

**SB 895 STAFF MEASURE SUMMARY**

**Carrier:** Sen. Manning Jr

**Senate Committee On Judiciary**

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**Action Date:** 04/13/17

**Action:** Do pass.

**Vote:** 5-0-0-0

**Yeas:** 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Josh Nasbe, Counsel

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**WHAT THE MEASURE DOES:**

Modifies eligibility for Family Sentencing Alternative Pilot Program. Includes defendants who are pregnant or have physical custody of child at time of sentencing. Eliminates prohibition on offenders with current or previous conviction for person felony or sex crime, unless currently subject to mandatory minimum sentence. Directs Department of Corrections to establish process for selecting counties to participate in program.

**ISSUES DISCUSSED:**

- Children placed in foster care when parents are incarcerated
- Children in foster care are over-represented in criminal justice system
- Intensive supervision focused on family
- Original pilot limited participation to five specific counties
- Public Safety Task Force recommended changes

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In 2015, the Legislative Assembly established 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 the offense was committed, had physical custody of a minor child. The program imposes special conditions of probation that may include parenting skills classes, life skills classes and drug, alcohol or mental health treatment