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Children of Incarcerated Parents

According to the Survey of Prison Inmates compiled by the Bureau of Justice Statistics in 2016, an estimated 684,000 parents of minor children were incarcerated in State and Federal prisons. Forty-seven percent of incarcerated individuals in state prisons reported having at least one minor child, while 57% of incarcerated individuals in federal prisons reported having at least one minor child. These prisoners were parents of an estimated 1,437,700 minor children. For the purposes of this study, a minor child is defined as a child aged 18 or under and a parent is defined as an individual with biological or adopted children. This is the most recent data published by the Bureau of Justice Statistics regarding nationwide data on children of incarcerated parents.¹

The Vermont Inmate Family Survey Project resulted from a partnership between the University of Vermont's Department of Sociology and the Vermont Department of Corrections. The 2013 survey found that on any given day there are an estimated 1,600 Vermont children who have a parent that is incarcerated. This estimation would result in over 6,000 Vermont children being affected in a year. This amounts to 1 in 17 children in Vermont experiencing parental incarceration. Vermont has more incarcerated parents (64.1%) than the national average (52%) with 53% of Vermont male inmates having minor children and 64% of Vermont female inmates having minor children. In Vermont there is one all-female correctional facility, the Chittenden Regional Correctional Facility, with the other five being all male facilities.²

This report seeks to provide information pertaining to current acts surrounding rights of children with incarcerated parents throughout the United States, the psychological impact of parental incarceration on parents, the statistics on childcare post-parental incarceration and contact with children, as well as the current Vermont programs for children with incarcerated parents.

¹ Laura M. Maruschak, Jennifer Bronson, and Mariel Alper, "Survey of Prison Inmates, 2016: Parents in Prison and Their Minor Children," U.S. Department of Justice Bureau of Justice Statistics, March 2021, <https://bjs.ojp.gov/content/pub/pdf/pptmcspi16st.pdf>.

² Vermont Agency of Human Services, "The Rights of Children of Arrested and Incarcerated Parents," January 14, 2015, <https://legislature.vermont.gov/assets/Legislative-Reports/Final-Act-168-Report-1-14-15.pdf>.

What Rights do Children have?

Vermont Act 168, enacted in 2015, established the rights of children of incarcerated parents and directs stakeholders to determine how the Agency of Human Services can support these children. This is important because of the increased rate of adverse childhood experiences (ACEs).³ Act 168 used the San Francisco Children of Incarcerated Parents Bill of Rights, developed by the San Francisco Children of Incarcerated Parents Partnership (SFCIPP) as a model for the law. The SFCIPP decided that the bill of rights should be written from a child's perspective to highlight children's rights and needs rather than institutional concerns and requirements.⁴ The Bill of Rights that was created is as follows:

1. I have the right to be kept safe and informed at the time of my parent's arrest;
2. I have the right to be heard when decisions are made about me;
3. I have the right to be considered when decisions are made about my parent;
4. I have the right to be well cared for in my parent's absence;
5. I have the right to speak with, see, and touch my parent;
6. I have the right to support as I struggle with my parent's incarceration;
7. I have the right to not be judged, blamed, or labeled because I have an incarcerated parent; and
8. I have the right to have a lifelong relationship with my parent.⁵

Impact of Parental Incarceration on Children

According to a study by Charlene Wear Simmons, prepared at the request of California Assembly member Kerry Mazzoni, parental incarceration can lead to many behavioral and psychological consequences for the child.⁶ Simmons finds these psychological consequences include feelings of fear, anxiety, anger, sadness, depression, and guilt, as well as trauma, shame, withdrawal, and low self-esteem. Behavioral consequences include failure in school, delinquency, drug use, and risk of intergenerational incarceration.⁷ Some places have adopted programs to help deal with these psychological and behavioral issues that may arise after the arrest of the parent. The Big Brothers, Big Sisters of America runs the Amachi program specifically for youth with incarcerated parents. The Amachi Program pairs a child with an adult in their community, often from a religious organization, to aid them in their development while their parent is incarcerated.⁸ The foundation has set up more than 230 agencies across all 50 states. This includes over 5,000 communities aided by all Big Brothers, Big Sisters programs.⁹

³ Vermont Agency of Human Services, "The Rights of Children of Arrested and Incarcerated Parents."

⁴ Vermont Agency of Human Services, "The Rights of Children of Arrested and Incarcerated Parents."

⁵ Vermont House Act 168, (2014). <https://legislature.vermont.gov/bill/status/2014/H.325>

⁶ Charlene Wear Simmons, "Children of Incarcerated Parents," California Research Bureau, California State Library, 2000, <https://eric.ed.gov/?id=ED444750>.

