

Children of Incarcerated Parents Bill of Rights

In 2005, SFCIPP launched the Rights to Realities Initiative, with the long-term goal of ensuring that every child in San Francisco whose parent is arrested and/or incarcerated is guaranteed the rights that follow. Our current work plan involves assessing the current status of each right in San Francisco, and the availability of model practices from around the nation; identifying which agencies might contribute to addressing each right; and working with those agencies to develop responsive policies and practices. Our overarching aim is to ensure that every decision about criminal justice policy and practice takes into account the needs and hopes of children.

1. I have the right to be kept safe and informed at the time of my parent's arrest.

- Develop arrest protocols that support and protect children.
- Offer children and/or their caregivers' basic information about the post-arrest process.

2. I have the right to be heard when decisions are made about me.

- Train staff at institutions whose constituency includes children of incarcerated parents to recognize and address these children's needs and concerns.
- Tell the truth.
- Listen.

3. I have the right to be considered when decisions are made about my parent.

- Review current sentencing law in terms of its impact on children and families.
- Turn arrest into an opportunity for family preservation
- Include a family impact statement in pre-sentence investigation reports

4. I have the right to be well cared for in my parent's absence.

- Support children by supporting their caretakers.
- Offer subsidized guardianship.

5. I have the right to speak with, see and touch my parent.

- Provide access to visiting rooms that are child-centered, non-intimidating and conducive to bonding.
- Consider proximity to family when siting prisons and assigning prisoners.
- Encourage child welfare departments to facilitate contact.

6. I have the right to support as I face my parent's incarceration.

- Train adults who work with young people to recognize the needs and concerns of children whose parents are incarcerated.
- Provide access to specially trained therapists, counselors, and/or mentors.
- Save five percent for families.

7. I have the right not to be judged, blamed or labeled because my parent is incarcerated.

- Create opportunities for children of incarcerated parents to communicate with and support each other.
- Create a truth fit to tell.
- Consider differential response when a parent is arrested.

8. I have the right to a lifelong relationship with my parent.

- Re-examine the Adoption and Safe Families Act.
- Designate a family services coordinator at prisons and jails.
- Support incarcerated parents upon reentry.
- Focus on rehabilitation and alternatives to incarceration.