

Republicans must stand up for families

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Children and parents, separated through prison sentences, deserve a chance to heal and rebuild. This is why the New York State legislature must adjust a law that would give incarcerated parents and their children the ability to reunite.

The Adoption and Safe Families Act (ASFA) nearly always requires that foster care agencies begin terminating parental rights if a child has been in state custody for 15 of the last 22 months. This represents a crushing challenge for parents who are incarcerated or in a residential drug treatment program, and trying to get their lives on the right track.

In New York State, the median sentence for incarcerated women is 36 months, which means that mothers are at risk of losing custody because of the length of their sentences and state requirements. At least three-quarters of the women serving time in state facilities are mothers, according to the Correctional Association of New York, and the gaps in ASFA tend to affect women more often.

ASFA allows for some discretion. But it's technical discretion only. Proposed legislation would expand the discretion of foster care agencies to allow for the realities of the length of prison terms or treatment. Agencies would have more time to work on setting up parents and children together in safe environment rather than be pushed to separate them.

The bills in the state legislature would mitigate the disproportionate impact that ASFA has on incarcerated parents. In the Assembly, a bill was passed unanimously. The companion bill in the State Senate has 24 co-sponsors, all Democrats. The bill's advocates say that other Democrats have pledged to vote for the bill comes to the floor, but the slim Democratic majority requires that at least one Republican come on board to secure 32 votes needed for passage.

We strongly encourage a few brave Republicans to stand up for families. Political partisanship should not be standing in the way of what is nothing short of a common sense and compassionate measure.