⁷ Simmons, "Children of Incarcerated Parents."

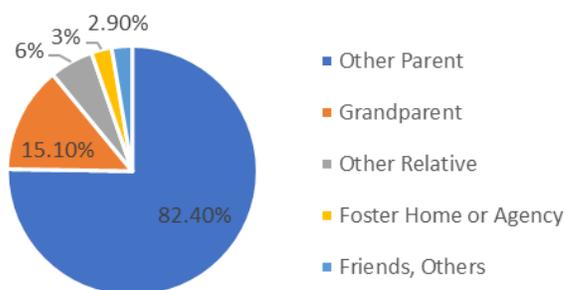
⁸ Big Brothers, Big Sisters of America, "Amachi Program: Mentoring for Children with Incarcerated Parents," accessed September 24, 2024. <https://www.bbbs.org/amachi/>.

⁹ Big Brothers, Big Sisters of America, "Big Brothers, Big Sisters of America Annual Report," June 30, 2022, <https://www.bbbs.org/wp-content/uploads/2022-Annual-Report-Final-Spreads-1.pdf>.

Care of Child at Time of Parental Arrest

An officer's reaction to a child depends greatly on the child's presence at the time of the arrest.¹⁰ If a child is with the parent at the time of the arrest, the parent may be able to make temporary arrangements for the child's care. As quick decision-making occurs, another living situation may include the child's other parent, a relative, or a friend. Many jurisdictions do not have laws that specifically dictate how police officers are meant to deal with children who are present when police arrest a parent. Often an officer will try to place the child with a safe and known adult such as family, friends or a neighbor, or, in extenuating circumstances, they will get Child Welfare Services (CWS) involved. Since there are no laws directing an officer in what to do, they must make the decision they deem most fit in the given situation.¹¹ In a situation with a two-parent home, if the father is the one to be arrested, the mother is generally the caregiver who continues to be responsible for childcare.¹² The American Bar Association found that officers around the country rely on the person arrested to volunteer information about children and the potential caregiver, and there is infrequently formal screening and documentation. Figure 1 and Figure 2 are the results of a study by the Bureau of Justice Statistics, which shows the child's caregiver post-parental incarceration. Note that Figure 2's statistics have not been updated since 2001 whereas Figure 1 was updated in 2016.

Childcare Post Parental Incarceration (State Prisoners)



¹⁰ International Association of Chiefs of Police and Bureau of Justice Assistance, U.S. Department of Justice, "Safeguarding Children of Arrested Parents," 2014, <https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/IACP-SafeguardingChildren.pdf>.

¹¹ International Association of Chiefs of Police and Bureau of Justice Assistance, U.S. Department of Justice, "Safeguarding Children of Arrested Parents."

¹² Ross Parke and K. Allison Clarke-Stewart, "Effects of Parental Incarceration on Young Children," 2002, paper was produced for a conference funded by the U.S. Department of Health and Human Services on January 30-31, 2002, accessed October 14, 2024, <https://www.urban.org/sites/default/files/publication/60691/410627-Effects-of-Parental-Incarceration-on-Young-Children.PDF>.

Figure 1: Childcare Post Parental Incarceration (State Prisoners)¹³

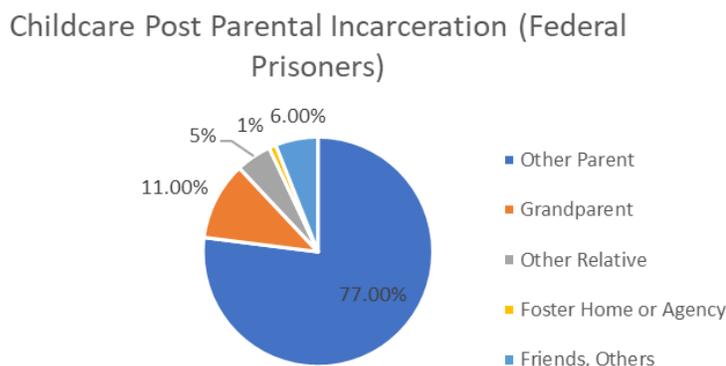


Figure 2: Childcare Post Parental Incarceration (Federal Prisoners)¹⁴

Contact Between Children and Their Incarcerated Parents

The lack of physical contact from imprisoned parents increases adverse childhood experiences. Nationally, 42% of state prisoners received visits from their children while in prison and 55% of federal prisoners received visits.¹⁵ According to the Vermont Inmate Family Survey Project, one third of Vermont children who experience parental incarceration do not visit their parents and an estimated 40% of incarcerated parents do not receive visits at all. Adults are critical in helping maintain and facilitate connections between children and their incarcerated parents as they can assist with transportation.¹⁶ There are fewer women’s facilities than men’s nationwide, so women are often sent further away from their children than fathers. The Bureau of Justice Statistics also reports that a majority of inmates held in state (62%) and Federal (84%) facilities lived at least 100 miles away from their incarcerated parents.¹⁷ Table 1 shows how often a child visits their parent, depending on both gender and whether the institution is a state or federal prison.

¹³ Lauren E. Glaze & Laura M. Maruschak, “Parents in Prison and Their Minor Children,” Bureau of Justice Statistics, no. 252645 (2022): 5-18, accessed October 14, 2024, <https://bjs.ojp.gov/library/publications/parents-prison-and-their-minor-children-survey-prison-inmates-2016>.

¹⁴ Parke and Clarke-Stewart, “Effects of Parental Incarceration on Young Children.”

¹⁵ Glaze and Maruschak, “Parents in Prison and Their Minor Children.”

¹⁶ Parke and Clarke-Stewart, “Effects of Parental Incarceration on Young Children.”

¹⁷ Christopher Mumola, “Incarcerated Parents and their Children,” Bureau of Justice Statistics Special Report, August 2000, Accessed October 14, 2024, <https://bjs.ojp.gov/content/pub/pdf/iptc.pdf>.

Table 1: Frequency and Type of Contact with Children¹⁸

Frequency and Type of Contact with Children	State			Federal		
	Total	Male	Female	Total	Male	Female
Any Type of Contact						
Daily or almost daily	9.1%	8.7%	14.1%	18.8%	18.3%	26.9%
At least once a week	30.8	29.8	41.6	46.1	45.9	48.2
At least once a month	22.3	22.7	18.1	17.0	17.1	14.7
Less than once a month	16.5	16.9	11.2	9.4	9.6	6.2
Never	21.4	21.9	15.0	8.8	9.1	3.9
Telephone						
Daily or almost daily	5.5%	5.0%	8.6%	16.9%	16.5%	23.4%
At least once a week	17.5	17.1	22.4	40.9	40.7	43.7
At least once a month	15.6	15.6	15.7	17.2	17.2	16.9
Less than once a month	15.0	15.3	12.4	10.1	10.2	7.4
Never	46.6	47.1	40.9	14.9	15.4	8.5
Mail						
Daily or almost daily	4.5%	4.3%	6.9%	4.2%	4.0%	7.7%
At least once a week	24.0	23.0	35.5	29.0	28.3	40.4
At least once a month	23.2	23.3	22.5	31.0	31.2	28.2
Less than once a month	17.9	18.3	13.0	19.8	20.2	14.5
Never	30.4	31.1	22.3	16.0	16.3	10.7
Personal Visits						
Daily or almost daily	0.6%	0.6%	^%	^%	^%	^%
At least once a week	5.9	5.7	7.7	4.6	4.4	7.6
At least once a month	12.5	12.3	14.6	14.7	14.7	15.5
Less than once a month	22.5	22.7	19.7	35.6	35.9	31.5
Never	58.5	58.6	57.7	44.7	44.7	44.6

Parent-Child Reunification Programs

A few states have developed programs for parents and children to extend visits, make scheduling more flexible, and create special housing to allow children to remain in the institution. An example of this type of program is the Sesame Street Program, which allows children to enter a safe mental and physical space within the prison while visiting their incarcerated parent.¹⁹ Some have developed a playroom adjacent to the visitation room to allow children to play with their parent when they get restless.²⁰ In addition to this, the program offers education and

¹⁸ Glaze and Maruschak, "Parents in Prison and Their Minor Children."

¹⁹ Parke and Clarke-Stewart, "Effects of Parental Incarceration on Young Children."

²⁰ Parke and Clarke-Stewart, "Effects of Parental Incarceration on Young Children."

entertainment activities for the children to enjoy and participate in while at the prison.²¹ The Sesame Street Program embodies the message that the support and love from an adult towards a child will help the child cope with the absence of their parent²² which is evident in the attitudes of the children seen participating in the program as well as their caregivers and the parents themselves.²³

Vermont Programs

The “First Call” program, through Burlington’s Howard Center, is available to respond to parents, caregivers, and children at the time of an arrest. The First Call program can assist in coordinating services and can provide therapeutic interventions if needed and can make recommendations or referrals for the future needs of the child and family.²⁴ Urgent responses will include services to stabilize immediate needs, brainstorming potential caregivers, helping share information between parents and caregivers, and crisis support for the child.

The Community Justice Project (CJP), an outgrowth of the Lamoille County Court Diversion Restorative Justice Programs, sought to address the needs of children of incarcerated parents. The project’s goal was to prevent children from repeating the cycle of corrections involvement as young adults.²⁵ Those eligible for CJP services are children ages pre-birth to 12 who have a parent, stepparent, or guardian who has been or is currently incarcerated—those considered to be at-risk children.²⁶ A 2014 report found that the CJP is an effective program that kept children of incarcerated parents from following in their parents’ footsteps and was a project that the community has embraced.²⁷

The CJP program improved outcomes of children with incarcerated parents by using a case management model to help and support children and their families.²⁸ The 2010 research and evaluation of the Lamoille County Justice Project conducted by Meyers et al. attests that children are more likely to become successful adults when they have strong and stable family connections, are doing well in school, and feel connected to their communities. CJP Family

²¹ Parke and Clarke-Stewart, “Effects of Parental Incarceration on Young Children.”

²² Sesame Workshop, “Incarceration,” accessed September 12, 2024, <https://sesameworkshop.org/topics/incarceration/>.

²³ Parke and Clarke-Stewart, “Effects of Parental Incarceration on Young Children.”

²⁴ Howard Center, “All Programs,” accessed September 12, 2024. <https://howardcenter.org/all-programs/>.

²⁵ H. “Bud” Meyers, Ph.D. Laurey Collins Burris, M.Ed. Talia J. Glesner, M.S. Elizabeth Cheng Tolmie, MSW, Ed.D, “Lamoille Community Justice Project Program Evaluation,” James M. Jeffords Center for Policy Research (2010): 5-19, accessed September 12, 2024,

<https://scholarworks.uvm.edu/cgi/viewcontent.cgi?article=1011&context=jmjcpr>

²⁶ Meyers, et al., “Lamoille Community Justice Project Program Evaluation.”

²⁷ Peter Wicklund, “Lamoille Community Justice Program Outcome Evaluation: Final Report,” A report by the Crime Research Group submitted to the Lamoille County Court Diversion Restorative Justice Programs, 2014 accessed October 14, 2024,

https://crgvt.org/client_media/files/reports/lamoille_community_justice_program_outcome_eval_final_report_september_2014.pdf

²⁸ Meyers, et al., “Lamoille Community Justice Project Program Evaluation.”

Support Specialists serve children and their parents or guardians through home visits and in school or community settings.²⁹

The CJP served as a pilot program in Lamoille County. A program that grew from the CJP is the Resilience Beyond Incarceration (RBI) program in Lamoille County. RBI aids the children of incarcerated parents using a multigenerational approach to reduce the likelihood of Adverse Childhood Experiences, which are more likely than for children whose parents are not in prison.³⁰ Data from the program claims that both children and parents have benefited from this program with children only having a 6% conviction rate later in life and 20% high school drop-out rate, both of which are significantly lower than other cohorts.³¹ The program also claims that parents in the program have greatly improved on the Self Sufficiency Matrix including areas of physical and mental health, substance use, safety in relationships, and financial stability.³²

The Kids-A-Part program based out of Chittenden County works in women's facilities to enhance visitation and address parenting needs.³³ The program began in October of 2006 with private foundation money from the Carlisle Family Foundation and the Sills Family Foundation. Since then, Kids-A-Part has received funds from a variety of sources: The Permanent Fund for the Well-Being of Vermont Children, Vermont Women's Foundation, Vermont Community Foundation, Sills Family Foundation, Vermont Mentors!, and the Department of Corrections through a contract.

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Disclaimer: The material contained in the report does not reflect the official policy of the University of Vermont.

²⁹ Meyers, et al., "Lamoille Community Justice Project Program Evaluation."

³⁰ Tricia Long, "ACE's and Children of Incarcerated Parents," Lamoille Restorative Center, 2017, accessed September 12, 2024, <https://legislature.vermont.gov/Documents/2018/WorkGroups/Adverse%20Childhood/Act%2043%20Report/W~Tricia%20Long~ACE's%20and%20Children%20of%20Incarcerated%20Parents~10-20-2017.pdf>.

³¹ Long, "ACE's and Children of Incarcerated Parents."

³² Long, "ACE's and Children of Incarcerated Parents."

³³ Vermont Women's Commission, "Children, Parenting, and Early Care," accessed September 12, 2024, <https://women.vermont.gov/children-parenting-early-care>.