

HB 3380 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 5/16

WHAT THE MEASURE DOES:

Modifies Family Sentencing Alternative Pilot Program. Authorizes court to consider eligibility for program to support 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.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2015, the Legislative Assembly adopted the Family Sentencing Alternative Pilot Program, modeled on a similar program in Washington. 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. House Bill 3380-A modifies the eligibility requirements for participation in the program and authorizes the court to consider eligibility for the program in determining whether to sentence a defendant to probation as a departure from a prison sentence. In addition, the bill directs the Department of Corrections to establish a formal process for selecting counties to participate in the program.