

HB 2631 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Addie Smith, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/18, 2/25

WHAT THE MEASURE DOES:

Directs the Department of Corrections 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 Department to grant the Oregon Justice Resource Center the monies necessary to hire three attorneys and provide for their support for the purposes of the pilot program. Instructs the Department to evaluate the operation and success of the pilot program and report the results to an interim committee of the Legislature related to corrections by September 15, 2021. Appropriates \$800,000 to the Department beginning July 1, 2019, for the purpose of carrying out the requirements of the pilot program. Sunsets the pilot program on December 31, 2021.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Requires the department to establish the pilot 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, many of whom are impoverished, 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, although the Department provides access to legal libraries, in order to protect incarcerated individuals constitutional right to access to the courts, 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 civil legal services to women at the Coffee Creek Correctional facility on a limited number of cases.

House Bill 2631 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. It also appropriates the funds necessary for this pilot program.