

# Family **TO** Family

TOOLS FOR  
Rebuilding Foster Care

## Partnerships Between Corrections and Child Welfare

COLLABORATION FOR CHANGE, PART TWO

### Table of Contents

Introduction .....	5
Overview .....	8
Components of a Needs Assessment .....	11
Findings .....	14
A Plan of Action .....	18
Resources .....	21

## **A C K N O W L E D G M E N T S**

Developed by: The Women's Prison Association & Home, Inc.

## I N T R O D U C T I O N

### **The Annie E. Casey Foundation's Mission in Child Welfare**

The Annie E. Casey Foundation was established in 1948 by Jim Casey, a founder of United Parcel Service, and his sister and brothers, who named the Foundation in honor of their mother. The primary mission of the Foundation is to foster public policies, human service reforms, and community supports that better meet the needs of vulnerable families.

The Foundation's work in child welfare is grounded in two fundamental convictions. First, there is no substitute for strong families to ensure that children grow up to be capable adults. Second, the ability of families to raise children is often inextricably linked to conditions in their communities.

The Foundation's goal in child welfare is to help neighborhoods build effective responses to families and children at risk of abuse or neglect. The Foundation believes that these community-centered responses can better protect children, support families, and strengthen communities.

Helping distressed neighborhoods become environments that foster strong, capable families is a complex challenge that will require transformation in many areas. Family foster care, the mainstay of all public child welfare systems, is in critical need of such transformation.

### **The Family to Family Initiative**

With changes in policy, in the use of resources, and in program implementation, family foster care can respond to children's need for out-of-home placement and be a less expensive and often more appropriate choice than institutions or other group settings.

This reform by itself can yield important benefits for families and children, although it is only one part of a larger effort to address the overall well-being of children and families in need of child protective services.

*Family to Family* was designed in 1992 in consultation with national experts in child welfare. In keeping with the Annie E. Casey Foundation's guiding principles, the framework for the initiative is grounded in the belief that family foster care must take a more family-centered approach that is: (1) tailored to the individual needs of children and their families, (2) rooted in the child's community or neighborhood, (3) sensitive to cultural differences, and (4) able to serve many of the children now placed in group homes and institutions.

The **Family to Family** Initiative has encouraged states to reconceptualize, redesign, and reconstruct their foster care system to achieve the following new system-wide goals:

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- To develop a network of family foster care that is more neighborhood-based, culturally sensitive, and located primarily in the communities where the children live;
- To assure that scarce family foster home resources are provided to all those children (and only to those children) who in fact must be removed from their homes;
- To reduce reliance on institutional or congregate care (in hospitals, psychiatric centers, correctional facilities, residential treatment programs, and group homes) by meeting the needs of many more of the children in those settings through family foster care;
- To increase the number and quality of foster families to meet projected needs;
- To reunite children with their families as soon as that can safely be accomplished, based on the family's and children's needs, not the system's time frames;
- To reduce the lengths of children's stay in out-of-home care; and
- To decrease the overall number of children coming into out-of-home care.

With these goals in mind, the Foundation selected and funded three states (Alabama, New Mexico, and Ohio) and five Georgia counties in August 1993, and two additional states (Maryland and Pennsylvania) in February 1994. Los Angeles County was awarded a planning grant in August 1996. States and counties funded through this initiative were asked to develop family-centered, neighborhood-based family foster care systems within one or more local areas.

Communities targeted for the initiative were to be those with a history of placing large numbers of children out of their homes. The sites would then become the first phase of implementation of the newly conceptualized family foster care system throughout the state.

## The Tools of *Family to Family*

All of us involved in *Family to Family* quickly became aware that new paradigms, policies, and organizational structures were not enough to both make and sustain substantive change in the way society protects children and supports families. New ways of actually doing the work needed to be put in place in the real world. During 1996, therefore, the Foundation and *Family to Family* grantees together developed a set of tools that we believe will help others build a neighborhood-based family foster care system. In our minds, such tools are indispensable elements of real change in child welfare.

The tools of *Family to Family* include the following:

- ❑ Ways to recruit, train, and support foster families;
- ❑ A decisionmaking model for placement in child protection;
- ❑ A model to recruit and support relative caregivers;
- ❑ New information system approaches and analytic methods;
- ❑ A self-evaluation model;
- ❑ Ways to build partnerships between public child welfare agencies and the communities they serve;
- ❑ New approaches to substance abuse treatment in a public child welfare setting;
- ❑ A model to confront burnout and build resilience among child protection staff;
- ❑ Communications planning in a public child protection environment;
- ❑ A model for partnerships between public and private agencies;
- ❑ Ways to link the world of child welfare agencies and correctional systems to support family resilience; and
- ❑ Proven models that move children home or to other permanent families.

