

# FINAL BILL REPORT

## E2SHB 1422

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Synopsis as Enacted

**Brief Description:** Addressing children and families of incarcerated parents.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Roberts, Dickerson, Appleton, Walsh, Haler, Darneille, Lovick, Pettigrew, Quall, Hasegawa, Sells, Goodman, Eddy, Green, O'Brien, Chase, Kagi, Ormsby and Santos).

**House Committee on Human Services**

**House Committee on Appropriations**

**Senate Committee on Human Services & Corrections**

### **Background:**

According to the federal Justice Department's Bureau of Justice Statistics, an estimated 2 percent of the nation's 72 million children under 18 years of age had an imprisoned parent in 1999. Almost 1.5 million minor children had a parent in prison, which constitutes an increase of more than 500,000 children since 1991. Of those children with imprisoned parents, 58 percent were under 10 years of age, with the average being 8 years of age.

Nationwide, 40 percent of the imprisoned fathers and 60 percent of the imprisoned mothers reported weekly contact with their children by phone, mail, or visit. However, a majority of both fathers (57 percent) and mothers (54 percent) reported never having had a personal visit with their children since their admission to state prison. More than 60 percent of the parents in state prisons reported being held more than 100 miles from their last place of residence.

In 2005 legislation was enacted that required the Department of Corrections (DOC), in partnership with the Department of Social and Health Services (DSHS), to establish an oversight committee to develop a comprehensive interagency plan to provide the necessary services and supports for the children of this state whose parents are incarcerated in jail or prison.

The oversight committee was required to develop the interagency plan by June 30, 2006, with an interim report due to the appropriate committees of the Legislature by January 1, 2006. The oversight committee submitted its report to the Legislature in 2006. The report contained numerous recommendations including the following:

- create a policy level position, funded by the DOC, to work on systemic parenting issues faced due to incarceration;
- develop a protocol for gathering information about children as a part of the criminal hearings process;
- develop protocols for gathering data in the DOC diagnostic and reception centers;
- develop arrest protocols for adults with children;

- educate human service, judicial and education professionals;
- provide child care for families during court proceedings;
- collaborative inside/outside family resource centers;
- implement systemic programs that encourage contact, increase communication and strengthen the chances of reunification between children and their incarcerated parents; and
- promote economic stability in families where children of incarcerated parents reside.

**Summary:**

The Department of Corrections (DOC), the Department of Social and Health Services (DSHS), the Department of Early Learning, and the Office of the Superintendent of Public Instruction (OSPI) are each required to review their agency policies relating to the adequacy and availability of programs or services targeted at inmates who have children or the children and families of a person who is incarcerated in a DOC facility.

The secretary or director of each agency is required to adopt policies and programs that encourage familial contact and engagement between inmates and their children with the goal of reducing recidivism and intergenerational incarceration.

Each agency is required to designate a policy level staff person who is responsible for the following:

- gathering information and data on the children and families of inmates;
- developing programs and policies that focus on sustaining the families during the period of the parent's incarceration and to assist reunification if appropriate; and
- participating in the Children of Incarcerated Parents Advisory Committee and reporting the information gathered regarding the staff person's agency to the advisory committee.

The DOC is also required to evaluate data to determine the impact of agency policies on recidivism and intergenerational incarceration.

The Department of Community, Trade and Economic Development (DCTED) is required to establish an advisory committee to monitor, guide, and report on recommendations relating to policies and programs for children and families of persons incarcerated in DOC facilities. The advisory committee includes representatives from the above agencies, as well as private and nonprofit business sectors, child advocates, representatives of Washington Indian Tribes, court administrators, the Administrative Office of the Courts, Washington Association of Sheriffs and Police Chiefs, jail administrators, the Office of the Governor, and others who have an interest in the issues.

The advisory committee is required to submit recommendations to the DCTED regarding which community programs the DCTED should fund. The programs funded by the DCTED should collaborate with an agency, or agencies, that serve sexual assault and domestic violence victims to ensure the programs provide appropriate services.

**Votes on Final Passage:**

House	86	11	
Senate	47	0	(Senate amended)
House	89	6	(House concurred)

**Effective:** July 22, 2007