

HB 2631 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Action Date: 02/25/19

Action: Do pass with amendments
and be referred to Ways and Means by prior reference. (Printed A-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Sprenger, Stark, Williamson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Addie Smith, Counsel

Meeting Dates: 2/18, 2/25

WHAT THE MEASURE DOES:

Directs the Department of Corrections, in cooperation with the Criminal Justice Commission, to establish a pilot program at Coffee Creek Correctional Facility to address legal issues related to community reentry and reintegration, including employment, housing, benefits, and domestic violence. Requires the Criminal Justice Commission to grant the Oregon Justice Resource Center the funds necessary to hire and support three attorneys for the pilot program. Instructs the Department of Corrections and Criminal Justice Commission to evaluate the pilot program and report the results to an interim committee of the legislature by September 15, 2021. Appropriates \$800,000 to the Criminal Justice Commission for the purpose of carrying out the requirements of the pilot program. Sunsets the pilot program on December 31, 2021. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Barriers to reentry faced by women leaving Coffee Creek Correctional Facility
- Need for funding to assist women leaving Coffee Creek Correctional Facility with debt settlement and repayment plans
- Adequacy of the appropriation services to be provided by attorneys under pilot
- Direction to the Department of Corrections and Criminal Justice Commission to grant the funds to a named entity

EFFECT OF AMENDMENT:

Requires the Department of Corrections to establish a pilot program in cooperation with the Criminal Justice Commission. Instructs the Criminal Justice Commission and Oregon Justice Resource Center to evaluate the efficacy of the pilot and report to the appropriate legislative committee. Appropriates the funding for the pilot to the Criminal Justice Commission. Declares emergency, effective on passage.

BACKGROUND:

Individuals in Oregon have no right to civil legal services, and incarcerated individuals have limited access to attorneys and resources to engage in civil legal work. Federal regulations prohibit legal services organizations, such as Legal Aid Services of Oregon, from providing civil legal services to incarcerated individuals. 45 C.F.R. § 1637. Further, to protect incarcerated individuals' constitutional right to access to the courts, the Department of Corrections provides access to legal libraries, but those resources are prioritized by rule for adults in custody who are raising legal challenges to their conviction or sentence or bringing action related to a condition of their confinement. OAR 291-139-0110 & 0120. At this time, the Oregon Justice Resource Center in partnership with Red Lodge Transition Services provides limited civil legal services to women at the Coffee Creek Correctional facility on a small number of cases.

HB 2631 A STAFF MEASURE SUMMARY

House Bill 2631 A directs the Department of Corrections to create and evaluate a pilot program that would assign three full-time attorneys to Coffee Creek Correctional Facility to work with incarcerated women to address legal issues related to their community reentry and reintegration and appropriates the funds necessary for this pilot program.