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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

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IN RE THE WELFARE OF K.J.B.,

STATE OF WASHINGTON/DEPARTMENT OF SOCIAL AND  
HEALTH SERVICES,

Respondent,

v.

J.B. (Father),

Petitioner.

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APR 26 2016  
WASHINGTON STATE  
SUPREME COURT  
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**SUPPLEMENTAL BRIEF OF *AMICI CURIAE***  
**WASHINGTON DEFENDER ASSOCIATION, LEGAL VOICE,**  
**AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON,**  
**INCARCERATED MOTHERS' ADVOCACY PROJECT, AND**  
**INCARCERATED PARENTS ADVOCACY CLINIC**

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MINDY M. CARR, WSBA #40755  
O'Loane Nunn Law Group, PLLC  
2707 Colby Avenue, Suite 1204  
Everett, WA 98206  
(425) 258-6860

SARA L. AINSWORTH,  
WSBA #26656  
Legal Voice  
907 Pine St., Suite 500  
Seattle, WA 98101  
(206) 682-9552

LILLIAN HEWKO, WSBA #44915  
Washington Defender Association  
110 Prefontaine Place S.  
Suite 610  
Seattle, WA 98104  
(206) 623-4321

ORIGINAL

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## I. INTRODUCTION

Recognizing the harm suffered by parents, children, and communities when family ties are severed because of parental incarceration, the Washington State Legislature enacted Substitute House Bill 1284, amending RCW 13.34.180(1)(f) to require a court in a parental rights termination trial to apply specific factors related to parental incarceration. *See* Substitute H.B. 1284, 63rd Leg., Reg. Sess., Laws of 2013, ch. 173, § 4(f). Under these amendments, a trial court must consider several factors in evaluating whether continuation of the parent-child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home. These include consideration of whether the parent maintained a "meaningful role" in the child's life, whether the Department of Social and Health Services (DSHS) made reasonable efforts to assist in family reunification, and whether parental incarceration created particular barriers to the parent's efforts to maintain that role.

K.J.B.'s father was incarcerated during a portion of this dependency. Nonetheless, in the termination proceeding, the trial court failed to comply with the Legislature's mandate to consider the incarcerated parent factors. Upon review, the Court of Appeals recognized this failure, but then conducted its own cursory evaluation of the incarcerated parent factors, and held the error was harmless. *See In re*

*Welfare of K.J.B.*, 188 Wn. App. 263, 284-285, 354 P.3d 879 (2015). The Court of Appeals' holding endangers future application of the law. To designate the failure to consider this statute "harmless error" undermines the legislative intent behind the law's enactment.

## II. IDENTITY AND INTEREST OF *AMICI CURIAE*

**Legal Voice** was a lead proponent of SHB 1284. Founded in 1978 as the Northwest Women's Law Center, Legal Voice is a non-profit public interest organization that works to advance the legal rights of women and girls through impact litigation, legislative advocacy, and public education. Legal Voice has long experience advocating for legal protections for incarcerated women, including bringing cases in Washington State to protect imprisoned women's rights to health care, equal educational opportunities, and freedom from shackling during childbirth. With an unprecedented number of women incarcerated in Washington State and the rest of the nation, Legal Voice is concerned that far too many mothers are wrongfully separated from their children because of incarceration, harming their families and entire generations.

**Washington Defender Association** is a statewide non-profit organization comprised of public defender agencies, indigent client defenders and those who are committed to seeing improvements in indigent defense. The purpose of WDA is "to improve the administration

of justice and to stimulate efforts to remedy inadequacies or injustice in substantive or procedural law. WDA works to ensure access to justice for indigent parents, including improving access to justice in cases involving the termination of parental rights of incarcerated parents. To further that work, WDA created the Incarcerated Parents Project, which seeks to reduce the termination of incarcerated parents' rights to their children.

