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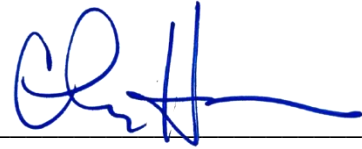
2 Councilmember Charles Allen

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4 Councilmember Brooke Pinto

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6 Councilmember Robert White, Jr.

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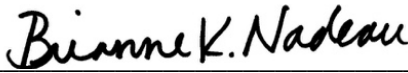
8 Councilmember Christina Henderson

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10 Councilmember Matthew Frumin

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12 Councilmember Vincent C. Gray

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14 Councilmember Brianne K. Nadeau

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16 Janeese Lewis George

17 AN ACT

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23 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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27 _____

27 To set requirements for nutrient-dense food served in correctional facilities, to require the
28 Department of Corrections to adopt the Good Food Purchasing Program, to strengthen oversight
29 of food and nutrition in correctional facilities, and to establish a task force to explore and
30 propose additional long-term improvements.

31
32 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
33 act may be cited as the “Food Regulation Ensures Safety and Hospitality Specialty Training Aids
34 Re-entry Transition and Success (FRESH STARTS) Act of 2023”.

35 **Sec. 2. Definitions.**

36 For the purposes of this act, the term:

37 (a) “Correctional facilities” means the Central Detention Facility, Correctional
38 Treatment Facility, Central Cell Block, and any other facilities operated by or contracted on
39 behalf of the Department of Corrections to house incarcerated individuals.

40 (b) “Director” means the Director of the Department of Corrections.

41 (c) “DOC” means the Department of Corrections.

42 (d) “DOC detainees” means individuals who are incarcerated in the Central
43 Detention Facility, Correctional Treatment Facility, and any other facilities operated by the
44 Department of Corrections to house incarcerated individuals.

45 (e) "Good Food Purchasing Program's core values" (“GFPP’s core values”) means
46 the following 5 core values established by the Center for Good Food Purchasing for its Good
47 Food Purchasing Program:

48 (1) Local economies;

49 (2) Nutrition;

50 (3) Valued workforce;

51 (4) Environmental sustainability; and

52 (5) Animal welfare.

53 (f) “Nutrient-dense foods” means foods that fulfill recommended nutritional
54 standards identified by the USDA’s Dietary Guidelines for Americans as important components
55 of a healthy dietary pattern, including:

56 (1) At least two servings of dark green vegetables per week, at least one of
57 which is served raw;

58 (2) At least three servings of red and orange vegetables per week, at least
59 one of which is served raw; and

60 (3) At least one serving of raw fruit per day.

61 (g) “Task Force” means the Healthy Food in DC Correctional Facilities Task
62 Force established pursuant to this Title.

63 **Sec. 3. Nutrition Goals and Standards.**

64 (a) Starting January 1, 2024, DOC shall provide all DOC detainees with daily
65 meals that meet or exceed the federal nutritional standards set forth in the most recent edition of
66 the U.S. Department of Agriculture and U.S. Department of Health and Human Services Dietary
67 Guidelines for Americans, established pursuant to the 1990 National Nutrition Monitoring and
68 Related Research Act, approved October 22, 1990 (104 Stat. 1034, 7 U.S.C. § 5341 et seq.),
69 except:

70 (1) Where the Task Force develops and establishes independent nutritional
71 guidelines that meet or exceed the USDA’s Dietary Guidelines for Americans, DOC shall
72 provide meals in compliance with those Task Force standards; and

73 (2) Notwithstanding any general nutritional standards, DOC detainees who
74 have dietary restrictions or requirements based on health or medical need or religious or cultural
75 belief shall receive meals in compliance with such needs or beliefs.

76 (b) Correctional facilities shall:

77 (1) Serve nutritious and well-balanced meals, in compliance with
78 established nutritional standards, to DOC detainees; and

79 (2) Serve a plant-based food option as the main course to DOC detainees
80 who request a plant-based diet for medical, health, religious, or ethical reasons.

81 (c) DOC is strongly encouraged to procure food for DOC detainees in a manner
82 consistent with the GFPP's core values.

83 (d) Starting January 1, 2024, the Fresh Foods Fund shall be used to purchase
84 nutrient-dense foods to supplement existing funding for food for DOC detainees.

85 **Sec. 4. Fresh Foods Fund.**

86 (a) There is established as a nonlapsing fund the Fresh Foods Fund (“Fund”),
87 which shall be used solely as provided in subsection (c) of this section and administered by the
88 DOC. The Fund shall be funded by annual appropriations, which shall be deposited into the
89 Fund.

