

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
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BY HIS EXCELLENCY
ARCEO PAUL CELLUCCI
GOVERNOR

EXECUTIVE ORDER NO. 424

ESTABLISHING STANDARDS FOR RESPONSIBLE PARENTHOOD
PROGRAMMING IN CRIMINAL JUSTICE AGENCIES

WHEREAS, 7 million children nationwide have a parent who is incarcerated or on parole or probation;

WHEREAS, an estimated 65 to 70 percent of offenders under the supervision of Massachusetts criminal justice agencies are parents;

WHEREAS, children whose parents are incarcerated are 41 percent more likely to be suspended from school than their peers, 31 percent more likely to have run-ins with the police, and six times more likely to end up in prison themselves;

WHEREAS, many of these offenders lack appropriate parenting skills, which may be complicated by other issues, such as substance abuse, violence, and poor literacy and life skills;

WHEREAS, parents play a critical role in their children's lives and development;

WHEREAS, many of these offenders may continue to have contact with their children or live in an environment where they have contact with other children, and;

WHEREAS, it is critical for the safety and development of our children that every effort be made to improve the parenting skills of these offenders;

NOW, THEREFORE, I, Argeo Paul Cellucci, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate do hereby order as follows:

Section 1. Development and Implementation of Programming to Promote Responsible Parenthood among Offenders

Each criminal justice agency in Massachusetts under the supervision of the Executive Office of Public Safety (EOPS) or the Executive Office of Health and Human Services (EOHHS) ("criminal justice agency") is hereby ordered to institute programming that will promote responsible parenthood among the offenders under its supervision and which has the following five objectives:

1. To establish a formal process for identifying offenders under criminal justice supervision who are parents;
2. To assess and address factors in offenders' lives that may have led to their criminal behavior;

3. To improve the enforcement of offenders' financial obligations for their children while under the supervision of the criminal justice system and in the future;
4. To provide opportunities for offenders who are parents to improve their parenting skills, as appropriate;
5. To improve communications among all criminal justice agencies, including those not under the supervision of EOPS or EOHHS, regarding offenders who are parents in order to facilitate seamless parenting programming throughout the Commonwealth's criminal justice system.

Section 2. Identification of Offenders who are Parents

Each criminal justice agency shall develop and implement a process to identify the parental status of offenders under its supervision. This process shall include: inquiry by staff at intake as to whether the offender is a parent; verification of parental status through official records; and documentation of parental status in offenders' records and on a master roster of offenders who are parents, to be maintained by the criminal justice agency.

Section 3. Orientation to Responsible Parenthood Programming

Each criminal justice agency shall incorporate an orientation to its responsible parenthood programming into its initial offender intake/orientation program. At a minimum, the orientation shall include a parent identification process; access to basic needs programming (e.g. substance abuse, violence reduction, life skills); introduction to the criminal justice agency's child support enforcement monitoring; access to the criminal justice agency's parenting services, if appropriate; and a review of other community resources to address offenders' individual parenting needs. All such orientations shall be documented in the offender's criminal record.

Section 4. Child Support Enforcement Monitoring

Each criminal justice agency shall develop a system with the Department of Revenue/Child Support Enforcement Division (DOR) to facilitate and ensure the establishment of paternity and the establishment, enforcement, and modification of child support orders among offenders who are parents. This system shall be formalized in a written memorandum of understanding.

Section 5. Offender Parenting Assessment

Each criminal justice agency shall assess offenders for areas of need prior to referring them to parenting services. Such assessment shall include, but not be limited to, issues related to work history and histories of substance abuse, violence, domestic violence, or sexual offenses. Each criminal justice agency also shall assess offenders in the area of parenting. This assessment shall include whether an offender is a parent, what the offender's role as parent has been and is expected to be, and a determination of the offender's most critical needs regarding parenting. Offenders shall be referred to parenting services based on this assessment, with priority given to those parents who have been or expect to be primary caretakers.

Section 6. Guidelines for Parenting Services

A comprehensive and seamless continuum of parenting services shall be developed and implemented in each criminal justice agency. Each criminal justice agency's program division shall monitor the parenting services. At least one employee within the division shall be assigned

to coordinate and monitor the parenting services and to develop working relationships with appropriate representatives from other criminal justice agencies. At a minimum, the continuum of parenting services offered shall include parenting education, social services referrals, and an appropriate visiting space for offenders and their children. Such parenting services shall make every effort to accommodate the needs of non-English proficient offenders, shall be facilitated by fully trained staff, and shall include performance measures and evaluation no less than annually.

Section 7. Coordination of Information

Each criminal justice agency head shall designate an employee within its organization to coordinate the flow of information regarding offenders' parental status, fulfillment of child support obligations, and participation in parenting services when an offender is transferred from one criminal justice agency to another.

Section 8. Record Keeping

Each criminal justice agency shall prepare an annual report on offenders under its supervision who are parents, offenders' compliance with child support orders, and offenders' participation in parenting services. The annual report will include: data on the number of offenders who have been identified and verified as parents; the number of offenders with child support orders; offenders' compliance with their child support orders; the total child support payments made by offenders (excluding wages garnished by the employer); and offenders' participation in parenting services. The annual report shall contain aggregate numbers and statistics, not information on individual offenders. The annual report also shall assess the success of and costs associated with the implementation of the criminal justice agency's responsible parenthood programming. A copy of the annual report shall be submitted to the Governor's Advisory Commission on Responsible Fatherhood and Family Support.

Section 9. Interagency Communication and Coordination

- (a) Criminal justice agencies under the supervision of EOPS and EOHHS shall make every effort to:
- (i) assist other criminal justice agencies that supervise offenders with the development of responsible parenting programs, and;
 - (ii) improve communication and share information with such other criminal justice agencies regarding offenders who are parents in order to facilitate seamless programming regarding responsible parenthood.
- (b) The Department of Revenue shall make every effort to develop a system with criminal justice agencies not under the supervision of EOPS or EOHHS to facilitate and ensure the establishment of paternity and the establishment, enforcement, and modification of child support orders among offenders who are parents. Such system shall be formalized in written memoranda of understanding.

Given at the Executive Chamber in Boston
this 21st day of November in the year
two thousand.

Argeo Paul Cellucci
Governor
Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS