

E2SHB 1422 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 04/04/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature recognizes the significant
4 impact on the lives and well-being of children and families when a
5 parent is incarcerated. It is the intent of the legislature to support
6 children and families, and maintain familial connections when
7 appropriate, during the period a parent is incarcerated. Further, the
8 legislature finds that there must be a greater emphasis placed on
9 identifying state policies and programs impacting children with
10 incarcerated parents. Additionally, greater effort must be made to
11 ensure that the policies and programs of the state are supportive of
12 the children, and meet their needs during the time the parent is
13 incarcerated.

14 According to the final report of the children of incarcerated
15 parents oversight committee, helping offenders build durable family
16 relationships may reduce the likelihood that their children will go to
17 prison later in life. Additionally, the report indicates that
18 offenders who reconnect with their families in sustaining ways are less
19 likely to reoffend. In all efforts to help offenders build these
20 relationships with their children, the safety of the children will be
21 paramount.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW
23 to read as follows:

24 (1) The secretary of corrections shall review current department
25 policies and assess the following:

26 (a) The impact of existing policies on the ability of offenders to
27 maintain familial contact and engagement between inmates and children;
28 and

1 (b) The adequacy and availability of programs targeted at inmates
2 with children.

3 (2) The secretary shall adopt policies that encourage familial
4 contact and engagement between inmates and their children with the goal
5 of reducing recidivism and intergenerational incarceration. Programs
6 and policies should take into consideration the children's need to
7 maintain contact with his or her parent and the inmate's ability to
8 develop plans to financially support their children, assist in
9 reunification when appropriate, and encourage the improvement of
10 parenting skills where needed.

11 (3) The department shall conduct the following activities to assist
12 in implementing the requirements of subsection (1) of this section:

13 (a) Gather information and data on the families of inmates,
14 particularly the children of incarcerated parents;

15 (b) Evaluate data to determine the impact on recidivism and
16 intergenerational incarceration; and

17 (c) Participate in the children of incarcerated parents advisory
18 committee and report information obtained under this section to the
19 advisory committee.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04 RCW
21 to read as follows:

22 (1)(a) The secretary of social and health services shall review
23 current department policies and assess the adequacy and availability of
24 programs targeted at persons who receive services through the
25 department who are the children and families of a person who is
26 incarcerated in a department of corrections facility. Great attention
27 shall be focused on programs and policies affecting foster youth who
28 have a parent who is incarcerated.

29 (b) The secretary shall adopt policies that encourage familial
30 contact and engagement between inmates of the department of corrections
31 facilities and their children with the goal of facilitating normal
32 child development, while reducing recidivism and intergenerational
33 incarceration. Programs and policies should take into consideration
34 the children's need to maintain contact with his or her parent, the
35 inmate's ability to develop plans to financially support their
36 children, assist in reunification when appropriate, and encourage the

1 improvement of parenting skills where needed. The programs and
2 policies should also meet the needs of the child while the parent is
3 incarcerated.

4 (2) The secretary shall conduct the following activities to assist
5 in implementing the requirements of subsection (1) of this section:

6 (a) Gather information and data on the recipients of public
7 assistance, or children in the care of the state under chapter 13.34
8 RCW, who are the children and families of inmates incarcerated in
9 department of corrections facilities; and

10 (b) Participate in the children of incarcerated parents advisory
11 committee and report information obtained under this section to the
12 advisory committee.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.215 RCW
14 to read as follows:

15 (1)(a) The director of the department of early learning shall
16 review current department policies and assess the adequacy and
17 availability of programs targeted at persons who receive assistance who
18 are the children and families of a person who is incarcerated in a
19 department of corrections facility. Great attention shall be focused
20 on programs and policies affecting foster youth who have a parent who
21 is incarcerated.

22 (b) The director shall adopt policies that support the children of
23 incarcerated parents and meet their needs with the goal of facilitating
24 normal child development, while reducing intergenerational
25 incarceration.

26 (2) The director shall conduct the following activities to assist
27 in implementing the requirements of subsection (1) of this section:

28 (a) Gather information and data on the recipients of assistance who
29 are the children and families of inmates incarcerated in department of
30 corrections facilities; and

31 (b) Participate in the children of incarcerated parents advisory
32 committee and report information obtained under this section to the
33 advisory committee.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.300
35 RCW to read as follows:

36 (1) The superintendent of public instruction shall review current

1 policies and assess the adequacy and availability of programs targeted
2 at children who have a parent who is incarcerated in a department of
3 corrections facility. The superintendent of public instruction shall
4 adopt policies that support the children of incarcerated parents and
5 meet their needs with the goal of facilitating normal child
6 development, including maintaining adequate academic progress, while
7 reducing intergenerational incarceration.

