



GOV. MSG. NO. 1021

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 3, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on July 3, 2007, the following bill was signed into law:

SB1174 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO
INCARCERATED PARENTS.
(ACT 250)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor
on JUL 3 2007

ACT 250
S.B. NO. 1174
S.D. 1
H.D. 1
C.D. 1

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

A BILL FOR AN ACT

RELATING TO INCARCERATED PARENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that during the 1990s,
2 the number of incarcerated parents in the United States grew by
3 approximately fifty-nine per cent. The legislature further
4 finds that currently there is no means of determining the exact
5 number of incarcerated individuals with minor children in Hawaii
6 as no procedure is in place for collecting such data. However,
7 it is estimated that there are approximately 3,163 parents of
8 6,665 children in Hawaii's prison system.

9 An increased focus needs to be placed on the children of
10 incarcerated individuals to maintain a parent-child bond.
11 Intervention is also needed with parent-child relationships in
12 the non-incarcerated offender population. Studies indicate that
13 the children of incarcerated individuals suffer from a multitude
14 of negative consequences, including possible displacement from
15 their home and separation from their primary or secondary
16 caregiver. As a result, these children experience strong
17 emotional reactions to the incarceration and disruption in their



1 home life, leading to a significant increase, up to six times
2 more likely, of becoming involved in the criminal justice system
3 themselves.

4 State policies contribute to the breakdown of the family by
5 failing to facilitate the continued relationship between
6 incarcerated individuals and their children when the
7 relationship is in the best interests of the child. Denial of
8 visitation is a means of punishment or discipline of the
9 incarcerated individuals, but those who truly suffer are the
10 children. The strengthening of family relationships has a
11 positive effect on recidivism as studies have shown it lessens
12 the possibility of future incarceration after an inmate's
13 release from a correctional facility. Studies have also shown
14 that therapeutic involvement with families during incarceration
15 builds better and stronger relationships between the
16 incarcerated parent's children and the incarcerated parent once
17 the parent is released.

18 A successful model already has been developed and
19 implemented in the State: the Strengthening Keiki of
20 Incarcerated Parents (SKIP) Project aims to strengthen families,
21 decrease abuse and neglect of children of incarcerated parents,
22 and decrease the occurrence of repeat incarceration. The SKIP



1 program works with incarcerated fathers at Waiawa correctional
2 facility, and has been a model for projects in correctional
3 facilities for both male and female inmates and institutions
4 servicing other offender populations, such as No Na Kamalii and
5 Ohana Strengthening at the Maui community correctional center
6 and Makua Keiki at the Kauai community correctional center. A
7 partnership is currently underway to replicate the program in
8 the Hawaii community correctional center, as well. All of the
9 related SKIP programs have formed a coalition known as the SKIP
10 Partnership.

11 In addition to an educational playgroup, the program also
12 enrolls the incarcerated parents in parenting programs, such as
13 Nurturing Fathers and Supporting Parents as First Teachers, to
14 help them reflect and heal from their neglectful and abusive
15 childhoods, begin to learn how to nurture themselves and others,
16 and to develop good parenting skills. The combination of
17 education, play and learn groups, and support groups is aimed to
18 increase an incarcerated parent's ability to provide a safe and
19 nurturing environment for young children.

20 The legislature determines that the State should take an
21 active role in aiding these families through the provision of
22 incarcerated and non-incarcerated offender parent-child



1 interaction programs, such as the SKIP program, to ensure that
2 these children can build and maintain strong relationships with
3 their parents and grow into well-adjusted, contributing members
4 of the community.

5 The purpose of this Act is to support the continuation and
6 expansion of parent-child interaction programs, such as the SKIP
7 program, at other state correctional facilities and institutions
8 servicing other offender populations to facilitate appropriate
9 interactions and bonding between offender parents and their
10 children.

11 SECTION 2. **Incarcerated parent-child interaction programs.**

12 (a) Within the department of public safety, incarcerated
13 parent-child interaction programs, such as the SKIP program,
14 shall be developed for both male and female state correctional
15 facilities and institutions servicing other offender
16 populations. Funding may be used for:

- 17 (1) The purchasing, development, and implementation of
18 offender parent-child interaction programs that meet
19 security requirements, such as the SKIP program,
20 throughout the state correctional system and for
21 institutions and agencies servicing other offender
22 populations;



- 1 (2) The collection of best available demographic data on
2 the children of incarcerated parents including the
3 number of children each incarcerated parent has; the
4 children's ages, resident addresses, and schools;
5 custody and caregiving arrangements; and needed
6 services provided that such data is to remain
7 confidential and made available for the sole use of
8 government agencies and government-contracted service
9 providers and for the sole purpose of providing
10 services to these children; and
- 11 (3) An independent review of the programs using
12 researchers such as the University of Hawaii at Manoa,
13 public policy center.
- 14 (b) Funding may also be used for:
- 15 (1) The training of public safety personnel on the merits
16 of the programs; and
- 17 (2) The hiring of additional public safety personnel to
18 facilitate the implementation of the programs.
- 19 (c) The independent reviewer contracted by the director of
20 public safety shall submit a report, including its findings,
21 recommendations, and any proposed legislation, to the



1 legislature no later than twenty days prior to the convening of
2 the 2008 regular session.

3 (d) The department of public safety shall take steps to
4 implement incarcerated parent-child interaction programs such as
5 the SKIP program. The department shall contract with nonprofit
6 health and human services and other relevant agencies or
7 organizations to develop and implement the recommended programs
8 or services. The contract shall be executed in accordance with
9 chapter 103F, Hawaii Revised Statutes.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$250,000 or so much
12 thereof as may be necessary for fiscal year 2007-2008 and the
13 same sum or so much thereof for fiscal year 2008-2009 for
14 incarcerated parent-child interaction programs at state
15 correctional facilities and institutions and agencies servicing
16 other offender populations.

17 The sums appropriated shall be expended by the department
18 of public safety for the purposes of this Act.

19 SECTION 4. This Act shall take effect on July 1, 2007.



S.B. NO. 1174
S.D. 1
H.D. 1
C.D. 1



GOVERNOR OF THE STATE OF HAWAII

Approved this day: JUL 3 2007