



SENATE MAJORITY OFFICE

Oregon State Legislature
State Capitol
Salem, OR

NEWS RELEASE

April 26, 2017

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Bill establishes children of incarcerated parents ‘Bill of Rights’

SB 241 establishes certain essential rights relative to parental relationships

SALEM – Children of incarcerated parents often suffer the most because of their parents’ actions, and the Oregon Senate today took a vote to establish their rights.

Senate Bill 241 – which passed by a 29-0 vote on the Senate floor – establishes certain essential rights as a “bill of rights of children of incarcerated parents,” and requires the Department of Corrections to assign implementation.

“When a parent is incarcerated, most often it’s the children – who are completely innocent – who bear the brunt of the punishment,” said Sen. Michael Dembrow (D-Portland), who introduced and carried the legislation. “This bill gives those children greater consideration during the process. The worst thing that we can do is create situations where kids are disregarded or suffer even more than they have to, which can negatively affect their lives and futures.”

Nationally, between 1991 and 2007, there was a nearly 80-percent increase in the number of incarcerated individuals with children. Around half of those children are younger than 10. There are around 70,000 children who have had or currently have incarcerated parents in Oregon. Those children can experience a variety of detrimental factors and stress, including added financial family burdens, mental and physical health issues and difficulties that arise when a parent is reintegrated back into family life and society.

SB 241 establishes the rights of these children, including rights related to maintaining relationships between parents and children, informing and caring for children during a parent’s

incarceration, considering a child's wishes in decision-making process and maintaining a relationship with the incarcerated parent.

A work group convened by the Governor's Reentry Council will make sure that these important values are incorporated into the everyday practices of state agencies and local governments.

Senate Bill 241 now goes to the House of Representatives for consideration.

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