

Cook County Commission on Women's Issues  
Public Hearing 2014

# The New *Stay-At-Home* Mother



One out of every four women detained for a non-violent crime is the head of a single family household.

**What Role Can Pre-Trial Services Play in  
Family Reunification?**

**Cook County Commission on Women's Issues  
2014 Public Hearing**

**Peggy A. Montes  
Chairperson**

**Cook County Commission on Women's Issues**

**Cook County Commission on Women's Issues  
2014 Public Hearing**

**Acknowledgements**

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**Toni Preckwinkle  
President  
Cook County Board of Commissioners**

**Cook County Commission on Women's Issues  
2014 Public Hearing**

**Justice Anne Burke  
Illinois Supreme Court**

**Cook County Commission on Women's Issues  
2014 Public Hearing**

# **Reducing the Amount of Non-Violent Women in Jail**

**Hon. Bridget Gainer  
Cook County Board of Commissioner – 10<sup>th</sup> District**

**Cook County Commission on Women's Issues  
2014 Public Hearing**

**Testimony**



**Cook County Commission on Women's Issues  
2014 Public Hearing**

# **Preserving the Mother-Child Bond**

**Gail Smith  
CLAIM**



# Preserving the Mother-Child Bond



**CLAIM**

Chicago Legal Advocacy for Incarcerated Mothers

a program of

Cabrini Green Legal Aid



# Basic Facts

Most mothers in jail had sole responsibility for their children prior to arrest.

80-85% of women prisoners in Illinois are mothers.

2.7 million minor children have a parent in jail or prison nationwide. 10 million children experience parental incarceration at some point in their lives.

The Pew Charitable Trusts: Pew Center on the States. (2010). Collateral Costs: Incarceration's Effect on Economic Mobility.



## Basic Facts, continued

When mothers and their new babies are separated and denied the opportunity to bond, it

- ~ has a lifelong effect on the child,
- ~ can cause severe depression for the mother,
- ~ impedes the mother-child relationship, and
- ~ reduces the mother's chance of regaining legal custody.

When mothers and young children who are bonded are suddenly separated, it harms the child and the mother as well.

- ~ Child's development
- ~ Long-term effect



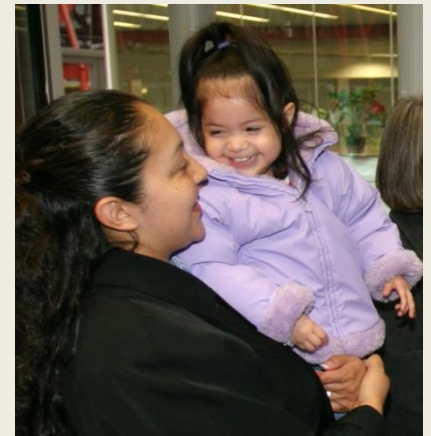
# Legal impact of separation

## **Foster Care:**

Under federal Adoption and Safe Families Act - states move toward adoption if child is in foster care for 18 out of 22 months. (Exceptions sometimes apply.)

Illinois Termination of Parental Rights - 22 grounds for “unfitness”; three grounds target incarcerated parents.

If mothers do not have access to mandated programs and visits, they may lose their children forever, even if they are in jail relatively briefly and never harmed their children.



# Legal impact of separation, continued

## **Guardianship:**

Short-term guardianship – up to one year  
Recent improvements enacted

Court-ordered guardianship  
Difficulties in enforcing visitation rights  
Barriers to discharge of guardian



## **Domestic Relations:**

Usually must wait two years to change custody even if the mother had custody before her arrest.

Sometimes kids stay with an abusive father due to the change of custody upon mom's arrest.

# Preserve the Mother-Child Bond

- Release women to the community while awaiting trial for nonviolent offenses. Conduct assessments as soon as possible after arrest. Provide recognizance bonds when possible to keep mothers with their children.
- Establish pre-trial community-based residential and day programs that are gender-specific and trauma informed, to build healthy families and reduce recidivism.
- Make trauma-informed drug treatment available to every mother who requests it.
- Offer DCFS-certified parenting classes to every mother with a foster care case and “return home” goal.



# Preserve the Mother-Child Bond

- Open the Bright Spaces children's visit center to all mothers who remain in jail, and their children.

No young children should have to visit their mothers through Plexiglas in a noisy, dirty place.

