

My name is Caitlin Mitchell and I am a staff attorney at Youth, Rights and Justice, a non-profit legal organization that provides representation and advocacy to children and parents in child welfare and juvenile delinquency proceedings. As part of my job, I represent incarcerated parents who have open child welfare cases, as well as children in DHS custody whose parent or parents are incarcerated. There is a significant overlap between families that are DOC and DHS involved, with conservative estimates that 10% of incarcerated mothers and 6% of incarcerated fathers have at least one child in foster care.¹

Over the last few years, I have had the pleasure of getting to know FPP from the point of view of my clients, and I have been able to observe what a difference this program has made for them in their ability to reunify with their children. You have already heard about how this program allows for meaningful visitation, family contact through letters and phone calls, education, and support. But when parents have an open child welfare case, FPP can also make a crucial difference as to whether a parent is able to maintain her parental rights.

Incarcerated parents face a high risk of losing their parental rights, because The Adoption and Safe Families Act (ASFA, 1997) requires states to file a termination of parental rights petition after a child has been in foster care for 15 of 22 months, subject to some exceptions. 15 months is a much shorter timeframe than the typical prison sentence.

That being said, Oregon law recognizes that incarceration should not *necessarily* be a basis for termination of a parent's rights forever. If a parent can continue to play an active, positive role in the child's life, if she can maintain a connection with the child, and if she can access services in prison to address some of the underlying issues that brought her there, DHS and the juvenile court may determine that it is in the child's best interests to wait for the parent's release, or to find permanency through guardianship or placement with a fit and willing relative rather than through adoption into a new family. FPP gives parents that chance.

I have seen parent clients find their strength, voice, and motivation through this program, maintain their relationships with their children, and go on to lead successful lives. There is really nothing else like it in Oregon. I urge you to support this bill.

¹ J. Mark Eddy and Julie Poehlmann, eds., *Children of Incarcerated Parents: A Handbook for Researchers and Practitioners*, 268-69 (2010).