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We hope that child welfare leaders and practitioners find one or more of these tools of use. We offer them with great respect to those who often receive few rewards for doing this most difficult work.

## O V E R V I E W

The child welfare and criminal justice systems often work with the same families poor families where parents struggle with drug addiction and children are at risk of foster care placement, teenage pregnancy, dropping out of school, and juvenile delinquency. Yet in most jurisdictions, these systems have very little official contact with each other. A foster care worker may take a child to a prison for a visit with an incarcerated parent, but higher-level officials are generally not working in either system to ensure that their operations are compatible.

The resulting abyss between the systems works a tremendous hardship on children, on caretakers, on families, and on workers in both places. Lack of coordination is costly, inefficient, and damaging to the well-being of communities. Experience in a number of jurisdictions demonstrates, however, that a lot can be done to improve practice and much of it can be done with a commitment that chiefly requires energy rather than great additional funding. Perhaps most encouraging, parental involvement in the criminal justice system can be managed in a way that preserves and strengthens a family, contrary to the assumption that a parent's arrest always means the case is hopeless.

### **Scope of the Problem**

About 1.5 million children nationwide have parents behind bars on any one day. An estimated 10 million more have parents who have been imprisoned at some point during the children's lives. The trends are alarming. One out of three black men is under correctional supervision. The number of imprisoned women has increased threefold in the last 10 years. These figures are due in large part to the larger number of people convicted and locked up for nonviolent drug-related crimes. In fact, 80 percent of imprisoned women have substance abuse problems.

Fully 75 percent of the women in prison are mothers, typically of two to three children. Approximately 70 percent of the mothers were primary caregivers for at least one child when they were arrested. About 10 percent of the children of incarcerated mothers are in foster care; the rest are at risk of placement if a fragile caregiving arrangement deteriorates. About seven to 10 percent of women are pregnant when they are arrested.

There are immediate and long-lasting effects for children of incarcerated parents. A 1993 report by the National Council on Crime and Delinquency warned that children who experience a parent's arrest and are subsequently separated from them suffer a wide array of psychological problems including trauma, anxiety, guilt, shame, and fear. These problems frequently manifest themselves in poor academic achievement, truancy, dropping out of school, gang involvement, early pregnancy, drug abuse, and delinquency. Children of offenders are five times more likely than their peers to end up in prison themselves. One in 10 will have been incarcerated before reaching adulthood.

Public administrators confront many critical issues and are continually challenged to do more with less. The last thing that most want to hear is that they should be doing something else too. However, as we continue to lock up an ever-increasing number of nonviolent drug offenders, we cannot ignore the effects on their children.

Generating better outcomes for children and providing real support to families requires more than a new program—it will take a shift in our culture and a redefinition of roles. It requires that we cross traditional lines of demarcation and learn to work more collaboratively and holistically. That is the essence of this tool. It provides information to aid a reader in assessing practices in a jurisdiction and in shifting breakdowns into opportunities for change.

### Some of the Issues

Criminal justice policies and practices are focused on the apprehension, custody, conviction, and punishment of lawbreakers. The service needs of an offender are a

secondary consideration, and the relationships between the offender and her family or children that so concern child care workers are almost never addressed. In fact, the criminal justice system often thwarts contact between the mother and her child and between the mother and the foster care system.

Child welfare policies and practice, meanwhile, focus primarily on the best interests of the child—and, without special knowledge and training, most workers do not know how to transcend all the barriers they confront in trying to work with a mother moving through the criminal justice system.

Some of the breakdowns that regularly occur include the following:

- ❑ During arrest, little attention is paid to the needs of the woman's children. Children may view the actual arrest or may just reconstruct the scenario in their heads. In either case, it is traumatizing, and yet usually no provision is made for addressing the child's needs. Although many of the women arrested are the primary caregivers for at least one child, they often receive little, if any, assistance—or even access to a telephone—to make arrangements for their children's care.
- ❑ As a result, children are often left with caregivers who are ill-equipped to meet their emotional or basic material needs. In most cases, the children experience tremendous instability. They are shifted among homes and caregivers. In states with more than one prison, the mother may be transferred several times, further complicating the situation.
- ❑ As soon after arrest as possible, children need to visit their parents to be reassured that they are safe and unharmed. However, these visits at local detention facilities seldom occur and, when they do, they are often non-contact visits—children are separated from their parents by wire mesh or walls of plastic or glass.
- ❑ About half the children will not visit their mothers while the women are in prison. Yet regular visits are key to helping children deal with the trauma they have experienced. The frequency of visits is the most important factor in determining the prospects of reunification once the mother is released.