Even worse, children of mothers in RTU travel to the jail only to see their mother through video. Caregivers recognize that this is not a true "visit", especially for very young children (and sometimes stop visits).

- Build programs around the Bright Spaces center, including mother-child counseling, healing circles, and transportation for visits.

Children need regular visits to help their adjustment emotionally, socially and scholastically.





# Stop Shackling Pregnant Women

Illinois was the first state in the U.S. to ban use of shackles on women in labor, effective in 2000.

Cook County Public Act 97-0660 (2012)

Bans use of restraints throughout pregnancy with some exceptions.

More work is needed to protect pregnant women in custody, since shackles have medical consequences throughout pregnancy and post-partum.

Train all personnel who may encounter or transport pregnant women.

22 Illinois counties release pregnant women and set a court date before the due date, recognizing the harm of being in jail.



# Children

Under the Children of Incarcerated Parents Bill of Rights, children should have:

- A right to be considered when decisions are made about my parent.  
This should include a right to have their needs considered when bond is set, and a right to be considered at sentencing.
- To speak with, see, and touch my parent.  
This means contact visits in a child-appropriate setting.



# Recommendations

1. Provide recognizance bonds whenever possible to keep mothers with their children, especially for children under age six.
2. Consider children's needs as a major factor when setting bond and pretrial release conditions.
3. Increase deferred prosecution and provide community-based services.
4. Increase the number of women in the MOMS program at Haymarket and other residential treatment programs.

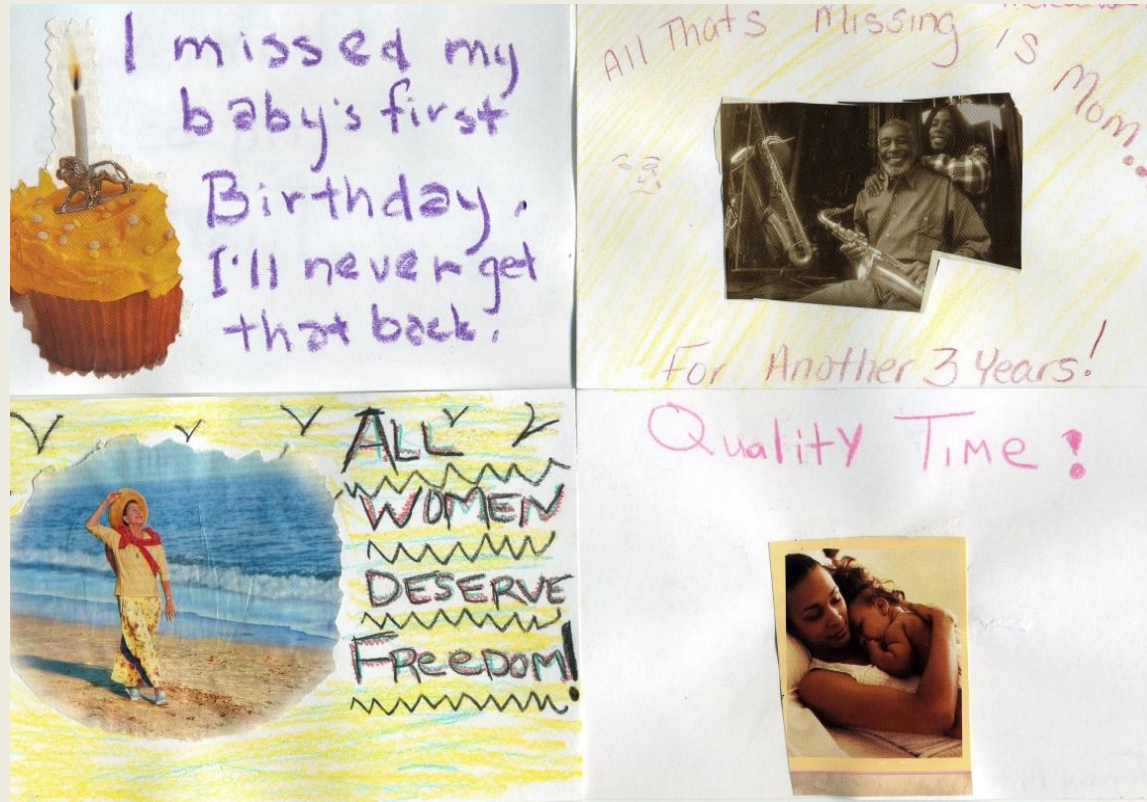


# Recommendations, continued

5. Expand the Bright Spaces center visits to all mothers and children, and create a family-based intervention program around the center with classes and services available to ALL mothers in custody.
6. Make reunification services available to all mothers in the jail, not only to those in Division 17/Women's Justice Programs.
7. Implement healing circles and accountability circles to help families process the impact of family violence, addiction, and separation in ways that give all participants the dignity of addressing the harm and repairing the relationship.
8. Increase access to short-term guardianship assistance. Encourage the increased access to domestic relations and probate court for mothers in pretrial detention.



