



## Legislation Text

---

**File #:** Res 0069-2014, **Version:** \*

---

### Res No. 69

Resolution calling upon New York State to adopt and disseminate a bill of rights for children of incarcerated parents.

By Council Members Williams and Rosenthal

Whereas, In New York State prisons, approximately 59 percent of men and 69 percent of women report having one or more children, according to the State of New York Department of Corrections and Community Supervision “Under Custody Report: Profile of Inmate Population Under Custody on January 1, 2013,” and;

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

Whereas, According to the Children and Youth Services Review, children who witnessed the arrest of someone in their household and had a recently arrested parent were 73 percent more likely to have elevated post-traumatic stress symptoms than children who did not have an arrested parent and had never witnessed an arrest, 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 follows when arresting a parent, and;

Whereas, According to 2009 a report, “Children of Incarcerated Parents,” published by the National Conference of State Legislatures, 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, 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, According to research, 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, According to the Osborne Association, 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 and some jurisdictions such as San Francisco have adopted a Bill of Rights for Children of Incarcerated Parents, which would help inform children of their rights and increase awareness of the needs of these children, and;

Whereas, New York State should develop and disseminate a Bill of Rights for Children of Incarcerated Parents to ensure that children in New York City who have incarcerated parents are aware of their rights and the services available to them; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State to adopt and disseminate of a Bill of Rights for Children of Incarcerated Parents.

AV  
Res. No. 1066-2011  
LS 167  
02/18/14