



## Legislation Text

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**File #:** Res 1066-2011, **Version:** \*

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### Res. No. 1066

Resolution calling upon the Mayor of the City of New York to convene an interagency commission to study obstacles faced by children of incarcerated parents, from arrest to reunification, and to consider the adoption of a bill of rights for children of incarcerated parents.

By Council Members Fidler, Barron, Brewer, Cabrera, Chin, Dromm, Eugene, Ferreras, Gennaro, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Van Bramer, Vann and Williams

Whereas, In New York State prisons, 58% of men and 71% of women report having one or more children according to the Departmental of Correctional Services Under Custody Report; and

Whereas, In New York City, the number of children with an incarcerated parent is unclear and there is no systematic method for counting or tracking this population; and

Whereas, The negative impacts of parental incarceration upon children can be apparent from the moment of arrest, as children who are directly exposed to the arrest of a parent often suffer from nightmares, flashbacks and post-traumatic stress disorder; and

Whereas, Several localities have arrest protocols in place to decrease the trauma a child experiences as a result of seeing his or her parent or guardian arrested, but it is unclear what procedures or protocols the New York City Police Department follow when arresting a parent; and

Whereas, A majority of parents in state prisons report never having had a personal visit with their children as common problems associated with visitation include transportation, expense, stress due to interaction with correctional staff, and the imposition of various restrictions upon the children; and

Whereas, Children of incarcerated parents often experience financial instability and material hardship due to the fact that when a parent is incarcerated, family income declines and often remains depressed after a

parent is released from prison; and

Whereas, Parental arrest can result in long-term foster care placement and eventually aging out of foster care; and

Whereas, Nationwide only 21% of children in foster care with an incarcerated mother reunify with family, compared to 40% for all children in foster care; and

Whereas, The New York City Administration for Children's Services has a Children of Incarcerated Parents Program which offers support and services for children in foster care but does not proactively identify children for the program and instead relies on other parties to contact the program; and

Whereas, Children of incarcerated parents may need services both during the time of the parent's incarceration and during reunification as these children are at an increased risk of poor school performance, drug use, mental health problems, and becoming incarcerated themselves; and

Whereas, Although there are many services available for parents who are incarcerated and their victims, there are relatively few available to the children of incarcerated parents; and

Whereas, Children of incarcerated parents may be subject to stigma and not receive the social support and sympathy generally given to families experiencing the involuntary loss of a family member; and

Whereas, Service organizations have adopted a Bill of Rights for Incarcerated Children which would help inform children of their rights and increase awareness of the needs of these children; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of the City of New York to convene an interagency commission to study the obstacles faced by children of incarcerated parents, from arrest to reunification, and to consider the adoption of a bill of rights for children of incarcerated parents.

JW  
LS 2331  
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