# Questions



From Chicago contributors to "Interrupted Life", Rickie Solinger

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**Juan Hinojosa**

**Assistant Chief  
Cook County Pre-Trial Services**

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**Rebecca Janowitz  
Cook County Justice Advisory Council**



**Pretrial Services Act  
725 ILCS 185**

**Bail  
725 ILCS 5 Art 110**

**This Section shall be liberally construed to effectuate the purpose of relying upon contempt of court proceedings or criminal sanctions instead of financial loss to assure the appearance of the defendant, and that the defendant will not pose a danger to any person or the community and that the defendant will comply with all conditions of bond. Monetary bail should be set only when it is determined that no other conditions of release will reasonably assure the defendant's appearance in court, that the defendant does not present a danger to any person or the community and that the defendant will comply with all conditions of bond.**

**We should refuse to release a defendant if he or she is a flight risk or if he or she is danger to the community.**

**May we refuse to release someone because he or she is poor?**

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**Cara Smith  
Cook County Sheriff's Office**

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**Bringing Home, Health, and Hope to  
Justice Involved Families**

**Marc Fagan & Ayanna Kiklas  
Thresholds**

**TITLE**

DATE LOCATION

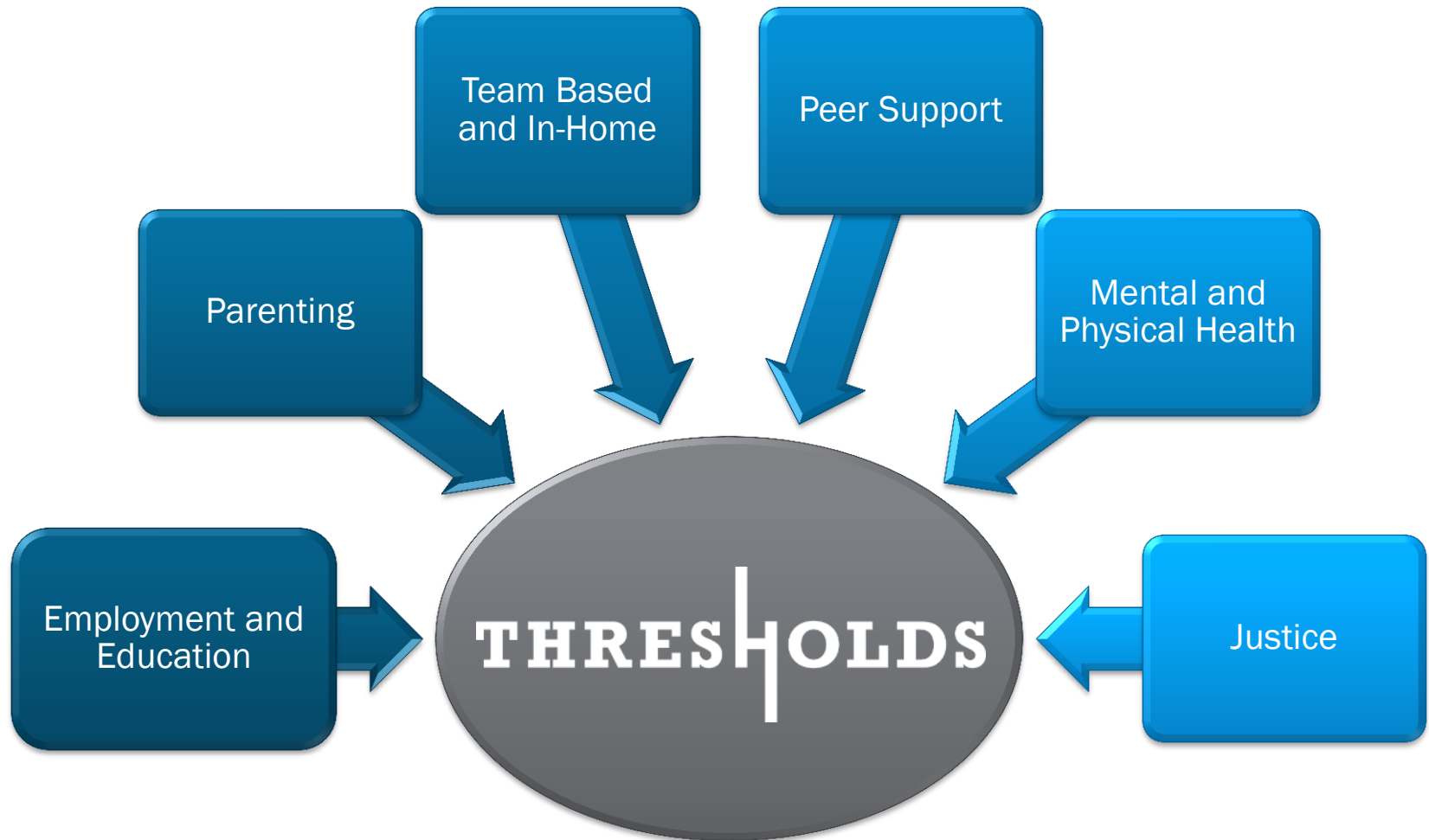
# THRESHOLDS

HOME

HEALTH

HOPE

# THRESHOLDS APPROACH



**THRESHOLDS**

HOME | HEALTH | HOPE

# SCREENING AND ASSESSMENT



**THRESHOLDS**

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# IN HOME MENTAL HEALTH SERVICES

Team Based Support

Community or Home

Motivational Interviewing

Connections with other supports/benefits

Connections with Housing

Peer Support





# WHY IN-HOME/IN-COMMUNITY SERVICES?

## Results

- 50% reduction in behavioral health admissions
- 55% reduction in 30 day readmissions
- 58% reduction in 90 day readmissions
- 63% reduction in PMPM costs for behavioral health inpatient (with 12 months in pilot)
- Optimistic about future: 69.2% → 92.3%
- Contact with friends 61.5% → 80.8%
- Living independently 42.3% → 57.7%



**THRESHOLDS**

HOME | HEALTH | HOPE

# THERAPY AND PARENTING

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Individual Therapy

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Trauma-informed approaches

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Parent/child Dyad

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Family



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# PSYCHIATRY & PRIMARY HEALTH

Medication Management

Substance interaction

Pregnancy prevention

Integrated Healthcare



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# VOCATIONAL

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IPS Supported Employment

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Place and Train

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Rapid Job Search

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Career Development

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Job Training

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Ongoing support



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# EDUCATION & EARLY LEARNING

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Public school support for child(ren)

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Early Learning Center for young children

