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Addressing the Needs of Children of Incarcerated Parents

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A Vermont Issue

Within Vermont, approximately 3,000 children were affected by a parent's incarceration in 2010.¹ The incarceration of a parent is a traumatic event for children, who can be invisible and unacknowledged within the judicial process.² The impact of having a parent in prison can make children more vulnerable to depression, drug-use, and academic difficulties, as well as at a higher risk to commit crimes. Effective programs and policies aimed at reducing the trauma experienced by children of incarcerated parents are essential to improving the health and well being of this vulnerable population in Vermont.

A National Problem

Currently, children's involvement in their parent's journey through the criminal justice system, including incarceration, may be more seen as a privilege, and not a right. Policies and legislation are beginning to account for the presence of children in the lives of offenders. Although children may or may not be considered in how the parent's journey unfolds, the result of a parent's journey inevitably impacts his or her children. More than half of both males and females incarcerated have at least one child under the age of 18 who was in their care at the time of arrest and sentencing.³ More than one in one hundred people in the United States are incarcerated at any given time. While males continue to be the predominant gender in jails, women are a much larger prison population compared with the past, and many are parents.⁴

The Impact

Children with at least one incarcerated parent must contend with a variety of challenges. Some have lost a significant person in their life whether or not the parent is a primary caregiver. A child who has lost a primary caregiver may be placed in foster care or formal or informal kinship care. They may need to move out of the home with which they are most familiar. Depending on the child's age, they may or may not have a say in custody decisions. Their financial supports may change and become more strained. They may be viewed with increased stigma. Incarceration of the child's primary caregiver can be extremely disruptive to the healthy development of the child. Some inmates are placed out of state, which makes visitation extremely difficult for children and their new caretakers.

No matter the age of the child, this is a time of upheaval and disruption. Children with parents in prison are more likely than other children to struggle with attachment, mental health issues, behavioral issues, increased risk for antisocial outcomes, academic difficulties, higher risk for alcohol/drug use, and teenage pregnancy.^{5,6}

Children of offenders are considered to be a high risk population. They are more likely to become involved in the criminal justice system themselves.⁷ This trans-generational incarceration can cost taxpayers a significant amount of money. These children have a higher likelihood of both becoming adjudicated as well as dropping out of school, drug use or being involved in criminal behavior.^{8,9} One national study estimates that the lifetime cost of dropping out of school alone equals approximately \$292,000.¹⁰

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The monetary cost to society comes in various forms including housing incarcerated individuals, losing productivity in the community, or supporting individuals to meet their basic needs who are unable to do so themselves because of low wages.¹¹ Monetary lifetime costs of these social ills such as incarceration, teen pregnancy, drug use, health issues, child abuse/neglect, and more can range between 120,000 to over three million dollars.¹² Despite these substantial documented costs, there is limited information related to the services children of incarcerated individuals need and receive. Children of incarcerated parents are a stigmatized group and often do not reach out to community services.¹³

Reducing Negative Outcomes

Despite the complex issues facing these children, effective strategies exist that could substantially reduce negative outcomes. Children with a parent in prison have a multitude of needs. Open and supportive communication between caring adults and the child promotes the child's wellbeing. Talking openly can minimize what has been called the conspiracy of silence. Keeping children from knowing details of their parents' circumstances, can make it more difficult for children to feel secure and trusting of those around them.¹⁴

While the incarceration of parents creates potential barriers to a child's healthy development, children can also thrive and hurdle over these issues if provided with appropriate supports.

According to the Bureau of Justice Statistics the national adult recidivism rate is over 50%.¹⁵ The loss of the parent to repeated incarceration can make healthy attachment more difficult. Continued connections with the parents in a supportive manner and environment can maintain a healthy attachment. Healthy attachment promotes confidence and trust in the world, which can impact future relationships in a positive way.¹⁶ Case studies indicate that maintaining contact with the incarcerated parent minimizes risk for mental health and behavioral issues for the child, and also reduces recidivism rates for the parent. While reasons for this are complex, it is suggested that the continuity of the relationship, along with supportive services, can provide motivation to not reoffend.¹⁷

The turbulence of transitioning to another caregiver also puts the child at risk for attachment concerns. Streamlining that transition with the use of kinship care or foster care with adults with whom they have a relationship, and providing financial support to caretakers, can give children a more stable environment during a time that is inherently chaotic.¹⁸

While the incarceration of parents creates potential barriers to a child's healthy development, children can also thrive and hurdle over these issues if provided with appropriate supports. Interventions that combine services for both parents and children can disrupt the cycle of crime and high-risk behaviors can be broken. Implementation of both programs and policies can positively impact the successful trajectories of these children and families.