The **American Civil Liberties Union of Washington (ACLU)** is a statewide, nonpartisan, nonprofit organization of over 50,000 members and supporters, dedicated to the principles of liberty and equality embodied in the U.S. and Washington State constitutions, including the fundamental right to maintain parent-child relationships. The ACLU is engaged in numerous efforts to address the problem of mass incarceration, and protecting the rights of incarcerated parents and the right of children to maintain a relationship with their incarcerated parents is part of that effort. It has participated as amicus in numerous cases involving the civil liberties of parents and children in dependency and termination matters.

The **Incarcerated Mothers Advocacy Project (IMAP)** is a coalition of law students, lawyers, social service providers, activists and formerly incarcerated women who seek to change the rights afforded incarcerated and formerly incarcerated women in the Washington State. IMAP provides legal education and information to incarcerated and

formerly incarcerated mothers, to help prevent their separation from their children. We envision a day in which women of every color, ability, class and sexual orientation are able to help shape the policies that affect them and their families. In such a world, the rights of incarcerated and formerly incarcerated women as persons and mothers would be both respected and supported. IMAP helped organize incarcerated and formerly incarcerated parents in providing testimony to the Washington State Legislature to support the passage of the law at issue in this case.

**Incarcerated Parents Advocacy Clinic.** Inspired by the Jesuit tradition of education through service, Seattle University School of Law is committed to educating lawyers who are leaders for a just and humane world. One of the clearest illustrations of this commitment is the establishment of the Ronal A. Peterson Law clinic and the recent development of the Incarcerated Parents Advocacy Clinic (IPAC), in which law students provide representation to incarcerated parents in dependency proceedings, advocating for their rights to have increased visitation with their children and access to services, thereby maintaining a meaningful role in their children's lives. IPAC has a strong interest in this case as the interpretation and application of this law informs and guides the student's advocacy on behalf of their clients.

### III. STATEMENT OF THE CASE

*Amici* adopt the Petitioner's Statement of the Case set forth in the Petitioner's Supplemental Brief.

### IV. SUMMARY OF ARGUMENT

The Legislature enacted Substitute House Bill 1284 (SHB 1284) to address the harms that flow from family separation due to parental incarceration. A growing body of research explains, and proponents of this legislation informed the Legislature, that children and families may suffer long-term psychological, emotional, and economic hardships when family ties are permanently severed because of a parent's incarceration. These ill effects may be ameliorated when a parent is provided the opportunity to overcome the barriers to maintaining regular contact with and continuing to play a role in his or her child's life. As the Legislature understood, those barriers—including institutional barriers to contact with one's children and access to supportive services—present major challenges for families, and efforts of a parent and DSHS to overcome them must be considered before a court may terminate parental rights.

In this case, evidence indicated that the father made efforts to maintain a meaningful role in this child's life, that DSHS did not make reasonable efforts to maintain services or contact once the father was incarcerated, and that the barriers created by this incarceration prevented

him from having visitation and other contact with the child. These concerns are exactly what SHB 1284 was designed to address. Applying a harmless error analysis to the failure to consider this evidence undermines the purpose of the law and puts families at risk of permanent separation.

## V. ARGUMENT

The Legislature's mandate in SHB 1284 is unequivocal. To address the harm of family separation due to incarceration, courts must consider the incarcerated parent factors during a parental termination proceeding. *See* RCW 13.34.180(f)(1). Acknowledging a trial court's failure to apply those factors, yet treating that failure as a "harmless error," flouts legislative intent. Children and parents alike are hurt when they are separated from each other because of parental incarceration. The state has a role in ameliorating that harm, a role that is undermined if SHB 1284's requirements are treated as optional.

### A. **The Legislature's goal in passing SHB 1284 was to help prevent unnecessary and harmful family separation.**

Prior to enactment of SHB 1284, even absent a showing of neglect or abuse of the child, the prevailing norm was to terminate parental rights where the parent faces a lengthy incarceration that made that parent "unavailable" to parent from outside the institution. *In re Dependency of J.W.*, 90 Wn. App. 417, 953 P.2d 104 (1998); *see also* Deseriee A.

