

# FREE RANGE KIDS LAW: INFORMATION PACKAGE

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<b><u>DO WE REALLY NEED A FREE-RANGE PARENTING LAW?</u></b>	<b>2</b>
<b><u>AREN'T KIDS IN DANGER IF THEY'RE EVER ON THEIR OWN?</u></b>	<b>3</b>
<b><u>AMERICA'S DECLINING CRIME RATE</u></b>	<b>4</b>
<b><u>REASON 1: KIDS NEED INDEPENDENCE</u></b>	<b>5</b>
<b><u>REASON 2: A LACK OF INDEPENDENCE IS MAKING KIDS ANXIOUS AND DEPRESSED</u></b>	<b>6</b>
<b><u>REASON 3: THE MORAL CASE FOR A FREE-RANGE PARENTING LAW</u></b>	<b>7</b>
<b><u>REASON 4: CPS BENEFITS FROM CLARIFICATION OF "NEGLECT"</u></b>	<b>8</b>
<b><u>REASON 5: THE FREE-RANGE PARENTING LAW HELPS WORKING FAMILIES</u></b>	<b>9</b>
<b><u>THERE IS BROAD, BI-PARTISAN SUPPORT FOR THIS KIND OF BILL</u></b>	<b>10</b>
<b><u>SAFETY MYTH VS. REALITY</u></b>	<b>11</b>
<b><u>HOW TO PROPOSE AND DRAFT A "FREE-RANGE PARENTING" LAW OR PROCLAMATION</u></b>	<b>12</b>

## DO WE REALLY NEED A FREE-RANGE PARENTING LAW?

YES

**HERE'S WHY: GOOD, CARING PARENTS ARE GETTING ARRESTED FOR GIVING THEIR KIDS -- BY CHOICE OR BY NECESSITY -- A BIT OF FREEDOM**

### Texas:

Mom Kari Anne Roy's 6-year-old was playing outside for about 10 minutes when a woman saw him and marched him home, 150 feet away. Shortly afterward, Roy's doorbell rang again. It was the police. They interrogated her and asked for I.D. A week later, Child Protective Services came to the house and interviewed each of Roy's three children separately, without their parents, asking the 12-year-old if he had ever done drugs, and the 8-year-old girl if she had seen movies with people's private parts – something she'd never even heard of.

### South Carolina:

For three days over summer vacation in 2014, Debra Harrell let her 9-year-old play at the popular local sprinkler playground while she worked her shift at McDonald's nearby. A woman at the park asked the girl where her mom was, and upon learning she was at work, called 911. The police threw the mom in jail overnight. She lost custody of her daughter for 17 days. Despite public outcry, it took over two years before the charges were dropped.

### Illinois:

Natasha Felix was cited for neglect after she let three children, aged 5, 9, and 11, play in the park next to her home, where she could see them from her window. She checked on them every 10 minutes, but a passerby thought the kids were unsupervised, and called the Department of Children and Family Services Hotline. "These were not kids being left in a crack house with no food," said Felix's attorney, Diane Redleaf, a lawyer and director of the Chicago-based Family Defense Center. It took two years but a state appellate court finally overturned the finding of neglect against Natasha.

**Even if it hasn't happened here, no decent parent should have to second-guess how they are raising their kids. For more examples, please visit [LetGrow.org](http://LetGrow.org) and click on "Proclamation."**

## AREN'T KIDS IN DANGER IF THEY'RE EVER ON THEIR OWN?

**NO**

**MANY PEOPLE THINK, "TIMES HAVE CHANGED. IT'S JUST NOT SAFE FOR KIDS ANYMORE." BUT ACTUALLY, CRIME TODAY IS AT A 50-YEAR LOW.**

1. "There's Never Been a Safer Time to Be a Kid in America," [The Washington Post](#).
2. Crime is back to the level it was when gas cost 29 cents a gallon, according to [The Christian Science Monitor](#).
3. "Crime has dropped precipitously in the last quarter-century" (1990-2016), according to [The Brennan Center for Justice, NYU](#).
4. [FBI stats](#) show:
  - Since 1993
    - Violent crime down by 48%
    - Homicides down by 50%
    - Forcible rape down by 34.5%

The problem isn't that America is more dangerous. It's that it FEELS more dangerous, thanks to the media. For example, homicides in New York City decreased by 87% from 1990 to 2017, according to [The New York Times](#). By contrast, newspapers devote [30% of their coverage](#) to crime reporting.

