

**A BILL FOR AN ACT**

**VETO OVERRIDE**

RELATING TO CHILDREN.

ACT No. 7  
Approved: [Signature]  
Dated: July 8, 2008

**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 should be treated with respect and dignity at  
18 all times;



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



1        (11) Children should 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.

