



**RHODE ISLAND KIDS COUNT**

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## Testimony Re: Senate Bill 406 Re: Child Support

Senate Judiciary Committee

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Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its strong support for Senate Bill 406. This bill would establish an efficient and automatic procedure for modifying child support orders for non-custodial parents who will be incarcerated for 180 days or more and who do not have the ability to pay (e.g., bank accounts or other assets).

When non-custodial parents are incarcerated, they often cannot pay their orders, so upon release many owe thousands of dollars in past due child support and face the daunting task of securing housing, finding employment, and trying to pay past due child support. With large arrearages owed that have accrued during their time in prison, many non-custodial parents choose not to cooperate with child support efforts because they feel overwhelmed by the debt. Others turn to employment in the underground economy to acquire money to pay their debts accrued while incarcerated.

According to the Office of Child Support Services, as of January 2017 there were 171 non-custodial parents at the ACI with active child support orders in Rhode Island's Office of Child Support Services system. Currently, staff members from the Office of Child Support Services go to the ACI several times each week to get permission from inmates to file motions to suspend their child support orders before the court. This bill would allow this process to be automated, saving state time and resources and ensuring that modifications are put in place in a timely fashion before child support arrearages accrue.

A recent report from the Annie E. Casey Foundation titled *A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families and Communities* focuses on the effects of incarceration on children and their families and includes several policy recommendations. This report recommends:

***States should suspend child support orders while parents are in prison so they don't accumulate crippling debt that they must start paying upon release. The District of Columbia and several dozen states, including Arizona and Michigan, allow incarcerated fathers to have their payments reduced or halted during their time in prison.***

*California goes further, suspending child support orders if a parent is incarcerated for more than three months and unable to make payments. Every state should offer to suspend such payments and proactively make parents aware of this option.*

We concur with this recommendation and urge you to follow the lead of other states and implement an automatic system to suspend child support orders while parents are incarcerated. Doing so would allow parents returning from prison to return to the community and pursue pathways to employment and reconnect with their children without the burden of past-due child support that has accrued while they were incarcerated.

Thank you for the leadership that the General Assembly has shown on this issue and for the opportunity to testify today.