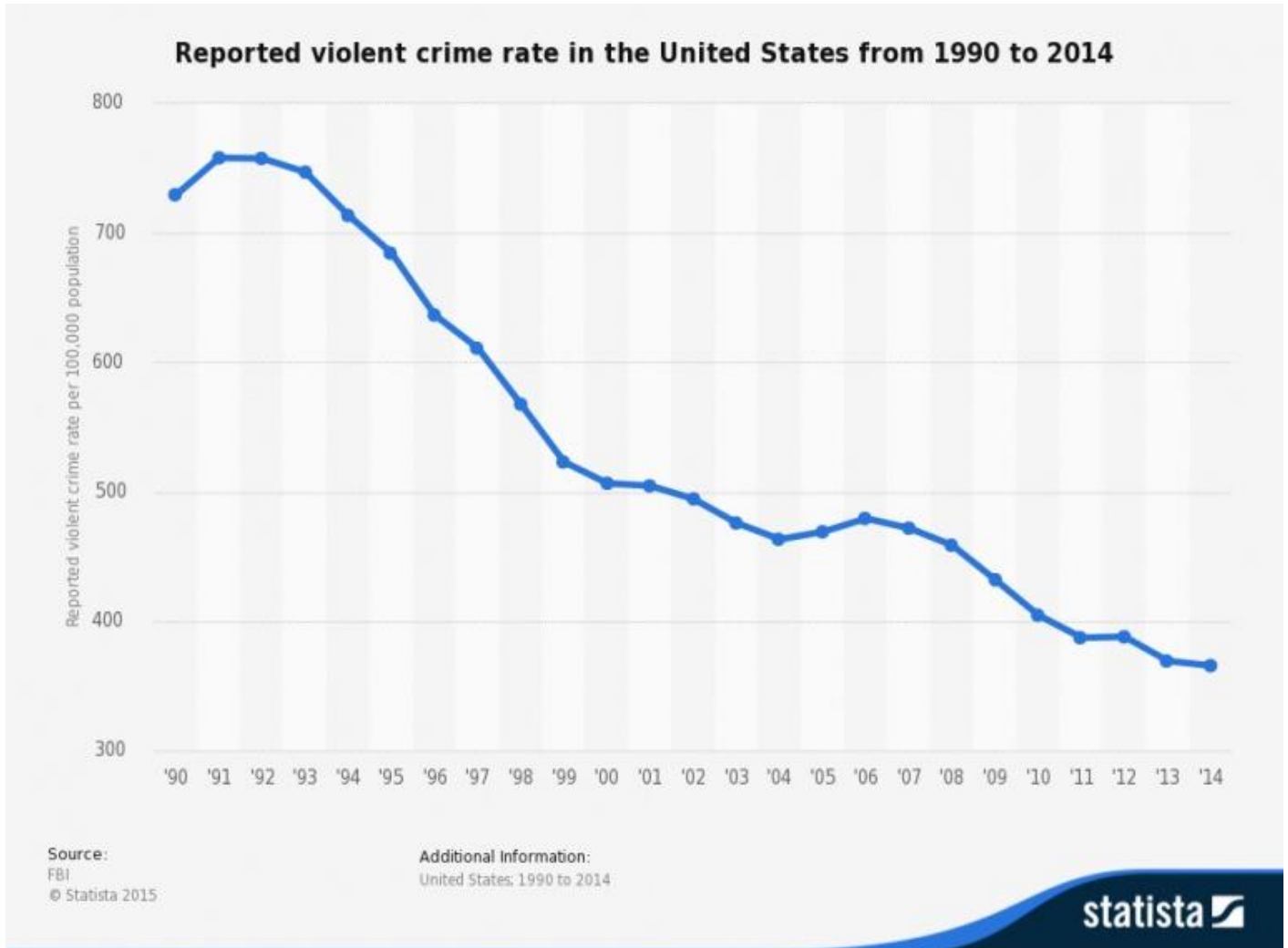
The media alters our perception of crime. Psychologists call it the [backfire effect](#): The more we are exposed to an event, the more we believe it will happen. We are over-exposed to stories of rare and random stranger-danger.

**QUESTION:** How long would you have to keep a child outside, unsupervised, for it to be *statistically likely* he or she would be kidnapped by a stranger?

Warwick Cairns, author of "How to Live Dangerously" calculated this.

