

Implementation Update: Healthy Start Act



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This report can be provided in another format upon request.

2021 IMPLEMENTATION UPDATE ON HEALTHY STARTS FOR BABIES AND MOMS

I. Background

In May 2021, the Minnesota Legislature created new releasing authority for the Department of Corrections (DOC) related to pregnant and recently post-partum individuals ([Laws of Minnesota 2021, Reg. Sess. Chapter 17, Section 1](#)). The Commissioner of Corrections now has the authority to conditionally release an incarcerated person from prison to the community, to engage in work, vocational training, substance abuse or mental health treatment, education, or parenting education, while completing their sentence, if they are either:

- Pregnant; or
- Within eight months post-delivery.

This Healthy Start conditional release (“Healthy Start release”) may last the duration of the pregnancy and up to one year of the newborn child’s life.

[Minn. Stat. § 244.065](#), subd. 2(d) requires DOC to file a written report with the legislature by April 1 of each year, reporting on a variety of data related to individuals released under this new authority from state correctional facilities.

The Minnesota Department of Corrections is required to report on the following for the prior calendar year:

1. The total number of individuals conditionally released from prison under this authority; and
2. The duration of the releases.

II. Pregnancy and Infants of Corrections Involved Individuals

The negative impact of incarceration on mothers, their babies, and their families is profound. Many incarcerated moms in the United States must return to prison two or three days after giving birth. Often their infants are being cared for by family members and visitation is difficult. No visitation is allowed while at the hospital and there are barriers to visiting once mothers are returned to prison. This includes distance, time restrictions, transportation issues and more. Newborns live an average of 150 miles from the correctional facility; often caregivers must take time off from work to bring the newborn to visit their mother. The first year of life is a critical time for mothers and babies to bond. Research shows higher levels of postpartum depression for women who are incarcerated when they give birth. The separation is stressful for both the child and the mother. Even short periods of parental incarceration cause profound disruption to a child’s life, particularly in infancy, and can have long-term ramifications.

The legislature recognized the need to invest in Minnesota children and help them get a healthy start to life by giving the Commissioner of Corrections this conditional release authority. By placing mothers in community settings closer to and with their babies, babies are given a foundation for long-term success. Through providing positive engagement in community-based programming and connection with family, mothers not only reduce their criminogenic risk, but meet the needs of their infants to make a healthy start.

III. Healthy Start Implementation

The legislature required the Commissioner of Corrections to “develop policy and criteria to implement this subdivision according to public safety and generally accepted correctional practice.”¹

DOC has been in planning and engagement phases since this passed in 2021. These efforts involved policy and resource development, establishing mechanisms for reporting, and conducting community engagement.

DOC created the eligibility criteria for Healthy Start based on the length of statutory release authority afforded to the DOC. Mothers are eligible throughout pregnancy and for up to one-year post-birth. If an individual would not meet their confinement release date during their Healthy Start release period, or is not legally permitted to parent their infant, they are not eligible for Healthy Start release. This eligibility criteria are aligned with recommendations from child development experts on attachment and bonding needs for infants. Babies need to be bonded with an ongoing primary caregiver. There are some limited exceptions based on the health of the infant and whether there are extenuating circumstances that would necessitate healthy start placement.

DOC contracted with the Ostara Initiative to do a needs assessment with current and formerly incarcerated women who have experienced pregnancy in prison. Their findings suggest that women identify their greatest needs as being housing stability, sober support/treatment, and pro-social connection to their community. Additionally, the Ostara Initiative has worked to identify, engage, and inform community resources and stakeholders. They are ready to deploy community navigation and support to the first Healthy Start participants released in 2022. DOC has also contracted with the University of Minnesota to develop criteria and data collection for a future evaluation.

Healthy Start release opens the doors for moms to receive pre- and post-release wrap around services that benefit them and their babies. Prior to release, a team of individuals help moms identify needs and obstacles to:

- establishing safe housing,
- enrolling in programming, education, and/or treatment,
- connecting with health insurance and medical and/or mental health professionals,

¹ [Minn. Stat. § 244.065](#), subd. 2(c).

- meeting basics needs like clothes and baby/household supplies, and
- preparing to parent.

IV. 2021 Healthy Start Data

In 2021, the DOC placed eligible pregnant individuals on COVID-19 Conditional Medical Release for health and safety of the mothers and their babies. Simultaneously, DOC was taking steps (identified above) to put together the Healthy Start policy, protocols, and release resources. As such, no individuals were placed on Healthy Start conditional release status during 2021 but have begun releases since January of 2022.