BIPSOC: AD HOC LEGISLATIVE SUBCOMMITTEE

Meeting of July 13th, 2006

MINUTES DRAFT

Present: (8) Maureen Keough, Attorney General's Office/Chair; Laura Jaworski, BIPSOC; Ed Degnan, Kent House; Kat Tavares, RICADV; Stephen King, RI Supreme Court; Michael DiLauro, Public Defender's Office; Micheline Lombardi, Probation & Parole; Dr. Kathleen Carty, Vantage Point..

Materials Distributed:

- **Agenda for July 13th, 2006 meeting.**
- **Draft legislation § 12-29-5.**
- **Handout: "Issues to Resolve regarding Legislation"**

Maureen called the meeting to order at 2:15p.m and welcomed all Subcommittee members with individual introductions.

Maureen opened the meeting with a review of the role and purpose of the Subcommittee, which has been charged with examining the feasibility of implementing a batterers intervention program in the ACI for incarcerated individuals. Attendance to the program would constitute full or partial credit for court-ordered batterers intervention.

Maureen called upon Dr. Kathleen Carty of Vantage Point to share her experience as a provider of domestic violence classes in the ACI in contrast with the certified batterers intervention program she operates in the community, namely as it relates to program curriculum and group format. Kathy reported that many practical issues exist that would need to be addressed before the issue of funding is discussed. Vantage Point developed the domestic violence program in the ACI in response to the Request for Proposal ("RFP") issued by the Department of Corrections for such a program to operate on a twelve (12) hour/eight (8) week schedule (groups are for 1.5 hours). Kathy utilized core materials from the curriculum of the certified batterers intervention program she operates in the community to develop the ACI program modules.

Kathy relayed a number of concerns for the Subcommittee to consider. A primary concern is the application of standardization for vendors that deliver this service within the ACI in the future. Further, Kathy reported concern with discussion that has been circulating of whether current ACI staff would facilitate these groups and the confidentiality limits that exist should that be the case. Current participants in the ACI program sign a contract to participate for a twelve (12) hours, but logistical problems exist as they operate within a prison system. For example, some facilities have a wait list of 15-35 inmates for her eight (8) week program, which has a group size of approximately 5-15 (depending on the room size). The wait list would

increase significantly should the program increase to forty (40) hours. Vantage Point is also limited on when the program can operate within the facilities due to ACI policies. Groups operate at the discretion of the facility, and may be cancelled due to facility lockdown, number of correctional officers available during a shift, etc. Further, inmates may not attend consistently for a number of reasons, including court appearances, visitors, disciplinary purposes, etc.

Steve King questioned whether inmates are enrolling in the Vantage Point program in anticipation of the requirement to attend batterers intervention upon release to the community. Kathy reported that reasons for attendance are collected as part of an intake assessment; some inmates attend voluntarily, while others, for example, have been encouraged or mandated to do so by the Parole Board. Michael DiLauro questioned whether the issue of not receiving credit for attendance in the ACI program has been a discussed with the inmates. Kathy reported that in her experience over the last five (5) years, this has been an issue with only two (2) individuals.

Mr. DiLauro stated that in his review of the Comprehensive Standards and the Rules of Practice and Procedure, he believes the mechanism of post-enrollment certification does in fact exist and would address the issue of an individual attending a batterers intervention program in the ACI. Laura Jaworski reported that as stated in the Rules of Practice and Procedure, applications made to the committee by a batterer mandated to attend a certified batterers intervention program

in accordance with § 12-29-5 who has, prior to adjudication, enrolled in a program not certified by the committee. The program requesting this form of certification would follow the procedures for provisional certification. Mr. DiLauro questioned whether Vantage Point would respond to the RFP, should it be released by the Department of Corrections in the future. Kathy reported that she did not know at this time. Members requested that Laura follow-up with the appropriate individual at the Department of Corrections regarding the schedule for the next RFP.

