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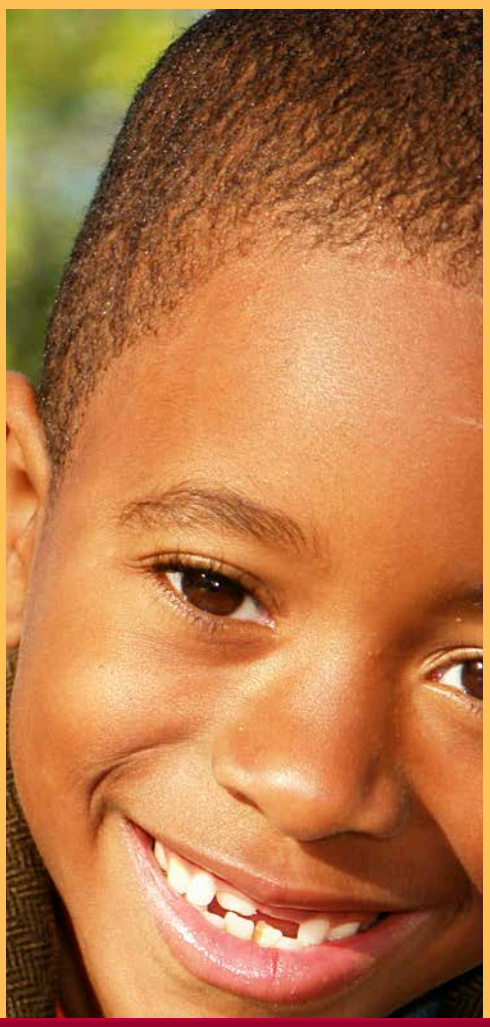

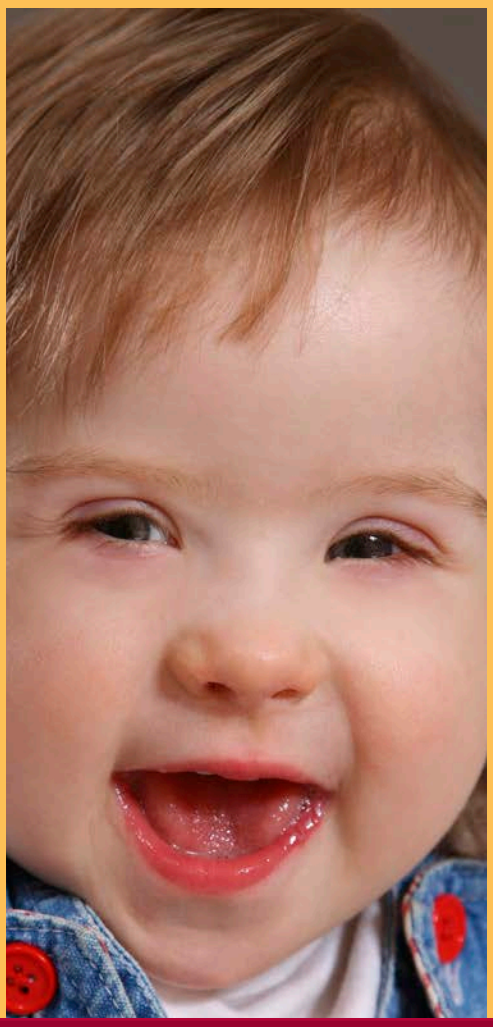

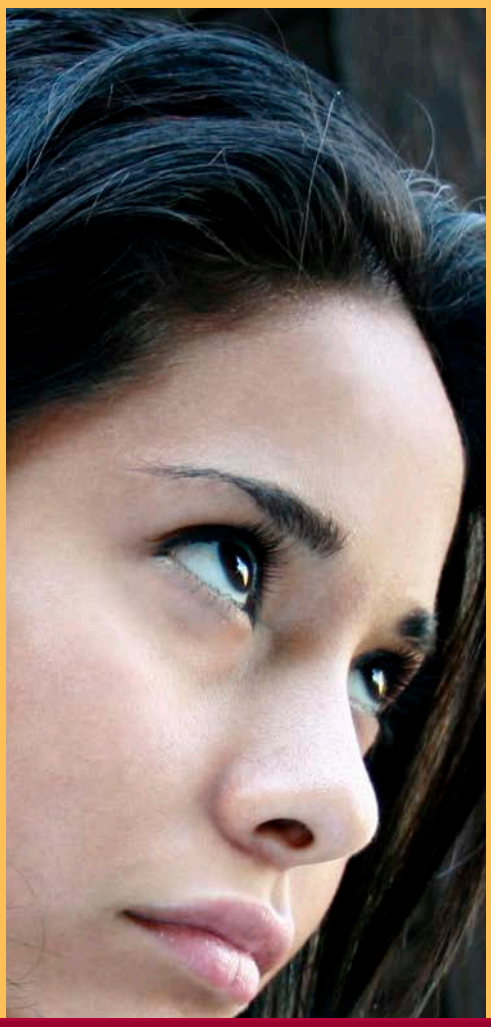

CW360°:

a comprehensive look at a prevalent child welfare issue

Safety | Permanency | Well-Being

Children of Incarcerated Parents

Spring 2008

From the Editors

FROM THE EDITORS

When a parent is incarcerated the family faces numerous challenges. For some families this includes involvement with the child welfare system. This circumstance presents unique challenges for families, as well as for child welfare. In this inaugural issue of *CW*360º, we seek to understand the experiences and outcomes of children of incarcerated parents and their families as they receive services in the child welfare system. We also present information on system and community responses to these families; strategies to engage and help these families; and resources to support child welfare workers' efforts in addressing the challenges associated with cases involving children of incarcerated parents and their families.

This issue of *CW*360º includes articles on how increases in the rate of parental incarcerations have led to an evolving landscape. The need for services' response not only has implications for criminal justice systems, but also child welfare. Within this issue readers will find information ranging from strategies for how workers can navigate the challenges of ASFA as they work with children of incarcerated parents and their families to profiles of service providers who are already implementing programs to assist families with children of incarcerated parents. To aid practitioners in learning more, an integrated bibliography using references from all articles can be found in the back of this publication. We hope that *CW*360º becomes an important resource for the challenges and obstacles, as well as some solutions, to working with children with incarcerated parents and their families.

We also encourage you to attend our half-day conference on Children of Incarcerated Parents and the Child Welfare System. Leading researcher Dr. Creasie Hairston will present an overview of the issues and strategies relevant to working with these families in the context of the child welfare system. A panel of community practitioners and service providers will also discuss opportunities to collaborate and approaches to engage families where a parent is incarcerated. Panelists include: Trina Starr, MSW from the Mentoring Children of Promise of the Lac Courte Oreille Tribe; Josh Gerrity, LSW from the Minnesota Correctional Facility-Shakopee; Sarah Dass, BSW from Volunteers of America; Kelsey Barbara Jones, BSW from Otter Tail County Human Services. For more information or to view the conference using webstreaming technology, visit our website at www.cehd.umn.edu/ssw/cascw/incarcertedparents. We hope you enjoy this first issue of *CW*360º. We welcome your comments and feedback. To tell us what you think, please send an email to snyde276@umn.edu.

Traci LaLiberte, PhD
Director, Center for Advanced Studies in Child Welfare
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Join Us on April 16th, 2008

A half-day conference will serve as a parallel resource for each issue of *CW*360º. The conference will be held in St. Paul, Minnesota and broadcast using interactive television to over 30 sites. The conference will be available for viewing through webstream and will be archived for later viewing. Please visit our website at http://cehd.umn.edu/ssw/cascw for dates, times, ITV locations and/or webstreaming connections.

***CW*360º**

Child Welfare 360º (*CW*360º) is an annual publication that provides communities, child welfare professionals, and other human service professionals, comprehensive information on the latest research, policies and practices in a key area affecting child well-being today. The publication uses a multidisciplinary approach for its robust examination of an important issue in child welfare practice and invites articles from key stakeholders, including families, caregivers, service providers, a broad array of child welfare professionals (including educators, legal professionals, medical professionals and others), and researchers. Social issues are not one dimensional and cannot be addressed from a single vantage point. We hope that reading *CW*360º enhances the delivery of child welfare services across the country while working towards safety, permanency and well-being for all children and families being served.

You May be Wondering Why …

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Children with Parents in Prison: Child Welfare Matters

by Creasie Finney Hairston, Ph.D.

Once considered an adult matter and primarily a criminal justice issue, incarceration is increasingly being recognized as an area of concern for social service organizations and child welfare agencies. While several forces have been instrumental in this change in thinking, the large and growing prison population has been primary in this regard. At year end 2007 over 1.5 million persons were incarcerated in State and Federal prisons in the United States. During the year another 600,000 persons, having served their time, were released from prisons and returned to their homes and communities and millions more were arrested, held, and released from local jails (Hairston, C.F., & Rollin, J.,2003).

The majority of individuals who serve time in correctional facilities are parents of dependent children. Although over 90 percent are males and in what might normally be considered their prime income producing years, most were poor at the time of their arrest. More than forty percent are Black or Hispanic and most have low levels of formal education. Many had multiple problems, including substance abuse and mental health issues, before incarceration and were arrested for drug related and income producing crimes.

Despite poverty and numerous personal and social problems, the majority of prisoners had family roles and commitments prior to incarceration. Most mothers and two fifths of fathers lived in the same home as, and provided care for, at least one of their children. Many women and a substantial number of men lived in single parent households where they were their children's sole caregiver. Other parents had relinquished responsibility for the daily care of their children, usually to family members but sometimes to foster parents, though many saw their children regularly or contributed in some way to their support. Most incarcerated parents intend to reunite with their families and children upon release from prison, though reunification is difficult and incarceration can lead to the permanent severance of parent-child bonds.

> Addressing the needs of children in foster care whose parents are in prison will require child welfare agencies to alter current policies to reflect the realities of incarceration and to establish more formal connections with correctional institutions.

Children's Problems

Children are deeply affected by the incarceration of a parent. Their lives are disrupted and they are affected both socially and emotionally. When parents are sent to prison, children who live in single parent households must move, sometimes to foster care and the homes of strangers. Furthermore, changes occur in other households, as children's caregivers must carry out family responsibilities often with reduced financial resources and increased expenses. Caregivers must also manage childrearing with limited, if any, support and involvement from the children's imprisoned parents.

Few children see their incarcerated parents on a regular basis, and most not at all. Many prisons are difficult to reach using public transportation; visiting policies are restrictive and visiting practices and procedures at many institutions are humiliating and demeaning for adults and children. Telephone calls are expensive, with some institutions charging more than $30 for a 30 minute prison-based collect phone call. Without contact, children begin to view their parents as strangers, making their adjustment more challenging and reunification with their parents even more difficult.

Children are often confused about their parents' absence, have mixed emotions and feelings about their parents and may question whether or not their parents even care about them. Some are teased by their peers and are embarrassed and ashamed. Some are not told that their parents are in prison and others, if told, are discouraged from discussing anything having to do with their parents. Many children manage the changes in their lives remarkably well; others experience problems in school, act out in socially undesirably ways or are sad and withdrawn. Many need help, but that help may not be readily available.

Child Welfare Matters

The child welfare system matters a great deal in efforts to address the impact of parental incarceration on children, particularly those who are in foster care. Although there is growing awareness of parental incarceration among child welfare agencies, most do not know how many and which children under their care have a parent who is in prison. Child welfare policies and procedures do not address incarceration specifically and do not usually support what are generally thought of as reasonable reunification efforts. The average prison term for most parents in prison, for example, is longer than the period in which child welfare authorities may begin proceedings for the legal termination of parental rights. In addition, most parents in prison cannot meet the expectations of child visitation, parenting classes and substance abuse treatment that may be required to show responsible parenting. When parents return home they are unable to provide a home for their children right away and usually need assistance for themselves.

Addressing the needs of children in foster care whose parents are in prison will require child welfare agencies to alter current policies to reflect the realities of incarceration and to establish more formal connections

Continued on page 32

Identifying Children with Incarcerated Parents: The Child Welfare Data Environment

by Anita Larson, M.A. and Mira Swanson B.A.

Professionals working within the broad context of child welfare, including researchers, struggle with identifying children of incarcerated parents and subsequently providing adequate services to them. It is challenging to obtain a clear understanding of how many children within the child welfare system are experiencing parental incarceration. The obvious point at which to start to identify these children is child welfare system data. This article utilizes data from Minnesota's child welfare system to illustrate the usefulness and limitations of existing data. Illustration 1 provides a visual representation using a deductive diagram, to identify the number of children in out of home placement who have at least one parent that is incarcerated.

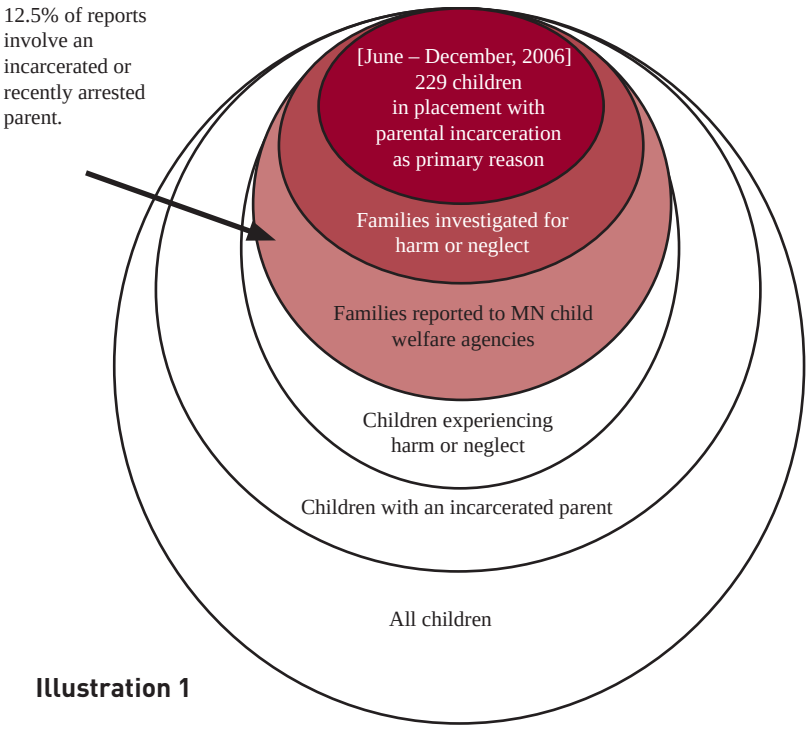

Illustration 1

Minnesota child welfare data on parental incarceration is limited, although Minnesota is not unique. In Minnesota, data on parental incarceration for children in the child welfare system are only associated with children who experience out-of-home placement. In an examination of Minnesota's child welfare data from the period of January 2000 through June 2007, there were a total of 4,816 children with an incarcerated parent code who experienced 5,031 placements. For each of these children, the parent's incarceration was identified as either the primary or secondary reason for placement. Of the 5,031 placements, parental incarceration was the primary reason for 3,100 (61.7%) placements. Aside from the reason for placement, child welfare data can be used to tell us the reasons children of incarcerated parents left out of home placements. Using the Minnesota data shown in Table 1, the vast majority of these children are reunified with their parent(s), others go on to live with relatives and still others find permanency through adoption. It is critical for child welfare professionals to be able to utilize this type of data to better prepare support services and interventions for this group of children.

