

Written Testimony in Support of the -1 Amendment to HB 3300

Chair Williamson and members of the committee – my name is Caitlin Mitchell and I am submitting this written testimony in support of the -1 Amendment to HB 3300.

I currently live in Eugene and am an attorney at the law firm of Johnson Johnson Lucas & Middleton, where I have a practice in plaintiff-side employment law and civil rights litigation. Prior to that, I spent about five years as a staff attorney at Youth, Rights & Justice, where I represented parents and children in trial-level and appellate juvenile dependency proceedings. My particular focus at YRJ was on our clients (both parents and children) affected by parental incarceration.

I learned about the Family Preservation Project (FPP) because some of my parent clients were in the program. The program made a big impression on me because I saw that, for those clients, FPP was the most effective support service that they accessed during the life of their DHS case.

My former clients, like all incarcerated parents with DHS involvement, faced particularly onerous barriers to reunifying with their kids and participating in their DHS cases. The obstacles were both small and large. The prison phone system made it difficult for clients to call me, because I had to be available to pick up and accept calls (the incarcerated person was not able to leave a message, and I was not generally at my desk). FPP arranged and facilitated phone calls between parents and their attorneys, DHS caseworkers, and providers – for example, a child's teacher or therapist. It meant that a client who needed to talk to me right away could actually get in touch with me, rather than waiting for three weeks until it occurred to me to call and check in. FPP also ensured that my clients could participate in their court hearings by phone. Although Coffee Creek does have that capacity, as a practical matter parents may not be able to utilize it based on scheduling conflicts and other logistics (for example, the court may schedule a hearing when room used for hearings is already booked, or when the room is unavailable due to "count" or some other prison-related issue or requirement).

In juvenile dependency cases, the court orders parents to participate and complete various services that are meant to address the underlying issues that brought their children into care – for example, the court may order mental health counseling, substance abuse treatment, or services for survivors of domestic violence. A major barrier for incarcerated parents is that programs in prison may be difficult to access and/or do not match up with those that are ordered by the court. FPP helped my clients to identify and access existing programs in the prison; and, when relevant programs were not accessible, FPP's own support groups, counseling, and other offerings could provide parents with a way to address some of those underlying issues, thus allowing them to progress in their cases. FPP impressed me with its sensitivity to individual, family-specific issues. One of my clients had a young child with a severe hearing impairment. This child began learning ASL while my client was incarcerated. The juvenile court judge was concerned that my client would be unable to communicate with her son and would therefore have difficulty meeting his needs upon her release from prison. FPP was able to obtain ASL resources for my client so she could learn and practice sign language while she was in prison; this small, outside-the-box

effort by FPP made a significant difference in my client's case. (She is now out of prison, parenting her child, and her DHS case is closed).

In the ways described above, FPP serves as a kind of bridge between a DHS-involved incarcerated parent and the rest of the system: Between the parent and her attorney, DHS case-worker, providers, and the judge. And most importantly, FPP allowed my clients to have regular contact with their kids (during FPP visits), as well as meaningful involvement in their children's lives (for example, regular phone calls, participation in parent-teacher conferences or provider meetings), even during this time of separation. Because of FPP, my clients were able to more fully participate in their cases and make meaningful progress towards reunifying with their kids while they were in prison, in a way that absolutely would not have been possible otherwise.

Working with DHS-involved families, I became familiar with many programs designed to teach parenting skills and promote family reunification. DHS contracts with these providers, and the court orders parents to enroll in them in almost every case. In my experience, FPP was the program that made the biggest difference; it stood out from the others, a class apart. I have not studied these programs and don't know the evidentiary basis for the various approaches to teaching something like parenting. I can say, though, that FPP was uniquely holistic, operating from a variety of different angles at once and taking the family system into consideration. It also managed to be truly empowerment-based, in a context where mothers have almost no control over their daily lives. It's no coincidence that alums of this particular program continue to stay involved, become mentors and speakers, and advocate on the program's behalf.

These are just some of the reasons why I have become a life-long supporter of this program – I hope you will too. Feel free to contact me with any questions.

Thank you for your time.

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