

HB 1777 -- VULNERABLE PERSONS

SPONSOR: Perkins

This bill modifies several provisions relating to the protection of vulnerable persons, including access to SNAP benefits; pregnant offenders; and admissibility of certain evidence in criminal cases.

ACCESS TO SNAP BENEFITS

The bill repeals current provisions of law allowing for individuals convicted of certain drug offenses to participate in SNAP only if certain conditions are met. Under this bill, individuals who are convicted of a state or federal felony drug offense shall not be excluded from SNAP for such conviction.

PREGNANT OFFENDERS

This bill prohibits all county and city jails, except in extraordinary circumstances, from using restraints on a pregnant offender in her third trimester, including during transportation or labor, delivery, and 48 hours post-delivery. Pregnant offenders are required to be transported in vehicles equipped with seatbelts. In cases of extraordinary circumstances that require restraints to be used, the sheriff or jailer shall document, in writing and within 48 hours of the incident, the reason for the restraints used, as specified in the bill.

If restraints are used, they shall be the least restrictive available and the most reasonable under the circumstances. No leg, ankle, or waist restraints, or mechanical restraints shall be used; any wrist restraints used shall be placed in front of the offender's body.

Jails shall offer staff training on the provisions of this bill and inform offenders of the policies and practices developed under this bill.

By January 1, 2025, all county and city jails shall develop specific procedures for intake and care of pregnant offenders, including the provision of maternal health evaluations; dietary supplements; nutritious meals; substance abuse treatment; HIV treatment; Hepatitis C treatment; sleeping arrangements; mental health care; sanitary materials; postpartum recovery; and a requirement that a female medical professional be present during examinations.

ADMISSIBILITY OF CERTAIN EVIDENCE IN CRIMINAL CASES

Currently, a statement made by a child under 14 years of age may be admissible in criminal proceedings, under certain circumstances. This bill amends the age to a child under 18 years of age.

Additionally, the bill provides that visual or audio recordings of a child under 18 years of age or a vulnerable person, as defined in the bill, and relating to certain criminal offenses shall be admissible in criminal proceedings under certain circumstances, as is specified in the bill.