Table 1. Reasons children of incarcerated parents were discharged from placement*

	Parental Incarceration was the *Primary* Reason for Placement		Parental Incarceration was the *Secondary* Reason for Placement	
Placement Discharge Reason	N	%	N	%
Reunification	2,238	72.2	1,167	60.6
Living with Other Relatives	395	12.7	194	10.1
Adoption Finalized	138	4.5	196	10.2
Guardianship	18	.6	19	1.0
Transfer to Another Agency	93	3.0	99	5.1
Runaway from Placement	38	1.2	49	2.5
Death	1	0	0	0
Permanent Transfer of Legal Custody	129	4.2	130	6.7
Age of majority reached or Emancipated	50	1.6	72	3.7
Total	**3,100**	**100**	**1,928**	**100**

*Children may have had more than one placement during this period from which they were discharged in which case each discharge reason is included.

Clearly limitations exist in using child welfare data to identify children in the child welfare system that have an incarcerated parent. Data collection points within case record documentation and comprehensive family assessments should identify children who have an incarcerated parent at multiple points of assessment and case management activity. This information is not important solely for the ability to be able to identify these children, but rather it is critical to offer support and services to all children of incarcerated parents within child welfare; not just those in out of home care. Collecting better child welfare data related to this group of children provides researchers and practitioners the ability to complete cost-benefit analyses to justify the need

Continued on page 31

Trends in Parental Incarceration and Implications for Child Welfare

by Elizabeth I. Johnson, Ph.D. and Jane Waldfogel, Ph.D.

Anecdotal evidence suggests that professionals in a variety of service settings are increasingly likely to encounter children and families affected by parental incarceration. However, it is only recently that researchers have documented changes in the magnitude and scope of parental incarceration using national survey data. This paper summarizes our research on national trends in parental incarceration (Johnson & Waldfogel, 2002) and considers the implications of these data for child welfare policies and practices.

Trends in Parental Incarceration

Using data from the 1986 and 1991 *Survey of Inmates in State Correctional Facilities* and the 1997 *Survey of Inmates in State and Federal Correctional Facilities* (U.S. Department of Justice, Bureau of Justice Statistics, 1993, 1994, 2000), we found that the number of parents in state and federal prisons rose from 273,045 in 1986 to 637,309 in 1997, producing a similarly dramatic increase in the number of children with parents in prison. Approximately 600,000 children -- about 10 in every 1,000 U.S. children -- had a parent in state or federal prison in 1986, compared to over 1.3 million children -- about 20 in every 1,000 U.S. children -- in 1997.

> Children whose parents are incarcerated in state or federal prisons became an increasingly large share of the total U.S. foster care population between 1986 and 1997.

Of particular relevance to child welfare professionals, our findings indicate that children whose parents are incarcerated in state or federal prisons became an increasingly large share of the total U.S. foster care population between 1986 and 1997. We estimated that approximately 5.7 percent of U.S. children in non-relative foster care had a parent who was incarcerated in 1986, compared with approximately 7 percent of U.S. children in non-relative foster care in 1997. This increase suggests that parental incarceration is exacting a greater toll on the child welfare system, and that child welfare professionals are increasingly likely to encounter children with an incarcerated parent.

> Regardless of the timing of the placement relative to the parent's incarceration, youth in the child welfare system whose parents are incarcerated may have distinct service needs, particularly related to maintaining contact with parents.

Data also indicate that inmates' own parents are assuming a considerable amount of care for this population of children, especially for children whose mothers are in prison. We estimated that children with an incarcerated parent made up 5.8 percent of U.S. children who lived with a grandparent caregiver without a parent present in 1986, 10.7 percent of this population in 1991, and 11.8 percent of this population in 1997. Although survey response categories make it impossible to discern whether these kinship arrangements are formal (i.e., subject to state regulations in exchange for foster care maintenance payments) or informal in nature, it seems plausible that at least some of these children are in state-supervised kinship care arrangements.

In more detailed analyses of inmates in state correctional facilities, we also found that the population of parents in prison changed in several ways between 1986 and 1997. A larger share of both mothers and fathers were incarcerated for drug offenses in 1997 than in 1986, and more parents incarcerated during 1997 reported histories of physical or sexual abuse, prior incarceration of their own family members, and regular drug use prior to the incarceration than parents incarcerated during 1986. To the extent that parents were a feature of their children's pre-incarceration environment, these findings suggest that many children also experienced other parental and ecological adversities prior to the incarceration and that different cohorts of children may experience different levels of pre-incarceration adversity.

Consistent with other research, analyses also pointed to important differences between incarcerated mothers and fathers. Across years, histories of physical and sexual abuse, drug use, and familial incarceration were more common among imprisoned mothers than fathers. Children's living arrangements also consistently differed depending on whether a mother or father was incarcerated. In 1997 for example, a larger share of mothers (64.3 percent) than fathers (43.8 percent) reported living with their children prior to the incarceration. During incarceration, the majority of children whose mothers were imprisoned lived with relatives, whereas the majority of children whose fathers were imprisoned lived with their mother. Thus, children whose mothers go to prison may be more likely to experience displacement from the home and come into contact with the child welfare system than children whose fathers go to prison and may have somewhat different service needs.

Finally, our results indicate that relatively few parents have correspondence with their children during prison and that rates of correspondence have declined over time. Data for 1991 and 1997 (the only years for which correspondence

data were collected) suggest that the frequency of all forms of correspondence between parents in state prison and their children declined from 1991 and 1997. For instance, the proportion of mothers who reported monthly visits with children fell from 17.9 percent in 1991 to 14.3 percent in 1997. Similarly, the share of fathers who reported monthly personal visits declined from 14.8 percent in 1991 to 13.2 percent in 1997. More than half of parents reported no personal visits with children and more than one-third reported no phone correspondence with children.

Implications for Child Welfare

Results indicate that parental incarceration is a large and growing problem that affects many children and families in the United States. Even our conservative estimates of the number of incarcerated parents, which exclude parents in local jails, suggest that a substantial number of American youth experience the incarceration of a parent. Although the majority of incarcerated parents' children remain in the care of the other parent during incarceration, a subset of youth do reside in non-parental care and have contact with the child welfare system. Our results likely underestimate the impact of parental incarceration on the child welfare system, as survey response categories did not allow us to determine what proportion of the children residing with relatives were actually in state-supervised kinship care arrangements. However, it is important to point out that the survey response categories also limit our ability to determine whether children were displaced from the home because of the parent's incarceration or if they were already residing in substitute care at the time of the parent's arrest and imprisonment.

The development of agency or state-level guidelines for working with children whose parents are incarcerated may help ease tensions between the goals of child welfare and criminal justice systems.

Regardless of the timing of the placement relative to the parent's incarceration, youth in the child welfare system whose parents are incarcerated may have distinct service needs, particularly related to maintaining contact with parents. Despite the importance of parent-child contact for maintaining parental rights and promoting child and family well-being, there remains considerable variability in how child welfare agencies and prison facilities deal with incarcerated parents and their families. Surveys of child welfare agencies suggest that very few have formal procedures for working with children whose parents are incarcerated (Smith & Elstein, 1994) and that state-level initiatives for incarcerated parents and their children and families are often lacking (Child Welfare League of America, 1998). For example, of the 38 of the states that responded to the Child Welfare League of America's survey, only 6 reported specific policies pertaining to children with incarcerated parents and only 25 provide transportation for children to visit their parents in prison.

The development of agency or state-level guidelines for working with children whose parents are incarcerated may help ease tensions between the goals of child welfare and criminal justice systems. Of particular importance is that permanency planning for children whose parents are imprisoned recognize their unique circumstances and take into account the challenges faced by incarcerated parents in maintaining relationships with their children. Policies and programs for children of incarcerated parents must also take into account their diversity. Youth likely have different placement histories, pre-incarceration experiences, and emotional and behavioral responses to the experience of parental incarceration that must be considered in formulating casework and service plans for children. Research that examines how specific policies relate to child welfare and criminal justice outcomes is also necessary for identifying best-practices and promoting child and family well-being.

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Parents' Involvement in the Criminal Justice System and Children's Entry into Foster Care: Findings and Implications from Two Studies

by Susan D. Phillips, PhD

The research findings presented in this article are based on two, large-scale studies of children who were selected in such a way that the results can be generalized with confidence to the populations from which the children were chosen. One is the Great Smoky Mountains Study (GSMS), a longitudinal epidemiologic study of the population of children in 11 counties in western North Carolina (Costello et al., 1996). The other is the National Survey of Child and Adolescent Well-being (NSCAW), a study of the population of children who are subjects of reports of maltreatment(Dowd et al., 2003).

Findings from the Great Smoky Mountains Study

The Great Smoky Mountains Study (GSMS) provides data on children in the general population, including those whose biological parents or other parent figures (e.g., step-parents, adoptive parents, and relative caregivers) were involved with criminal authorities. The children represented in this study were born in the early 1980s, which means that they grew up during the era when the U. S. criminal justice system was undergoing rapid growth.

By the time the GSMS cohort were in their teens, nearly half (47%) had one or more parents or other parent figures who had been arrested. The arrest of fathers was much more common than the arrest of mothers. Moreover, the majority of children with arrested mothers (two-thirds) also had fathers that had been arrested (Phillips, Erkanli, Keeler, Costello, & Angold, 2006).

Between birth and age 16, children who had parents or other parent figures with arrest histories were exposed to a significantly greater number of risk factors known to adversely affect child development. Nine out of 10 had parents/parent figures with one or more serious problems (i.e., addictions, mental illness, inadequate education); nearly half (45%) lived in households experiencing severe economic strain; and about one-quarter (25%) experienced multiple disruptions in caregivers or residences(Phillips et al., 2006).

Children of arrested parents were also more likely than their peers to experience maltreatment. Approximately 1 out of 10 children whose parents were arrested were victims of sexual abuse and 1 in 25 were victims of physical abuse.

> About 1 in 25 children who had an arrested parent spent time in foster care compared to only 1 in 50 children with never-arrested parents

Given the types and number of problems found in families in which parents were arrested, it is not surprising that children in these households were more likely to spend time in foster care. About 1 in 25 children who had an arrested parent spent time in foster care compared to only 1 in 50 children with never-arrested parents (Phillips et al., 2006).

There has been considerable interest in whether the problems that occur in families in which parents get arrested are because the parents were arrested, or whether the problems are actually linked to underlying problems (e.g., drug abuse, mental illness, and so forth). GSMS data show that parental incarceration contributes to some family problems, but not others. For instance, parental incarceration has just as strong a negative effect on children's economic situations and family instability as does parental substance abuse, mental illness, and inadequate education. In contrast, the likelihood of children receiving inadequate care or living in foster homes or single-parent families is significantly related to parental substance abuse and mental illness, but not to parental incarceration. In other words, parents with addictions, mental illness, and inadequate education are at high risk for being incarcerated, but it is the problems they have and not incarceration in and of itself that place their children at risk for receiving inadequate care and entering foster care (Phillips et al., 2006).

A Word of Caution

Information from the GSMS study shows that as a group children whose parents have arrest histories differ from other children, but children whose parents are arrested are not a homogeneous group. There are important and meaningful differences among these children. For example, there are four distinguishable subgroups of children in the GSMS cohort who had mothers with arrest records. Each has meaningfully different needs. About 50 percent of these children lived in households that were relatively problem free. Of the remaining 50%, about one-third were children with histories of abuse and neglect, another third were children whose parents and other parent figures had substance abuse and mental health problems, and the remaining third were children who were not being adequately supervised who were living with single mothers in extreme poverty (Phillips, Erkanli, Costello, & Angold, 2007).

The National Survey of Child and Adolescent Well-being (NSCAW)

NSCAW is a study of a nationally representative sample of children who were subjects of reports of maltreatment. Data from this study show that as many as 1 in 8 children who come to the attention of the child welfare system have a parent that was recently arrested (i.e., in the last 6 months) (Phillips, Burns, Wagner, & Barth, 2004). If all arrests are considered, no matter when in the parent's life they occurred, about 1 in every 3 children in in-home settings has a primary caregiver with an arrest history(Phillips & Dettlaff, 2007). Compared to other children, those whose parents have arrest histories are significantly more likely to come to the

attention of the child welfare system because of allegations of neglect (i.e., failure to supervise and failure to provide) and significantly less likely to be subjects of reports of alleged physical or sexual abuse. Compared to other children, those with recently arrested parents also experience higher rates of extreme economic deprivation (45% versus 21%), parental substance abuse (42% versus 8%), parental mental illness (27% versus 14%), and domestic violence (26% versus 11%). As was the case in the GSMS study of children in the general population (see above), children who are subjects of reports of maltreatment who have arrested parents come from families that have a greater total number of problems than their peers whose parents were never-arrested parents (Phillips et al., 2004; Phillips & Dettlaff, 2007).

One in four children with recently arrested parents are placed out-of-home (e.g., relative care, foster homes, group homes, or residential settings) compared to only 1 in 10 children of non-arrested parents. Most often, children with arrested parents are placed with relatives (14% of all children with recently arrested parents), but placement in non-relative foster care is also higher (9% versus 4%)(Phillips et al., 2004).

Data from this study show that as many as 1 in 8 children who come to the attention of the child welfare system have a parent that was recently arrested

Having a recently arrested parent has a marginally significant (p=.06) influence on children being in any out-of-home placement (i.e., with relatives, non-relatives, in group homes, or in residential settings). Parental arrest, however, is not significantly associated specifically with placement in non-relative foster care. What differentiates children who remain with relatives versus those who enter non-relative care is the number of different problems children and their families are experiencing when caseworkers complete their assessments. It is the extent of these problems (which happen to be higher in households in which parents have been arrested) and not the arrest of parents itself that increases the chances of non-relative foster care(Phillips et al., 2004).

Another Word of Caution

As was the case with the findings from the GSMS study, findings from NSCAW describe children with arrested parent as a group; however, there is substantial variability within that group. For instance, parents' criminal careers vary considerably (e.g. how many times they have been arrested; whether they have ever been sent to prison and how long they spent there; the number of years over which arrests have been taking place; and how long it has been since their last arrest). In turn, differences in parents' arrest records are associated with different types of family problems. For example, children whose parents have the most extensive arrest histories are the most likely to live in families that have multiple problems, whereas those with dated arrest records (i.e., no arrest in the last 5 years) have characteristics more similar to those of families with never-arrested parents (Phillips & Erkanli, 2007).

Summary

Because of the rigor of the methods used in the GSMS and NSCAW studies, they provide some of the most credible information to date about children whose parents are involved in the criminal justice system. Both studies provide evidence that children whose parents come in contact with the criminal justice system have a greater than average likelihood of entering foster care. This is not so much because their parents were arrested, but because of underlying problems that also increase the likelihood of parents being arrested.