Kennedy, *Children, Parents & the State: The Construction of a New Family Ideology*, 26 Berkeley J. Gender L. & Just. 78, 104-05 (2011).

Incarcerated parents are almost twice as likely as other parents to lose their children. Arlene Lee et al., *The Impact of the Adoption and Safe Families Act on Children of Incarcerated Parents*, Child Welfare League of America, 8 (2005). This disparity is a result of the significant barriers incarcerated parents face to access to social services and visits with their children. *Id.*

The ideology of family reunification . . . never has been applied with enthusiasm to prisoner [parents]. This is in part due to the distance foster care workers must travel to provide visits for children with mothers in prison, and the caseworkers' unfamiliarity with prison regulations, resources, programming and staff. (alteration in original).

*Id.* at 5 (quoting Gail Smith, *The Adoption and Safe Families Act of 1997: Its Impact on Prisoner Mothers and Their Children*, Women, Girls & Criminal Justice, 1 (2000)). Even before the Legislature passed SHB 1284, it had recognized this problem and began to address it.

**1. Prior to passage of SHB 1284, the Legislature had begun taking steps to help address the negative effects of parental incarceration.**

In enacting SHB 1284, the Legislature significantly strengthened and built upon its prior efforts to preserve parent-child relationships when a parent is navigating both incarceration and the child welfare system. In

2005, in recognition of the growing number of children with incarcerated parents, the Legislature created the Oversight Committee on Children of Incarcerated Parents, a group that included representatives from DSHS and the Department of Corrections. *See* Laws of 2005, ch. 403, § 2 (authorizing formation of the Oversight Committee); Oversight Committee on Children of Incarcerated Parents, Final Report (June 30, 2006). The next year, the Committee recommended that the State “[i]mplement programs to increase contact between incarcerated parents and their children, and strengthen the ability of the family to reunify after release.” *Id.* at 25-27. The Committee Report cited numerous studies advocating for reducing barriers to maintaining parent-child contact for parents in the child welfare system, particularly as low income and families of color are disproportionately affected by parental incarceration. Miriam L. Barse, Wash. Dep’t of Social and Health Services *Children and Families of Incarcerated Parents: Understanding the Challenges and Addressing the Needs* 9-15 (June 2008) (citing various barriers including DSHS’s need to comply with the federal Adoption and Safe Families Act).

Following these efforts, the Legislature in 2010 passed Substitute H.B. 2680, which created Title 13.36, relating to guardianships for dependency proceedings. Substitute H.B. 2680, 61st Leg., Reg. Sess. (Wash. 2010). The Legislature created this new title to comply with

federal law, and to allow a means for permanency for children that does not require termination of the parent-child relationship. *See In Re Dependency of A.C.*, 123 Wn. App. 244, 251, 98 P.3d 89 (2004). Creation of a guardianship option as a form of permanency was recognized by the Legislature as “a step to better meet the needs of children who have an incarcerated parent.” Committee Hearing on Substitute H.B. 2680 before the H. Early Learning and Human Servs. Comm., 61st Leg., Reg. Sess. (2010) (testimony of Rep. Roberts).

**2. SHB 1284 was the next critical step to improving the chances of parent and child reunification after parental incarceration.**

Following on these efforts, advocates, including *Amici*, provided the Legislature with additional information about the significant systemic barriers that incarcerated parents face in maintaining their family ties, and recommended SHB 1284 as an important step to reduce those barriers. Proponents explained in public testimony that incarcerated parents can maintain a meaningful role in their child’s life in a number of ways, and argued that incarceration should not be the sole reason for termination. *See, e.g.*, H.B. Report on H.B. 1284, 63rd Leg., Reg. Sess. (Wash 2013); H.B. Report on Substitute H.B. 1284, 63rd Leg., Reg. Sess. (Wash 2013); S.B. Report on Substitute H.B. 1284, 63rd Leg., Reg. Sess. (Wash 2013).