Programs

Children of incarcerated parents are slowly gaining visibility within policy and program development. National organizations around the country focus on connecting incarcerated families with resources as well as programs to each other. Examples of such programs include Families and Corrections Network's National Resource Center on Children and Families of the Incarcerated, National Bill of Rights Policy partnership for Children of the Incarcerated, and National Parents and Families Network. These are a sampling of the over fifteen national programs available for children of incarcerated parents. As these programs continue to collaborate and become more accessible to the prisoners and their families, the lives of children will improve.¹⁹

In Vermont there are several organizations that are directly assisting this population. These programs offer direct service (case management), advocacy, and education for the families of those incarcerated, the schools, and the judicial system. The Kids-

A-Part Program within the Lund Family Center (previously part of the Vermont Children's Aide Society) has been active since 2006. Camp Agape, a Christian-based camp in Cabot, Vermont offers two one-week camps for children who have incarcerated parents. At the local level, some schools provide therapeutic groups that allow children struggling with this issue to connect with each other and receive support. Other organizations, such as Big Brothers Big Sisters, offer mentorship and support for youth who are at risk. Agencies that provide consistent and positive relationships with supportive adults, like Big Brothers Big Sisters, can also make a significant impact. The Lamoille Community Justice Program (LCJP) offers comprehensive case management and programming for both children and their parents. Interventions of the different programs target both the parents and the children.²⁰ These programs focus on parent/child relationships, parenting skills, release programs, therapy, mentorship, and case management.²¹ LCJP has had success in their services benefiting both the families and children they serve, as well as the greater community. Outcomes from a program evaluation illustrate that children involved in the program have lower incidences of contact with the criminal justice system, and decreased dropout rates. These improved outcomes are indicative of a more successful trajectory for these families.

Children involved in the Lamoille Community Justice Program have lower incidences of contact with the criminal justice system and decreased dropout rates.

Policy and Legislation

Legislation around the country has begun to explicitly acknowledge the unique circumstances and needs of children whose parents have been incarcerated. Hawaii passed a bill that would include the parenting status and sentencing placement of the offender. New York requires that services work to maintain a healthy relationship between child and parent throughout the time of incarceration. California and Colorado have both acknowledged that a parent's parental rights and reunification potential not be denied simply due to incarceration. Oklahoma and California have both passed legislation that institutes task forces to address the needs of children of incarcerated parents.²²

In Vermont, several bills have been presented to both the Legislature and the Senate regarding children of incarcerated parents. In 2008 H.736 was introduced and passed by the House Committee. The bill included, but was not limited to addressing the needs of the child at the time of arrest.²³ At such a chaotic time as that of an arrest, the needs of children have not been explicitly acknowledged within the law. This session, three bills are currently being considered:

- A Bill of Rights For Children of Arrested And Incarcerated

Parents (H.273)

- A Task Force on Children and Families Affected by the Criminal Justice (H.321)
- Visitation with the Incarcerated Parent Regardless of the Parent's Gender (H.626)^{24,25,26}

Each of these bills increases the visibility of children impacted by incarceration. They reflect bills that have been introduced in other states that have shown to be beneficial to this population. A Bill of Rights currently exists within at least fifteen other states. This has facilitated the further development of programming to ensure that children's needs are being met at various systemic levels. For example, safe and supportive visitation experiences, and support for appropriate communication with the incarcerated have been clarified in states with passing of this bill. The implementation of

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programming that abides by the Bill of Rights would encourage decisions made for the inmate that would more positively impact the child such as placement of incarceration. Programming would also seek to decrease the stigmas associated with being a child of an incarcerated individual.

The creation of a task force, as proposed in H.321, would provide collaborative oversight to programming and policy development and implementation as it relates to supporting children and families impacted by the justice system. The passing of this bill would provide cohesion and would increase efficiency of procedural and programming collaboration.

Some literature has distinguished between the gender of the incarcerated individual and how that may play a role in the experiences for the child such as housing, attachment, etc. House Bill 626 explicitly notes that the gender of the parent should not be a deciding factor for whether or not visitation between the parent and child occurs.

The passing of these bills will likely result in more collaborative policy and programming. Together they represent an essential step in the service of this marginalized and at-risk population. Programs such as LCJP show how successful programming in the state can achieve changes in their community that improve not only the lives of the children impacted by incarceration, but the communities in which they live. Most importantly, this legislative framework will support the work of the human service professionals and educators who must make the difference by working as a team with families.

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End Notes

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