The studies reported in this article indicate that parental arrest in and of itself is not a significant risk factor for children entering foster care, but it is still possible that parents' criminal justice system involvement could affect the likelihood of children exiting foster care. For example, there are concerns that parents who are incarcerated may not be able to meet conditions to reunify with their children within the time limits established by ASFA (Allard, 2006).

Implications

Because the problems that increase parents' chances of being arrested also increase children's chances of being placed in foster care, what the criminal justice system does or does not do when parents are arrested indirectly affects the child welfare system. Both the child welfare and criminal justice system have a mutual stake in finding ways to improve the criminal justice system's response to parents and their children.

In attempting to make a difference in the lives of children whose parents come under the supervision of criminal authorities, policy makers, service administrators, advocates, and practitioners should be alert to the differences that exist among these children and their parents. There are meaningful differences that are only just beginning to be articulated and which must be better understood if children and their parents are to receive services with the best chances of addressing their particular needs.

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The Inflexibility of the Adoption and Safe Families Act and its Unintended Impact upon the Children of Incarcerated Parents and Their Families

by Philip M. Genty, J.D.

In 1997, Congress passed the Adoption and Safe Families Act ("ASFA"). The central idea was sound – to provide uniform national standards for ensuring that children in government supervised out-of-home care (hereafter referred to as "foster care") would find safe, permanent homes within a reasonably short period of time. To accomplish this, Congress required "permanency hearings" to be held within one year of the child's entry into foster care. Congress also set a blanket time limit of 15 months for foster care placements by requiring that child welfare agencies file for termination of parental rights if a child had been in foster care for 15 out of the past 22 months. ASFA thus drastically limited the discretion of child welfare agencies. State conformance with these federal standards was achieved through a funding mechanism: The federal government cannot regulate state child welfare programs directly, but it can require, as a condition of reimbursing the states for a portion of their child welfare and foster care placement expenses, that the states comply with federal standards. Within a few years, all of the states had enacted their own versions of ASFA to bring their child welfare and foster care systems into compliance with ASFA.

What was apparently not foreseen at the time of ASFA's drafting and enactment was its potential impact on incarcerated parents with children in foster care. For incarcerated parents whose children are in foster care, ASFA's mandatory time limits make termination of parental rights a likely outcome, because most of these parents will be incarcerated well beyond ASFA's 15 month time limit. The mean length of time expected to be served by incarcerated parents is almost seven years in the state systems and nine years in the federal system. Within the state prisons, eighty-one percent of the incarcerated parents will serve two or more years, and fifty-eight percent will serve four or more years. For federal prisoners, the corresponding figures are ninety-two percent and seventy-seven percent (Mumola, 2000).

ASFA therefore poses a challenge for incarcerated parents with children in foster care and the child welfare personnel who work with these families. Although the rigid ASFA timelines might be acceptable policy in other foster care contexts, they are ill-suited to the complex circumstances that exist when the length of separation from the child is beyond the parent's control. Cases involving parental incarceration are the most obvious example, but a similar situation occurs when the parent's continued absence is due to participation in a residential drug treatment program for a prescribed period of time. While achieving permanency for these children is an important goal, traditional, time-driven, notions of permanency planning are inappropriate in such circumstances. These cases call for careful, sensitive handling, with child welfare caseworkers having the flexibility and discretion necessary to develop individualized plans that take into account the unique needs of these families.

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ASFA leaves only three possible ways for child welfare personnel to exercise such discretion. Under ASFA there are three exceptions to the mandatory filing rule, the first two of which are relevant to this analysis: A termination of parental rights proceeding is not mandatory if:

(i) at the option of the State, the child is being cared for by a relative;
(ii) a State agency has documented in the case plan ... a compelling reason for determining that filing such a petition would not be in the best interests of the child. . . .
(iii) the State has not provided to the family of the child, consistent with the time period in the State case plan, such services as the State deems necessary for the safe return of the child to the child's home, if reasonable efforts ... are required to be made with respect to the child.

These exceptions provide child welfare agencies with a degree of flexibility. For a case in which the parent is serving a lengthy prison sentence but has relatives available to care for the child, an agency may use placement with the relative to avoid the strict, adoption-oriented requirements of the federal statute. It is therefore important for child welfare agencies to recruit relatives as caregivers for these children. Similarly, it is critical that family members attempt to become involved in the care of these children as soon as they learn of the parent's arrest. Once relatives are found, they must be provided with the financial resources they need to enable the children to maintain contact with their parents (e.g., money to make regular phone calls), and the therapeutic services necessary to help the children deal with their parents' incarceration.

In cases where no relative is available, an agency may avoid the time-limited permanency planning requirements by carefully documenting in the case plan that severance of the parent-child relationship would be contrary to the child's best interests. These two important exceptions make it possible for state agencies to exercise discretion and continue to work with incarcerated parents, their children and the caregivers to preserve and strengthen the family relationships.

Child welfare personnel must therefore prepare themselves to work within

the requirements imposed by ASFA and develop specialized strategies for dealing with children of incarcerated parents and their families.

To do this child welfare personnel need to be able to know how many children in their caseload have an incarcerated parent. However, child welfare personnel do not currently have this information. Agencies do not categorize cases according to whether the parent of a child is in prison, and no other reliable source of data is available. Neither child welfare agencies, nor correctional officials compile such statistics, but, various estimates are available.

According to a Bureau of Justice Statistics Survey approximately, ten percent of the mothers and two percent of the fathers in state prison had children in foster care in 1997 (Mumola, 2000). For New York State, the numbers were somewhat higher for mothers included in this national study: 18.1 percent of the mothers in the study had a child in foster care (Human Rights Watch, 2002). An Oregon study reported that fifteen percent of the mothers had children in foster care (Office of the Governor, 2002). A study of children in long-term foster care conducted in 1998 by the Center for Children of Incarcerated Parents measured this not only from the perspective of children with a parent who was currently incarcerated, but also from the perspective of children who had ever experienced parental incarceration. The study found that while ten percent of the children had a currently incarcerated mother and thirty-three percent had a currently incarcerated father, approximately seventy percent of the children had had a parent incarcerated at some point during their time in foster care (Johnston, 1999).

A priority for child welfare personnel should be to develop systematic ways to gather and record this information so that it is easily accessible. Effective policies for dealing with children in foster care whose parents are incarcerated cannot be developed without such data.

Once agency personnel have identified the children of incarcerated parents in their caseload, agencies must determine which cases warrant efforts to preserve the parental relationship and document their reasoning in the case records. Early "triaging" has taken on additional importance because of the short, mandatory timelines established by ASFA. Thus, where child welfare personnel have determined that a viable parent-child relationship exists, the agency must carefully document its findings in the case record, so that it may continue to work with the incarcerated parent and the child without violating the federal requirements.

> While ASFA timelines might be acceptable policy in other foster care contexts, they are ill-suited to the complex circumstances that exist when the length of separation from the child is beyond the parent's control.

Child welfare personnel must also develop individualized service plans that take into account the unique needs of children of incarcerated parents and their families. For example, regular physical contact in visits between children and their parents is critically important to young children (Beckerman, 1989; Hairston & Hess, 1989). However, for child welfare agencies, the obstacles to providing regular visiting with incarcerated parents are considerable. An agency caseworker will have to devote an entire day to a prison visit on a single case.

One potential solution is to develop specialized units of caseworkers who would work exclusively with children whose parents are incarcerated. In that way, several visits could be scheduled on the same day, and a group of children could be transported by bus to the prison, accompanied by agency personnel. This approach has been used successfully by the New York City Administration for Children's Services in its Children of Incarcerated Parents Program ("CHIPP"). Other solutions will need to be devised for parents who are in prisons located at a distance that makes a day trip impossible. Caseworkers working in these specialized units may be able to recruit families in the communities surrounding the prisons to provide overnight lodging for the children.

Similarly, children of incarcerated parents require specialized services to help them deal with their parents' imprisonment (e.g. Johnston, 1995; Kampfner, 1995). These service needs may be unique to children of incarcerated parents, and the typical caseworker will not have the knowledge and experience necessary to provide or locate these services. Again, specialized units devoted to children of incarcerated parents might be helpful in facilitating the provision of these services. For example, the units could bring children of incarcerated parents together for group sessions, or the children might be taken to the prison for family therapy with their parents.

Conclusion

A result of the trend toward incarceration of greater numbers of people for longer periods of time is that an increasing portion of the caseload of child welfare agencies will likely involve children of incarcerated parents. Traditional notions of permanency planning, as embodied by the strict ASFA foster care time limits, do not fit cases of parental incarceration, as they fail to take account of the strong ties that may exist between parents and children who are involuntarily separated for lengthy periods of time because of the parents' imprisonment. Effective family work in cases involving parental incarceration requires a significant expenditure of time and energy, and child welfare agencies should identify the cases where such efforts would be effective in maintaining and strengthening viable parent-child relationships. In such cases, agencies must develop innovative permanency planning approaches, consistent with the requirements of ASFA, for incarcerated parents and their children. In appropriate cases agencies will need to invoke ASFA's exceptions to the mandatory 15 month foster care time limit in order to exercise

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1. Legislative efforts to do this are currently underway in New York and California.

Overview

Parental Incarceration and Foster Care Caseloads

by Christopher A. Swann, Ph.D. and Michelle E.Sheran, Ph.D.

The number of incarcerated mothers increased dramatically during the 1980s and 1990s. Between 1986 and 1997, the number of mothers in state and federal prisons increased by 210 percent. Over this same period, the number of children in foster care almost doubled, increasing from 280,000 in 1985, to 537,000 in 2000 (Johnson & Waldfogel, 2002). A recent paper by Swann and Sylvester (2006) considers a number of likely determinants of the increase in foster children from 1985 to 2000 and provides evidence that female incarcerations were the largest contributor.

Swann and Sylvester (2006) conducted a comprehensive study of the growth in foster care caseloads from 1980 to 2000 and related this growth to state-level characteristics and policies. The authors considered a number of possible explanations for the observed growth in foster care caseloads. These included rising female incarceration rates, the crack cocaine epidemic, the spread of HIV/AIDS, changing economic conditions, tightening of welfare rules, and changing socio-demographic characteristics. Using multivariate regression analysis, Swann and Sylvester (2006) related foster care caseloads to a number of variables that proxy for these different explanations.

The results from their study (Swann & Sylvester, 2006) indicate that the rate of female incarceration, the rate of violent crime, and the fraction of the population that is African-American are all positively related to foster care caseloads while the level of welfare benefits is negatively related to the number of children in care. As a specific example, the results suggest that an additional incarceration per 100 women is associated with a 6 percent increase in foster care caseloads. To discern which variables played the biggest role in the observed growth in foster care caseloads from 1980 to 2000, the authors use their results to estimate how much of the growth can be attributed to each variable alone. This analysis suggests that female incarcerations were the largest contributor to the growth in foster care caseloads, accounting for 31.1 percent of the observed growth. Falling Aid to Families and Dependent Children/Temporary Assistance for Needy Families (AFDC/TANF) benefits were the second largest contributor, accounting for 15.3 percent of the growth.

This strong relationship between foster care caseloads and female incarcerations likely captures a number of aspects of incarceration. First, it reflects the direct effect of parental absence. However, estimates of the number of children of incarcerated mothers who enter foster care suggest that this effect is likely small. For example, Johnston (1993) estimates that only 10 percent of children of incarcerated mothers are in foster care. Second, the association between foster care caseloads and female incarceration rates may capture the effects of incarceration that linger after parents are released. For instance, parents may have difficulty regaining custody of their children. Finally, the association also likely reflects the impact of a number of factors that are unaccounted for in the study but are related to incarceration (e.g., substance abuse, mental illness, and homelessness). Data limitations preclude a more precise understanding of the importance of each of these components.

Although not directly included in Swann and Sylvester's (2006) analysis, it is likely that a number of policies and laws have contributed to the foster care crisis facing the children of incarcerated parents. These include changes in sentencing policy such as the 1986 Anti-Drug Abuse Act (Public Law 99-570), which imposed mandatory minimum sentences and shifted sentencing power from federal judges to prosecutors. The ten years following the enactment of this law saw significant changes in incarceration, particularly for women. Between 1986 and 1997, the most common reason for the incarceration of women moved from property crime to drug arrests (Johnson & Waldfogel, 2002). Over this same period, the number of drug arrests increased dramatically overall; Mauer, Potler, and Wolf (1999) document an 888 percent increase in female incarcerations for drug arrests compared to a 129 percent increase for other offenses. Consistent with stricter sentencing guidelines, Scalia (2001) finds that the average actual time served increased from 30 months to 66 months over this same period.

At the same time as sentencing policy was becoming stricter, a number

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More recent legislation, the Promoting Safe and Stable Families Amendments of 2001 (Public Law 107-133), authorized a program for mentoring children of prisoners. The initial authorization was for $67 million, but no funds were appropriated in fiscal year (FY) 2002 (CWLA, n.d.). Subsequent funding has been appropriated for $8.9 million in FY 2003, $35 million in FY 2004, and $11.2 million in FY 2006 (U.S. Department of Health and Human Services 2004, 2006). This program was reauthorized in 2006 as part of the Child and Family Services Improvement Act of 2006 (U.S. Department of Health and Human Services, 2006). A list of funding recipients as of September 2006 can be found at

http://www.acf.hhs.gov/news/press/2006/mcpp_06_awards.htm.

Racial Disparities in Child Welfare *by Susan J. Wells, Ph.D. and Meredith S. Daniels, B.A.*

It has long been recognized that African American children and American Indian children are disproportionately represented in foster care. For example, in Minnesota, African American children are over four times more likely to be in foster care than to be in the general child population. They make up almost 21% of the foster care children and 5% of the child population according to the 2006 child welfare report from the Minnesota Department of Human Services. The same report shows that American Indian children are 7 times more likely to be in foster care than to be in Minnesota's child population (Minnesota Department of Human Services, 2007). This disproportionality is also reflected in adult incarceration. Roughly seven percent of African American children, or one out of fourteen, have at least one parent who is incarcerated, compared with two percent of all children (Mumola, 2000).

The source of this disproportionality has been a continuing puzzle for the field. There have been some suggestions that the difference is expectable given the higher risk of poverty for families of color and greater likelihood that families in poverty come to the attention of the child welfare system (Barth, n.d.). Additionally, some researchers such as those at Westat, Inc. have found that there is no greater risk of actual incidence of maltreatment by race between African American and white children and that system response differences are a likely source of the disproportionality observed in representation (Hill, 2006). This would lead us to conclude that it is possible some disproportionality may be a result of disparity in the way families are treated at some point in the process.

Reporters and first responders, given two children who are alike in every way except race, may sometimes be more likely to send the African American family to protective services and the white family to alternative parallel systems such as mental health or health services. This was suggested in the Minnesota African American Disparities Committee's case record review study, conducted with Minnesota Department of Human Services, four Minnesota counties and the University of Minnesota's School of Social Work (Minnesota Department of Human Services, 2005). These biases reflected in child welfare practice can also be seen in other human service areas such as criminal justice, impacting parental incarceration.