As the bill moved through the Legislature, the Senate Ways and Means Committee weighed in to support its passage. The Committee indicated that the bill would cost little, yet could save much on unnecessary court costs and would reduce recidivism. S.B. Rep. on Substitute H.B. 1284, 63rd Leg., Reg. Sess. (Wash 2013). Its Report explained that the bill would protect the healthy development of children and incarcerated parents, avoid unnecessary terminations, help create permanent options for children outside termination, and decrease loss experienced by these families. *Id.*

In response to these recommendations, the Legislature overwhelmingly passed SHB 1284, on a vote of 47-1 in the Senate and 95-0 in the House. Final B. Rep., Substitute H.B. 1284, 63rd Leg., Reg. Sess. (Wash. 2013). Especially pertinent to this case, this new legislation was passed expressly to protect all families where parents face incarceration, whether short or long-term. *See, e.g.*, RCW 13.34.180(5) (termination not necessarily appropriate where parent is facing long-term incarceration and has maintained a meaningful role in the child's life). The late Chair Carrell spoke at the Senate hearing on March 14, 2013, commenting that this legislation is meant to address parents imprisoned for a "long term," facing "significant lengths of time [away]..." Committee Hearing on Substitute H.B. 2680 before the S. Comm. on Human Servs. &

Corrections, 63rd Leg., Reg. Sess. (March 14, 2013) (statement of Sen. Chair Carrell).

Further, SHB 1284 was enacted to prevent DSHS inaction due to an assumption that one cannot parent from prison. As Representative Mary Helen Roberts stated, the bill codified into law a response to the overwhelming research that “tell[s] us that bond between a parent and child is really a very profound one and it is one that if at all possible that we should try and maintain.” Committee Hearing on HB 1284 before the House Early Learning and Human Services Committee, 63rd Leg., Reg. Sess. (February 5, 2013) (testimony of Rep. Roberts). To that end, the law requires DSHS to ensure that parents have opportunities for visitation and service plans. Laws of 2013, ch. 173 § 2 (codified at RCW 13.34.136(2)(b)(i)).

**B. Research supports that protecting family ties despite parental incarceration helps children, families, and communities.**

A growing body of social science research demonstrates that the bond between a child and their incarcerated parent is profound, and if at all possible, should be maintained. *See, e.g.,* N.G. La Vigne *et al., Examining the Effect of Incarceration and In-prison Family Contact on Prisoners’ Family Relationships*, 21 J. Contemp. Crim. Justice 314-335

(2005). Importantly, when the parent and child connection is maintained, a child's chances for a positive outcome in his or her own life improve. *Id.*

**1. Children are better served when they can maintain their relationship with their parent despite incarceration.**

It is generally in the best interests of the child to maintain contact with their incarcerated parent. Kennedy, *Children, Parents & the State*, 26 Berkeley J. Gender L. & Just. at 91 (the research “does not support a conclusion that imprisonment is a predictive factor in assessing parental fitness.”). Indeed, a majority of incarcerated children continue “to value their relationship with their parent.” *Id.* at 91-92. One study reported that children found their incarcerated parent “just as helpful as their non-incarcerated caregivers, suggesting that the children...perceive their incarcerated parent to be an important person in their social support network.” *Id.* (citing Erika London Bocknek & Jessica Sanderson, *Ambiguous Loss and Posttraumatic Stress in School-Age Children of Prisoners*, 18 J. Child and Fam. Stud. 323, 330 (2009)). Accord Nell Bernstein, *All Alone in the World: Children of the Incarcerated*, 71 (2005) (despite her father's incarceration throughout her childhood, one woman reported that her father remained the most important person in her life due to the contact she was granted over the years).

