practice standards.

This practice captured the public's attention when graphic video footage from August 2017 showed Columbia County jail deputies using a police canine to violently force an inmate to leave his cell. You can see the video and read our report by following this link: <https://droregon.org/report-ban-the-use-of-canines-to-intimidate-control-inmates/>

This individual continues to suffer nightmares from the attack a year and a half later. He also has vivid scars on his hip and arm that required dozens of stitches after the police canine bit him and drug him to his cell's floor. Only Oregon and five other states currently allow the practice.

Canines should never be used to intimate or control inmates. This practice poses an unnecessary risk of harm to both deputies and inmates when safer de-escalation strategies are available. For inmates with mental illness, the practice poses a double risk of harm. They may be more likely to be subjected to the use of canines when their disability prevents them from understanding or following the commands from corrections officers.

The use of police K-9s to forcibly remove inmates from their cells runs counter to sound correctional practice and the law, which require:

- Use of force used only as last resort;
- Consider de-escalation and other interventions that address the behavior short of using force; and
- Use force in manner to minimize injury to both inmates and staff

Disability Rights Oregon joins the sponsors of SB 495 and calls for changes in state law to ban the use of canines for intimidation, control, or punishment of inmates.