Roughly seven percent of African American children, or one out of fourteen, have at least one parent who is incarcerated, compared with two percent of all children

To take one example from the case record review study, a selected group of cases was examined in which the children came into the child welfare system due to law enforcement drug raids on the households in which the child lived or due to arrests after traffic stops. The white children in a specific age group, ages 5-9, were much more likely to be referred by the law enforcement responders to informal systems of substitute care such as friends and relatives while African American children in this age group were more likely to be placed in foster care. In other age groups from this sample, there were no differences by race in the placement of newborns; and white children, in age group 1-4, were more likely to be placed in foster care than African Americans (Griesgraber & Wells, 2008). These findings demonstrate that ending up in child welfare can sometimes be as much a function of race as other family or situational factors. So the issue is not whether there is discrimination but instead to discover and remediate system-wide ingrained responses that result in disparate treatment.

It is important for workers to consider how much of the cycle of foster care placements is self-perpetuating. Due to the additional damage caused by unnecessary foster placements, particularly if they result in multiple living situations, it is easy to see how parental arrests and incarceration can begin a vicious cycle that is perpetuated with the children (Semanchin Jones & Wells, 2008).

The routes to helping children of incarcerated parents include prevention of child protective service involvement when there is not a question of maltreatment. For children who are already in the system, minimizing the time in care wherever possible (for example, identifying appropriate relative care where it exists) and minimizing the trauma associated with care are critical issues. It is known that children who have undergone trauma are more likely to have behavior problems and that children with behavior problems are more likely to have multiple foster care placements exacerbating the difficulties for the child (Newton et al., 2000). It is the worker's responsibility to try to break this cycle by ensuring more stable living situations for these children.

Some potential interventions to stem the tide of disproportionality in foster care in Minnesota have been undertaken at both the state and county levels while others stem from the experience and expertise of the workers and supervisors themselves. The Minnesota Department of Human Services has undertaken new training of mandated reporters and has for some time been addressing length of stay for children awaiting adoption. Each of the four counties involved in the study, Ramsey, Hennepin, Anoka and Olmsted, have engaged in separate initiatives in their own communities to address disproportionality. These include, for example, reaching out to community based organizations to sustain the informal support systems that enable families of color to avoid child protection whenever possible.

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Children with Immigrant Parents in Deportation Proceedings

by Ilze Earner, Ph.D.

Over the last five years more and more attention is being paid to the special needs of immigrant families, children, and youth who become involved with the child welfare system. As our knowledge base grows, child welfare agencies in communities with large migrant populations have begun to respond by implementing practices that reflect a better understanding of the role of cultural differences, how immigration status impacts access to services and also how migration patterns affect dynamics within immigrant families. In addition, more attention is being paid to hiring bilingual staff or ensuring language access through the use of interpreters.

The scope of collateral contacts has also enlarged and child welfare staff have had to develop new relationships with immigration attorneys, ethnic community-based organizations and even with foreign consulates in order to effectively address the issues presented in working with immigrant families (Velasquez et al, 2007). A new issue that has surfaced in many communities across the country is what to do when immigration enforcement operations separate parents and children or involve children in detention and deportation proceedings. Unfortunately, few child welfare agencies are equipped to respond to these incidents (Detlaff and Phillips, 2007).

Beginning in 2005 Immigration and Customs Enforcement (ICE) stepped up operations to reduce the number of undocumented individuals in the United States; ICE raids on employers who hire undocumented workers doubled between 2005 and 2006 resulting in the detainment of over 3,600 adults (USCIS, 2007). Many undocumented workers are also parents with young children, and while the exact number of children affected when parents are detained is not known, a recent joint Urban Institute/ National Council of La Raza (2007) study found that for every two adults detained, a minor child under the age of ten was affected. A significant portion of these children were U.S. citizens by birth; likewise some detained parents were also single parents with no other family or relatives available to provide care. In one well-publicized worksite enforcement operation at a factory in Massachusetts in 2007, over 300 immigrants were arrested and detained. While ICE had worked in advance with state officials to ensure that a team of child welfare caseworkers would be available to handle any children affected by this raid, there were nonetheless allegations of "toddlers stranded at day care centers" and instances of relatives reluctant to come forward to provide care fearing possible deportation themselves (Shulman, 2007).

In the absence of comprehensive federal guidelines that recognize and respond to the complexities of mixed status families, it is important that state and local child welfare agencies respond to the needs of children separated from their parents during immigration enforcement operations by utilizing the guiding principles of safety, permanency and well-being. As worksite enforcement operations become more prevalent, child welfare agencies will need to work closely and coordinate with other community organizations including schools and day care providers, legal services and religious organizations to facilitate parent-child reunification or to identify alternative placements that are in the best interests of the children affected. Ultimately the immediate goal should be to minimize the long term effects of trauma and separation for children whose parents are targets of immigration raids.

Recommendations for State Child Welfare Officials

- Develop a coordinated plan to respond to immigration raids that includes representatives from schools, public officials, religious organizations, immigrant community leaders and other key groups;
- Have in place a strategy to reach out to parents and caregivers to assure them it is safe to seek emergency assistance from social services in the event of an immigration raid;
- Develop and nurture relationships with ethnic and community-based organizations that serve immigrant populations in the community; these networks can act as cultural liaisons and can be especially helpful for language access and information about relatives and other potential caregivers;
- Help facilitate communication between detained parents, children, relatives, legal representatives and consular officials;
- Develop confidentiality protocols that will alleviate the fear of immigrant families or relatives from interacting with agencies or coming forward to provide care for children.

Recommendations for Child Welfare Staff

- Be familiar with, learn how to identify and understand the implications of immigration status; some children of undocumented parents are themselves undocumented; a large majority, especially young children, are U.S. citizens;
- Permanency planning efforts must incorporate children's parents or other important family members with reunification as the optimal goal; if this is not possible or desirable, efforts must be made to locate willing relatives or other kin to preserve cultural and familial connections;
- Staff must also become familiar with and learn to work with international social services agencies and consular officials to facilitate transnational home studies;
- Staff must also recognize that immigration relief may be available to undocumented families and children; this includes Special Immigrant Juvenile Status, U and T visas; referrals to appropriate and knowledgeable legal experts should be made expeditiously.

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International Social Service (ISS) is a non-profit, international social services agency that provides services and support to migrant families and children including document searches and international home studies. www.iss-usa.org
The National Immigration Law Center specializes in immigration law and the rights of immigrants. www.nilc.org

Overview

Placements Of Infants Born To Incarcerated Mothers

by Denise Johnston, M.D.

While concern for all children of incarcerated parents exists, there is often added concern for those children who are born within the walls of a prison or jail. Many child welfare workers are unaware of what happens to a pregnant woman when she is incarcerated, not to mention what happens to her child at the time of birth. This article aims to provide a basic understanding of circumstances for infants born to incarcerated mothers.

Pregnant women entering jails typically receive special diets, prenatal vitamins and prenatal check-ups. Routine care includes an initial obstetrician visit, monthly prenatal nurse practitioner visits, and weekly visits during the last month of pregnancy. Women in labor may initially be monitored in the jail infirmary, then transported by ambulance to a medical center to give birth. Following a routine delivery, mothers and infants generally stay together for the first 1-2 days postpartum. Mothers usually return to the jail within 24-48 hours of delivery. While some jails have special contact visitation programs for mothers and children, in practice less than 0.1% of the children of jailed mothers can participate in these programs (Johnston, 1993, 2003). Child welfare workers can request and supervise mother-child contact visits in most jails.

When infants are born to prisoners, routine toxicology screens are performed. Mothers are screened for a history of crimes against children or previous child welfare system involvement, and potential caregivers for the infant are identified and screened. If no concerns result from these activities, infants can be released to caregivers without involvement of Child Protective Services [CPS]. Data are not kept on placement decisions of incarcerated parents. That said, practice has taught us that most mothers arrange placements within their immediate families (maternal grandmother or baby's father) when it is possible. Other common placements include paternal grandparents and maternal aunts.

Provision of reunification for incarcerated mothers with infants in foster care is determined by the 1997 federal Adoption & Safe Families Act [ASFA], which outlines reunification timeframes. Each state has the opportunity to modify the federal legislation to impose a stricter timeframe; child welfare workers should familiarize themselves with their state requirements. Some jailed mothers can meet the ASFA timelines while others cannot. As a result, many imprisoned mothers with infants in placement do not receive reunification services. The state or county has the option of pursuing a legal transfer of guardianship; however due to the infant's age, termination of parental rights with adoption is the more typical permanency plan.

Many infants born to incarcerated mothers would not enter the child welfare system if not born to prisoners.

Many infants born to incarcerated mothers would not enter the child welfare system if not born to prisoners. Recent research suggests that such children go on to have higher rates of juvenile and adult arrest/incarceration when they are put into out-of-home placements (Doyle, 2007). This phenomenon is of great concern in a population of children already facing a high risk of intergenerational incarceration.

There are several alternatives to traditional incarceration that allow incarcerated mothers to retain custody of their newborns. Criminal Courts have long utilized treatment sentence in mother-child settings in lieu of incarcerating drug-dependent mothers. There is no official information available about the child custody-related outcomes of alternative sentencing for this population, however practice experience indicates that women who receive treatment sentences in lieu of incarceration are able to avoid placements of their infants in out-of-home care, preserving the parent-child bond.

Additionally, there are a few programs across the country that allow pregnant and/or parenting women prisoners to serve their sentences in community-based facilities with their young children. Women with violent and child-related crimes are generally excluded. Currently, in California the approval process to enter one of these programs includes a CPS screening. Admission takes one to six months; as a result, women entering prison in mid- or late pregnancy may be unable to reach a mother-child facility before giving birth and subsequently are separated from their newborn. In 2008 in California, 170 families (2% of all female prisoners) will have the opportunity to participate in one of five mother-child correctional facilities. It has been reported that participants have recidivism rates that are a quarter to a third lower than those women released from traditional prisons. It is unknown, but assumed that many of the participants continue to live with their children after release.

The consistent conclusion of child welfare experts examining infant placements is that there is a need for intensive and multidisciplinary efforts by agencies to "collaborate in the design and implementation of a system of care" to address the multitude of risks facing these children (Larrieu et al., 2008). Pregnant prisoners and their infants are ideal candidates for a multidisciplinary approach and can clearly benefit, as has been documented through the reduction in recidivism noted above.

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Parental Imprisonment and Family Visitation: A Brief Overview and Recommendations for Family Friendly Practice

by Joyce A. Arditti, Ph.D.

Background: Parental Imprisonment and Children's Adjustment

Current estimates indicate that it is likely at least 10 million children have a parent who is involved in the criminal justice system (Reed & Reed, 1998), and that substantial portions of incarcerated women and men are parents (Mumola, 2000). Incarceration has profound emotional, social, and economic effects on families. The research is clear that incarceration is associated with unstable and estranged parent-child relationships with respect to the imprisoned parent (Arditti, Lambert-Shute, & Joest, 2003; Arditti & Few, 2007). The stress of incarceration can also undermine the quality of children's relationship with their non-incarcerated caregiver to the extent the caregiver and child adjustment is compromised. The effects of parental incarceration on child adjustment are more profound if the incarcerated parent resided with the child prior to separation and was primarily responsible for their care (Parke & Clarke-Stewart, 2002). Children with incarcerated mothers are at the greatest risk for psychological distress, behavior problems, and subsequent involvement in the criminal justice system themselves, given that most mothers lived with their children prior to imprisonment and were primary caregivers (Dallaire, 2007; Poehlman, 2005).

> Consistent, humane, and noninvasive visitation within a developmentally appropriate setting may serve to lessen children's distress over their incarcerated parent and enhance family ties

Visitation

Visitation can potentially benefit the incarcerated parent and provide emotional and psychological continuity for family members. Many imprisoned parents feel that on balance, visits with their children are worthwhile and serve to strengthen family bonds. While family visits seem to be helpful to the imprisoned parent, the effects of visits on children are complex and depend on a variety of factors including the structural aspects of visiting, children's developmental status, the nature of children's relationship with the imprisoned parent prior to incarceration, and the quality of coping and resources in children's current family arrangements (Parke & Clarke-Stewart; 2002).

In general, barriers and obstacles associated with visitation may undermine any therapeutic value of visiting for family members, and could potentially exacerbate loss-related trauma. The extent to which an environment is *promoting* or *inhibiting* is ecologically significant and has developmental implications for families and children. Of particular concern are environments that restrict exploration by children and put pressure on parents to provide regulation (Arditti, 2003).

Research indicates that prison visiting is both psychologically and physically demanding for children and adults, and the visiting conditions in most facilities are poor (Hairston, 1998). Visits may be emotionally painful and create distress for both the inmate and their children (Arditti, 2003; Arditti, Smock & Parkman, 2005; Arditti & Few, 2007). Furthermore, family members often have to withstand humiliation and rude treatment by correctional officers, often visiting in crowded, noisy, and dirty facilities (Arditti, Lambert-Shute, & Joest, 2003). Family members also report feeling a sense of degradation and stigmatization when visiting due to their association with the inmate. Such situations can lead to permanent, rather than temporary, severance of family ties due to a lack of meaningful contact to support an enduring bond between children and parents. For many, going on visits entails major expenditures of time, money, and energy. Despite their devotion, some families may sever contact with the incarcerated parent due to scarce resources or social disapproval for utilizing limited resources for visitation (Christian, 2005).

Common problems associated with visitation include:

- Transportation—particularly when inmate is housed far from home
- Expense (gas, airfare, hotel, meals, snacks in visiting room)
- Parenting stress due to interaction with corrections staff, waiting
- Boredom, restriction for children
- Emotional and cognitive reactions precipitated by visit

In addition to the problems cited above, it is important to note that families forgo other opportunities when they visit. The decision to forgo these opportunities may negatively impact the family depending on:

- Length and frequency of visits
- The extent to which visits deplete economic and social resources
- The extent to which foregone opportunities are developmentally promoting or enhance family resources

"Family Friendly" Visiting

Family Friendly visitation programs have been promoted by prison administrators, academics, and prisoner advocates albeit for very different reasons (Loper & Tuerk, 2006). For example, prison administrators are interested in finding ways to limit the stress of institutionalization in order to reduce the likelihood of deviant and criminal behavior on the part of the inmate during his or her incarceration. Prison visitation programs may then distract, soothe, and occupy the inmate with the benefit of facilitating social reintegration as family ties are paramount in ensuring successful reentry (Travis, 2005). Prisoner advocates and some academics favor family friendly visitation, purporting the benefits of a more humane visitation environment

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Keeping Children Safe When Their Parents Are Arrested: Protocols for Child Welfare and Law Enforcement *by Lisa K. Foster, M.S.W., M.P.A.*

While child welfare workers know how important it is to ensure children's safety and well-being after their parents are arrested, children are often overlooked at an arrest scene. During California Research Bureau (CRB) policy roundtables, children of arrested parents shared their experiences in trying to navigate a world that seemed unaware of their existence. Some stayed alone in their homes after their parents were arrested and taken to jail, fending for themselves until noticed by neighbors; many others were taken by law enforcement officers directly to children's shelters. Transported in police cars, they reported feeling they had also done something wrong and experienced tremendous fear and guilt. As a result, children were traumatized not only by their parent's arrest but also by the response and procedures they encountered from law enforcement and child welfare agencies. Their mental health, physical health, school performance, and sense of overall safety and well-being suffered significantly, with long-term consequences for their lives.

