

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1612

By: Anderson

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6 AS INTRODUCED

7 An Act relating to children; creating the Advisory
8 Council for Children of Incarcerated Parents;
9 specifying membership of certain advisory council;
10 specifying subcommittees of certain advisory council;
11 providing for duties of certain advisory council;
12 requiring certain state plan to reflect specified
13 goals, outcomes, and recommendations; directing the
14 actions of the advisory council to reflect certain
15 principles; providing for the election of the chair
16 and vice chair of certain advisory council; requiring
17 certain advisory council to meet a minimum number of
18 times; providing for staff support; authorizing
19 certain advisory council to solicit, receive, pool,
20 and expend certain funds; permitting certain advisory
21 council to make use of specified resources; providing
22 for codification; providing an effective date; and
23 declaring an emergency.
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18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 601.20 of Title 10, unless there
21 is created a duplication in numbering, reads as follows:

22 A. There is hereby created the Advisory Council for Children of
23 Incarcerated Parents to develop, recommend, implement, and advise
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1 the Legislature and other policymakers of measures that promote the
2 safety and well-being of children whose parents are incarcerated.

3 B. The advisory council shall be composed of nineteen (19)
4 members as follows:

5 1. The Director of the Department of Human Services, or
6 designee;

7 2. The Executive Director of the Office of Juvenile Affairs, or
8 designee;

9 3. The State Commissioner of Health, or designee;

10 4. The Commissioner of Mental Health and Substance Abuse
11 Services, or designee;

12 5. The Director of the Department of Corrections, or designee;

13 6. The State Superintendent of Public Instruction, or designee;

14 7. The Director of the Oklahoma Commission on Children and
15 Youth, or designee;

16 8. The Executive Director of the District Attorneys Council, or
17 designee;

18 9. A judge with experience in both criminal and juvenile
19 proceedings to be appointed by the President Pro Tempore of the
20 Senate;

21 10. A representative of an association of sheriffs and police
22 chiefs in the state to be appointed by the President Pro Tempore of
23 the Senate;

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1 11. A representative of a program in the eastern part of the
2 state that provides girls an opportunity to visit their incarcerated
3 mothers and to participate in mother-daughter meetings to be
4 appointed by the Speaker of the House of Representatives;

5 12. A member of the Post-Adjudication Review Board to be
6 appointed by the Speaker of the House of Representatives;

7 13. A representative of the Department of Commerce to be
8 appointed by the Governor;

9 14. A representative from the University of Oklahoma with
10 expertise in the area of incarcerated individuals and their children
11 to be appointed by the President Pro Tempore of the Senate;

12 15. A representative from Oklahoma State University with
13 expertise in the area of incarcerated individuals and their children
14 to be appointed by the Speaker of the House of Representatives;

15 16. A representative of a community planning agency from the
16 northeast quadrant of the state to be appointed by the President Pro
17 Tempore of the Senate;

18 17. A representative of the faith community to be appointed by
19 the Speaker of the House of Representatives;

20 18. A representative of an Indian tribe to be appointed by the
21 Governor; and

22 19. A representative of the Governor's office to be appointed
23 by the Governor.

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1 C. The advisory council shall have seven subcommittees as
2 follows:

- 3 1. Safety protocols;
- 4 2. Data collection;
- 5 3. Outreach and education;
- 6 4. Economic supports;
- 7 5. Research;
- 8 6. Resource clearinghouse; and
- 9 7. Review of existing legislation affecting children of
10 incarcerated parents.

11 D. The advisory council shall:

- 12 1. Develop and submit to the Governor, the President Pro
13 Tempore of the Senate, and the Speaker of the House of
14 Representatives a state plan no later than February 1, 2011, that
15 identifies and coordinates services to children of incarcerated
16 parents with the primary goal of promoting their safety and well-
17 being; and
- 18 2. Provide oversight of the implementation of the state plan
19 and responses to recommendations made by the advisory council.

20 E. The state plan developed by the advisory council shall
21 reflect the goals, outcomes, and recommendations of the seven
22 subcommittees established in subsection C of this section.

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1 F. The advisory council's actions shall reflect the following
2 principles which support Oklahoma children living without one or
3 both parents due to incarceration:

4 1. A child of an incarcerated parent deserves to be kept safe
5 and informed at the time of the parent's arrest;

6 2. A child of an incarcerated parent deserves to be heard when
7 decisions are made about the child;

8 3. A child of an incarcerated parent deserves to be considered
9 when decisions are made about the incarcerated parent;

10 4. A child of an incarcerated parent deserves to be well cared
11 for in the parent's absence;

12 5. A child of an incarcerated parent deserves to speak with,
13 see, and touch the incarcerated parent during visitations as deemed
14 appropriate and in the best interest of the child;

15 6. A child of an incarcerated parent deserves support as he or
16 she struggles with the parent's incarceration;

17 7. A child of an incarcerated parent deserves not to be judged,
18 blamed, or labeled because of the parent's incarceration; and

19 8. Unless limited by the court, a child of an incarcerated
20 parent deserves to have a relationship with the parent until he or
21 she becomes eighteen (18) years of age.

22 G. The advisory council shall elect a chair and vice chair at
23 the first meeting.

24 H. The advisory council shall meet at least once monthly.

1 I. Staff support for the advisory council shall be provided by
2 the Oklahoma Commission on Children and Youth.

3 J. Members of the advisory council shall serve without
4 compensation, but shall be reimbursed for necessary travel expenses
5 incurred in the performance of their duties in accordance with the
6 State Travel Reimbursement Act.

7 K. The advisory council is authorized to solicit, receive, and
8 pool funds from the federal government, any political subdivisions
9 of the state, or any individual, foundation, or corporation, and may
10 expend those funds for purposes that are consistent with this
11 section.

12 L. The advisory council may make use of any resources, both
13 public and private, that will provide information and analysis that
14 assists in executing its statutory mission.

15 SECTION 2. This act shall become effective July 1, 2010.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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