90 (b) All funds deposited into the Fund, and any interest earned on those funds,
91 shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia
92 at the end of a fiscal year, or at any other time, but shall be continually available for the uses and
93 purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject
94 to authorization by Congress.

95 (c) The Fund shall be used to purchase nutrient-dense foods to supplement any
96 existing contracts for food in correctional facilities to meet nutritional standards, as required in
97 Section 3 of this title, through food procurement aligned with the GFPP’s core values, and may
98 be used to provide monthly grants to indigent detainees for the purchase of commissary food
99 items.

100 **Sec. 5. Good Food Purchasing Program.**

101 (a) Before December 31, 2023, DOC shall conduct a Good Food Purchasing
102 Program ("GFPP") baseline assessment to determine how DOC can better meet the GFPP core
103 values.

104 (b) DOC shall use findings from the assessment required under subsection (a) of
105 this section to increase food procurement consistent with the GFPP's core values.

106 (c) Before December 31, 2024, and annually thereafter, DOC shall complete a
107 follow-up assessment to demonstrate progress toward the GFPP core values.

108 (d) The Mayor shall develop and publish standards, known as the Good Food
109 Purchasing Policy and consistent with GFPP core values, that the DOC shall use in making
110 decisions on the award of grants and contracts for operations and management of the DOC food
111 service program.

112 (e) After the effective date of this Act, all contracts for operation and management
113 of the DOC food service program shall:

114 (1) Be procured in accordance with the Procurement Practices Reform Act
115 of 2010, effective April 8, 2011 (D.C. Law 18 371; D.C. Official Code § 2 351.01 et seq.) and all
116 other applicable District law;

117 (2) Be consistent with the standards developed by the Mayor under sub-
118 section (d) of this section;

119 (3) Where executed with external, non-governmental service providers,
120 provide for non-exclusive provision of services to offer flexibility to maximize food procurement
121 aligned with GFPP values; and

122 (4) Require that contractors and sub-contractors clearly itemize the
123 amount spent on food products separate from other services or administrative costs.

124 **Sec. 6. Food Quality, Health and Safety Reporting.**

125 (a) DOC shall make the following reports available to the public by publishing on
126 the DOC webpage within 30 days of receipt from the reporting agency or individual:

127 (1) Quarterly inspection of food service operations compliance conducted
128 by the Food Protection Branch of the Department of Health, or similar equivalent report;

129 (2) Monthly inspection of environmental safety and sanitation of the
130 culinary unit conducted by the Safety Officer of the DOC, or similar equivalent report;
131 and

132 (3) Quarterly inspection of food service operations conducted by the Food
133 Services Contract Monitor of the DOC, or similar equivalent report.

134 (b) The following inspections shall be performed in partnership with a Task Force
135 representative, as designated by the Task Force, and, if possible, unannounced to DOC
136 employees, contractors, or other representatives:

137 (1) Quarterly inspection of food service operations compliance
138 conducted by the Food Protection Branch of the Department of Health, or similar
139 equivalent inspection;

140 (2) Monthly inspection of environmental safety and sanitation of the
141 culinary unit conducted by the Safety Officer of the DOC, or similar equivalent
142 inspection; and

143 (3) Quarterly inspection of food service operations conducted by the Food
144 Services Contract Monitor of the DOC, or similar equivalent inspection.

145 (c) DOC shall provide a public annual progress report to the Mayor and Council
146 on the quality, health, and safety of food programs in DOC facilities and DOC's
147 implementation of the Good Food Purchasing Policy during the preceding year,
148 including, at a minimum, the following:

149 (1) Food security screening of all DOC detainees;

150 (2).Assessment of DOC's alignment with each of GFPP's core values;

151 (3) All actions taken by DOC and its partners to advance each of GFPP's
152 core values;

153 (4) Any citations received by DOC and its contractors during the
154 preceding year related to food safety or nutrition and associated mitigation plans;

155 (5) Data on food-borne illnesses and diet-related diseases and chronic
156 medical conditions among detainees, including frequency of medical visits categorized by
157 ailment or condition;

158 (6) Data on food waste in correctional facilities;

159 (7) Photos of meals served in correctional facilities;

160 (8) Quarterly surveys of detainees about food quality and meal delivery,
161 with questions designed by the Task Force and administered such that detainees may respond
162 anonymously;

163 (9) Qualitative data on detainee satisfaction with food in correctional
164 facilities; and

165 (10) Data on detainee participation in hospitality job readiness & training,
166 including number of detainees participating in job training compared to the number of eligible
167 detainees.