Responding to a 2001 CRB survey, two-thirds of all the California local police and county sheriff's departments reported that they had no written policy outlining their officers' responsibilities for minor children at the time of a parent's arrest. Nearly half of the responding child welfare agencies reported that they did not have any written policies on how to respond to an arrest situation, or consistent policies on how to place children of arrestees in temporary care.

Law enforcement officers are not trained to assume a "social worker" role in the arrest situation—their focus is on safely accomplishing an arrest. However, social workers often are not well informed about law enforcement practices and priorities and often do not consistently respond to officer requests for assistance with children when a parent has been arrested. As a result, children may be left alone, transported unnecessarily to a children's shelter or temporary care, or informally handed over to the nearest friend or neighbor with no follow-up as to the appropriateness of that caretaker. Perhaps most importantly, there is a general lack of understanding on the part of both child welfare services and law enforcement as to how their roles are interdependent and how children can best be served by bridging the gap, even in the absence of legal requirements to do so.

At CRB policy roundtables, participants most frequently identified a coordinated response involving both law enforcement and child welfare services as the key to ensuring a child's immediate safety and well-being following a parent's arrest.[1] A coordinated response is a partnership based on formal protocols which establish clear parameters for the partnership.

While there are numerous challenges (organizational, financial, legal, and professional) to creating a formal partnership, some California jurisdictions have successfully done so.

One explicit goal of several local protocols is to avoid placing children in formal child protective services custody unless it is appropriate and necessary. A key outcome of the San Jose City/Santa Clara County Joint Response Protocol process has been a reduction in the number of children entering the formal child welfare system. Instead of being transported to the children's shelter, greater numbers of children are being placed by child welfare workers with family members or other appropriate caregivers. In addition to benefiting the children, this diversion represents a major savings to the county.

Joint response protocols improve relations between agencies by requiring collaborative approaches and clearly defining responsibilities. The San Jose City/Santa Clara County protocol requires that child welfare services respond to a law enforcement request within 30 minutes of receiving the call, and that law enforcement officers consult with child welfare before transporting a child to the shelter. It also includes a standing court order allowing joint investigations and information sharing between the two agencies. The Los Angeles protocol calls for a child welfare services worker to be co-located in each of 19 city police stations and to be available for consultation and assistance.

Based on the experience of these jurisdictions, several factors increase the success of a joint approach:

- Timely response by child welfare services workers to law enforcement requests for consultation or assistance at an arrest scene.
- Co-location (if possible) of child welfare services workers at law enforcement agency offices.
- Cross-training on roles and responsibilities of each participating agency, and education on the effects of parental arrest on children.
- A designated liaison officer in each partner agency to review cases, handle questions and complaints, problem-solve and facilitate ongoing collaboration.

Finally, there is broad consensus that commitment and leadership by the partnering agencies, especially law enforcement and child welfare services, is crucial to the success of a coordinated response.

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This article is adapted from the California Research Bureau (CRB) report, Keeping Children Safe When Their Parents are Arrested: Local Approaches That Work (Puddefoot & Foster, July 2007). This and other CRB reports on children of incarcerated parents are available online at the California State Library's website at http://www.library.ca.gov, under CA Research Bureau Reports. The CRB provides objective, nonpartisan policy research to elected officials.

1 The California legislature has expressed its intent that law enforcement and child welfare agencies develop joint protocols to work together to ensure children's safety and well-being at the time of parental arrest (AB 1942, Nava, 2006).

Incarcerated Parents: Interrupted Childhood

by Sandra Enos, Ph.D.

When I began researching the challenges of parenting, specifically mothering in prison in 1992, the literature was sparse and programming directed to these children and their families even more limited. Those were the good old days when the number of men and women in our nation's prison was "only"1.3 million (Beck, 1997). By the end of 2006, the population had reached 2.2 million. One of every 132 residents in the United States lives behind bars. The explosive growth in prison population is unlikely to reverse itself in the near future (Pew Trusts, 2008).

The impact of increased incarceration rates on families and communities is especially hard felt, especially in vulnerable populations. Recent reports by the Department of Justice found that 10 million American children will have a parent in the criminal justice system at some point during their childhood. In 2000, 1.5 million children had a parent incarcerated in a state or federal prison. One in five children in foster care have parents who are serving terms in prison (Mumola, 2000). Yet, at each decision point in criminal justice processing--arrest, adjudication, sentencing, incarceration, release and return to the community—marking an important event in the fate of the offender, children remain an afterthought, an unanticipated and under-appreciated population of victims of the war on crime. Children and their incarcerated parents become clients of separate public agencies, often at odds and seldom partners in addressing the family's needs for rebuilding and reunification. Because we see children and their incarcerated parents as parts of different social welfare systems, we treat them as two competing entities. Of course, in some instances, the best interests of children do in fact depart from the best interests on the parents.

Understanding the complex nature and promise of relationships between children and their inmate mothers and fathers presents challenges for caseworkers, correctional staff and family members. If we can look at parenting as a career, we can understand how life choices support or undermine mothering or fathering, and we can also suggest how policy and practice can more adequately address the varieties of parenting careers that are in place. Not all inmate mothers or fathers will return to their children as primary caretakers; some may take on these responsibilities for the first time upon their release, assuming care for children formerly taken care of by others, usually family members. Others will resume their roles in shared child keeping, neither able to take primary care of their children nor ready to legally give up the child for adoption or long-term foster care. Still others will be losing their rights to their children through termination proceedings, which will release their children to the care of others. Other parents who before imprisonment have been the primary caregiver of children and who have had the support of a spouse or partner during incarceration may find their re-entry into the community eased by social and family supports. The array of family arrangements that characterize the population is seldom recognized or accommodated by child and social welfare organizations. Similarly, many prison visitation programs operate without a full understanding of the variety of family arrangements that fill our communities. Many families, even when under severe economic stress, may be the best places for children but they need additional support. They need respite care. They need more generous support for foster care. Children of incarcerated parents face significant challenges in their communities. The developmental issues these children present range from cognitive delays to emotional difficulties. The impact of maternal incarceration on a young teenager is different from the effect of that imprisonment on a toddler. Recently, efforts have been made to address these issues through national programs, some provided through mainstream agencies like the Girl Scouts and Big Brothers/ Big Sisters (Girls Scouts Beyond Bars, 2004). The federal government has provided funding for some of these programs and has developed a bibliography of materials on mentoring children of prisoners (U.S. Department of Health and Human Services, 2007). Finally, leading nonprofit organizations, like the Annie E. Casey Foundation (2005), have devoted considerable research and program funds to address these issues by targeting and organizing resources in the community

Children and their incarcerated parents become clients of separate public agencies, often at odds and seldom partners in addressing the family's needs for rebuilding and reunification.

It is likely that the over-imprisonment of thousands of our citizens will continue (Greene and Pranis, 2004). We should understand, as clearly and as deeply as we can, that the collateral damage of our war on crime and drugs is our most vulnerable children. These children lie at the intersection of educational, social service, correctional, family service and other agencies. Coordinated, specialized, and targeted interventions can break the cycle of generational imprisonment, but not without leadership and not without commitment. Child welfare managers and workers find themselves on the front line of these issues with opportunities to afford sensitive and appropriate services to children who face an array of difficult challenges made worse by parental incarceration.

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When Mom is Away: Supporting the Families of Incarcerated Mothers

by Sarah B. From

As the number of women in prison and jail has skyrocketed over the past three decades, more and more children are experiencing the very unique trauma of having a mother behind bars. While curbing our reliance on incarceration is the only sure way to reverse this trend, there are many ways that concerned systems officials can make a real difference for families affected by maternal imprisonment.

The Adoption and Safe Families Act (ASFA), a 1997 federal law that sets strict timetables for a child's stay in foster care, presents a very real threat to incarcerated women's ability to maintain their parental rights. While advocates work toward reform of ASFA (1997), child welfare systems should educate workers and families about the law and its particular relevance to incarcerated parents. Parental incarceration, and the barriers correctional policies pose to involvement in a child's life, should be given consideration in custody decisions.

Simple geography is a major barrier to maintaining ties with an incarcerated mother. Many women are incarcerated in prisons located hours away from their children. Often situated in rural areas, prisons are rarely accessible via public transportation. Women who could benefit from a community-based alternative to incarceration, and who do not present a risk to public safety, should be able to serve out their sentences in programs close to home.

Given the time and expense required to visit a parent in a far away prison, foster care agencies and guardians may not make it a priority to make these visits occur. Courts and foster care agencies should ensure that visits occur, regardless of the location of the parent's correctional facility. Child welfare systems should plan for and provide resources to fund visitation for incarcerated parents.

When visits do occur, the prison experience can be a scary and confusing one for the child. A parent may not be able to hug or hold her child, and a child may witness his or her parent being treated as an "inmate" by correctional staff. Correctional facilities should create family-friendly visiting rooms, enact visiting policies that allow parents to have physical contact with their children, and staff visiting areas with correctional officers who have been specially trained to be sensitive to the family visiting process.

In many states, phone rates from prisons are astoundingly high, resulting in a de facto back-door tax on families who want to keep in touch with their loved ones. Prison policies regarding access to phones make it a challenge for parents to stay involved with their children's day-to-day lives. Phone policies and high rates also make it difficult to maintain regular contact with foster parents, family legal counsel, and school officials. Corrections systems should review their telephone policies to ensure that families are not negatively impacted by high fees and telephone access policies, especially when parental rights are at stake.

> Often, the toughest challenges for families (and workers) occur at the intersection point between public systems, as one system's assumptions, policies and norms collide with those of another system.

Unfortunately, many women report that information crucial to their family situation is in short supply in prison. On the most basic level, women need to know where their children are and that they are safe. Mothers need access to the legal processes that will determine what happens to their children and to their parental rights. Many women experience problems being produced for proceedings in family court, accessing their lawyers, and being included in case conferences about the child's future. Courts, corrections and the child welfare system should work together to ensure that incarcerated parents have the information and access to legal processes that affect their families.

Cross-systems collaboration is crucial to achieving better outcomes for criminal justice-involved mothers and their families. Often, the toughest challenges for families (and workers) occur at the intersection point between public systems, as one system's assumptions, policies and norms collide with those of another system.

What is needed are more opportunities for officials to come to a mutual recognition of the barriers their systems create for women trying to live successfully in the community, and the latitude to work collaboratively towards solutions. And, throughout all of our efforts, we must create space for the voices of mothers, children, caretakers, and others who have directly experienced parental incarceration. As people living at the intersections of complex public systems, they are not only experts on their own lives, but sources of expertise on what policy changes could make a difference.

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**This article was greatly informed by the policy recommendations of the Women's Advocacy Project, a public policy program for formerly incarcerated women. Their recommendations are available online at www.wpaonline.org/institute/wap.htm.*

The Incarcerated Child and the School System

by Emani G. Davis and Dee Ann Newell

The relationship between incarcerated parents and their children is a complex one, particularly when a child is in an out-of-home placement. Adding to this complexity are the differing agendas of the multiple state agencies, which become involved in the lives of these families, as a result of incarceration and/or an investigation of neglect. While the child welfare, correctional and judicial systems may work together in some instances, they have been generally unsuccessful at effectively collaborating when working with families. The school system, though often overlooked, plays a critical role in the lives of children. When a parent is incarcerated, schools can be a valuable resource, providing stability and support to these children.

When a parent is incarcerated, schools can be a valuable resource, providing stability and support to these children.

Unfortunately, few schools are prepared to effectively respond to the needs of children with an incarcerated parent, not to mention the needs of those children who are also in the foster care system. The combined impact of these systems in the lives of children brings forth multiple factors that school staff may be ill equipped to recognize or navigate. School professionals may struggle to balance the emotional impact on the child with their own ethical and confidentiality concerns. Furthermore, school professionals are challenged to address the social concerns of the child, being mindful of the stigma and labeling that children with incarcerated parents too often endure. While this may appear dire, it actually creates a unique opportunity for collaboration among child welfare workers, school professionals, and the families and/or extended families of the children involved.

From the educational system's perspective, it would be beneficial to have the child welfare worker both speak with the child about his or her feelings as they relate to his or her parent's incarceration, as well as inform children about the natural supports that may already exist within their school system. Once supports are identified, the worker can ask the child if he or she would like assistance in talking to the support person at the school. In cases where natural supports have not been identified, the worker should help the child explore potential resource opportunities with teachers, classroom aides, school social workers, guidance counselors and/or principals. With the child's consent, the worker can assist in setting up either a formal or informal meeting between the child and their identified support person.

Child welfare workers can work with their agencies to recommend resources and training opportunities for school professionals working with children of incarcerated parents, in an effort to ensure that they are providing consistent and effective supports to the child. Further, caregivers, foster parents or kinship-care providers should be encouraged to participate in the child's education by attending teacher conferences, assisting in individual education planning, and consistently monitoring attendance and school performance.

While the child welfare worker, caregiver and school staff can work collaboratively in the best interest of the child while their parent is incarcerated, there may also be opportunities to engage the incarcerated parent in this process. For example, incarcerated parents can assist in maintaining and perhaps strengthening the important social networks that can serve as the safety net for their children. To that end, we offer recommendations for each of the key parties involved in these complex cases.

It is important to note that the following recommendations are based on best practices, and do not account for the specific regulations that may be enforced by the Departments of Corrections within your state. Do not assume that a parent's failure to engage is based on a lack of desire or willingness, but may be a result of the polices and procedures of the prison itself.

School

1. Include storybooks in the classroom that describe a visit to a parent who is incarcerated. There are several excellent books that seek to minimize the stigma for the child.
2. It is important that school officials be aware of the rigid prison visiting requirements and hours and understand that children may miss class or extracurricular activities when visiting their incarcerated parents. Additionally, some schools now accept prescheduled collect calls from the parent's prison, allowing them to speak with the child and their teachers. This opportunity should be explored whenever possible.
3. Look for ways to engage incarcerated parents by including them in conference calls with teachers and by sending them their child's schoolwork, report cards, and newsletters. If there is a storybook program in the prison that provides a taping of the parent reading to the child, permit the taping to be used in class, but without identifying the parent as imprisoned.
4. Work with experts in your area to develop trainings around the issues of children with incarcerated parents for all school personnel.