Micheline Lombardi questioned the procedure for an inmate enrolled in the ACI program that transfers from one facility to the next. Kathy reported that the inmate is placed at the beginning of the wait list for the program operating in the "new" facility. Vantage Point currently runs the domestic violence program in six (6) facilities (there is no program offered in High Security or the Intake Service Center). Typically, an inmate remains on the on the wait list for the program for two (2) weeks. Maureen observed that from a practical perspective, it could take a number of weeks for an inmate to be classified and transferred to the appropriate building, thereby reducing the potential number of weeks in attendance, especially if there is a wait list for that facility or the inmate is serving a "short" sentence. Currently, there are approximately eight-four (84) inmates in attendance per week in the ACI program, with most completing the program. The only exception to this is within the Women's Division, where female inmates do not complete due to their release back into

the community. Approximately thirty (30) percent of the 84 inmates/week attend a community-based program upon release.

Kathy stated that Vantage Point's community based batterers intervention program works with the state mandate to work with the client around the inability to pay program fees (this applies to approximately 10% of the program's clients). Vantage Point has even provided assistance with transportation to the program through issuing RIPtix bus passes (all groups are on RIPTA bus lines).

Vantage Point, in certain circumstances and always in collaboration with the Probation Officer, has given credit to clients for classes attended in the community that apply towards the total number of hours/week required. Credit is not given for classes attended in the ACI program. However, groups/classes an inmate attends in the ACI presents it's own set of challenges. Community programs operate on a rotating, or open-ended format. Therefore, the opportunity exists for duplicity in topics discussed/covered. Further, the level of accountability is different in the ACI program; facilitators do not know the nature or details of the crime committed. However, in the community program, facilitators obtain the police reports as part of the referral process. Inmates are also not exposed to the same stressors as those that present in everyday life and therefore are unable to practice the skills and tools that they learn in the group setting.

Mr. DiLauro reported that for the Public Defender's Office, money is a primary issue. Maureen reported that programs are charged with following outlined standards, and this Subcommittee is charged with answering the question of feasibility for a certified program to operate in the ACI. Kathy stated that she would like the focus to be on treatment that provides quality services with documented successes through utilization of an evaluative piece that demonstrates program effectiveness. Mr. DiLauro requested clarification on how this monitoring occurs in the community based program. Kathy reported that in her community and ACI program, she utilizes a pre- and post-assessment measurement tool to determine attitudinal change in clients. Mr. DiLauro questioned whether the information collected in the ACI program and community program can be released. Kathy stated that due to prisoner rights, she is not allowed to release the information collected through the ACI program. ACI program records are primitive in what they contain, such as the number of sessions attended, etc. In the community program, only the client views their own data, and the information can only released with their consent.
Mr. DiLauro questioned how information is obtained when the inmate is released, particularly in relation to completion of a program while incarcerated. Kathy reported that typically the inmate and the discharge planner have this information; she has been advised by the Department of Corrections not to release information she has collected as a part of the ACI program.

Steve reiterated concerns that were raised earlier in the meeting

related to duplicity of topics received in the community compared to that covered in an ACI program. Kathy emphasized the importance of identifying key components to include as part of the ACI program. Steve questioned the availability if federal funding for these programs, and if the Department of Corrections issues an RFP, does the Oversight Committee have any influence over the requirement for those applying be certified programs. Micheline suggested that for the RFP, it could possibly state that only certified programs could apply because community programs must meet the forty (40) hour requirement. Members requested that Laura investigate whether the RFP is scheduled to be released soon. Maureen reported that information related to the RFP will assist with the work of the Subcommittee.

Mr. DiLauro requested clarification from Kathy on the educational piece at the beginning of her program. Kathy reported that this piece works to expand the understanding of what abuse actually is—and that it begins before the actual incident on the night of the arrest. Clients work to identify with behaviors that were abusive or lead to abuse, and review the "cycle of abuse". An example of one to the tools that is utilized is the "Johari Window", which addresses the ways in which we present ourselves as related to our own self-perception. The number of sessions of the educational component in the ACI program varies by location/facility, whereas in the community program it follows an open-ended format.

Maureen suggested that a tentative meeting date be scheduled; Mr. DiLauro suggested that two dates be set for potential scheduling conflicts. Group members agreed that Tuesday, August 22nd and Thursday, August 24th would be the tentative meeting dates (meeting time and location would remain the same). Laura and Maureen will inform group members of the definite date as soon as possible.

Meeting adjourned at 3:30 p.m.

UPCOMING SUBCOMMITTEE MEETINGS:

Tuesday, August 22nd, 2006 @ 2pm
OR
Thursday, August 24th, 2006 @ 2pm

Attorney General's Office
150 South Main Street, Providence
Minutes Prepared by Laura Jaworski