These studies counteract the “common assumptions about children whose parents are incarcerated, including the idea that young children are better off not seeing a parent who is in jail or prison, that young children are better off not knowing the parent at all, and that young children are resilient in the face of trauma of separation from the parent.” Lynne Reckman and Debra Rothstein, *A Voice for the Young Child with an Incarcerated Parent*, Vol. 14, No. 2 Child. Rts. Litig. 19, 28 (Winter 2012). Maintaining parent-child relationship promotes permanency, eases the child’s feelings of anxiety and loss, and reduces the “damaging effects of separation.” *Id.* Promoting ongoing contact also helps children by better allowing them to express their emotional reactions to separation from the parent, and ensures that they have a more realistic understanding of the circumstances. It also helps reduce child anxiety by ensuring that children know their parents are safe. *Id.*

Further, severing parent/child contact may too often put the child in harm’s way:

*The increase in parental terminations has not led to a corresponding increase in the hoped for adoptions for these children.* The children of incarcerated parents are more likely to remain in foster care until they are 18 years old and “age out” of the system than other children in state care. [. . .] The result of this standard is to allow the termination of parental rights in many cases in which the child is left in limbo, having biological parents to whom they are no longer legally related, but without the guarantee of a permanent home.

Kennedy, *Children, Parents & the State*, 26 Berkeley J. Gender L. & Just. at 106-07 (emphasis added). The message from these studies was to “think critically” about the standards for termination of parental rights, and to modify the construction and administration of prisons to support incarcerated parents. *Id.* at 95.

**2. Parents have a fundamental right to their family ties to their children, and their lives are improved when that tie is maintained.**

Both the courts and the Legislature have long recognized the family as a sacred entity, and its importance is widely reflected in both statutory and case law. One of the most essential parts of the family unit is the bond shared between parent and child.

The right of a natural parent to the companionship of his or her child must be included within the bundle of rights associated with marriage, establishing a home and rearing children. This right must therefore be viewed as ‘so rooted in the traditions and conscience of our people as to be ranked as fundamental.’ *Snyder v. Massachusetts*, 291 U.S. 97, 105, 54 S.Ct. 330, 332, 78 L.Ed. 674, 90 A.L.R. 575 (1934), cited with approval in *Griswold v. Connecticut*, 381 U.S. 479, 487, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965). In *May v. Anderson*, 345 U.S. 528, 533, 73 S.Ct. 840, 843, 97 L.Ed. 1221 (1953), the right of a parent to a child's companionship was considered to be ‘far more precious . . . than property rights’ and in *In re Gibson*, 4 Wn. App. 372, 379, 483 P.2d 131 (1971), cited with approval in *In re Luscier*, *Supra*, the right was characterized as even ‘*more precious . . . than the right of life itself.*’

*In re Myricks' Welfare*, 85 Wn.2d 252, 253-54, 533 P.2d 841, 842 (1975) (emphasis added). The significance of that relationship is not destroyed when a parent is incarcerated. And that bond can help ensure parents' success post-incarceration; maintenance of the parent-child relationship helps reduce recidivism. La Vigne et al., *Examining the Effect of Incarceration and In-prison Family Contact on Prisoners' Family Relationships*, 21 J. Contemp. Crim. Justice 314 (2005).

**3. Systemic barriers undermine incarcerated parents' efforts to maintain their parental role in their children's lives.**

Despite the importance of maintaining the parent-child relationship, child welfare and corrections agencies have been slow to modify their policies and practices to address these challenges:

In recent years, many child welfare services have been delivered through systems that have not anticipated the complexities of working with family members who are also simultaneously involved with the criminal justice system. These complexities go beyond the normal requirements of coordinating services. Child welfare services and criminal justice services are largely non-voluntary and stigmatizing, and they combine in ways that can negatively affect or even prematurely sever parent-child relationships.

Benjamin de Haan, *The Interface between Corrections and Child Welfare for Children of Incarcerated Parents*, in *Children of Incarcerated Parents: A Handbook for Researchers and Practitioners* 265-86 (Mark Eddy and Julie Poehlmann eds., 2010).