Child Welfare

1. Help build relationships among the corrections facility, the school, and the caregiver.
2. Help parents identify ways that they can remain engaged and participate in their children's education.
3. Let trusted school officials know about the children's visits to see their parent, and request that if a child seems distraught or preoccupied, that he or

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Overview of the National Project to Implement the Bill of Rights for Children of the Incarcerated

by Dee Ann Newell, M.A.

The Soros Foundations of New York offer U.S. Justice Fellowships through their Open Society Institute Fellowship Program for reforms within the criminal justice system. As a recipient of a 2006 U.S. Senior Justice Fellowship award, I created 14 coalitions in 13 states to drive a national movement to institute policies and practices aimed at greater safety and security for children of incarcerated parents. Emphasis is placed on parent-child relationships and development of initiatives that used the framework of the Bill of Rights for Children of the Incarcerated, written by journalist Nell Bernstein, as the guiding set of principles.

Eligibility for the fellowship project partnership included at least two years in the field with the affected children, their parents in the criminal justice system, or their caregivers, and at least one policy making representative. The groups fell along a continuum of degree of infrastructure, geography, local, regional, or statewide efforts, constituent members.

Each partnership's first steps included a review of the status of children of the incarcerated in their foster care systems. Most surprisingly, very few of the partnering coalitions' state child welfare agencies knew the number of children of prisoners within their systems. The impact of the child welfare system on incarcerated parents and their children was well underscored with the publication of *Reclaiming Families, Rebuilding Lives* by Patricia Allard and Lynn Lui, published by the Brennan Center in November 2006. By 2006, practitioners had begun to see a disproportionate increase in parental termination of rights (TPR'S) among the parent-prisoners with children in the foster care system. The Brennan Center study documented that TPR's were systematically destroying families with incarcerated parents, primarily due to the ASFA timelines permitting rapid termination of parental rights and the failure of the state child welfare systems and their state legislatures to make use of the exceptions under the federal act, which are outlined in Philip Genty's article on page 10 of this publication. Administrators in charge of Departments of Correction and jails had little knowledge of this law and its impact, and few DOCs attended to the plight of prisoners with children in the foster care system.

ASFA presents two specific problems for incarcerated parents and their children:

1. Needed resources for the incarcerated parents to meet case plan obligations are not accessible within the prison settings. Parenting classes, anger management classes, supervised visitation or any provision of transportation for visitations with their children to sustain contact are not offered. Other barriers include lack of money, overworked caseworkers, and time to drive to the prison, and, often, difficulty with DOCs' administrators failure to understand the programmatic needs for these parents, and;

2. Court orders to transport these parents to their case plan conferences or hearings are often difficult to obtain owing to issues concerning whether the DOC, sheriff, or prisoner must pay for the transport. Even if an incarcerated parent has transportation to the hearing, he/she often remains in the jail significant periods of time before the hearing, or experiences a delay in returning to the prison, resulting in loss of placement in the programs allowing their case plan requirements to be met.

Some of the Recommendations of the Bill of Rights for Children of Incarcerated Parents National Partners:

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Children of Incarcerated Parents: A Bill of Rights

I have the right to be kept safe and informed at the time of my parent's arrest.

I have the right to be heard when decisions are made about me.

I have the right to be considered when decisions are made about my parent.

I have the right to be well cared for in my parent's absence.

I have the right to speak with, see and touch my parent.

I have the right to support as I face my parent's incarceration.

I have the right not to be judged, blamed or labeled because my parent is incarcerated.

I have the right to a lifelong relationship with my parent.

Created by the San Francisco Children of Incarcerated Parents Partnership (SFCIPP). To learn more about the about SFCIPP please visit http://www.sfcipp.org/index.html.

C-DREAMS

by Ebony Ruhland, M.A. and Elena Gaarder

In 2006, the Council on Crime and Justice (Council) completed a qualitative study that examined the needs and strengths of children who have a parent in prison. Interviews were conducted with children who had a parent in prison as well as with their caregiver. Findings from the study illustrated that many children were aware of their incarcerated parent's and caregiver's needs. Many of the children worried about their parent who was incarcerated and whether or not their needs were being met. The children in the study also worried about their caregivers who had to take on additional responsibilities. Some families in the study noted that services existed for incarcerated individuals, as well as for victims, but often did not exist for the incarcerated individual's children and families. Despite several challenges these children faced, an important finding was that many of these children were resilient and found various ways to cope with having a parent in prison. A full copy of the report is located on the Council's website (www.crimeandjustice.org).

Based on the results of the study, the Council developed a project that works with children who have a parent in prison and their family. The Council created C-DREAMS, which is a holistic program that builds upon the strengths of the family to promote well-being. The C-DREAMS framework is based upon the theory that when children with an incarcerated parent and their whole family are connected to their dreams, as well as supportive assets that help them realize these dreams, then they are better able to realize school and life success. When we use the term "family" within this article, we are not including the incarcerated parent. C-DREAMS is a program that specifically supports children and their caregivers.

C-DREAMS has six goals, which include: 1) Strengthening pre-existing assets of children and families impacted by incarceration; 2) Preventing intergenerational incarceration; 3) Increasing decision making and conflict resolution skills for youth and families; 4) Increasing school attendance, performance, and parent engagement in the child's education; and 5) Improving family functioning and goal realization through the connection to supportive partners. By joining C-DREAMS, staff and families are committing to a long-term campaign to support the enhancement of children's educational and life success, are committing to a holistic family strengthening model with broader connection to supportive assets and are committing to the use of individualized and family specific "dream development plans" to promote effective self-actualization and family/self sufficiency.

To help families realize and understand their dreams, project staff conduct a family strengths assessment with the child and caregiver. The assessment is conducted early, often times when a family is in crisis and the children are at risk for out-of-home placement. If families are already experiencing out-of-home placement, staff would work with the family and child welfare in the development of a reunification plan. Staff ask open-ended questions and the family specifically defines the goals and "dreams" they want to work towards. After the crisis period the staff assist the family in creating a "dream development plan." The "dream development plan" defines what the child and family would like to achieve in the short-term, mid-term, and long-term. After the assessment, staff immediately works with the family to determine steps on how to reach their "dreams." One to one coaching, mentoring, Circles of Support, and parenting classes are offered in order to help families reached their "dreams."

In addition staff connect families and children to agencies that will build upon assets that support school success, family economic sufficiency, healthy learning environments, and healthy re-integration of the incarcerated parent to the family. C-DREAMS also work closely with teachers in the school where the child is attending. This partnership is vital because the child spends a significant portion of time in school. In this way, the teachers and staff can together support the child in reaching the educational dreams.

Project Success

One example of the project achieving its goals is a family who came to C-DREAMS as a result of the mother's participation in the Council's Parenting classes. Corrine* has two children, who at one point were removed from the home for reported child neglect. The oldest child Jason,* age 7, has a father who is currently incarcerated. Prior to entering the program, Corrine had not worked for 10 years and had difficulty in practicing appropriate discipline in the home. Through participation in family circles and one to one coaching, family functioning has greatly improved and Corrine now holds a full time job. The focus of our work with the family now includes supporting solutions to improve Jason's performance in school and identifying a mentor willing to work with him to make progress on his 'dream plan'.

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**Names have been changed for confidentiality.*

Pregnancy & Incarceration in California

by Denise Johnston, M.D.

The Center for Children of Incarcerated Parents (CCIP) is a non-profit research and training center devoted to discovery in the area of children and their incarcerated parents. CCIP has collected information on pregnant prisoners since 2002. Among women in California's largest metropolitan jails, approximately 2-4% are known to be pregnant at any time (CCIP, 2008). Based on these numbers, CCIP estimates that there will be 500-600 pregnant women in California's jails and prisons on any given day in 2008. The proportion of these mothers who give birth in custody and the number of babies born to women in California jails and prisons is not officially recorded.

Two of the four California Department of Corrections & Rehabilitation (CDCR) women's prisons house pregnant prisoners. All women are initially held in a Reception Center for 2-4 months; therefore many pregnant prisoners give birth before entering the main prison facility. Prenatal care and the management of childbirth are similar to what is offered in other jails (see overview article on infants and incarcerated mothers). Visits are held on weekends, often in large, crowded settings that are not developmentally appropriate for young children (Johnston, 1995; 2004).

CCIP has developed two programs for incarcerated mothers serving their sentences in the CDCR system. First, CCIP's MIRACLE project offers child and family development and family support services. MIRACLE builds capacity for attachment, affectionate relationships with others, and works to ensure that infants born in jail do not experience the multiple disruptions in care that are typical of the first year of life among infants of jailed women. Direct services provided to MIRACLE mothers while imprisoned include: prenatal, childbirth, postpartum care and breastfeeding education, parent education and skills training, child development education, family life education, drug education, self-help activities (AA, ACA, CA, CODA, NA), individualized therapeutic services, mothers' support groups, and trauma recovery and empowerment groups. MIRACLE has served over 400 women. Approximately 40% of all pregnant women in the CDCR women's jail are enrolled in MIRACLE at any time. Most fathers in these families are also criminal offenders, with more than half currently incarcerated or on parole. The mothers involved in MIRACLE typically have committed drug or minor property crimes and have an average sentence of 27 months, of which 50% is typically served. CCIP reports that approximately a quarter of the infants born to MIRACLE mothers between 2002 and 2007 were placed in foster care. MIRACLE mothers who receive services for more than 5 months have a recidivism rate of less than 5%.

In the face of mounting termination of parental rights cases involving incarcerated mothers, CCIP partnered with the CDCR, the Los Angeles County Sheriff's Department, a regional medical center, a non-profit housing agency and for-profit construction contractors to establish a multi-component program called The Mother-Child Reunification Program [MCRP] that begins in the jail, continues in the prison and may follow families in the community for up to 5 years after the mother's release.

MCRP grew out of CCIP's MIRACLE Project. MIRACLE Transitional Advocates provide case management as well as child custody and sentencing advocacy, helping women to receive "baby-friendly" court dispositions while they are still in jail. MCRP Family Advocates visit families in the community weekly and provide home-based child development education, family support, and case management services for previously incarcerated mothers until their infants reach school age.

The MCRP includes four components in addition to those offered through the MIRACLE project:

- Bonding Mothers & Babies is a prison nursery project that will eventually house up to 20 pregnant women, and later by these women with their infants, for up to 2 years.
- The ChildSpace Project offers extended contact mother-child visits five days a week in a developmentally-appropriate environment. ChildSpace specializes in visitation for mothers and babies, supporting the establishment of a maternal-infant bond.
- Mediated Visiting is offered for mothers and their older children, as well as for mothers and the caregivers of their children. Alternate visits are facilitated by a clinician and address issues of potential family conflict.
- MotherRight/FatherRight is a relationship-focused project of services for pregnant/postpartum mothers and fathers, designed to foster healthy parent relationships and to keep fathers in their infants' lives.

The scope of MCRP services is unprecedented, allowing long-standing obstacles to family reunification to be addressed with coordinated services during and after maternal incarceration. The innovative MCRP program represents a system of care that links jail-based, prison-based and community services. The MCRP program provides new supports to pregnant prisoners, their infants and their families including services that reduce infant removals, increase mother-infant bonds and foster sustained mother-infant reunification.

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Collaborations & Perspectives

Working with Children of Incarcerated Parents: A Rural Social Worker's Perspective

by Kelsey Jones, B.S.W., as told to Jamie Schwartz, B.A.

As a rural child protection social worker, I have worked with several families where one or both parents are incarcerated. This situation in combination with being in a small rural community brings several challenges to the work. It is important that child protection social workers consider the additional needs of the children and parents in these difficult situations. Challenges and emphasis beyond the normal range appear in the areas of case planning, transportation and visits, collaboration, and child well being.

Case Planning

Case planning can be a challenge when working with families where a parent is incarcerated. First, it is difficult to engage parents in case planning. Driving distances and limitations in parent's use of the telephone are complicating factors in actively involving them in the planning process. Second, addressing service issues such as chemical dependency, domestic violence, and mental health needs may be impossible if the correctional facility does not offer such services. For example, our local jail only offers Alcoholics Anonymous meetings, which are dependent upon having enough attendees. Our jail also does not offer parenting classes or anger management services. Lack of services often result in case plans being put on hold until the parent is released. The complication in doing this is that permanency timelines and/or the courts are not always understanding of the parent's lack of progress in completing services.

> Transporting children to visit their incarcerated parents isn't a simple task and it becomes more challenging depending on where the parent is incarcerated

Transportation and Visits

One the biggest obstacles for rural child welfare workers who work with incarcerated parents is facilitating parent/child visitation. Transporting children to visit their incarcerated parents isn't a simple task and it becomes more challenging depending on where the parent is incarcerated and where the children are staying. In my own experience, I have had to pick up a van before sunrise, pick up children from two different foster homes (an hour apart from each other) and then drive three hours to the prison. Following an hour visit (length determined by correctional facility rules) we make the long trip back.

This type of situation is physically demanding for the children. To compound the situation, the correctional facilities that we have visited are not child friendly. They are uncomfortable rooms which are not conducive to parent-child interactions. We are further limited by what can be brought into the visits with the parent.

Because we drive such great distances and have little control over visiting times/dates, children may miss other important activities in their lives such as school events, social activities, sports practices, music lessons etc. Because of this, I find myself needing to advocate for the children so that they do not experience penalties for absences beyond their control.

Collaboration

Collaboration with other professionals and agencies is one of my biggest assets when working with families in this situation. In order to coordinate and be successful with the family visits, worker visits, and case planning, I need to collaborate with the staff from the correctional facilities, foster parents, and other important people in the children's lives.

Collaboration with the local jail is fairly easy, as I have forged relationships with many of the staff members; it is more difficult with prison staff in distant communities. For example, I can call my county jail contact and speak with a parent on the phone in five minutes. In contrast, at the prison I have to leave messages to set up a conference call.

Many children of incarcerated parents have Individualized Education Plans (IEP) which need parent collaboration and signed consent. I need to build a relationship with the schools early in the case so that we can coordinate parental involvement from the correctional facility.

Foster parents, teachers, individuals from the child's faith community, and other important adults in the life of a child are also key collaborators. I work with all of these people to enhance the well being of the child.

Kids

In the small Ottertail County community where I work, when children are placed out of the home much of the community will know about their situation. There is no doubting that some children of incarcerated parents experience stigmatization from peers and community members. They may also experience behavioral and emotional problems and the stress associated with adjusting to visiting parents in jail or prison. Learning the rules of visitations can be challenging. It is often difficult for children to understand why they cannot bring gifts in or out of the jail or prison. Children may also struggle with understanding why a parent is incarcerated.

While some challenges associated in working with families in these situations are specific to rural communities, others appear to be universally experienced. Collaboration and advocacy are essential in helping these children and families reach the best outcomes possible.

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Working with Incarcerated Mothers: Social Work in Shakopee Correctional Facility

by Joshua Gerrity, L.S.W.

As Parent and Family Coordinator for the Minnesota Correctional Facility in Shakopee for women, I facilitate parenting programs that directly involve the children of offenders. An important element in facilitating such programming is navigating the many systems delivering services to children.

