

HB 3380 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 4/5

WHAT THE MEASURE DOES:

Authorizes Department of Corrections to reduce term of incarceration for up to six months, if inmate meets specified criteria, including participation in parenting-related programming. Modifies Family Sentencing Alternative Pilot Program. Authorizes court to consider eligibility for program as downward departure from prison sentence. Eliminates prohibition on offenders with previous conviction for person felony or sex crime. Provides eligibility for offenders who are pregnant at the time of sentencing. Directs Department of Corrections to establish process for selecting counties to participate in pilot.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Eliminates authority of Department of Corrections to reduce term of incarceration.

BACKGROUND:

In 2015, the Legislative Assembly adopted the Family Sentencing Alternative Pilot Program. The program is available to certain defendants who have been sentenced to probation as a departure from a prison sentence and who, at the time of the crime, had physical custody of a minor child. The program includes special conditions of probation that range from vocational training and parenting or life skills classes to drug, alcohol or mental health treatment.