

Legislative Concept
HB 3300
3/21/2019

Replace measure with the following:

Part 1

Goal: To support and grow the previous work of the Family Preservation Project which aims to interrupt destructive cycles within families impacted by maternal incarceration, reduce the trauma experienced by their children by building protective factors, and strengthening natural supports

Section 1

- DOC, working in collaboration with the Criminal Justice Commission, shall establish the Center for Incarcerated Mothers and Their Children at the Coffee Creek Correctional Facility.
- The Center shall be administered by the YWCA of Greater Portland and will be located within the Coffee Creek Correctional Facility.

Section 2

- The primary goal of the Center is to provide services that increase protective factors within families and create self-efficacy in mothers so that they can be successful parents upon re-entry thereby:
 - o Reducing the trauma experienced by children of incarcerated mothers
 - o Improving social-emotional and educational outcomes for the children of incarcerated mothers
 - o Increasing successful reentry of incarcerated mothers and reunification with families
 - o Reducing the likelihood of children of incarcerated mothers entering the justice system
 - o Reducing recidivism

Section 3

- The YWCA shall provide services to incarcerated mothers, their children and the children's caregivers that are individualized, targeted, culturally appropriate, gender-responsive and trauma informed, that it determines, in collaboration with DOC, to be eligible for those services.
- The services shall include, but are not limited to:
 - o Therapeutic visitations
 - o Biopsychosocial assessments and interventions

- Psycho-educational and support groups
 - Intensive transition planning
 - Parenting support and education
 - Caregiver support
 - Juvenile and Family Law support
 - Communication support
 - Lecture/Speaker Series
- The YWCA shall provide:
 - Masters-level practitioners with specific training in family systems, adult and children’s mental health and trauma
 - Tracking of outcome measurements
 - Strong community partnerships
 - Family housing **opportunities**
 - DV/SA support and services
 - DOC shall provide:
 - Training required to obtain Contractor Identification, keys and access to IT systems and support
 - Adequate office space to house all program staff
 - Adequate/designated classroom space
 - Adequate space to hold monthly Speakers Series meetings
 - Child-friendly space for twice monthly therapeutic visitation
 - A designated point person to act as a liaison between CCCF and the YWCA
 - The opportunity for quarterly team/programmatic meetings to establish and review protocols and procedures
 - CJC shall provide research and analysis support, working in partnership with any third party evaluators that are engaged in evaluation services.

Section 4

- The YWCA, with the participation of the Department of Corrections and the Criminal Justice Commission, shall establish and perform an evaluation process with an independent, third party evaluator to monitor the effectiveness of the program described in section and shall report the results of this evaluation to the legislature every two years on the 15th of September starting in 2021.

Section 5

- There is appropriated to the CJC, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$900,000, to grant to the YWCA to carry out the provisions of section 1 of this 2019 Act.

Part 2

Goal: To improve correctional policies and practices for justice-involved individuals who identify as female in order to better protect, rehabilitate and hold accountable incarcerated people and to reduce recidivism and increase successful re-entry

Section 6

Definitions:

- "Gender-responsive" means taking into account gender specific needs that have been identified in research, including, but not limited to, socialization, psychological development, strengths, risk factors, pathways through systems, responses to treatment intervention, and other unique gender specific needs facing justice-involved persons identifying as female. Gender responsive policies, practices, programs, and services shall be implemented in a manner that is considered relational, culturally competent, sexual orientation and gender identity competent, family-centered, holistic, strength-based, and trauma-informed.
- "Trauma-informed practices" means practices incorporating gender violence research and the impact of all forms of trauma in designing and implementing policies, practices, processes, programs, and services that involve understanding, recognizing, and responding to the effects of all types of trauma with emphasis on physical, psychological, and emotional safety.
- "Culturally responsive" means taking into account the beliefs, practices, culture and linguistic needs of diverse victim and offender populations and communities whose members identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home. Cultural responsiveness describes the capacity to respond to the issues of diverse communities.

Section 7

- Designate at least one employee of the institution to act as a gender responsive officer to coordinate its efforts to comply with and carry out its responsibilities under this section. The gender responsive officer must be an individual in the director's office or an individual who reports directly to the director. The gender responsive officer shall have adequate training on Gender-responsive, culturally responsive and trauma-

informed correctional practices and appropriate standards, policies and practices for individuals identifying as female from sexual assault and sexual harassment in the correctional setting.

Section 8

Conduct a gender-responsive assessment of the Coffee Creek Correctional Facility by October 15, 2020

- Purpose of assessment is to establish a baseline for a strategic planning process, policy recommendations, and improved protection of individuals identifying as female in custody.
- The assessment shall include a review of:
 - Whether the following are gender-responsive, culturally responsive and trauma-informed
 - Intake
 - Placement
 - Risk assessment
 - Case management
 - Mental, behavioral and physical health services
 - Vocational programs
 - Rehabilitation programs
 - Correctional staff
 - Organizational structure
 - Reentry and transition programming
 - Policies
 - Facility
 - Whether there are currently in place adequate protections, policies, procedures, oversight and hiring practices to ensure that individuals identifying as female in custody are not subjected to sexual assault or sexual harassment and to determine whether the current responses to sexual assault or sexual harassment are gender-responsive, culturally responsive and trauma-informed
- Provide a report to the 2021 legislative session that includes:
 - A summary of the assessment
 - Policy recommendations regarding the development and implementation of evidenced-based, gender-responsive, culturally specific and trauma-

informed practices at the address the findings of the study, including funding/staff necessary to develop and implement a 10-year strategic plan based on the assessment.

Section 9

- Develop a 10-year strategic plan based on the assessment that emphasizes the improvement of operations, services, and interventions for individuals identifying as female at Coffee Creek by October 15, 2022
 - Strategic plan will address the development and implementation of evidenced-based, gender-responsive, culturally responsive, and trauma-informed practices at Coffee Creek
- Provide a report to the 2023 legislative session and every long session thereafter that includes:
 - Status of strategic plan
 - Policy recommendations regarding the development and implementation of evidenced-based, gender-responsive, culturally specific and trauma-informed practices at the address the findings of the study

Section 10

- Create a Gender Responsive advisory council
 - Membership should be made up of justice-involved individuals identifying as females, including:
 - Incarcerated and formerly incarcerated women from Coffee Creek
 - Individuals impacted by the justice system, including families of incarcerated women
 - Stakeholders with expertise regarding gender-responsive policies, practices, programs, and services
 - Stakeholders with expertise regarding trauma-informed practices
 - The gender responsive officer shall meet with the council at least quarterly and get feedback on
 - Assessment and strategic plan
 - Development and implementation of evidenced-based, gender-responsive, and trauma-informed practices