Shakopee's Anthony living unit is dedicated to developing and maintaining an environment focused on creating parenting and family skills. This is a privileged living unit, meaning that all offenders adhere to strict discipline standards to ensure the unit houses offenders that will contribute positively to the overall environment. Anthony living unit mothers with children ages newborn-11 are eligible to have one of their children participate in extended visits. On a rotating basis, children may spend the weekend with their mothers at the facility.

When the children "age out" of the Anthony program, the mothers can participate in Teen Group. This is a weekly support group for mothers with children ages 12-17. In a supportive environment, mothers share with one another the difficulties they are having with their children and their circumstances. Once a month on Teen Day, the teens may have an extended visit at the facility with their mothers. Mothers and teens participate in games and programming aimed at developing healthy family bonds.

It is common for a child with an incarcerated mother to have a teacher, school social worker, child protection worker, guardian ad litem, mentor, attorney and therapist. It is important that these various support systems be unified to aid in bridging the massive expanse left by the parent's absence from her child's daily life. This professional unification of support is vital to ensuring that all workers involved in a child's life are working towards the same goals. At Shakopee, I work with mothers attempting to contact the school to inform them of what is happening in the child's life. We establish a rapport with teachers and social workers. A mother may receive progress reports to keep her up-to-date on how her child is doing in school. Extended family is contacted in an attempt to promote increased family involvement with the child. Independent outside resources may be located as well, such as a therapist, mentor, after-school programs, etc. Social services may also be brought into this professional unification of support.

An incarcerated mother faces many difficulties when attempting to parent her children. By far, the biggest obstacle that stands in her way is the profound stigma that comes with being incarcerated. Many professionals assume that since a mother is incarcerated she is not allowed to have access to information pertaining to her child. This lack of understanding on a professional level prevents mothers from being effective parents.

An incarcerated mother faces many difficulties when attempting to parent her children. By far, the biggest obstacle that stands in her way is the profound stigma that comes with being incarcerated.

There are a myriad of systems involved in a child's life when a parent is incarcerated. These systems are oftentimes at a loss when it comes to navigating the unique difficulties of the situation. Each system may have different operating policies and guidelines. In order for a child to receive the support and assistance that is truly needed, all of these systems need to flow together smoothly and without delay. Each professional holds a piece of information that will significantly impact the well-being of the child.

Working with an incarcerated parent can be complicated, but it is possible. The easiest and most direct way to contact them is through the mail. When writing letters be sure to include the client's offender identification number underneath their full name on the envelope being sent. If you need to meet with them it is best to contact their assigned caseworker. The caseworker is able to arrange for visits at the facility to take place. Be sure to find out about facility specific visiting requirements. Most correctional facilities do not allow everyday items such as: wallets, cell phones, keys etc. Background checks must be done on all individuals meeting with offenders, make sure you give the facility at least 72 hours notice in order to perform these checks. In general it is very difficult for facilities to accommodate last minute visiting requests. If you are traveling a great distance I strongly recommend calling ahead to ensure that the background check has cleared. If an identification number was entered wrong, or perhaps you have a warrant from outstanding parking tickets; you will not be allowed to meet with an offender.

Since being employed as Parent and Family Program Coordinator at Shakopee, I have worked with 84 of the 87 counties in Minnesota as well as other states and countries. I have found that I must approach all of these vastly different systems with patience, persistence and humility. More and more studies are being released that are shedding light on how truly at-risk children with incarcerated mothers are. It is my hope that in the near future educators and professionals alike will develop a standard of best practices when working with the needs of this very unique client.

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Getting Help

by Gwendolen Maldonado

My history includes being a wife, mother to three beautiful children, addiction, incarceration, and involvement with the Department of Children and Families (DCF). My children are my pride and joy, my life, my everything. I live for them. In the past I benefited greatly from DCF services. We were referred to a family preservation program. The staff taught my husband and me how to resolve conflict and talk about issues without arguing and fighting. My whole family benefited from the help they gave us. This program gave us the structure we were lacking in our lives, and as a result, my relationship with my children and husband improved.

Sometimes what starts out good, can go so wrong. Recently, I was arrested for using drugs, and when I was locked up my worker told my kids that I was sent to jail for smoking crack. My two older children did not know anything about my crack cocaine addiction. Now my daughter won't even hug me. The neighborhood kids tell my daughter that I am a Crackhead. I know that I was in the wrong; I'm addicted and have the mind of an addict, but my children deserved better than that. I wonder if my children will ever recover from the trauma of being told in that manner. My worker over-stepped her boundaries and ended up hurting my children, especially my daughter who was completely changed by the news.

Being incarcerated means having to delegate parenting to someone else. It means not being able to be there for your children, missing special days or just doing homework, not bonding with my infant like I did with my first 2 children, hoping he will remember me, and losing all the other priceless moments of motherhood.

Being incarcerated means having to delegate parenting to someone else. It means not being able to be there for your children, missing special days or just doing homework, not bonding with my infant like I did with my first 2 children, hoping he will remember me, and losing all the other priceless moments of motherhood. I did not want my children to come see me in jail. I could not handle the pain of not going home with them at the end of the visit, so I chose not to let them visit me in jail. This was a very painful decision. It caused me a lot of pain. I worry that it was not the right decision, but it was the only choice for me while incarcerated. I chose to sacrifice visitation because I could not bear the thought of not being with them. Only my cousin Lisa was there for me during my sentence. She helped to reduce the anxiety of not caring for my children. She took good care of my kids so that I could get the help that I needed. DCF was not at all supportive during my sentence. They were only concerned with making sure that I went to the DCF office before seeing my children the day of my release.

I've been through a lot with my husband since 1992. He has maintained his sobriety for several years. He is the glue that holds all of us together. My husband should be nominated as father of the decade. My children are 10, 9 and 6 months old. As a family we would cook out, go to parks, and other family stuff in spite of my addiction to drugs. My family does not want for food or material things. My husband is a good worker and provider. We celebrated the kid's birthdays with big parties or going to Chuck E. Cheese.

I want family service workers to learn not to judge others by first impressions. My family does have morals. Just because I live in the ghetto doesn't mean that I am ghetto. All of us are human and make mistakes, don't throw a positive history away because of one mistake. When DCF came into my home they came in like a tornado and brought the storm with them. I know that I am my mother's daughter and I don't like that piece of myself. In spite of a childhood deprived of motherly love, I'm a good mother who became addicted. I know I can change. I need this treatment, 1:1 counseling, aftercare and anything else the staff at the Sisters Together Achieving Recovery (STAR) recommends.

DCF could be a big help if they drop the judgmental attitudes. Most of the workers are young, lack life experience and are not even parents. How can they judge me without knowing how difficult it is to parent or live life? I've been down in the gutter and God has lifted me up. With God's help in recovery I will become the parent and woman I want to be.

The STAR (Sisters Together Achieving Recovery) program is a publicly funded substance abuse treatment program in Connecticut for women over the age of 18 who do not have medical entitlement. It is part of the large psychiatric hospital Connecticut Valley Hospital in Middletown.

Volunteers Of America of Minnesota: Family Treatment Program's Prison Visitation and Transportation Program *by Cecilia Hughes, M.S.W., L.I.C.S.W.*

Volunteers of America of Minnesota (VOA-MN) is a private non-profit human service agency that began its mission "to enrich the lives of program participants and make a significant difference in the communities in which we serve" in 1896 with a charter from the national organization, Volunteers of America. Over the years, VOA-MN has developed a broad array of programs for a diverse group of participants through five program areas that reach over 35,000 persons in need annually. The Family Treatment Program's Prison Visitation Program is one such service.

In 2004, in partnership with the Federal Court and Federal Bar Association, VOA-MN launched the Volunteers of America of Minnesota Prison Visitation Program. The program services mothers incarcerated at Pekin Federal Prison in Illinois with minimal financial resources who have children residing in Minnesota. The family's eligibility for the program is determined by the Federal Court. The women are contacted by letter explaining our program and there are also program materials at the prison available for the women. The program is on a strictly voluntary basis on both the part of the mother and the caregivers of the children. Once the mother requests services, Volunteers of America staff contact the caregiver of the children and explain the program. A caregiver must accompany children on the trip. The Program consists of quarterly visits (generally February, May, August and November) to the Federal Correctional Institution in Pekin, Illinois as well as support meetings prior to and after the trips.

A Pre-trip Briefing Meeting occurs approximately one week prior to each trip. Children and their caregivers participating in the trip are required to attend. During the meeting all trip details are discussed including the schedule, questions and concerns, and any anxieties or feelings that participants are experiencing. VOA staff help the children understand what the visit with their moms will be like, which is often far different from the pictures they have created in their minds from watching television and movies. Children write journal entries regarding their mothers and daily lives at each meeting, in addition to completing a feelings worksheet and a letter/card/art project that they may send to their moms. These meetings allow for new families to meet prior participants and develop supportive relationships with other families going through similar experiences.

All arrangements for the trip are taken care of by program staff including rental of the bus, hotel reservations, food, and coordination and advocacy surrounding the visit with prison personnel. Two Volunteers of America Family Treatment Program Case Managers accompany the busload of children and caregivers on the 450 mile long trip. An average of 25 children and caregivers participate each trip; which leaves on Friday and returns on Sunday. They stay at a local hotel where they have group activities each night. The agency covers all trip costs, which is often a major barrier to visitation. The children visit their mothers Friday evening, Saturday all day and Sunday from 8:00am to 1:00pm when they leave for the return trip to Minnesota.

From discussions with incarcerated mothers and caregivers, it was determined that being turned away at the door due to the visiting room being full and/or being asked to leave a visit early were two major issues at the prison prior to our program starting. In working with the prison administration these problems have been eliminated. The prison administration is informed of the dates of each trip, and Volunteers of America Staff make sure each person participating in the trip is cleared by the prison to visit; furthermore, they also aid caregivers in maintaining children's behavior during the visits.

A Post-trip De-Briefing Meeting occurs approximately one week after the return from Pekin. At this meeting any issues that occurred on the trip are discussed and processed. Additionally, this meting allows for caregivers and children to process their feelings regarding the trip and their mother's incarceration. Children again complete journal entries at this meeting and pick trip photos to send to their moms. Caregivers receive support from each other as well as Volunteers of America Case Management staff on parenting issues and information on needed resources. Caregivers also complete trip evaluation forms at this meeting in an effort to provide feedback and data to program staff about needs, issues, and successes.

The briefing and debriefing meetings also act as support groups. The children get to spend time with peers facing the same challenges, rather than feeling ashamed and hiding the fact that their mother is incarcerated. The children also complete activities designed to help them understand incarceration and deal with their emotions. Caregivers talk with one another about their challenges as well and learn from each other's experiences. Those who have been on trips in the past help prepare new program participants and quickly help them feel more at ease with their situation. Beyond encouraging the youth to stay connected with their mothers and creating opportunities for them to do so, program staff send birthday cards, letters and photos directly to mothers as well, making the mothers feel even more connected and supported through the program.

Volunteers of America of Minnesota has created an innovative program, combining the Federal court's initial request to facilitate visitation between mothers and children with social services and expertise to ensure children and caregivers are supported throughout the process.

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Angel Tree: Reconciling Prisoners and their Children *by Jeff Peck*

Angel Tree®—a 25-year-old program of Prison Fellowship—engages families touched by incarceration from a faith-based model. It works toward reconciling the imprisoned parent, his or her child and the child's caregiver. By restoring the relationship to a healthier plane, the family cycle of crime is broken with benefits to both children and incarcerated parents.

It starts with a gift . . .

It starts with a gift; it leads to a family transformed. In 2006, about 285,000 prisoners signed up nearly 500,000 children to receive gifts and the Gospel. The logistics of communicating with the caregivers and of buying and delivering these gifts were carried out by 11,350 churches and 1,100 participating organizations, all with the administrative oversight of Prison Fellowship's Angel Tree staff. The process includes reviewing applications, recruiting and training church volunteers, and purchasing modestly priced gifts. The climax occurs when church volunteers make personal contact with prisoners' families through home deliveries of the gifts or church-based Christmas parties where families enjoy a festive time with others who share their situation.

Christmas is a powerful time to demonstrate love in action. Children receive a loving "signal in the darkness" when they open the gift and read the personal message from their incarcerated mom or dad. Prisoner-parents see volunteers spending time and resources on their children. But Christmas is only a first step.

Year-round relationships

Relationships need more than an annual check in. That is why Angel Tree added camping and mentoring to encourage and equip churches for year-round involvement. Children and their caregivers often explore attending the church that delivered gifts to them and begin to form healthy relationships with caring people who start meeting a deep well of needs. For most of the children who participate in a camping program, it is their first such experience—and a life-changing one. And with Angel Tree's brief experience with mentoring, this relationship-building activity is proving highly effective as a long-term strategy for building character and curbing destructive behavior in at-risk youth.

> As children—and often their caregiver—deepen their relationship with a church through youth activities, the table is set for a more connected family to receive the incarcerated parent back home.

Angel, 11, lived with her grandmother while her mom served her third prison stint. Predictably, there was a lot of hurt that she expressed through fights, "Fs" on her report card and isolating herself in her room. Then her mom heard that Faith Community Church near Palm Springs, CA, had offered to send her to camp.

Arrangements were made through a volunteer, Tracie. During the week of camp, Angel opened up. On the last evening a speaker shared his experience about gang life, God's forgiveness, and his new life. It made an impact on Angel who talked to Tracie about the wounds in her life. Returning home she called and said, "Mom, I went to camp, and during that time I found that I want to forgive you like I want to be forgiven."

Angel's mom was speechless. She reported later, "I never expected to hear something like that from her . . . it was just like a load got taken off my back—a real big load."

Angel could agree with the feeling. "I'd never said something like that before, I felt better that I could express myself to her now." Today, Angel's grades are improving, her tough exterior is softening, and she has people, including two pastors, who really love her at Faith Community Church.

Angel and her mom are back together working out their relationship on a foundation of forgiveness. Statistically, Angel now stands a far better chance of growing to adulthood and avoiding the path her mother took. We know this because we are beginning to hear from adult Angel Tree children and prisoners returning to their families. As we hear their stories we find they have become mothers and fathers, pastors, truck drivers, real estate agents, NFL cheerleaders, soldiers, graduate students, dental hygienists and missionaries. They are some of Prison Fellowship's most dedicated volunteers.

Model for Reintegration

As children—and often their caregiver—deepen their relationship with a church through youth activities, back-to-school assistance, Easter celebrations, camping, and mentoring, the table is set for a more connected family to receive the incarcerated parent back home. Moreover, the parent often has some incentive to work with the church because he's witnessed virtual strangers pour unmerited love and care into his family. All of this takes time, and deep-set dysfunction is not easily overcome with a few gifts, a few activities, and a new set of clothes. But these simple gestures through volunteer efforts go a long way to easing the burden of families reconciling and reducing the number of children caught up in a social system that can never match the deeply ingrained need of a child for the love of his or her parent.

For more information about Angel Tree or how to get involved call 1-877-55-ANGEL or visit www.angeltree.org.

