



PARENTING SENTENCING ALTERNATIVE SUBSTITUTE SENATE BILL 6639

NATIONAL DRUG ENDANGERED CHILDREN (DEC)
AND CENTER ON CHILD ABUSE AND NEGLECT (CCAN) CONFERENCE
NOVEMBER 18-20, 2013

A POSITIVE SOLUTION FOR PUBLIC SAFETY

- Research tells us that children of incarcerated parents are significantly more likely to end up in the criminal justice system themselves. The goal of this program is to help stop the cycle of criminal activity and reduce intergenerational incarceration.
- “... those who make the adjustment with the support of their families are more likely to succeed, suggesting that the careful involvement of families in the reentry process can boost the chances of positive outcomes.” Nancy La Vigne, Christy Visher, and Jennifer Castro (Dec. 8, 2004). *“Family Support is Key to Staying Out of Prison Say Ex-Offenders in Chicago”*. The Urban Institute.
<http://www.urban.org/url.cfm?ID=900762>

PARENTING SENTENCING ALTERNATIVE

- The legislation created **two** alternatives in which parents of minor children that have been convicted of non-violent, non-sex offenses can receive intensive supervision in lieu of incarceration:
- **Family and Offender Sentencing Alternative (FOSA)** – Judicial Sentencing Option: Judges have the option to waive a sentence within the standard sentence range and impose 12 months of community custody along with conditions for treatment and programming for eligible offenders facing a prison sentence.
- **Community Parenting Alternative (CPA)** – allows the Department of Corrections to transfer an offender home on electronic home monitoring for up to the last 12 months of his or her sentence.

FOSA - ELIGIBILITY REQUIREMENTS

Offender must:

- Have physical custody of his/her minor child(ren) or is a legal guardian or custodian with physical custody of a minor child at the time of current offense.
- The high end of the offender's sentence is more than one year (presumptive prison sentence).
- Sign a release of information waiver regarding current and/or prior child welfare involvement.

Offender may not:

- Have current or prior convictions for a felony sex and/or violent offense.
- Be subject to a deportation order.



FOSA - COURT OPTION

- Risk Assessment Report
- Children's Administration Report
- Division of Behavioral Health and Rehabilitation Report
- Time of Sentencing
- Best Interest of Child
- Quarterly Reports
- If revoked the offender is incarcerated for the mid to high range of the sentencing range.
- No credit for time served under FOSA in the community will be given for the violation or presentence.

CPA -ELIGIBILITY REQUIREMENTS

Offender must:

- Have physical custody of minor child(ren), or have legal custody of a minor child,
- *Has a proven, established, ongoing, and substantial relationship* with his or her minor child that existed prior to the commission of the current offense; or is a legal guardian of a minor child at the time of the current offense.
- Have up to 12 months remaining on their prison sentence.
- Sign a release of information waiver regarding current and/or prior child welfare involvement.

Offender may not:

- Have any *current* convictions for a felony sex and/or violent offense.
- Be subject to a deportation order.

Department of Corrections:

- The department determines that such placement is in the best interest of the child.
- Additionally, the department considers nature of harm, visitation, infractions, and overall programming while incarcerated.

CPA - PRISON OPTION

- Referral Process
- Children's Administration Report
- Division of Behavioral Health and Rehabilitation Report
- Transfer Plans
- Offender Interview
- Home Visit
- Search Waiver
- Custodial Parent Support
- Best Interest of Child

MULTI DISCIPLINARY SCREENING COMMITTEE

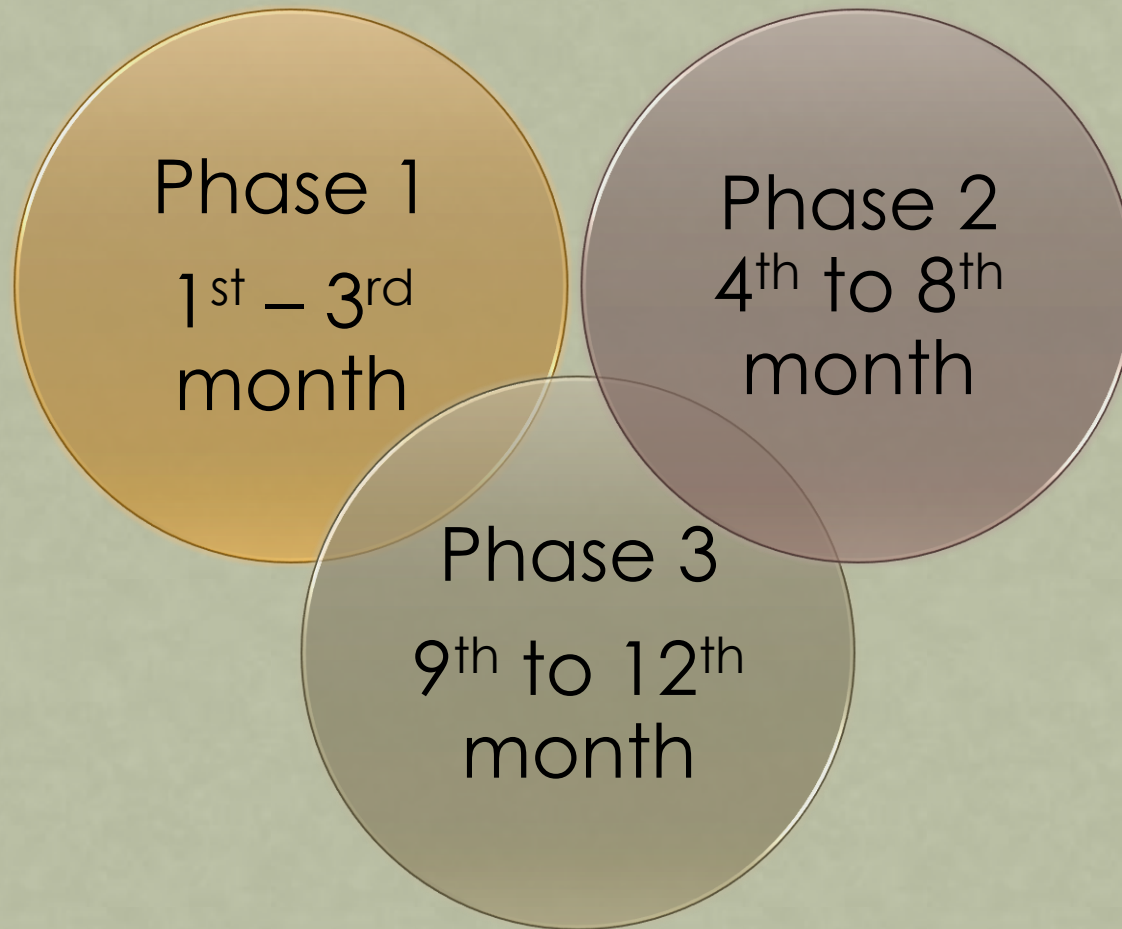
In order to ensure that the “best interest of the child” is being met, and eligible offenders are selected to participate on the CPA program, a screening process was put in place by the Department of Corrections.