**ANSWER:** 750,000 years

## AMERICA'S DECLINING CRIME RATE



## REASON 1: KIDS NEED INDEPENDENCE

**"YOU CAN'T PREPARE THE PATH FOR YOUR CHILD, SO PREPARE THE CHILD FOR THE PATH."**

Good parents help their kids gain the skills and confidence they'll need to make their way. This is something parents can only do by loving and advising their children, while also gradually loosening the reins. That way kids get used to dealing with some bumps on the road.

As they enter college or the job world, young people need to be flexible, creative problem-solvers. They can't learn how to solve problems if adults are always right there, solving them first.

In short: Kids need some old-fashioned freedom to explore, goof up, get lost, get brave, and become part of the world. Parents can't give them this freedom if they're worried it could be considered "negligence." A Free-Range Parenting Law reassures parents that "blatantly disregarding the safety and welfare of your children" is against the law. "Preparing your child for the path" is not.

### Further reading:

*Without Some Risk, Fear and Excitement, Children's Emotional Development Can be Stunted*, Prof. Mariana Brussoni, [The Conversation](#)

*Why So Many Kids Can't Sit Still in School Today*, Valerie Strauss, [The Washington Post](#)

*How Children Lost the Right to Roam in 4 Generations*, David Derbyshire, [Daily Mail](#) (This is an extremely affecting article)

## REASON 2: A LACK OF INDEPENDENCE IS MAKING KIDS ANXIOUS AND DEPRESSED

Beginning in the 1980s, American childhood changed. For a variety of reasons—including shifts in parenting norms, new academic expectations, technological advances, and especially a heightened fear of abduction (missing kids on milk cartons made it feel as if this exceedingly rare crime was rampant) -- children largely lost the experience of having large swaths of unsupervised time to play, explore, and resolve conflicts on their own. This has left them more fragile and less resilient.

The numbers bear this out. Julie Lythcott-Haims, former dean of freshmen at Stanford, says, "[Recent Studies](#) suggest that kids with...rigidly structured childhoods suffer psychological blowback in college." A UCLA study on teen anxiety found that last year [41% of incoming freshmen at UCLA felt "overwhelmed,"](#) compared to 29% in 2010 -- less than 10 years earlier. Meantime, there has been a [doubling of hospital admissions for suicidal teenagers over the last 10 years.](#)

Childhood anxiety and depression have been steadily rising for the past half century, as kids have come to feel less and less in control of their lives. They are mostly in supervised, structured activities, run by adults. This has deprived them of developing an "internal locus of control."

*"Without an internal locus of control you feel like you are a victim of circumstances and powerful others, rather than someone who can handle your own problems, or deal with disputes." —*  
**Boston College Prof. Peter Gray**

To restore childhood resilience and fight a rising tide of depression, anxiety and even youth suicide, we must give children back some time to play, walk, explore and be on their own. This is impossible if a child walking to school can be reported as "neglected," opening a case against his parents.

## REASON 3: THE MORAL CASE FOR A FREE-RANGE PARENTING LAW

People have a right to freedom, and children are people. Childhood is a significant fraction of a person's life and to deprive them of freedom year after year can only be justified if it is absolutely essential for their future well being.

There is no evidence that the level of control overprotective parents or institutions are exercising over children is essential for their future well-being, and without such evidence we must defer to giving them more freedom. Society must stop thinking of the rights of children as dispensable, just as it used to for women and minorities.

Kids should have the right to play in a park, organize their own games and spend some time on their own. And if their parents are busy and need the kids to come home with a latchkey, or entertain themselves, this is not something new or automatically dangerous. Historically, children have not been supervised every moment by adults.

Giving kids some unstructured, unsupervised time at an age their parents feel appropriate helps them become healthier and happier, physically and mentally. Kids playing outside, walking to school or running errands on their own are learning responsibility, decision-making and resourcefulness.

Exposing kids to manageable, independent experiences helps them to become more resilient adults, according to the [Harvard Center on the Developing Child](#). It prepares them to be self-reliant by meeting people outside their home, and developing new problem-solving skills.

Being forced to hamper this natural development because of an inflated sense of danger on the part of the authorities hurts families.

## REASON 4: CPS BENEFITS FROM CLARIFICATION OF “NEGLECT”

### A FREE-RANGE PARENTING LAW ALLOWS CHILD PROTECTIVE SERVICES MORE TIME AND RESOURCES TO PURSUE SERIOUS CASES OF ABUSE AND NEGLECT

**Child Protective Services departments are stretched thin** -- so thin that in California, for instance, half of all case workers quit their jobs within three years, [according to The San Francisco Chronicle](#). “It doesn’t matter how many people CPS hires,” Sandra Cambre, a CPS caseworker for eight years, told the paper, “because they burn out.”