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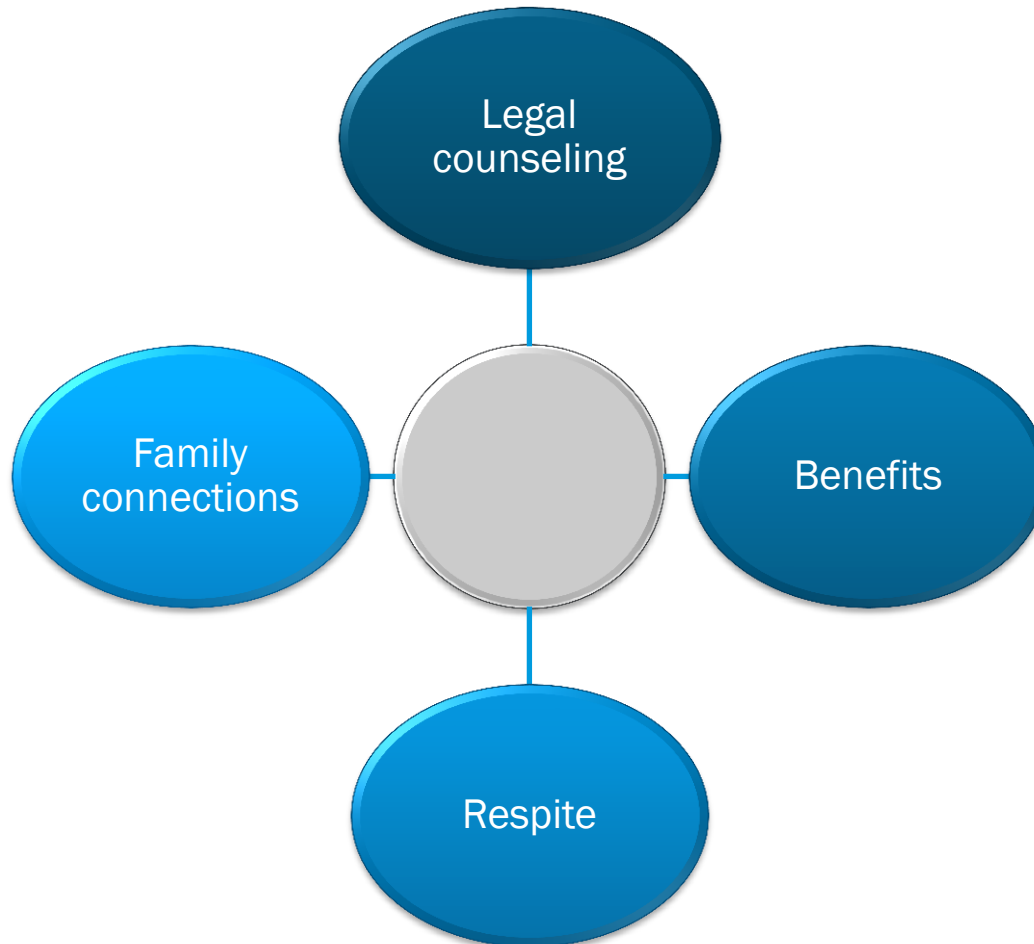
Supported Education for Adults



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# OTHER SUPPORTS



**Cook County Commission on Women's Issues  
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**Testimony**

**Angela Marchman  
Visible Voices**



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**Listen to the Story:  
Our Perception vs. Their Reality**

**Leslie Balonick  
WestCare Foundation**



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**Kimberly Foxx  
Chief of Staff  
Cook County Office of the President**



## Proclamation

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, COOK COUNTY BOARD OF COMMISSIONERS**

**WHEREAS**, the Cook County Commission on Women's Issues ("the Commission"), who have experience in working toward the improvement of the status of women and girls in Cook County; and

**WHEREAS**, members of the Commission are representative of the diverse racial, ethnic, religious, age, sexual orientation and socioeconomic backgrounds of the residents of Cook County; and

**WHEREAS**, the Commission has dedicated this year to understanding the role pre-trial services play in family reunification; and

**WHEREAS**, the topic of the Commission's 2014 Public Hearing is "The New Stay-At-Home Mother", to explore the question of "What Role Can Pre-Trial Services Play in Family Reunification", and

**WHEREAS**, the Cook County Board of Commissioners created the Cook County Commission on Women's Issues by resolution on March 1, 1994; and

**WHEREAS**, there is a continuing need in Cook County, Illinois for an official government commission to address the concerns of the County's women and girls and to encourage public and private cooperation in such endeavors; and

**WHEREAS**, the Illinois Supreme Court authorized a comprehensive review of the Cook County pre-trial services resulting in a detailed plan of action for Cook County; and

**WHEREAS**, the Public Hearing will gather dynamic and knowledgeable individuals representing various areas of women issues for a variety of recommendations; and

**WHEREAS**, one in every four women detained for a non-violent crime is the head of a single family household and the unnecessary pre-trial detention carries significant implications for women and their children; and

**WHEREAS** the Commission calls on the Chief Judge to fully implement the Supreme Court's recommendations regarding Pretrial Services in Cook County, and to meet with representatives of the Commission to monitor the impact of recommendation specifically in regard to family reunification; and

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Toni Preckwinkle, President of the Cook County Board do hereby record my support for the commitment the Cook County Commission on Women has made on behalf of women and children who may be harmed by unnecessary pretrial detention or the absence of appropriated and needed Pretrial Services.

**BE IT FURTHER PROCLAIMED**, that the Cook County Commission on Women's Issues commits to reporting publicly by August 30, 2015 on the implementation of the Supreme Court's recommendations regarding Pretrial Services in Cook County with specific reference to family reunification.

  
**TONI PRECKWINKLE, President**  
Cook County Board of Commissioners

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**Next Steps**

**Andrea Raila  
Commissioner**

**Cook County Commission on Women's Issues C**

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# The New *Stay-At-Home* Mother



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