START\_STATUTE41-1612.  Community treatment program for imprisoned women; rules; eligibility; requirements

A.  The department shall establish a community treatment program for imprisoned women and their children. Subject to the availability of monies, the department shall contract with an experienced nonprofit entity to establish and operate a community treatment center and may transfer a woman who has recently given birth to the community treatment center to live with her child or children.  The community treatment program for imprisoned women shall provide trauma‑informed substance abuse treatment, mental health treatment and a secure environment for the woman and her child or children.

B.  The department shall adopt rules for the community treatment program for imprisoned women, including the eligibility requirements for entering the program and living in the community treatment center.  The department shall take into account public safety and generally accepted correctional practices when developing and implementing rules regarding the community treatment program.

C.  The community treatment program shall provide programs and support services to assist mothers and their children in developing the skills necessary to become functioning, self-sufficient families, including:

1.  Substance abuse treatment.

2.  Well‑being and emotional supports.

3.  Parenting skills.

4.  Educational and employment skills.

5.  Financial literacy.

6.  Workforce skills training.

D.  The nonprofit entity contracted pursuant to subsection A of this section shall provide pediatric care consistent with medical standards and, to the extent feasible, shall be guided by the need to provide the following:

1.  A stable, caregiving, stimulating environment for the children as developed and supervised by professional guidance in the area of child development.

2.  Programs that are geared to ensure the stability of the parent‑child relationship during and after participating in the program and that are developed and supervised by appropriate professional guidance. At a minimum, these programs shall be geared to accomplish the following:

(a)  The mother's management of identified substance abuse.

(b)  The mother's familiarity with good parenting skills.

(c)  The mother's ability to function in the community, on community supervision or release, as a law-abiding citizen.

(d)  Securing adequate housing arrangements after participating in the program.

(e)  Securing adequate child care arrangements after participating in the program.

(f)  Engaging in productive employment after participating in the program.

3.  The least restrictive alternative to incarceration and restraint possible to achieve the objectives of correction and of this section consistent with public safety and justice.

E.  In the first year after the department establishes the community treatment program, subject to the availability of monies, the department shall place up to twenty women in the program. In the second year and each year thereafter, subject to the availability of monies, the department shall place up to fifty women in the program.

F.  To be eligible for the program, an inmate must be a woman who gives birth to a child while imprisoned and who is scheduled to be released from imprisonment in five years or less.

G.  A child who resides at the community treatment center is not subject to the same security restrictions as the prisoner except as necessary to ensure the child's safety, the security of the facility and compliance with program rules. END\_STATUTE