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- ❑ The difficulty of returning to the community from prison or jail, often compounded by family conflict, can prevent the mother from successfully reuniting with her children when she is released. Women are often homeless, penniless, and struggling to remain drug-free. But they receive little pre- or post-release support. These pressures can be exacerbated by family tension.
- ❑ Immigration is a complicating issue for many families. It has become more common to deport immigrant felons, and it can be wrenching to determine what should happen to their children, especially those born in the United States.
- ❑ An overwhelming number of women in the criminal justice system have drug problems. Their drug use is often associated with childhood physical abuse and experience of family violence. It is also connected to their children's risk of abuse and trauma and may have brought the families in contact with the child welfare system even before the mothers' arrests. Successful recovery requires long-term interventions that are integrated into the rest of the women's lives. Too often, this is not the strategy employed by any of the public systems addressing the substance abuse or its related breakdowns (homelessness, child abuse and neglect, lawbreaking, mental illness). In some jurisdictions, cutbacks in mental health services and managed care are making access to treatment and to the right kind of treatment even more difficult.
- ❑ Conflict is growing between pressures to increase penalties for crimes especially drug-related crimes and pressures on the child welfare system to reduce the time required for permanency planning for children. Will an 18- to 24-month sentence on drug charges automatically preclude reunification as a goal in a jurisdiction that has implemented incentives to accomplish permanency planning in a year?



## C O M P O N E N T S O F A N E E D S A S S E S S M E N T

To address these problems requires involvement by a range of stakeholders, each holding a piece of the puzzle. The Women's Prison Association's work with the *Family to Family* Initiative started with a needs assessment. However, this was not just a collection of information. Perhaps more importantly, it sought to develop awareness about the relationships that are pivotal to shifting the way business is done. Our work initially was:

- To enroll stakeholders in the importance of addressing the special needs of incarcerated parents and their children;
- To develop a collaborative, working relationship among officials of the child welfare and criminal justice systems; and
- To identify resources that could serve as the foundation for a more comprehensive strategy for working with incarcerated parents and their families.

Consultants can help with this process in significant ways. However, a project is most likely to succeed if it is commissioned by a high-ranking official, preferably one who has access to even higher-level governmental officials. At some point the governor, or the mayor, or the county commission may be asked to reallocate resources among agencies based on recommendations that flow from this work.

At least a modest infrastructure is needed for this project. It is helpful if a steering committee can provide guidance to information collectors. The committee then processes the information, formulating recommendations and plans of action. A local coordinator should work with the consultant and the steering committee, and keep the department informed of work being done.

### **Gathering Statistical Data**

The first step is to gather available information on the size of the population under criminal justice supervision and the rate of incarceration (compared to the general population) over time, differentiating by gender. Other necessary data include the number of arrests by gender and information on the nature of the women's crimes.

It can be difficult to determine how many mothers and children are affected because in most jurisdictions the data do not exist. The criminal justice system has little reliable data on an offender's parental status, and the child welfare system probably does not know how many children in placement currently have an incarcerated parent. It almost certainly does not know how many children have a parent who has ever been in prison. As a further complication, the child may have gone into placement because of parental drug use well before the parent's arrest. Nevertheless, it is all critical information for any system committed to parental participation in permanency planning and to reunification whenever that is possible.

As an alternative to hard data, The Center on Children of Incarcerated Parents provides a formula to estimate how many children and families are affected by

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parental incarceration. To calculate the number of children whose mothers are incarcerated on any one day, multiply the number of women in prison or jail by 0.75 (the percentage of incarcerated women with children). This gives an estimate of the number of women in prison or jail with children. Multiply this number by 2.4, the average number of children per mother. This gives the approximate total number of children affected.

This tool primarily speaks of incarcerated mothers because they are most often the custodial parents. However, incarcerated fathers should also be of great concern to us, and many of the issues raised in this discussion also apply to them. It should be noted that a similar formula exists to calculate the number of children with an incarcerated father (the number of men in prison or jail multiplied by 0.56, the percentage of men who have children, times 1.8, the average number of children per father). In **Family to Family**, we relied on state departments of correction and the U.S. Justice Department's Bureau of Justice Statistics (BJS) to provide most of the basic data. Then we applied the formula outlined above.

