

Improving public safety by positively changing lives

Parenting Sentencing Alternative

January 2020



AT A GLANCE

Women vs. men on the program

61% vs. 39%

Cases shared with DCYF:

85%

Open cases: 10-13%

Total participants: 861**

CPA: 473

FOSA: 388

Successful completion**

CPA: 396—84%

FOSA: 274 — 71%

Combined: 670—78%

Terminated or revoked**

CPA: 77 — 16% terminated

FOSA: 114 — 29% revoked

Combined: 191 — 22%

Participants returned to prison on a new felony after successful completion *

CPA: 12%

FOSA: 8%

Combined: 11%

* As of Nov. 2019

**as of Dec. 5, 2019

Does not include active cases or active warrant status

Allowing individuals to avoid incarceration to parent their children

The Parenting Sentencing Alternative, Substitute Senate Bill (SSB) 6639 was enacted in June 2010. This law allows some incarcerated individuals who are parents of minor children the opportunity to avoid prison or transfer from incarceration in order to parent their children. The law has two components:

Family and Offender Sentencing Alternative (FOSA) – *Judicial Sentencing Option*:

Provides judges 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 individuals facing a prison sentence.

Community Parenting Alternative (CPA) – *Prison based option*:

Allows the Department of Corrections to transfer an incarcerated individual home on electronic home monitoring for up to the last 12 months of his or her sentence.

Eligibility & Mandatory Requirements

To be eligible for the FOSA, the incarcerated individual 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.
- Have at least one year left on the high end of the individual's sentence (presumptive prison sentence).
- Sign a release of information waiver regarding current and/or prior child welfare involvement.

They may not:

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

To be eligible for the CPA, the incarcerated individual must:

- Have physical custody of minor child(ren), or have legal custody of a minor child.
- *Have a proven, established, ongoing, and substantial relationship* with his or her minor child that existed prior to the commission of the current offense; or be 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.

They may not:

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

Department of Corrections:

- Determines that such placement is in the best interest of the child.
- Considers nature of harm, visitation, infractions, and overall programming while incarcerated.

Solution Based Case Management

DOC recognizes working with incarcerated individuals, their children and family more directly creates a need to interact differently and more intensely. DOC operates from a strengths perspective and utilizes Solution Based Case Management in working with this population.

Present Parenting – Each incarcerated individual is clean and sober first, then learning skills and abilities to make their kids their first priority in managing daily living.

Five protective factors for strengthening families:

- **Parental resilience** – A parent’s capacity for resilience affects how they deal with stress. Resilience is the ability to manage and bounce back from challenges that affect every family’s life and finding ways to solve problems, building and sustaining trusting relationships—including relationships with their own children—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. When families encounter crises such as domestic violence, mental illness or substance abuse, adequate services and supports must be in place to provide stability, treatment and help for family members to get through the crisis.
- **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 families can head off negative results and keep development on track.



What incarcerated mothers say about these programs:

“I would definitely recommend this program for parents who are READY to change and willing to do whatever it takes to be good parents.... They have to be ready to invest work into it and into themselves and their family life. The program itself is amazing, and the people who work for the FOSA program are amazing, caring and helpful.” — FOSA participant

Each of the participants are required to:

- Read with their children each day for at least 20 minutes and/or doing homework.
- Have family dinners without distraction of television or other technology and electronics.

DOC works with Division of Child, Youth and Family Services in child and community safety to reduce duplicative services, develop case management plans and conduct home visits together quarterly. A screening committee of professionals who work with children and family systems works together to determine the “best interest of the child” when transferring cases onto the Community Parenting Alternative. This committee meets monthly and reviews transfer plans in order to make decisions regarding approval, community supports, and incarcerated individual’s responsibilities while completing their prison sentence on electronic monitoring in their homes.

— For More Information —

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