

Youth, Rights & Justice

ATTORNEYS AT LAW

To: House Committee on Judiciary, 2015 Oregon Legislature
From: Mark McKechnie, Executive Director, Youth, Rights & Justice
Date: March 31, 2015
Re: Support for HB 3503

Chair Barker and Members of the Committee:

Youth, Rights & Justice was founded 40 years ago and has been dedicated to providing legal representation and advocacy to over 50,000 children and youth involved in the juvenile court system, including children in foster care and youth in the juvenile justice system. YRJ has also worked extensively with the Legislature, the Oregon Law Commission, various state agencies and other organizations to improve policies and services to the children of Oregon during that time.

YRJ supports HB 3503, which would create a pilot project to help Oregon replicate a successful program from Washington State. The program would focus on a number of laudable and important goals:

- keeping parents at home where they can continue to parent their children;
- keeping low-risk offenders out of prison and reducing their chances of recidivism;
- expanding the opportunity for successful inmates to earn transitional leave and resume parenting sooner;
- keeping children out of Oregon's foster care system or shortening their stays in foster care.

Both the imprisonment of adults and the placement of children in foster care can have lifelong and multi-generational negative effects. Washington's Family & Offender Sentencing Alternative programs include both sentencing alternatives, as well as the opportunity for current inmates to earn transitional leave to resume parenting. Direct costs for foster care and for incarceration in Oregon each run about \$30,000 per year, but the long-term costs of negative outcomes for children of incarcerated parents can be many times greater.

Programs such as this focus on the needs of children and their families while holding offenders accountable and providing supervision, services and support which reduce their risk of reoffending. Parents who commit non-violent offenses and receive prison sentences as a result currently face the risk of the "death penalty" for parents – the termination of their parental rights.¹ While they need to be held accountable, we also need to ensure that justice is done and that the long-term harm to children and families does not outweigh the harm done by non-violent offenders. Youth, Rights & Justice encourages your support of HB 3503.

¹ The Adoption and Safe Families Act (ASFA, 1997) requires states to file a termination of parental rights petition after a child has been in foster care for 15 of 22 months, with some exceptions. This is a shorter timeframe than the typical prison sentence; thus, most parents sentenced to prison are at risk of losing their parental rights if they have a child in foster care.