It can be even more difficult to obtain information about the ways children are affected by their mother's involvement with the criminal justice system. Where did the children live before, during, and after the parent's incarceration? How many children witnessed their parents' arrest? How many children changed caregivers or are separated from siblings as a result of their parents' incarceration? Even for children in foster care, this type of information is rarely collected.

### **Surveying the Universe**

By definition, the players bring different perspectives to the task of bridging the child welfare and criminal justice systems. Program design should include consultation with people at all levels of responsibility, in both

the formal and the informal structures.

In Maryland, the Women's Prison Association (WPA) consultation was invited by a deputy commissioner and directed by a steering committee composed of central administrative staff and coordinators in each of the **Family to Family** jurisdictions. We reached out to invite the participation of a deputy commissioner of the state department of corrections. We also surveyed the jurisdiction to identify other public and private agencies that had demonstrated a commitment to any aspect of the issues. Interviews should serve the dual purpose of learning from the interviewee and of introducing the prospect of a collaboration to change practice.

Participants in a change effort might come from many parts of the system:

- Child Welfare
  - Child protection agencies
  - Foster care and adoption agencies
  - Preventive and family preservation workers
  - Family court
  - Legal guardians and court-appointed special advocates
  - Private direct service or advocacy organizations
- Criminal Justice
  - State prisons and local jails
  - Probation and parole offices
  - Criminal courts
  - Police
  - Pretrial services
  - Alternatives to incarceration (ATIs)
  - Private direct service or advocacy organizations
- Advocacy groups and law school clinics
- Community-based agencies serving youth and families

*(continued)*

- ❑ Providers of substance abuse treatment
- ❑ Providers of mental health services
- ❑ Churches
- ❑ Women's groups

The political climate must be factored into the development of a strategy. Public administrators are under strong pressure to reduce crime by being tough on criminals and to reduce harm to children by erring on the side of termination of parental rights. These realities must and can be reconciled with an initiative to bridge the gulf between the child welfare and criminal justice systems. We need to connect this work continually to our shared concern over the well-being of children. Many of us also believe that more integrated approaches are cost-effective and inherently more rewarding for the staff doing the work.

Other trends also warrant consideration for the ways they affect the prospects of families where a parent is incarcerated. These issues include welfare reform and workfare requirements, managed care, changes to Medicaid, elimination of parole, mandatory sentencing, fees for parole and probation supervision, inflated long-distance rates for calls from correctional facilities, privatization of prisons, and out-of-state imprisonment, among others.

### **Interviewing and Focus Groups**

In most situations, it will not be feasible to speak with representatives of all the stakeholder groups listed above. However, in each jurisdiction, a smaller list is possible of people whose perspectives are pivotal in developing an understanding of local practices. This list grows based on information as it is gathered. In *Family to Family*, we interviewed people individually, in pairs and small groups, and we held more formal focus groups. For instance, we held sessions with child welfare line work-

ers and supervisors to learn about their experience when working with families with an incarcerated parent and to identify projects that could improve the ways in which we work with these families. Similar groups could productively be held with staff from other segments of the system.

### **Visits to Correctional Facilities**

A cross-section of child welfare staff members at different levels of responsibility visited several of the local jails and the women's prison. These visits typically included a tour of the facility including the visiting space, discussion with correctional staff, and sometimes an opportunity to speak with inmates. Several important developments resulted. First, staff people from the two systems met each other and were able to make a personal connection. They shared concerns, frustrations, and information on their underlying goals.

It was then possible for them to begin to discuss new practices that would better reconcile the needs of both systems. Child welfare staffers could better appreciate the demands on corrections—for instance, they learned there were many reasons that corrections could not give a definite release date for a woman. Until then, child welfare people had thought failure to provide that information showed unwillingness to cooperate. Similarly, correctional staff people, maybe for the first time, heard about permanency planning requirements and gained a new understanding of the pressures on the child welfare system.

Many of the workers had never been in a prison or jail. Many powerful insights came from seeing the facility and talking to inmates. As an example, some reported that, until then, they had interpreted a mother's resistance to a child's visit as lack of love for the child. After seeing that the visits must occur through plexiglass sometimes standing up, or through wire mesh, they could agree that a woman's reluctance might be a gesture of love, an effort to protect a child from that dehumanizing experience.