Jeff Peck works for the Angel Tree Program. For more information about Angel Tree or how to get involved call 1-877-55-ANGEL or visit www.angeltree.org.

Mentoring Children in the Native American Community

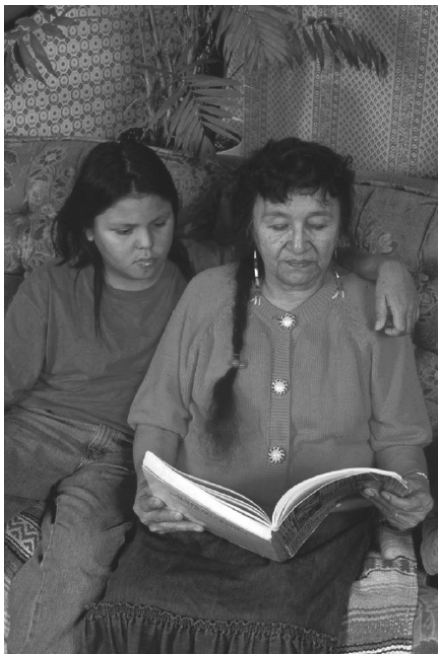
by Trina Starr

It is apparent in today's world that the people in Indian Country have been suffering from various forms of loss for generations. Recently, parental incarceration has become one more challenge with which families must cope. Incarceration of any parent/caregiver has a huge impact on a child's life and has the potential to contribute to the development of multiple risk factors, such as: low self esteem; poor work or school performance; feelings of hopelessness; loss and defeat, rage and resentment; increased vulnerability for physical and sexual abuse; and increased exposure to alcohol and drugs.

Recently the Lac Courte Oreilles (LCO) Tribe applied for a grant through the Department of Health & Human Service that is dedicated specifically for the development of the Mentoring Children of Prisoners (MCP) Program. The Lac Courte Oreilles Tribe received the three year grant contract in October 2006, and soon after began the development of a new program within the Indian community. Due to limited funding, the LCO MCP program consists of one staff person who is responsible for the provision of the administrative, fiscal, and case management services of the program.

Convincing Native people that mentoring children has been a long incorporated Native tradition has been successful; however, utilizing the word "Mentor" is a new approach in Indian Country.

One of the many functions of the Mentoring Children of Prisoner's Program is to recruit children (mentees) to be involved in the program. The recruitment of children poses difficulties, as it is not always easy, particularly within the Native American community, to convince parent/caregivers about a program sponsored by the federal government that intends



to benefit their child(ren). Furthermore, marketing the program to the community in order to gain mentors and mentees is difficult. Convincing Native people that mentoring children has been a long incorporated Native tradition has been successful; however, utilizing the word "Mentor" is a new approach in Indian Country.

Once a mentor is trained about their role and the goals of the program, they are put into a database in an effort to establish a match with a mentee. For the first visit between a mentor and mentee the program coordinator assists in initiating conversation, establishing comfort, and building a connection. After the first matching process, it is the obligation of the mentor to meet with the child on a weekly basis, and to make sure the mentoring process is a fun experience.

The role of the mentor is to be a friend to the child, such as a big brother or sister, and to establish a sense of trust and belonging. The goal of the mentors is to demonstrate to the child that someone cares about them. The mentor's role is also to help give some guidance to the child on their future choices in life, but mostly, it is to be a friend and to have fun! The MCP program wants to help children learn that life is about choices, and enforce that their parents are not bad people. Additionally, MCP wants to provide opportunities for children to make positive choices in their lives so that they can be successful.

After a recent MnM (mentor and mentee) Night, the mentors and mentees wrote up a short paragraph on what the MCP has meant for them. As a result of the mentoring experience, one mentor felt that she gained not only a friend for herself and her children, but also another family member. One mentee wrote that she gained a friend, family member, and sometimes a mother-figure who treats her like a sister. We have found that being a mentor to a child is about giving back and sharing some of your life experiences, but mainly it is about being a friend in the child's life who cares about their well being and future, which is essential when a child is separated from their parent due to incarceration.

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Bedtime Stories From Prison *by Patricia Davis, O.P.*

Storybook projects exist throughout the United States. This is an example of the Lutheran Social Services of Illinois Storybook Project. However, this project can be easily implemented by child welfare workers working with children of incarcerated parents and their families nation-wide.

It's a simple idea: just take some books and tape-recorders into prison and let incarcerated parents read the stories onto tape and talk with their children. Then send the book and tape to the children so they can play it any time they want to. This simple idea is played out in jails and prisons throughout the country. In Illinois alone, Companions Inc. and Lutheran Social Services of Illinois are taking the books and tape recorders into 17 jails and prisons. Thousands of children in Illinois receive the books from their distant moms and dads with their caregivers reporting that they play the tapes repeatedly. It is simple but very important to a child's well being.

When our nation over-incarcerates, little consideration is given to the collateral damage due to our determination to be tough on even low-level crime. Most numerous of these collateral victims are children, because 1.5 million children of incarcerated parents are "doing time" right along with their parents. However the impact of doing time is drastically different for children than it is for an adult. Three years is a moderate sentence for petty drug possession but three years is an eternity for a child of six. It's hard for a parent to say to his six year old, "I'll be home for your 9th birthday," and even harder for a young child to imagine it.

Since the nation decided to incarcerate its way out of its drug problem there has been a shift of resources from probation to prisons. Mandatory sentencing was legislated on a federal level and was soon followed by the states. Those mandates fell particularly hard on crack cocaine users and the African American community. Whole neighborhoods of low level, non-violent offenders who would earlier have been directed to drug programming as part of probation were imprisoned in newly built prisons far from urban areas in counties that vied for prison jobs. Only recently has this crack sentencing been questioned

> The sound of a parent's voice lets the child know he or she is not forgotten, helping to mitigate their grief and loss

It is not only men who have had drug problems who landed up prison, but women also. In fact, women with drug problems have become the fastest growing part of the prison population. The vast majority of incarcerated women are parents, and 72% of these moms were the main caregiver of their minor children at the time of arrest (Adalist Estrin, 2006).

Most families cannot afford to take children to see their parents unless there is a social service program that will provide transportation. For the sake of the child's mental well-being ways had to be found to keep contact, to let the child know that the Dad or Mom was thinking of them and caring about them. Frequent collect calls from prison were expensive and little children are not comforted by letters. Nationwide, books with tapes containing their parent's voice started filling the void.

Children have taken the tapes to school, happily sharing them with their teacher. Hearing the parent talk to the child helps the teacher put the incarcerated parent in a more positive light and helps them understand how important the missing parent is to the child. This may lead the teacher to find other ways to help the child communicate, with the caregiver's permission. They might, for example, help the child to save up their "best work" to mail their parent; helping the child to realize that a teacher understands and cares about their concerns. This understanding is critical because children of the incarcerated can be hassled or stereotyped by unthinking adults as well as children.

The sound of a parent's voice lets the child know he or she is not forgotten, helping to mitigate their grief and loss. It helps the children address the depression, anxiety or disruptive feelings they frequently experience. It gives the children happy memories in contrast to the numerous sad ones that fill their young years. Additionally, tens of thousands of imprisoned parents anticipate the chance to simply read a book to their child. Reinforcing this care for their children will help them grow as good parents, a benefit to the children that cannot be measured.

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the discretion to continue working with the families and providing services to preserve and strengthen the parent-child relationship.

The longer term solution is to amend ASFA to relax its time limits and permit agencies to exercise some flexibility in foster care cases involving children of incarcerated parents.[1] Only by restoring a measure of discretion to the people who actually know the children and families, will the long-term best interests of children of incarcerated parents be served.

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This article is adapted from two earlier sources, Damage to Family Relationships as a Collateral Consequence of Parental Incarceration, 30 FORDHAM URB. L.J. 1671 (2003); and Permanency Planning in the Context of Parental Incarceration: Legal Issues and Recommendations, In CHILDREN WITH PARENTS IN PRISON, CHILD WELFARE POLICY, PROGRAM & PRACTICE ISSUES, ed. Cynthia Seymour and Creasie Finney Hairston, New Brunswick: Transaction Publishers, 2001 (originally published in 77 CHILD WELFARE 543 (September/October 1998)).

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of pieces of foster care legislation focused on reducing the time children spend in foster care. In particular, the Adoption and Safe Families Act (ASFA) of 1997, discussed in detail elsewhere in this issue, requires that states terminate parental rights in cases where a child has been in foster care for 15 of the most recent 22 months.

This environment creates significant challenges for workers who must balance the child's interests with the demands imposed by sentencing, cash welfare, and child welfare legislation. Formulating and implementing case plans may be difficult if prison shortages require parents to be incarcerated far from home. In cases where it is feasible, kinship placement may be particularly helpful. Being cared for by family may provide a sense of continuity and increase the likelihood and frequency of visits with the incarcerated parent. Additionally, cases where children are in the care of relatives are eligible for exceptions to ASFA's time-in-care based parental rights termination guidelines.

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To reduce or eliminate racial disproportionality in foster care is a big challenge and not to be taken lightly. Nevertheless, with the current research available, the new developments in evidence-based practice, and the ongoing interest of the child welfare community, it is becoming more and more possible to address these issues and intervene effectively on behalf of all children, including those with incarcerated parents. (For more information on these topics, see http://ssw.cehd.umn.edu/EBP-CulturalCompetence.html.)

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for service dollars dedicated for children within the child welfare system whose parent or parents are incarcerated. The ability to identify and document the circumstances of these children early in a child welfare case can be improved through collaborations across the broader service community interested in the well-being of children. Members of this community who are often in a position to collaborate with child welfare professionals include police officers, court personnel and school personnel. Multidisciplinary collaborations improve child welfare's ability to identify children of incarcerated parents early allowing for the delivery of comprehensive services that can improve outcomes.

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- Modification by states of the ASFA timeline for incarcerated parents, matching the average sentence length of a non-violent parent-prisoner;
- Development of a menu of programs required by judges and child welfare to be offered for the parents inside, to meet case plans;
- Parent-child visits facilitated by trained volunteers and who transport the child. Faith-based groups can be of assistance here because they have vans and liability coverage;
- Family preservation specialists within the local jails and in the prisons to help parents understand what has to happen to sustain the relationship;
- Co-parenting agreements;
- Sufficient substance abuse treatment and mental health services for parents, both inside and as they transition to community and home;
- Alternatives to incarceration that include children being with parents, not only in substance abuse treatment facilities, but also in residential family-focused settings;
- Family foster care, as funded by the Annie E. Casey Foundation, wherein the entire family is fostered;
- Guardianship subsidies for eligible relative caregivers;
- Placement of the children in their neighborhoods and with friends;
- Listening carefully to the child;
- Honoring the child's relationship with their incarcerated parent;
- Cross-train a caseworker in each county so that one individual knows how some of the specifics about prison access, etc.

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and rightly criticizing punitive, highly restrictive visitation policies. Advocates for family friendly visiting seek to promote family ties for their own sake and minimize harm for children. Indeed family friendly visitation may temper the negative effects of contact with an imprisoned parent and facilitate family adjustment.

Features of such programs include:

- Developmentally appropriate activities at the facility
- An alternate location for visitation that appears "non-institutional" (e.g. a less restrictive environment, movable seating; outdoor visiting).
- Staff support and less invasive visiting procedures (e.g. security checks)

It is not entirely clear what the effects of family visitation are for child adjustment. Programmers should be mindful of the degree to which families may already experience "secondary prisonization" -- that is the extent to which the family organizes their life around the incarceration (Comfort, 2008). In doing so, family members forego social connections and other opportunities outside of prison (such as church, recreation, school groups etc).

In some cases visitation may be contraindicated based on the child's experience and current state. Some things workers can consider before supporting visitation of a parent are:

- Evidence of traumatic stress
- History of child maltreatment
- History of violence between inmate parent and visiting caregiver

In sum, family friendly visitation programs can be beneficial to the inmate and potentially helpful for children and their caregivers. Consistent, humane, and noninvasive visitation within a developmentally appropriate setting may serve to lessen children's distress over their incarcerated parent and enhance family ties—a particularly important consideration if the inmate will be assuming primary parenting responsibilities upon release from confinement. It is worth noting that many justice programs such as parent/child visitation programs are widely disseminated without pilot testing or thorough evaluation, and at times these can actually "backfire" or have harmful effects (Petrosino, Turbpin-Petrosino, & Finckenauer, 2000). Thus, family friendly visitation programs must be promoted and undertaken with an eye toward secondary prisonization indicators and specified contraindications like those noted above.

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she have easy access to the trusted school official.

Caregiver

1. Provide the incarcerated parent with information about his or her child's education.
2. If caregivers bring children to a visit with their incarcerated parent, encourage part of the discussion to be centered around school updates.
3. Save the student's work and share it with the incarcerated parent either through mail or during a visit (when applicable). Make sure you are aware of facility rules for giving materials to an incarcerated parent.
4. Participate in teacher conferences and special education planning sessions.

Incarcerated Parent

1. Use whatever contact mechanisms are available (i.e. phone, mail, third party communication through a social worker) to inquire about your child's well-being, school attendance and performance. When possible, discuss this information with your children so that they know that you are interested and involved in all aspects of their daily lives. This demonstrates the importance of education to your child.
2. Request that you be allowed to use your telephone privileges to participate in teacher conferences with your child's teacher.
3. If your child has special education needs, request that you be allowed to participate in the meeting via conference call (when applicable).

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with correctional institutions. Training and organizational supports to help child welfare staff better understand and handle the uncertainties of prison terms and the administrative rules and regulations associated with correctional supervision are also needed. Changes of this nature are crucial in enabling staff to plan effectively for the children under their care and to provide guidance for foster parents as well.

The importance of child welfare involvement in addressing the issue of parental incarceration extends beyond providing support for children in foster care. Relatives caring for children whose parents are in prison often need information and services that help them address issues of parent-child separation dand reunification. Some families need assistance and support in order to make informed decisions about children's relationships with parents who may harm them physically or emotionally. These are areas in which child welfare staff have tremendous knowledge and expertise. However, many families will not seek help from formal child welfare agencies for fear that exposure of the parent's status or of children's problems will lead to the removal of children from their homes and placement in foster care. Child welfare agencies can be an important resource in developing prevention and intervention services in which families may participate voluntarily. These services to families need not be provided by child welfare agencies, but could be developed in partnership with other social service organizations and community groups.

Parental incarceration is a fact of life for millions of children and families and not simply a criminal justice issue or an individual matter. For all intents and purposes, parental incarceration is a matter of children's well-being, where child welfare services and intervention clearly matter.

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Resources for Child Welfare and Immigrants

- Bridging Refugee Youth and Children's Services (BRYCS) is a national clearinghouse and technical assistance program that provides information and referrals for child welfare practitioners working with immigrant and refugee families and children. www.brycs.org
- International Social Service (ISS) is a non-profit, international social services agency that provides services and support to migrant families and children including document searches and international home studies. www.iss-usa.org
- The National Immigration Law Center specializes in immigration law and the rights of immigrants. www.nilc.org

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