

MEMORANDUM

DATE	May 4, 2017
TO	Policy and Advocacy Committee
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #6(c)(19) – AB 620 (Holden) Prisoners: Trauma Focused Programming

Background:

This bill would require the California Department of Corrections and Rehabilitation (Department) to implement a four year pilot program at four state prisons to offer trauma-focused programming, which includes, among other things, programs that provide tools for coping and dealing with trauma and individual therapy, to qualified incarcerated persons during the five years preceding his or her parole date. The bill would require the department, by July 1, 2018, to convene a stakeholder group, as specified, and develop trauma-focused programming for use in the pilot program.

The bill would authorize the department to contract with a nonprofit organization to provide trauma-focused programming if a state prison participating in the pilot program does not have a clinical social worker, psychologist, or other qualified professional to provide trauma-focused programming.

Location: Assembly Committee on Appropriations

Status: 5/03/17 In committee: Set, first hearing. Referred to Assembly Committee on Appropriations Suspense File.

Votes: 3/21/2017 Assembly Committee on Public Safety (6-1-0)

Action Requested:

No action is required at this time. Staff will continue to watch AB 620 (Holden) due to the potential for increased access to mental health services for inmates.

Attachment A: AB 620 (Holden) Text

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AB-620 Prisoners: trauma-focused programming. (2017-2018)

SECTION 1. *Section 3055 is added to the Penal Code, to read:*

3055. *(a) It is the intent of the Legislature that the design and activities of an effective trauma-focused program, for purposes of this section, reflect all of the following values:*

- (1) Restorative justice, reconciliation, and accountability principles.*
- (2) Enhanced interactional communication skills and interpersonal relations.*
- (3) Self-efficacy and empowerment.*
- (4) Trauma healing approaches and methods.*
- (5) Eliminating or reducing traumatic symptoms and triggers.*
- (6) Creating a safe environment.*

(b) For purposes of this section, the following terms have the following meanings:

- (1) "Qualified incarcerated person" means a person who was convicted of a crime committed before he or she attained 25 years of age.*
- (2) "Trauma" means emotional distress caused by a damaging event or repetitive events that exceeds an individual's ability to cope with, or integrate emotions from, the experience causing the emotional distress, which may lead to destructive symptoms and behavior.*
- (3) "Trauma-focused program" or "trauma-focused programming" means programming that includes all of the following:*
 - (A) Access to and information about trauma-specific programs that helps a participant manage the effects of trauma exposure.*
 - (B) Trauma-informed programs that increase understanding of how and why trauma affects the participant and ways to minimize the impact.*
 - (C) Programs that provide tools for coping and dealing with trauma.*
 - (D) Screening and assessment tools that help identify a qualified incarcerated person experiencing the effects of trauma.*
 - (E) Collaboration with a mental health professional to offer individual therapy that will assist with emotional guidance, understanding of the trauma that led to the participant's crime, and coping methods, and that will help the participant understand, and communicate about, the trauma that led to his or her negative actions and manage the impact of the trauma. Individual therapy shall only be a component of a trauma-focused program to the extent that a participant voluntarily agrees to participate in this component.*
 - (F) Cognitive-behavioral treatment that places trauma at the center of the treatment in order to foster an understanding of the impact of trauma, dealing with triggering effects, and furthering insight in a group setting.*
 - (G) Assistance in understanding and regulating trauma in order to enable a participant to make cognitive-behavioral improvements and articulate his or her progress successfully during his or her parole hearing.*
- (c) (1) (A) The Department of Corrections and Rehabilitation shall implement a four-year pilot program to offer trauma-focused programming to qualified incarcerated persons at four state prisons in order to provide necessary*

assistance to participants in understanding and regulating their trauma symptoms so they can effectively articulate their rehabilitation before the Board of Parole Hearings, increase their accountability, and positively influence their cognitive behavior.

(B) As part of the pilot program implemented pursuant to subparagraph (A), the Department of Corrections and Rehabilitation shall provide a qualified incarcerated person information about and access to effective trauma-focused programming by a clinical social worker, psychologist, or other qualified mental health professional.

(C) The department shall, upon the request of a qualified incarcerated person who is housed at a prison participating in the pilot program described in subparagraph (A), provide him or her with access to trauma-focused programming, access to trauma therapy that seeks to rehabilitate, increase understanding, and minimize responses to trauma that are often related to substance abuse, criminal behavior, and violent actions, and access to activities, information, and tools that can be practiced by the incarcerated person in an individual or community setting as a form of continuing care for traumatic experiences during the five years preceding his or her parole hearing date.

(D) The effective trauma-focused programming may be integrated with existing cognitive-behavioral programming at a prison participating in the pilot program described in subparagraph (A), if the existing programming meets the definition of a trauma-focused program.

(E) The department shall provide information on trauma, trauma-informed care, and the trauma-focused programming to a qualified incarcerated person who is housed at a prison participating in the pilot program described in subparagraph (A), at his or her parole consultation.

(F) A clinical diagnosis is not required for access to the trauma-focused programming offered as part of the pilot program described in subparagraph (A).

(2) The department shall convene a stakeholder group to assist in developing the trauma-focused programming that will be offered to qualified incarcerated persons as a part of the pilot program described in subparagraph (A) of paragraph (1). Stakeholders shall include, but not be limited to, all of the following:

(A) Nonprofit organizations with experience in restorative justice advocacy or programming.

(B) A representative of the department.

(C) A representative of the Board of Parole Hearings.

(D) A psychologist or licensed clinical social worker.

(3) The department shall convene the stakeholder group described in paragraph (2) and develop trauma-focused programming for use in the pilot program by July 1, 2018.

(d) If a state prison participating in the pilot program implemented pursuant to subparagraph (A) of paragraph (1) of subdivision (c) does not have a clinical social worker, psychologist, or other qualified professional to provide trauma-focused programming to a qualified incarcerated person, the department may contract with a nonprofit organization to provide this service. A nonprofit organization shall comply with all of the following requirements to be eligible for a contract to provide trauma-focused programming:

(1) The nonprofit organization shall have training in trauma-informed practices and in providing trauma-focused programming to individuals with trauma.

(2) The nonprofit organization shall have an application process for volunteers.

(3) The nonprofit organization shall provide a psychologist or mental health professional to supervise volunteers and oversee implementation of a trauma-focused program.

(4) The nonprofit organization shall meet all other requirements for contracted nonprofit organizations and services required by department policy.

(e) The trauma-focused programming described in this section is an expansion of rehabilitative programming offered to inmates and is not intended to offset or displace any current or future wait list of individuals who are not qualified incarcerated persons.

(f) The Department of Corrections and Rehabilitation may consider the qualified incarcerated person's participation in and completion of trauma-focused programming as a performance milestone for purposes of credit reductions from the qualified incarcerated person's term of confinement.

(g) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.