Screening process includes:

- Assessing what is in the best interest of the child
- Nature and extent of convictions
- Relationship to the child prior to and during incarceration
- Extent of parental role
- Infractions while incarcerated
- Program participation in prison

Committee recommendations for transfers are sent to the Secretary of DOC.

COMMUNITY SUPERVISION/MONITORING PHASE SYSTEM



PHASE DESCRIPTION

Phase 1

- Daily phone contact; weekly UA testing; monthly office visit; monthly contact w/social worker for open CPS cases; program participation as identified in the Case Management Plan.

Phase 2

- Bi-weekly UA testing; monthly office visit; monthly contact w/social worker for open CPS cases; increase availability to friends and family as approved by Community Corrections Officer; continue programming.

Phase 3

- Monthly UA testing; no employment restrictions; monthly office visit; monthly contact w/social worker for open CPS cases.

PARTNERSHIP WITH CHILDREN'S ADMINISTRATION

Information Sharing

- Community Corrections Officers
- Inmate In-Services

Resource Sharing

- Services

Aligning the Practice Approach with Families

- Solution based casework

Case Collaboration on Open Cases

- Case Planning
- Family Monitoring

Case Consultation

- Social Work Academy
- Solution base casework



STRENGTHENING FAMILIES

5 Protective Factors

- **Parental resilience** – A parent's capacity for resilience can affect how a parent deals with stress. Resilience is the ability to manage and bounce back from all types of challenges that emerge in every family's life. It means finding ways to solve problems, building and sustaining trusting relationships including relationships with your own child, and knowing how to seek help when necessary.
- **Social connections** - Networks of support are essential to parents and also offer opportunities for people to “give back”, an important part of self-esteem as well as a benefit for the community. Isolated families may need extra help in reaching out to build positive relationships.
- **Concrete support in times of need** - Meeting basic economic needs like food, shelter, clothing and health care is essential for families to thrive. Likewise, when families encounter a crisis such as domestic violence, mental illness or substance abuse, adequate services and supports need to be in place to provide stability, treatment and help for family members to get through the crisis.

STRENGTHENING FAMILIES

5 Protective Factors - Continued

- **Knowledge of parenting and child development** - Accurate information about child development and appropriate expectations for children's behavior at every age help parents see their children and youth in a positive light and promote their healthy development. Studies show information is most effective when it comes at the precise time parents need it to understand their own children. Parents who experienced harsh discipline or other negative childhood experiences may need extra help to change the parenting patterns they learned as children.
- **Social and emotional competence of children** - A child's ability to interact positively with others, self-regulate their behavior and effectively communicate their feelings has a positive impact on their relationships with their family, other adults, and peers. Challenging behaviors or delayed development create extra stress for families, so early identification and assistance for both parents and children can head off negative results and keep development on track.

STRUCTURE

- Itineraries
- Accountability
- Phone check in
- Reading/homework with children – minimum of 20 minutes per day
- Mealtimes without the distraction of TV or any other electronics
- Routine and consistency
- Home visits
- Education/vocational
- Cognitive change groups
- Chemical dependency
- Communication and transparency

GOAL ORIENTED STRENGTH BASED MODEL

- Housing
- Budgeting
- Transportation
- Employment/Education/Vocation
- Individual Support
- Sustainability

SOLUTION BASED CASE MANAGEMENT

- Strength Based
- Relational Approach
- Time Oriented
- Goal Oriented – time limited, reasonable
- What are your Dreams – childhood, adulthood

FAMILY MANAGEMENT

- Working with offender and family
- Non traditional supervision approach
- Relational approach
- Present parenting
 - Clean and sober living
 - Putting children first in daily decision making
- *Kids focus*
 - *Developmental*
 - *Nutritional*
 - *Educational*
 - *Physical/mental health*
- *Balance*

PROGRAM OUTCOMES – FOSA

DATA FROM JULY 2010 TO SEPTEMBER 2013

Total Participants: 158

Active: 58

Complete: 68

Revoke: 32

New felony: 2

PROGRAM OUTCOMES - CPA

DATA FROM JULY 2010 TO SEPTEMBER 2013

Total Inmates: 160

Active: 22

Complete: 115

Terminate: 23

New felony: 6