

**ACT 250**

S.B. NO. 1174

A Bill for an Act Relating to Incarcerated Parents.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that during the 1990s, the number of incarcerated parents in the United States grew by approximately fifty-nine per cent. The legislature further finds that currently there is no means of determining the exact number of incarcerated individuals with minor children in Hawaii as no procedure is in place for collecting such data. However, it is estimated that there are approximately 3,163 parents of 6,665 children in Hawaii's prison system.

An increased focus needs to be placed on the children of incarcerated individuals to maintain a parent-child bond. Intervention is also needed with parent-child relationships in the non-incarcerated offender population. Studies indicate that the children of incarcerated individuals suffer from a multitude of negative consequences, including possible displacement from their home and separation from their

primary or secondary caregiver. As a result, these children experience strong emotional reactions to the incarceration and disruption in their home life, leading to a significant increase, up to six times more likely, of becoming involved in the criminal justice system themselves.

State policies contribute to the breakdown of the family by failing to facilitate the continued relationship between incarcerated individuals and their children when the relationship is in the best interests of the child. Denial of visitation is a means of punishment or discipline of the incarcerated individuals, but those who truly suffer are the children. The strengthening of family relationships has a positive effect on recidivism as studies have shown it lessens the possibility of future incarceration after an inmate's release from a correctional facility. Studies have also shown that therapeutic involvement with families during incarceration builds better and stronger relationships between the incarcerated parent's children and the incarcerated parent once the parent is released.

A successful model already has been developed and implemented in the State: the Strengthening Keiki of Incarcerated Parents (SKIP) Project aims to strengthen families, decrease abuse and neglect of children of incarcerated parents, and decrease the occurrence of repeat incarceration. The SKIP program works with incarcerated fathers at Waiawa correctional facility, and has been a model for projects in correctional facilities for both male and female inmates and institutions servicing other offender populations, such as No Na Kamalii and Ohana Strengthening at the Maui community correctional center and Makua Keiki at the Kauai community correctional center. A partnership is currently underway to replicate the program in the Hawaii community correctional center, as well. All of the related SKIP programs have formed a coalition known as the SKIP Partnership.

In addition to an educational playgroup, the program also enrolls the incarcerated parents in parenting programs, such as Nurturing Fathers and Supporting Parents as First Teachers, to help them reflect and heal from their neglectful and abusive childhoods, begin to learn how to nurture themselves and others, and to develop good parenting skills. The combination of education, play and learn groups, and support groups is aimed to increase an incarcerated parent's ability to provide a safe and nurturing environment for young children.

The legislature determines that the State should take an active role in aiding these families through the provision of incarcerated and non-incarcerated offender parent-child interaction programs, such as the SKIP program, to ensure that these children can build and maintain strong relationships with their parents and grow into well-adjusted, contributing members of the community.

The purpose of this Act is to support the continuation and expansion of parent-child interaction programs, such as the SKIP program, at other state correctional facilities and institutions servicing other offender populations to facilitate appropriate interactions and bonding between offender parents and their children.

**SECTION 2. Incarcerated parent-child interaction programs.** (a) Within the department of public safety, incarcerated parent-child interaction programs, such as the SKIP program, shall be developed for both male and female state correctional facilities and institutions servicing other offender populations. Funding may be used for:

- (1) The purchasing, development, and implementation of offender parent-child interaction programs that meet security requirements, such as the SKIP program, throughout the state correctional system and for institutions and agencies servicing other offender populations;
- (2) The collection of best available demographic data on the children of incarcerated parents including the number of children each incarcerated parent has; the children's ages, resident addresses, and schools; custody

and caregiving arrangements; and needed services provided that such data is to remain confidential and made available for the sole use of government agencies and government-contracted service providers and for the sole purpose of providing services to these children; and

- (3) An independent review of the programs using researchers such as the University of Hawaii at Manoa, public policy center.
- (b) Funding may also be used for:
  - (1) The training of public safety personnel on the merits of the programs; and
  - (2) The hiring of additional public safety personnel to facilitate the implementation of the programs.

(c) The independent reviewer contracted by the director of public safety shall submit a report, including its findings, recommendations, and any proposed legislation, to the legislature no later than twenty days prior to the convening of the 2008 regular session.

(d) The department of public safety shall take steps to implement incarcerated parent-child interaction programs such as the SKIP program. The department shall contract with nonprofit health and human services and other relevant agencies or organizations to develop and implement the recommended programs or services. The contract shall be executed in accordance with chapter 103F, Hawaii Revised Statutes.

**SECTION 3.** There is appropriated out of the general revenues of the State of Hawaii the sum of \$250,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof for fiscal year 2008-2009 for incarcerated parent-child interaction programs at state correctional facilities and institutions and agencies servicing other offender populations.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

**SECTION 4.** This Act shall take effect on July 1, 2007.

(Approved July 3, 2007.)