

HB 4050 A STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: Amie Fender-Sosa

Meeting Dates: 2/28

WHAT THE MEASURE DOES:

Directs Oregon Department of Corrections, in cooperation with the Oregon Criminal Justice Commission (CJC), to establish pilot program to provide legal services that assist adults in custody who are serving sentences at the Coffee Creek Correctional Facility to reenter and reintegrate into local communities, to reduce vulnerability to domestic violence, and to obtain employment, housing services, and other benefits. Directs CJC to grant funds to Oregon Justice Resource Center to employ three attorneys and provide necessary support for the attorneys' work. Requires report to Legislative Assembly by September 15, 2023. Sunsets program December 31, 2024. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

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). To protect incarcerated individuals' constitutional right to access to the courts, the Oregon 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). In 2019, House Bill 2631 was passed by the Oregon Legislative Assembly, creating a pilot program to address some of these concerns, with a sunset date of December 31, 2021.

House Bill 4050 A extends the pilot program that provides services to adults in custody at Coffee Creek Correctional Facility to address legal issues related to community reentry and reintegration, including employment, housing, benefits, and domestic violence.