

Part III: Approaches to Investigation Institute

Post Investigation Strategies
to Advance Systemic Change

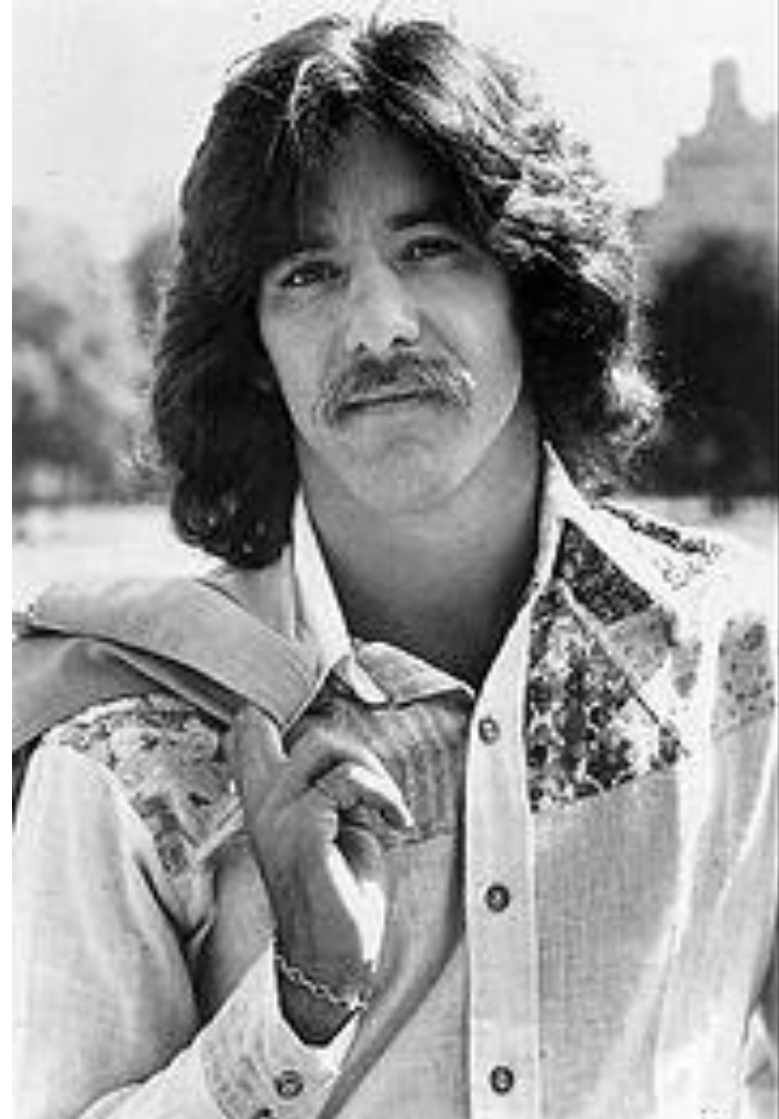
Monday June 8th, 1:00-5:15 EST

By Emily Cooper, Disability Rights Oregon



Post Investigation Strategies & Our Roots

1. Findings Letter
2. Reports (public and private)
3. Public Policy
4. Litigation
5. Others?



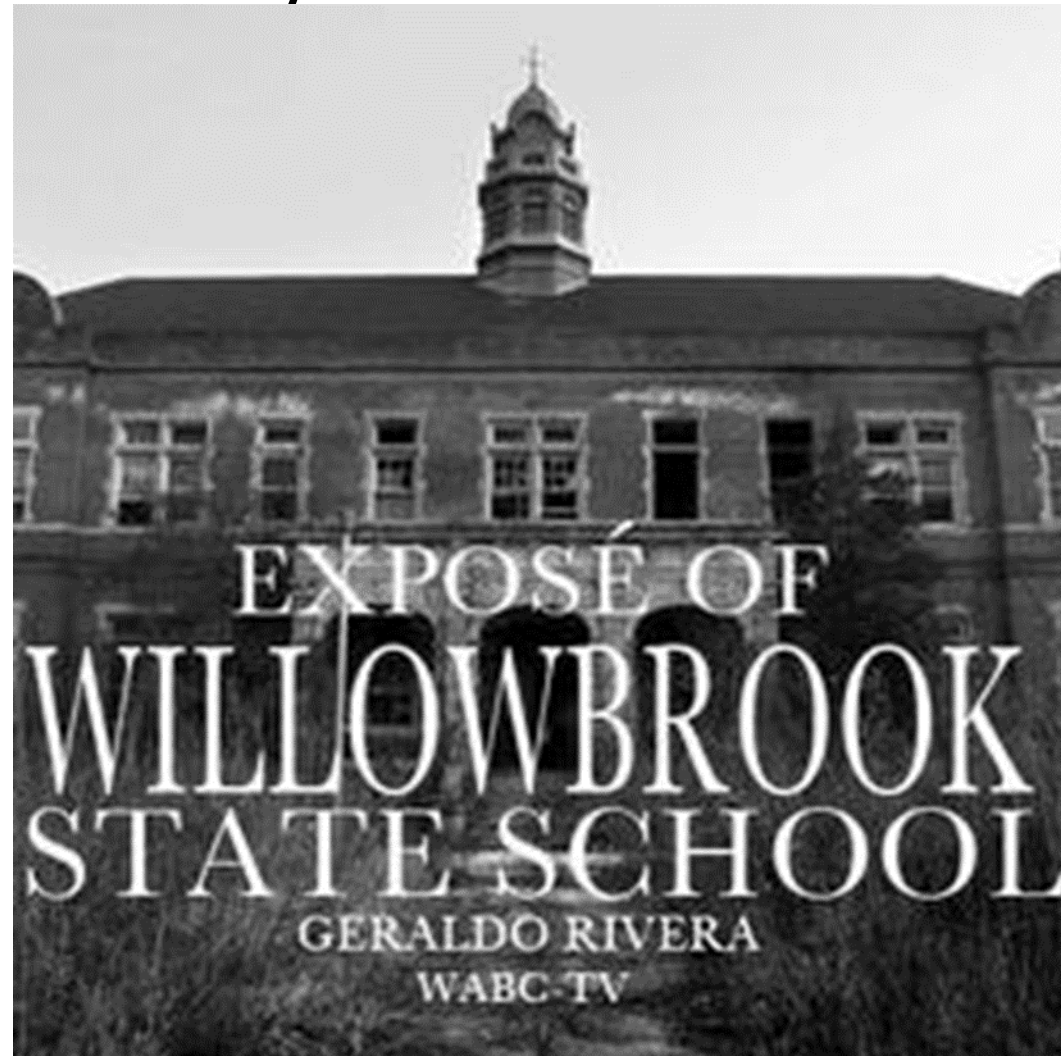
Poll Question #1

Besides these four strategies (letters, reports, policy, & litigation), what have others done with investigation findings (e.g. agency complaint, media only, other)?



Expose of the Willowbrook State School

by Geraldo Rivera





Tell the Story
Report

Call to Action
Policy

Enforce Rights
Sue!

DRW Report: Lost and Forgotten (2013)

Lost and Forgotten

**Conditions of Confinement While Waiting for Competency
Evaluation and Restoration**



This report was completed by Disability Rights Washington, a federally funded non-profit organization mandated to provide protection and advocacy services to people with disabilities in Washington.

Preliminary Policy Outcomes

1. 2012 - SB 6492: Established 7 day Target
2. 2013 - SB 5551: Established Panel of Evaluators
3. 2014 - State hired consultants
4. 2012 – 2014 – State progress reports



Learning Lessons

1. 26 pages is too long!
2. Stories were most important
3. Break down complicated systems (use slogans or graphics)
4. Have a concrete, clear ask
5. Consider media
6. Legislative reports are your litigation friend



Poll Question #2

Any other learning lessons from public or private reports others want to share?



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The Trueblood Decision

10 In order to stop these continued violations, the Court enters a permanent injunction
11 requiring the provision of competency services within seven days. The Court will appoint a
12 monitor to ensure that progress toward the timely provision of services is being made. The
13 mentally ill are deserving of the protections of the Constitution that our forefathers so carefully
14 crafted. The rights protected can be difficult and sometimes costly to secure; however, the
15 Constitution is a guarantee to all people, and is not dependent upon a price tag. The State must
16 honor its obligations under the law.

