

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2007-151

State of Arkansas

As Engrossed: S3/26/07

86th General Assembly

A Bill

Regular Session, 2007

SENATE BILL 921

By: *Senators Wilkins, Brown*

Referred to

State Agencies & Gov't Affairs - Senate

by the Arkansas Senate

on 03/28/2007

For An Act To Be Entitled

AN ACT TO PROVIDE FOR A COMPREHENSIVE REVIEW OF
STATE AGENCIES' RULES AND PROCEDURES THAT RELATE
TO CHILDREN AND FAMILIES OF INCARCERATED PARENTS;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO PROVIDE FOR A COMPREHENSIVE
REVIEW OF STATE AGENCIES' RULES AND
PROCEDURES THAT RELATE TO CHILDREN AND
FAMILIES OF INCARCERATED PARENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Legislative intent.

The General Assembly finds:

(1) Arkansas is the home of approximately fifty-one thousand (51,000) children who have experienced parental incarceration during their childhoods;

(2) An additional estimated thirty-five thousand (35,000) children have a parent under some type of criminal justice sanction;

(3) Children whose parents are incarcerated or sanctioned have a vulnerability toward future incarceration due to the lack of support and

1 services during their parent's absence;

2 (4) The life events of these children are permeated with risk
3 factors of poverty, low educational attainment, coming from communities of
4 violence, and coping with domestic violence in their homes;

5 (5) Grief, loss, sadness, anxiety, depression, and post-
6 traumatic stress reactions are pervasive among these children; and

7 (6) These children are seldom considered in the development of
8 policies concerning, law enforcement, judiciary, parole, probation, public
9 defenders, prosecutors, and child welfare.

10
11 SECTION 2. Governor's Commission for Children and Families with
12 Incarcerated Parents.

13 (a) There is created the "Governor's Commission for Children and
14 Families with Incarcerated Parents."

15 (b) The commission shall consist of thirteen (13) members appointed by
16 the Governor as follows:

17 (1)(A) Two (2) members of the commission shall be community
18 leaders or professionals that have served children of the incarcerated and
19 their families for more than twelve (12) years

20 (B) Members appointed under subdivision (b)(1) of this
21 section shall serve as cochairs of the commission;

22 (2) Two (2) members shall be adult children of incarcerated or
23 previously incarcerated parents;

24 (3) Two (2) members shall be parents who have been incarcerated
25 within the past twenty-four (24) months;

26 (4) Two (2) members shall be kinship caregivers of children of
27 incarcerated parents;

28 (5) One (1) member shall be a parent educator of incarcerated
29 parents within the Department of Correction;

30 (6) One (1) member shall be a mental health provider of specific
31 services to children of the incarcerated;

32 (7) One (1) member shall be a court appointed special advocate
33 volunteer with experience serving foster children of incarcerated parents;

34 (8) One (1) member shall be a policy analyst of the Governor's
35 office; and

36 (9) One (1) member shall be a member of the State Child Abuse

1 and Neglect Prevention Board or the member's designee.

2 (c)(1) Members appointed under subdivision (b)(1) of this section
3 shall serve as cochairs of the commission.

4 (2) The commission shall meet as necessary at the determination
5 of the cochairs.

6 (d) A quorum of the commission shall consist of seven (7) members.

7 (e) Members shall serve at the pleasure of the Governor.

8 (f) If a vacancy occurs on the commission, a successor shall be
9 appointed in the same manner as provided in the initial appointment.

10 (g) The members of the commission shall serve without compensation and
11 shall not receive per diem, mileage, or stipends.

12
13 SECTION 3. Filings with the Governor's Commission for Children and
14 Families with Incarcerated Parents.

15 On or before October 1, 2008, the following shall provide a written
16 review of their policies and procedures to the Governor's Commission for
17 Children and Families with Incarcerated Parents:

18 (1) The Department of Correction;

19 (2) The Department of Community Correction;

20 (3) The Division of Children and Family Services of the
21 Department of Health and Human Services; and

22 (4) Representatives of all state and local law enforcement
23 agencies.

24
25 SECTION 4. Powers and duties.

26 The Governor's Commission for Children and Families with Incarcerated
27 Parents shall:

28 (1) Review the reports provided under Section 3 of this act;

29 (2) Consider the impact of the policies and procedures contained
30 in the reports on the children of arrested, incarcerated, or paroled parents
31 and probationers; and

32 (3) Make recommendations to the entities filing the reports for
33 policy and improvements and changes that will:

34 (A) Result in improved well-being for children;

35 (B) Increase family ties between a child and his or her
36 incarcerated parent; and

1 (C) Lower the risk that the children of incarcerated
2 parents will be incarcerated themselves at some point.

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/s/ Brown

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