The physical separation between the parent and child is an obvious barrier. While frequent visits between children and parents are essential to successful reunification, an incarcerated parent's opportunity for face-to-face contact is limited. *Id.* at 271 (citing Inger Davis et al., *Parental Visiting and Foster Care Reunification*, 18 Child. and Youth Servs. Rev. 363-82 (1996)).

But the parent's presence in an institution is not the only problem. Not surprisingly, lack of communication with caseworkers is cited as one of the most pressing problems for parents who are incarcerated:

Social workers tend to have large caseloads; prison are often located in remote locations; and correctional facilities can be intimidating and unforgiving to those unfamiliar with the rules and stringent security procedures. Further, caseworkers often lack adequate training on the value of visitation with an incarcerated parent...

*Id.* at 272 (citing Elizabeth Johnson & Waldofogel, *Parental Incarceration: Recent Trends and Implications for Child Welfare*, 76 Social Service Review 460-79 (2002)). Even when a parent may have contact with the social worker assigned to a dependency, the rest of the system poses a host of other limitations. Studies showed particular difficulties in the ability of judges, court officials, and even attorneys to involve incarcerated parents in permanency planning sessions and court hearings. *Id.* (citing Julie Margolies et. al, *Why Punish the Children? A*

*Study of Children of Women Prisoners*, National Council on Crime and Delinquency, (2006)).

This growing understanding of the importance of parent-child contact during parental incarceration, the harmful effects on children, and the systemic barriers to maintenance of that contact, was the context in which the Legislature enacted SHB 1284. Accordingly, it is also the background for this Court to consider in interpreting the meaning of that bill's amendments to RCW 13.34. *See Dep't of Ecology v. Campbell Gwinn, L.L.C.*, 146 Wn.2d 1, 9, 43 P.3d 4 (2002) ("context" may include matters outside of the code and session laws, such as "background facts of which judicial notice can be taken...because presumably the legislature was also familiar with them when it passed the statute.").

**C. When parental incarceration is an aspect of a termination trial, consideration of the parental incarceration factors is mandatory.**

The plain meaning of a statute must first be ascertained through its language and context. *In re Dependency of D.F.M.*, 157 Wn. App. 179, 187, 236 P.3d 961 (2010). SHB 1284 substantially amended RCW 13.34.180(1)(f), which is one of the six factors that the State must prove by clear, cogent, and convincing evidence in order to terminate a parent's rights. Laws of 2013, ch. 173 § 4(f); RCW 13.34.190(1)(a)(i); *In re Welfare of M.R.H.*, 145 Wn. App. 10, 24, 188 P.3d 510 (2008). The

amendments to RCW 13.34.180(1)(f) unambiguously add mandatory factors that trial courts must consider in deciding whether to terminate the relationship between an incarcerated parent and his or her children.

The statute's mandatory language that the court "shall consider" the incarcerated parent factors does not give the trial court discretion to omit consideration of these requirements. Nor does it excuse the State from its burden of proving each added provision by clear, cogent, and convincing evidence. The term "shall" is mandatory. *Washington State Coalition for the Homeless v. Dep't of Social and Health Services*, 133 Wn.2d 894, 907-908, 949 P.2d 1291 (1997).

Looking at the statute as a whole confirms this, as the Legislature included in SHB 1284 numerous changes to RCW 13.34 designed to promote parent-child contact during parental incarceration. *See, e.g.*, RCW 13.34.136(2)(b)(i) (creating an explicit right to visitation during incarceration; RCW 13.34.180(5) (mandating that trial courts consider alternatives to termination for long-term incarcerated parents); RCW 13.34.067(3) (ensuring the right to meaningful participation in dependency proceedings through video or phone appearances). The duty imposed by RCW 13.34.180(1)(f) is clearly announced in the statute and supported by its context. The trial court here was required to make express findings about the incarcerated parent factors on the record.

