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# A BILL FOR AN ACT

RELATING TO CHILDREN.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that an estimated six  
2 thousand children in the State of Hawaii have a parent in  
3 prison. Many children of incarcerated parents experience grief,  
4 guilt, shame, fear, depression, and have difficulty sleeping or  
5 concentrating. Although children need to maintain contact with  
6 their parent, visits at correctional facilities can be  
7 frightening for some children.

8           The purpose of this Act is to help maintain the well-being  
9 of children of incarcerated parents and support their needs.

10          SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13           "§346-       Guiding principles to be used by state agencies  
14 when dealing with children of incarcerated parents. The guiding  
15 principles to be used by the state agencies when dealing with  
16 children of incarcerated parents shall be as follows:

17           (1) Children shall be treated with respect and dignity at  
18           all times;



- 1        (2) The children's safety and care shall be of paramount  
2        importance to all involved;
- 3        (3) If the children so choose, communication avenues shall  
4        be made available such that the children shall have  
5        opportunities to see, speak to, or visit parents,  
6        where appropriate;
- 7        (4) State support for the children shall be provided as  
8        resources permit;
- 9        (5) The children shall be kept safe and informed at the  
10       time of the parent's arrest;
- 11       (6) The children's wishes are taken into consideration  
12       regarding any decisions made concerning their welfare;
- 13       (7) The children's wishes are taken into consideration  
14       when decisions are made about their incarcerated  
15       parent;
- 16       (8) Children shall be well cared for in the absence of an  
17       incarcerated parent;
- 18       (9) Children shall receive proper support during any  
19       struggles with the parent's incarceration;
- 20       (10) Children shall not be judged, blamed, or labeled  
21       because of a parent's incarceration; and



1        (11) Children shall receive support for the desire to  
2                retain a relationship with an incarcerated parent,  
3                where appropriate."

4        SECTION 3. New statutory material is underscored.

5        SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Children; Children of Incarcerated Parents; Guiding Principles

**Description:**

Establishes guiding principles to be used by state agencies when dealing with children of incarcerated parents. (SD1)