Enforcing the Mink Order



Diversion Legislation 2019 – HB 3281

- \$10.6 million for diversion pilots
- Early analysis shows that focusing on intensive case management, frequent coordination between criminal justice and treatment partners, use of peer counselors, and housing supports yield some of the best outcomes.

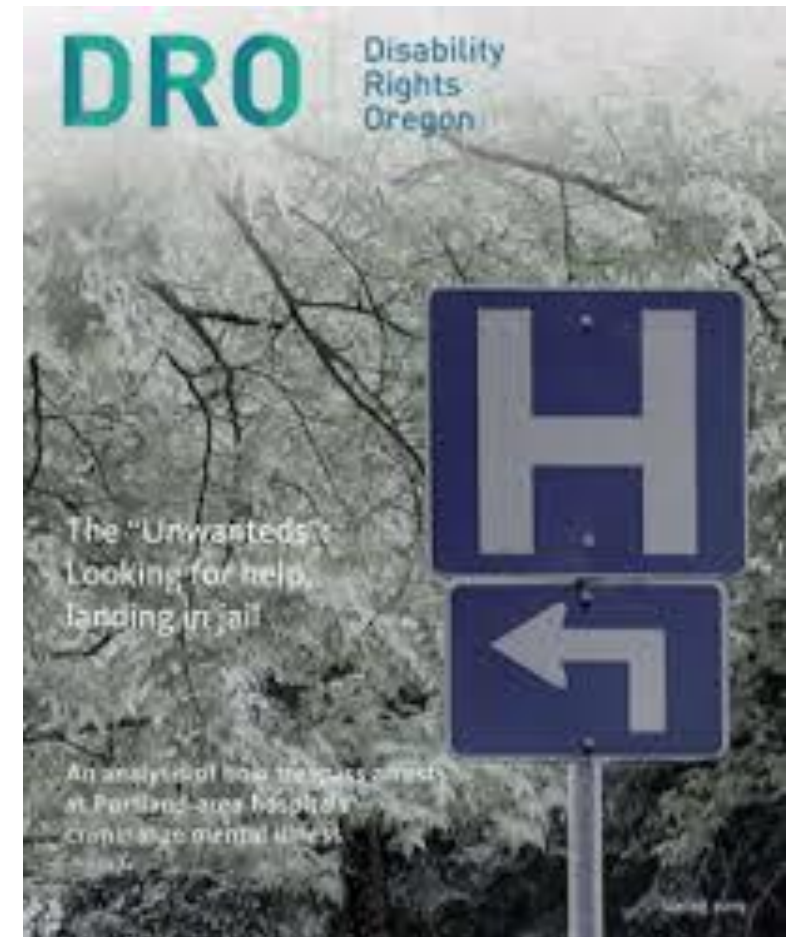
The Sequential Intercept Model



Adapted from Munetz, M., Griffin, P. "A systemic approach to the de-criminalization of people with serious mental illness: The Sequential Intercept Model." *Psychiatric Services* 57 (2006): 544-549.

DRO's Public Reports & Results

1. [Behind the Eleventh Door: Solitary Confinement of Individuals with Mental Illness in Oregon's State Penitentiary Behavioral Health Unit \(BHU\) – 2015](#)
2. [Don't Look Around": A Window into Inhumane Conditions for Youth at NORCOR – 2017](#)
3. ["You Are Going to Get Bitten": Columbia County Jail's Use of Canines to Intimidate and Control Inmates - 2018](#)
4. ["The 'Unwanted's': Looking for Help Landing in Jail."](#) - 2019



Current BHU Door



NOCOR Aftermath

- independent assessment of our state's juvenile justice system
- strengthen protections for youth in detention facilities
- improved access to healthcare, education and policies to help youth heal from past trauma.



Poll Question #3

Yes or No, have you found public or private reports more useful?



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Dog Legislation 2019 – SB 495

- prohibits the practice of using police canines to intimidate, control, or punish jail inmates.
- Dogs for inmate dog training programs okay
- Dogs to quell a disturbance, prevent escape, or address immediate safety risk also okay







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