**D. The Court of Appeals' harmless error analysis is not legally supported and threatens the Legislature's purpose in enacting HB 1284.**

Further, application of the harmless error standard is both legally incorrect and fails to take into account the statutory scheme as a whole. *See* Petitioner's Supplemental Brief at 7-10; *see also In re Dependency of A.M.M.*, 182 Wn. App. 776, 782, 787-90, 332 P.3d 500 (2014). The application of the harmless error standard here effectively shifted the burden of proof from the State to the parent to prove that consideration of the incarcerated parent factors would have changed the result of the trial. This burden-shifting entirely undermines the purpose of SHB 1284, which was designed to improve the likelihood that a child and an incarcerated parent could maintain their family ties and avoid permanent separation. *Amici* urge this Court to hold that where a trial court failed to consider the incarcerated parent factors in its oral and written findings in a case involving parental incarceration, reversal is required. *See In re Welfare of A.B.*, 168 Wn.2d 908, 911, 232 P.3d 1104 (2010); *In re Dependency of A.M.M.*, 182 Wn. App. at 782, 787-90; and *In re Termination of M.J. & M.J.*, 187 Wn. App. 399, 409, 348 P.3d 1265 (2015).

**VI. CONCLUSION**

The evidence in this case indicates that the father made efforts to maintain a meaningful role in K.J.B.'s life; that DSHS did not make

reasonable efforts to maintain services or visitation once the father was incarcerated; and that the barriers created by the father's incarceration prevented him from having visitation and other contact with the child. These concerns are exactly what SHB 1284 was designed to address. Applying a harmless error analysis to the failure to consider this evidence undermines the purpose of the law and puts far too many families at risk of permanent separation.

*Amici* respectfully request that the Court reverse and remand for the trial court to consider the incarcerated parent factors, as mandated by the Legislature in RCW 13.34.180(1)(f).

DATED this 11th day of April, 2016.

Respectfully submitted,



By

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Sara Ainsworth, WSBA #26656  
[sainsworth@legalvoice.org](mailto:sainsworth@legalvoice.org)

Mindy M. Carr, WSBA #40755  
[mindy.carr@onglaw.com](mailto:mindy.carr@onglaw.com)

Lillian Hewko, WSBA #44915  
[lillian@defense.net](mailto:lillian@defense.net)

Attorneys for *Amici Curiae*

**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on April 11, 2016, I served the Supplemental Brief of *Amici Curiae* Washington Defender Association, Legal Voice, the ACLU of Washington, the Incarcerated Parents Advocacy Clinic, and the Incarcerated Mothers Advocacy Project, along with a motion for leave to file the amicus brief, on the following by e-mail, per agreement of counsel:

**Attorneys for Appellant:**

Jill S. Reuter  
Kristina M. Nichols  
Nichols Law Firm, PLLC  
P.O. Box 19203  
Spokane, WA 99219  
jillreuterlaw@gmail.com  
Wa.Appeals@gmail.com

**Attorneys for Respondent:**

Carissa Greenberg  
Wendy Scharber  
Assistant Attorney General  
Attorney General of Washington  
1433 Lakeside Court, Suite 102  
Yakima, WA 98902  
carissag@atg.wa.gov  
wendyo@atg.wa.gov

Peter B. Gonick  
Deputy Solicitor General  
Office of the Attorney General  
PO Box 40100  
Olympia, WA 98504-0100  
(360) 753-6245  
peterg@atg.wa.gov

DATED April 11, 2016



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Sara L. Ainsworth

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**Subject:** Case # 91921-6 - In re Dependency of K.J.B.

Dear Clerk,

Please accept for filing the attached Motion for Leave to File Supplemental Brief of Amici Curiae, along with the proposed Supplemental Brief of Amici Curiae, in Case No. 91921-6, In re Dependency of K.J.B.

Counsel for the Appellant and Respondent have consented to service by email and are copied above.

Thank you.

Sincerely,

Sara L. Ainsworth  
Co-Counsel for Amici Curiae

**Sara L. Ainsworth**

Advocacy Director

Legal Voice

*Women's rights. Nothing less.*

206-682-9552 x103

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