

BILL OF RIGHTS FOR CHILDREN OF INCARCERATED PARENTS

In Oregon, approximately 70,000 children have experienced a parent incarcerated in their lifetime. While these children haven't committed a crime, they often pay a high price for the actions of their parents – forfeiting their well-being, their health, their self-image, their relationships with their peers, and their sources of comfort and affection. Every aspect of their lives and their futures are impacted as their parents move through the criminal justice system, but they have no rights, explicit or implicit, within any of the jurisdictions they come into contact with (police, courts, jails and prisons, probation and parole). This has to change. While we cannot remove the obstacles and traumas faced by children of incarcerated parents, we can help to create a system that recognizes their needs and prioritizes their rights.

SB 241 creates a Bill of Rights for Children of Incarcerated Parents, ensuring that every child whose parent is arrested and/or incarcerated is guaranteed the rights that follow:

- To be protected from additional trauma at the time of parental arrest.
- To be informed of the arrest in an age-appropriate manner.
- To be heard and respected by decision makers when decisions are made about the child.
- To be considered when decisions are made about the child's parent.
- To be cared for in the absence of the child's parent in a way that prioritizes the child's physical, mental and emotional needs.
- To speak with, see and touch the incarcerated parent.
- To be informed about local services and programs that can provide support to the child as the child deals with the parent's incarceration.
- To not be judged, labeled or blamed for the parent's incarceration.
- To have a lifelong relationship with the incarcerated parent.

As written, SB 241 also creates a task force to develop and implement policy and funding recommendations to ensure that criminal justice policy and practice take into account these rights, from the time a parent is arrested to the time the family is reunited. We are anticipating a -1 amendment that will remove the creation of a task force from the bill as the Governor's Re-Entry Council has agreed to take on the work currently required of the task force. These rights will serve as a guiding set of principles for the work of the Council's Family Engagement implementation team as they determine policies and practices that ensure the needs and best interests of children with incarcerated parents are part of decision-making processes in the criminal justice system. **Please support SB 241!**

WHO IS AFFECTED BY PARENTAL INCARCERATION?

- 1 in 14 children
- 1 in 9 African American children
- 1 in 8 children living in poverty
- Half are under the age of ten

CHILDREN WHOSE PARENTS ARE INVOLVED IN THE CRIMINAL JUSTICE SYSTEM ARE:

- 4 times more likely to reside in juvenile detention facilities
- 3 times more likely to drop out of high school
- African American children are 65% more likely to end up homeless

* Statistics from the Annie E. Casey *A Shared Sentence* 2016 Policy Report & the National Resource Center on Children & Families of the Incarcerated.