

SB 241 B STAFF MEASURE SUMMARY

Carrier: Rep. Sanchez

House Committee On Judiciary

Action Date: 05/25/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Establishes certain essential rights as "bill of rights of children of incarcerated parents." Requires Department of Corrections, in cooperation with existing public body, to develop guidelines for use of bill of rights as guiding principals for policy and procedure decisions that impact incarcerated individuals with children and policy and funding recommendations with partners that adhere to those guidelines.

ISSUES DISCUSSED:

- Possible future amendment to clarify intent
- Bill of rights is not mandated, but provides guiding principals for policy decisions
- Collateral consequences to children of incarcerated parents
- In 2001, SB 133 created children of incarcerated parents project workgroup

EFFECT OF AMENDMENT:

Specifies use for bill of rights.

BACKGROUND:

Nationally, between 1991 and midyear 2007, there was an increase of 79 percent in the number of incarcerated people with children. The August 2000 Bureau of Justice Statistics Special Report noted that the majority of children with a parent in prison were under age 10. In Oregon, there are around 70,000 children who have had or currently have an incarcerated parent. Children with an incarcerated parent can experience a variety of stresses and detrimental impacts, including those that result from added financial burdens on families, mental and physical health issues, and difficulties that arise when a parent is reintegrating back into a family and society.

Senate Bill 241-B establishes certain essential rights for children of incarcerated parents as a "bill of rights of children of incarcerated parents." It includes rights related to maintaining relationships between parents and children, informing and caring for children during a parent's incarceration, consideration of a child's wishes in decision making processes, and maintaining a relationship and contact with parents in incarceration. The Department of Corrections is responsible for working with an existing public body in developing guidelines based on this bill of rights.