

1 (c) Children have the right to work with state or local law enforcement officers who
2 inquire whether the person is a parent or guardian of minor or dependent children who may
3 be at risk as a result of the arrest.

4 (d) Children have the right to make major decisions that affect their life, in
5 accordance with the law, the child's age, and ability.

6 (e) If children are present at the arrest, the child has the right to participate in an
7 age-appropriate conversation regarding their placement.

8 (f) The child has the right to an attorney, if requested, and the ability to speak
9 privately with the attorney.

10 (2) During the incarceration of the child's parent:

11 (a) Children have the right to be cared for in the absence of the child's parent in a
12 way that prioritizes the child's physical, mental, and emotional needs.

13 (b) Children have the right to maintain a relationship with the incarcerated parent
14 which includes the right to speak with, see, and touch the incarcerated parent.

15 (c) The child has the right to be considered when determining the placement of an
16 incarcerated parent.

17 (d) Children have the right to speak with their incarcerated parent through phone
18 calls and video conferencing despite an incarcerated parent's ability to pay.

19 (e) Children have the right to be provided information about local services and
20 programs that support the child during and after the parent's incarceration.

21 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
22 the House Committee on Administration of Criminal Justice, or a subcommittee thereof, to
23 study the protections, rights, and services afforded to a child in Louisiana who has an
24 incarcerated parent for the purpose of determining the feasibility of adopting a "bill of
25 rights" for children of incarcerated parents.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HSR 2 Original

2019 Regular Session

Duplessis

Requests the House Committee on Administration of Criminal Justice, or a subcommittee thereof, to study the protections, rights, and services afforded to a child in La. who has an incarcerated parent for the purpose of determining the feasibility of adopting a "bill of rights" for children of incarcerated parents.