168 **Sec. 7. Task Force.**

169 (a) Starting no later than July 1, 2023, Council shall convene a task force, which
170 shall be known as the Healthy Food in DC Correctional Facilities Task Force ("Task Force").

171 (b) The Chairman of the Council shall appoint a Council representative to the
172 Task Force.

173 (c) The Mayor shall appoint representatives from the following District
174 government agencies to the Task Force:

- 175 (1) Department of Corrections;
- 176 (2) DC Food Policy Council;
- 177 (3) Department of Health;
- 178 (4) Department of Energy and the Environment;
- 179 (5) Department of Employment Services; and
- 180 (6) Mayor's Office on Returning Citizens.

181 (d) The Mayor shall also appoint:

- 182 (1) One male individual and one female individual who was formerly
183 incarcerated in DOC facilities and has work experience in the food services or hospitality
184 industries;
- 185 (2) One male individual and one female individual who is currently
186 incarcerated in DOC facilities;
- 187 (3) An individual with expertise in researching or implementing food
188 policy in carceral settings;
- 189 (4) A representative from the DC Good Food Purchasing Coalition; and
- 190 (5) A registered dietitian.

191 (e)(1) The Task Force, in partnership with the DC Food Policy Council, shall
192 submit a healthy food in DC correctional facilities report to the Mayor and Council by July 1,
193 2024.

194 (2) The report shall identify implementable steps to accomplish the
195 following in 5 years:

196 (A) Establish nutritional guidelines and meal programs that support
197 detainee health, well-being, and religious and cultural identities;

198 (B) Transition towards a self-operated food service model, where
199 meals are cooked and prepared from ingredients within District government facilities;

200 (C) Establish or increase capacity of a hospitality and culinary arts
201 training and education program for DOC detainees, with an emphasis on increasing participants'
202 economic stability and reducing recidivism by connecting participants with apprenticeship or job
203 placements and supportive services upon release;

204 (D) Increase healthy, affordable food options in jail commissaries,
205 with at least 70% of food options meeting established nutritional standards;

206 (E) Include an urban farm within the design of any new or
207 remodeled D.C. jail facilities, where any food produced that is eligible for consumption shall be
208 directed for consumption by detainees and any surplus food shall be donated to local food banks;

209 (F) Consider creation of a permanent, independent oversight body
210 for the Department of Corrections;

211 (G) Consider creation and use of a central dining area or other
212 mealtime facilities conducive to positive eating habits, serving food at appropriate temperatures,
213 and safety;

214 (H) Create a long-term procedure or focus group within DOC to
215 engage and regularly survey detainees regarding food served, meal delivery, and mealtime
216 procedures at DOC facilities, and to incorporate detainee feedback into the food program on an
217 ongoing basis;

218 (I) Introduce programming on nutrition and health education for
219 detainees of DOC facilities; and

220 (J) Other related goals at the discretion of the Task Force.

221 (f) The Task Force shall meet every 6 weeks until it submits the report required
222 pursuant to subsection (e) of this section.

223 (g) The Task Force shall not be considered a public body for purposes of
224 subchapter IV of Chapter 5 of Title 2.

225 **Sec. 8. Hospitality Careers**

226 (a) The Mayor shall establish a hospitality and culinary arts training program
227 (“Program”) for DOC detainees in partnership with existing hospitality and culinary arts career
228 training and education programs within 8 months of publication of the report prepared by the
229 Task Force, as provided by section 7(e). The Program should be established pursuant to the
230 recommendations set forth by the Task Force in the report prepared pursuant to section 7(e). The
231 Program shall provide hospitality career and culinary arts training and education opportunities
232 for DOC detainees, including, at a minimum, food handlers certification. The Program shall
233 identify employer partners to assist with apprenticeship or job placement for Program
234 participants upon release from DOC facilities and connect participants who are placed with
235 wraparound services, including life skills training, employment coaching, housing, and
236 healthcare.

237 (b) Part of the foods procured using funds from the Fresh Food Fund should be prepared
238 by DOC detainees engaged in the Program.

239 (c) All DOC detainees engaged in food preparation or related services shall be paid no
240 less than the living wage as established pursuant to the Way to Work Amendment Act, effective
241 June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.02 et seq.)

242 **Sec. 9. Fiscal Impact Statement.**

243 The Council adopts the fiscal impact statement in the committee report as the fiscal
244 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
245 approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a).

246 **Sec. 10. Effective Date.**

247 This act shall take effect following approval by the Mayor (or in the event of veto by the
248 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
249 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
250 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
251 Columbia Register.