The best way to keep social workers on the job is by making sure they spend their time investigating cases worth focusing on. This is also the best way to make sure that children who really need help are taken care of.

For this reason, a number of social workers strongly support the bill. [Dianore Moore](#), director of the Utah Division of Child and Family Services, stated: “We want kids to be kids and parents to be parents. We want kids to experience life. We want kids to have independent skills.” She says the bill codifies common sense. Absent indications of abuse or neglect, she says, the agency does not wish to interfere when parents give children some autonomy. Protective services are meant to support children, not to replace parents.

[Diane Redleaf](#), a Stanford-trained lawyer and legal director of the National Center for Housing and Child Welfare, strongly supports the law too. “Millions of parents — including middle class parents — fear the heavy hand of the state. They won’t let their kids play outside anymore. This is the worst sort of helicopter parenting, because it is parenting based on fear,” she said, adding that, “The Utah law is an excellent first step in the direction of creating a better system for everyone.”



## REASON 5: THE FREE-RANGE PARENTING LAW HELPS WORKING FAMILIES

When helicopter parenting becomes the only legal way to parent, we all lose—those who choose to give our kids some independence and those who, because of necessity, must. No decent parent, rich or poor, should be second-guessed by the state.

For instance, South Carolina mom Debra Harrell had been thrown in jail for a night and had her child taken away for 17 days, simply because she let the girl play in the sprinkler park while she worked her shift at McDonald's nearby.

How dare a hardworking mom who has made a rational, loving parenting decision be treated as a criminal? Judging from the outcry, most of America felt the same.

The Free-Range Law gives moms like Harrell a legal standard to point to: In Utah, at least, it is not considered "neglect" to let your kids play outside alone for whatever reason, including mom working.

The Utah law would also have helped a middle-class family, the Meitivs of Maryland, when they were accused of neglect for letting their kids, 10 and 6, walk home from the park on their own.

This across-the-board benefit is appreciated by Joyce McMillan, head of the Child Welfare Organizing Project in New York City, a non-profit that works to keep families intact. McMillan was galvanized as a young mom when her infant daughter was taken from her for almost two years. As she said in *The Atlantic* about the new law, "They call it 'Free-Range Parenting.' I call it 'The rights of parents.'"

Defining neglect as "blatant disregard for a child's safety and welfare" helps the Debra Harrells of the world as well as the Meitivs in Maryland.

## THERE IS BROAD, BI-PARTISAN SUPPORT FOR THIS KIND OF BILL

*We believe that parents have the best sense of how to teach responsibility to their children.* - **Utah Gov. Gary Herbert**, [The Hill](#)

*This is wonderful news; could be a turning point in America's long slide into oversupervision of kids..* - **NYU Prof. Jonathan Haidt**, author of *The Righteous Mind*, [on Twitter](#)

*Kids who avoid fearful situations don't have the opportunity to face their fears and don't learn that their fears are manageable.* - **Dr. Stephen Whiteside**, Pediatric Psychologist, [Mayo Clinic](#)

*This bill is exactly right.* - **Meghan Leahy**, Washington Post parenting columnist, on [NPR](#)

*Vague statutes that criminalize child "neglect" or "endangerment" undermine the social legitimacy of parental autonomy. And they ignore the reality that almost every decision a parent makes involves risks. Let your child ride a bike to school, or strap her into a car for the trip? Which child is more at risk, the sedentary one playing video games and risking obesity, or the one riding a bike?* - **George Will**, [newspaper columnist](#)

The legislative approval of "free-range parenting" serves as a symbolic reminder that children deserve some degree of autonomy and that they learn best through exploration. The essence of "free-range parenting" is to create space for such exploration and learning to occur. The new law also emphasizes the need to de-stigmatize different parenting methods and to reinforce that parenting should be done on purpose and with purpose. Good parenting leads to stronger children, better communities and a healthier Utah. – [The Deseret News](#)

Nevada lawmakers should follow the lead of our neighbors to the east and pass their own version of the Free-Range Kids Bill. – [Las Vegas Review Journal](#)

It's frustrating to think we need to pass new laws to save traditional parent-child relationships. But Utah's first-in-the-nation "free-range children" law makes a strong case for that kind of drastic action. – [The Orange County \(Calif.\) Register](#)