8 (2) The superintendent shall conduct the following activities to
9 assist in implementing the requirements of subsection (1) of this
10 section:

11 (a) Gather information and data on the students who are the
12 children of inmates incarcerated in department of corrections
13 facilities; and

14 (b) Participate in the children of incarcerated parents advisory
15 committee and report information obtained under this section to the
16 advisory committee.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.63A RCW
18 to read as follows:

19 (1)(a) The department of community, trade, and economic development
20 shall establish an advisory committee to monitor, guide, and report on
21 recommendations relating to policies and programs for children and
22 families with incarcerated parents.

23 (b) The advisory committee shall include representatives of the
24 department of corrections, the department of social and health
25 services, the department of early learning, the office of the
26 superintendent of public instruction, representatives of the private
27 nonprofit and business sectors, child advocates, representatives of
28 Washington state Indian tribes as defined under the federal Indian
29 welfare act (25 U.S.C. Sec. 1901 et seq.), court administrators, the
30 administrative office of the courts, the Washington association of
31 sheriffs and police chiefs, jail administrators, the office of the
32 governor, and others who have an interest in these issues.

33 (c) The advisory committee shall:

34 (i) Gather the data collected by the departments as required in
35 sections 2 through 5 of this act;

36 (ii) Monitor and provide consultation on the implementation of

1 recommendations contained in the 2006 children of incarcerated parents
2 report;

3 (iii) Identify areas of need and develop recommendations for the
4 legislature, the department of social and health services, the
5 department of corrections, the department of early learning, and the
6 office of the superintendent of public instruction to better meet the
7 needs of children and families of persons incarcerated in department of
8 corrections facilities; and

9 (iv) Advise the department of community, trade, and economic
10 development regarding community programs the department should fund
11 with moneys appropriated for this purpose in the operating budget. The
12 advisory committee shall provide recommendations to the department
13 regarding the following:

14 (A) The goals for geographic distribution of programs and funding;

15 (B) The scope and purpose of eligible services and the priority of
16 such services;

17 (C) Grant award funding limits;

18 (D) Entities eligible to apply for the funding;

19 (E) Whether the funding should be directed towards starting or
20 supporting new programs, expanding existing programs, or whether the
21 funding should be open to all eligible services and providers; and

22 (F) Other areas the advisory committee determines appropriate.

23 (d) The children of incarcerated parents advisory committee shall
24 update the legislature and governor annually on committee activities,
25 with the first update due by January 1, 2008.

26 (2) The department of community, trade, and economic development
27 shall select community programs or services to receive funding that
28 focus on children and families of inmates incarcerated in a department
29 of corrections facility and sustaining the family during the period of
30 the inmate's incarceration.

31 (a) Programs or services which meet the needs of the children of
32 incarcerated parents should be the greatest consideration in the
33 programs that are identified by the department.

34 (b) The department shall consider the recommendations of the
35 advisory committee regarding which services or programs the department
36 should fund.

37 (c) The programs selected shall collaborate with an agency, or
38 agencies, experienced in providing services to aid families and victims

1 of sexual assault and domestic violence to ensure that the programs
2 identify families who have a history of sexual assault or domestic
3 violence and ensure the services provided are appropriate for the
4 children and families.

5 NEW SECTION. **Sec. 7.** The children of incarcerated parents
6 oversight committee shall expire on the effective date of this section.

7 NEW SECTION. **Sec. 8.** If specific funding for the purposes of this
8 act, referencing this act by bill or chapter number, is not provided by
9 June 30, 2007, in the omnibus appropriations act, this act is null and
10 void."

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11 On page 1, line 1 of the title, after "parents;" strike the
12 remainder of the title and insert "adding a new section to chapter
13 72.09 RCW; adding a new section to chapter 74.04 RCW; adding a new
14 section to chapter 43.215 RCW; adding a new section to chapter 28A.300
15 RCW; adding a new section to chapter 43.63A RCW; and creating new
16 sections."

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