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Statement of the Council for Court Excellence Before the Committee on Judiciary & Public Safety of the Council of the District of Columbia

Hearing on B25-0112, Food Regulation Ensures Safety and Hospitality Specialty Training Aids Re-entry Transition and Success (FRESH STARTS) Act of 2023

Good afternoon Chairwoman Pinto and members of the Committee. My name is Casey Anderson and I am the Policy & Communications Manager at the Council for Court Excellence (CCE). CCE is a nonpartisan, nonprofit organization with the mission to enhance justice in the District of Columbia. For over 40 years, CCE has worked to improve the administration of justice in the courts and related agencies in D.C. through research and policy analysis, convening diverse stakeholders, and creating educational resources for the public. Please note that in accordance with our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of, or endorsement by, any judicial member of CCE.

I am here today to testify in support of the *Food Regulation Ensures Safety and Hospitality Specialty Training Aids Re-entry Transition and Success (FRESH STARTS) Act of 2023*. While CCE is in support of this legislation, I will also be highlighting the need for improved, transparent, and accountable oversight of the DOC. Without such oversight, CCE is concerned that the necessary changes outlined in this bill will not come to fruition.

The *FRESH STARTS Act of 2023* aims to make several important, and needed, changes at the D.C. Department of Corrections (DOC). The bill aims to ensure that individuals incarcerated at the DOC receive nutrient-dense foods and healthy meals by requiring the DOC to meet or exceed the federal nutritional standards set forth in the most recent U.S. Department of Agriculture and U.S. Department of Health and Human Services Dietary Guidelines for Americans, establishing a Fresh Food Fund, and conducting a Good Food Purchasing Program, among other things. Additionally, the *FRESH STARTS Act of 2023* establishes the Healthy Food in DC Correctional Facilities Task Force, which would develop and establish independent nutritional guidelines for individuals incarcerated at the DOC, transition towards a self-operated food service model, establish or increase hospitality and culinary arts training and education program for individuals incarcerated at the DOC, and include an urban farm within the design of any new or remodeled D.C. jail facility, among other things.

CCE supports the *FRESH STARTS Act of 2023*, but also believes that the work of the Healthy Food in DC Correctional Facilities Task Force must be done in collaboration with other locally focused task forces, including the District Task Force on Jails & Justice. For context, in 2019, with funding from the District of Columbia, the Council for Court Excellence, in partnership with the National Reentry Network for Returning Citizens, established the District Task Force on Jails & Justice. For the next three years, with District funding and support, the Task Force conducted research, engaged the community, and ultimately published two reports that created a roadmap for transforming D.C.'s criminal legal system. The Healthy Food in DC Correctional Facilities Task Force has very clear and specific goals for its year of operation, and is comprised of the subject matter experts and directly impacted individuals necessary to have it achieve those goals. However, not every element of the report required by the bill requires nutrition expertise. Many have distinct overlap with recommendations of and work being done by others in the community already, and some steps that are already in progress. Therefore, there

are pieces of this task force’s work that should be done in collaboration with the District Task Force on Jails & Justice – not only to be more efficient and effective, but to ensure robust, community-centered collaboration.

For example, in regard to including an urban farm in any new D.C. jail facility, we must consider that the pre-planning for the new correctional annex has already begun in Fiscal Year 2023, with CGL Companies selected as the consultant tasked with conducting the work. Waiting for the *FRESH STARTS Act of 2023* to pass before advocating for or requiring the building of an urban farm will be too late. By collaborating with the District Task Force on Jails & Justice, we will be able to move towards the changes outlined in this bill in a more timely fashion and increase our chances of successfully advocating for the inclusion of an urban farm in the plan for the new correctional annex.

The bill aims to improve oversight of food services and quality at the DOC by requiring the DOC to provide and publish reports including information on food service operations compliance, the environmental safety and sanitation of the culinary unit, data on food waste, qualitative data on incarcerated individual satisfaction with food in correctional facilities, and an annual progress report on the quality, health, and safety of food programs. While this is an important and necessary change, improved oversight that is limited to food safety, services, and quality will not achieve holistic, strengthened, transparent, and accountable oversight that is required at the DOC.

In April 2023, [news broke](#) about a class action lawsuit against the DOC by the Washington Lawyers’ Committee. The class action lawsuit alleges that people with serious medical conditions incarcerated at the DOC routinely miss life-saving doses of medication and are forced to wait months or years for urgent medical care. One plaintiff in the lawsuit alleges that jail staff insist he reuses old catheters, a medical device needed to urinate, using only his cell’s sink to clean them. Another plaintiff with congestive heart failure claims that DOC staff

routinely deprive him of his medications. How can we ensure that the DOC will comply with nutritional standards set forth in this bill if the Department, as the lawsuit alleges, cannot provide incarcerated individuals with life-saving medication? The District had an opportunity to establish the necessary foundation to ensure that there was strengthened, accountable, and transparent oversight at the DOC when it passed the *Corrections Oversight Improvement Omnibus Amendment Act of 2022*, which would have paved the way for the successful implementation of the oversight measures outlined in the *FRESH STARTS Act of 2023*.

However, District leaders failed to fund the legislation in the Fiscal Year 2024 budget. By failing to fully fund the *Corrections Oversight Improvement Omnibus Amendment Act of 2022*, which had a fiscal impact of only \$575,000, D.C. did not establish the more robust standard of oversight necessary to support the *FRESH STARTS Act of 2023*. For example, the *Corrections Oversight Improvement Omnibus Amendment Act of 2022* includes a reporting requirement on the contracting for and provisions of food services in the DOC. Had the District funded the *Corrections Oversight Improvement Omnibus Amendment Act of 2022*, we would have been able to collect and gather data on the contracting for and provisions of food services a Fiscal Year earlier – laying the foundation for the additional data collection outlined in the *FRESH STARTS Act of 2023*.

While CCE is proud to support the *FRESH STARTS Act of 2023*, we do hope that this Committee and the D.C. Council will consider the concerns we have raised in our testimony today. Through this bill and our testimony it is clear that we are united under a common goal, improving the conditions at the DOC for D.C.’s incarcerated residents – including their access to high-quality, fresh, nutrient-dense foods. My testimony today reflects CCE’s desire to ensure these critical reforms are enacted effectively and thoughtfully, with maximum positive impact for our incarcerated neighbors, loved ones, and friends. We hope the District will move to enact this legislation while also making updates to ensure the Healthy Food in DC Correctional

Facilities Task Force works closely with the District Task Force on Jails & Justice, and to strengthen and expand the oversight provisions. This concludes my testimony. Thank you for your time and I look forward to answering any questions you may have.