It's hard to know when to allow your child additional freedoms, but we should err on the side of parents' judgment. - Brian O'Neill, [Pittsburgh Post-Gazette](#)

There's value in learning independence, experiencing free play unfettered from the constraints of organized sports, and existing outside among others in a world where humans are increasingly tethered to devices that connect us all but steal our attention. And there's value in letting caring, healthy and responsible families operate in their own ways, free from judgment. - Don Smith, (The West Virginia) [Herald Dispatch](#)

In most neighborhoods, you might think kids have been sucked up by UFOs. -- Chris Churchill, [Albany Times-Union](#)

## SAFETY MYTH VS. REALITY

**MYTH:** Driving your child to school is safer than letting them walk.

**REALITY:** *Actually, the #1 way kids die in America is as car passengers.*

**MYTH:** It's common for kids to get snatched and killed by strangers.

**REALITY:** *In 2011 (the latest data available), there were 9 such deaths. The vast majority of crimes against children are committed by people they know.*

**MYTH:** Kids are getting taken from their parents and sex trafficked from stores like Ikea and Target.

**REALITY:** *The head of the Crimes Against Children Research Center, David Finkelhor, knows of no such kidnappings.*

**MYTH:** Kids waiting in cars during errands are likely to die.

**REALITY:** *More children die crossing parking lots than waiting in parked cars. Kids are in danger when they are forgotten in cars, not when they are waiting there during a brief errand.*

**MYTH:** It used to be safe for kids to walk or play outside, but not anymore.

**REALITY:** *Crime is back to the rate it was in 1963. And it's not down because of "helicopter parenting." Crime is down against adults, too -- and we don't "helicopter" them.*

Source: <https://letgrow.org/resources/really/>

# HOW TO PROPOSE AND DRAFT A “FREE-RANGE PARENTING” LAW OR PROCLAMATION

Feel free to use any or all of this language

## SECTION 1.

### Legislative findings.

The [governing body] finds that:

- (1) Everyone desires the safety of all children;
- (2) A child raised under constant adult supervision misses opportunities for growth and, as a result, may end up stunted developmentally and physically;
- (3) The alarming rise of obesity and diabetes in childhood is almost certainly linked to the insistence of parents and guardians on driving their children to school and activities instead of allowing their children to walk;
- (4) As measured by incidences of mental health difficulties, today’s over-supervised youth experience more difficulties upon reaching adulthood than earlier generations;
- (5) Earlier generations learned resilience by walking, bicycling, playing, helping out, and solving problems without constant adult intervention;
- (6) Parents and guardians often are in the best position to weigh the risks and make decisions concerning the safety of children under their care, including where their children may go, with whom, and when; and
- (7) The excessive investigation and prosecution of parents and guardians who have done nothing more than briefly and safely permit their children to remain unsupervised has introduced unnecessary governmental intrusion into the homes of families and diverted valuable public resources to inconsequential and trivial matters.

## SECTION 2.

### Legislative intent.

It is the intent of the [governing body] that this act:

- (1) Protect and promote a parent or guardian’s inherent right to raise his or her children; and
- (2) Protect a parent or guardian’s decision to grant his or her children unsupervised time to engage in activities that include without limitation playing outside, walking to school, bicycling, remaining briefly in a vehicle, and remaining at home.

### SECTION 3.

- A. Neglectful supervision means placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate and grave harm to the child as a result of a blatant disregard of parent or caretaker responsibilities
- B. "Blatant disregard" means a situation where the real, significant, and imminent risk of grave harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the child to the danger without exercising precautionary measures to protect the child from harm.
- C. Neglectful supervision does not include permitting a child, who is of sufficient maturity, physical condition, and mental abilities to avoid substantial risk of physical harm, to engage in independent activities, including:
  - (1) traveling to and from school, including by walking, running, or bicycling;
  - (2) traveling to and from nearby commercial or recreational facilities;
  - (3) engaging in outdoor play;
  - (4) remaining at home unattended if the parent or caregiver:
    - (a) returns home on the same day on which the parent or caregiver gives the child permission to remain at home;
    - (b) makes provisions for the child to be able to contact the parent or caregiver on the same day on which the parent or caregiver gives the child permission to remain at home; and
    - (c) makes provisions for any reasonably foreseeable emergencies that may arise on the same day on which the parent or caregiver gives the child permission to remain at home; or
  - (5) remaining for less than fifteen (15) minutes in a vehicle if the temperature inside the vehicle is not or will not become dangerously hot or cold;
  - (6) engaging in a similar independent activity