



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

May 30, 2017

The Honorable Jeff Barker, Chair
House Committee on Judiciary

RE: Senate Bill 895

Chair Barker and members of the House Judiciary Committee, for the record, I am Jeremiah Stromberg, Assistant Director of the Community Corrections Division for the Oregon Department of Corrections (DOC). I am here to testify in support of SB 895.

What the Bill Does:

SB 895 creates two changes to the Family Sentencing Alternative Program (FSAP). First, it expands eligibility by removing criminal history restrictions and allowing those who are pregnant to participate (in anticipation that they will be primary custodial parents while on supervision). Second, it grants DOC the authority to determine participation in the program.

Background Information:

During the 2015 legislative session, HB 3503 created the FSAP pilot, which was modeled after a similar program in Washington State. The goals are to address the specific needs of parents involved in the criminal justice system; to reduce the utilization of foster care when the parent is not a risk to harm his/her children; and to address the increasing numbers of those incarcerated, where if better, more intensive local options existed, probation could be considered as an appropriate sentence. Multnomah, Washington, Marion, Deschutes, and Jackson counties began programs in their jurisdictions, with support from DOC and the Department of Human Services (DHS), and to date we have seen the following successes:

- During 2016, 75 participants engaged in the program, impacting the lives of 139 children who would have otherwise ended up in the foster care system.
- To date, only two participants have been revoked and sent to prison.
- Anecdotally, we are hearing of increased engagement and motivation while on supervision, as well as increased enthusiasm for the future, and we credit this to the great collaboration between parole officers and DHS case workers.

Issues Addressed by the Bill:

Overall, the participation numbers are small and the program has room for growth, thus the need for SB 895. With passage of this bill, the courts will be able to consider a greater number of participants by including those who are already eligible for a departure from prison but, due to the criminal history

restrictions, would not be able to participate in this program under existing statute. In addition, some of the participating counties have found they do not have the numbers to sustain an FSAP program due to other local programs, such as drug and family courts and other Justice Reinvestment initiatives. Therefore, DOC wants the ability to allow other counties that need the resources of this pilot program to be able to apply and potentially participate.

Requested Action:

This is not the only Family Sentencing Alternative bill you have reviewed this session. The statutory amendments within this bill were put forth by DOC to the Public Safety Task Force, which supported these changes for the reasons I outlined above. However, we are committed to working with the sponsors of all three bills to ensure that the program is amended in a way that allows defendants, who would benefit most from participation, have the ability to do so.

For the reasons stated above, DOC supports SB 895 and encourages the committee to vote it out of committee with a do pass recommendation.

Thank you for your time and consideration. I am happy to answer any questions you may have.

Submitted by:

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