



Disability  
Rights  
Oregon

FOR IMMEDIATE RELEASE:  
April 28, 2020

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## Statewide survey shows jails slashed the number of inmates by nearly half on average in response to COVID-19

### Advocates: Stop incarcerating people, many who live with mental illness, on low-level charges after pandemic ends

**Portland, Oregon**—Oregon’s leading statewide disability rights organization released detailed data that shows what long-seemed impossible, happened in a matter of weeks: County jails across the state shrunk the number of inmates in their custody by almost 50 percent in an effort to protect inmates from the COVID-19 threat. The dramatic reductions occurred in both rural and urban counties.

The data —culled from a survey of 26 county jail commanders conducted by Disability Rights Oregon (DRO) in conjunction with the Oregon State Sheriff’s Association — show some jails reduced the number of inmates from a pre-pandemic population of 120 to 29; or from 45 to 13; or from 466 to 152.

Many individuals are held in custody because they cannot afford bail or, often due to homelessness or behavioral health concerns, they appear at risk of no-showing for their court date. Generally, jails are not empowered to release people, even if they should not be in custody and pose no public safety risk.

**“This major reduction in incarceration at our jails is a ray of sunshine during this storm. Oregon’s Sheriffs and District Attorneys should be proud of slashing jail populations in response to COVID-19,”** said Jake Cornett, Executive Director of Disability Rights Oregon. **“But it raises the question—why were these people locked up in the first place if they didn’t pose a threat to public safety? When Oregon re-opens, we must leave over-**

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incarceration behind. That's why Disability Rights Oregon is calling on state leaders to demand that once COVID-19 passes, jails continue to filter out people who don't pose a public safety risk. Incarceration causes incalculable harm to the thousands of individuals, many with mental illness, who are placed behind bars at a steep economic cost to our state."

### Policy Framework

To turn this rapid drop in jail size into lasting change for populations at risk of being charged with low level offenses, especially people with mental illness, DRO released a policy framework for changing what pretrial incarceration looks like in Oregon.

- New legislation that gives sheriffs or jail commanders greater discretion to release people with minor pending charges, especially if they have health conditions that are difficult to care for in jail.
- Courts reassess their recognizance release criteria to prevent penalizing people who are homeless, unemployed, or have unmet behavioral healthcare needs.
- District Attorneys decline to proceed on low-level cases, especially where there is a nexus to disability.
- Law enforcement continue to operate with the expectation that jail is only an option if a risk to public safety is present.

DRO, along with allies in law enforcement and government, has long called for decriminalizing mental illness and reducing the high rates of pretrial incarceration. Judges and law enforcement agree that incarcerating people on low-level charges related to disabilities, behavioral health needs, and difficult life circumstances does more harm than good.

The survey also revealed that jails in 13 Oregon counties are in need of more soap and/or hand sanitizer.

### Resources

- [Joint Letter to the Oregon State Sheriff's Association on COVID-19](#) (March 17, 2020)

### About Disability Rights Oregon

Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential. For more than 40 years, the organization has served as Oregon's Protection & Advocacy system.

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