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## FINDINGS

From the needs assessments we conducted in Maryland, New York, and Alabama, we learned that:

### **The difficulties encountered when working with these families frustrate workers in both systems.**

For instance, child welfare workers feel that accompanying children to visit parents in prison is disproportionately time-consuming and hard to reconcile with other demands of their caseload. Within corrections, transporting imprisoned parents to family court hearings creates staff shortages, because two correctional officers must leave their normal duties to accompany the inmate. Such inconveniences create ill will toward both the family in need and the system perceived as creating obstacles. Well-intentioned professionals from both systems thereby feel helpless, while families continue to disintegrate.

### **Attitudes and interpretations guide, and sometimes limit, our interventions.**

Too often, we think of a mother's arrest and incarceration as the final chapter in a long history of self-destruction. We are angry with the mother. She has repeatedly disappointed those trying to help her and, more importantly, her children. We are frustrated because it seems as though the mothers have been given many opportunities to get their lives together; yet they did not place their children's needs above their addiction. When an incarcerated mother then starts calling her worker wanting to see her children, the worker may be a little cynical and wonder about her motivation. The worker may not be highly motivated to arrange the visit.

At the other end of the spectrum, a prison-based counselor who has only seen the woman sober may be an unrelenting advocate for reunification and may not appreciate how many times the mother has relapsed and left her children in unsafe settings.

### **Resources in both systems are wasted by a failure to collaborate.**

Families are often served by several different public and private agencies. For instance, one family could be receiving services from a drug treatment agency, a program alternative to incarceration, a family foster care agency, and the department of probation. In the absence of a cross-systems exchange of information, families will receive some duplicative and sometimes unnecessary interventions like several different regimens of drug screening or parenting skills classes. Meanwhile, services that would really make a difference, such as discharge planning and transitional support services, are not provided.

Some specific issues cited were:

- Lack of coordinated and comprehensive case planning;
- Slow or limited communication between prison authorities, parole officers, probation officers, child welfare workers, and other service providers;
- Insufficient links between community based programs (criminal justice or child welfare) and corrections;

- ❑ Insufficient information within child welfare agencies about services provided by criminal justice agencies (either in prison or in the community), and vice versa; and
- ❑ Concern about confidentiality; workers often assume that confidentiality rules prohibit them from sharing information with workers in another system.

### **Incarcerated parents receive inadequate support.**

While a parent is incarcerated, she could be preparing herself to support her family and care for her children. But programs devoted to drug treatment, education, family violence, independent living skills, or parenting are often the first to be cut. Community-based organizations can serve as a vital link back to the incarcerated parent's community. However, criminal justice workers, child welfare caseworkers, and service providers in the community often do not have regular contact with incarcerated parents in order to plan adequately for the family when the parent is released. If a community-based child welfare or criminal justice agency waits until the woman has been released to start working with her, they risk losing her altogether.

Working effectively with an incarcerated parent is hampered by:

- ❑ The distance between the community and facilities; variations in policies, practices, and visitation rules; and general telephone restrictions;
- ❑ A lack of private space for caseworkers to meet with mothers;
- ❑ The difficulty in making referrals for incarcerated mothers to programs inside the prison or getting information on these programs; and
- ❑ A lack of notification about transfers of incarcerated parents and difficulty in finding any incarcerated parent in the criminal justice system.

### **Children lack a stable place to live while their parent is away and do not receive help to deal with the trauma they experienced.**

When a parent is arrested, arrangements for his or her children must be made, and the involvement of other family members must be determined. Even though many women are the primary caregivers for their children, the police rarely ask a woman whether she is responsible for any children. Nor do they provide much access to a telephone or information on the processing of her case so that she can call friends or relatives to make arrangements for the children. During each phase of the criminal justice process, any existing plan must be re-examined in light of new circumstances.

Providing children a stable place to live while their parents are in custody and helping them to heal from the trauma they have experienced are complicated tasks because:

- ❑ Too few alternatives to incarceration allow mothers to live with their children while they serve their sentences;
- ❑ Parents have inadequate information about their rights and responsibilities;
- ❑ They have limited access to information about how the case is proceeding and a probable release date;
- ❑ Many cases have unresolved family conflicts, difficulty tracking down fathers, and the separation of siblings;
- ❑ Workers have difficulty assessing the appropriate goal—long-term foster care, adoption, reunification, or independent living—for children of incarcerated parents due to a lack of information about length of sentence and prospects for parole;
- ❑ Increasingly long sentences and indefinite release dates conflict with children's need for certainty and permanence;

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- ❑ Caregivers, birth parents, and children suffer inadequate communication;
- ❑ Parents are unable to participate effectively in family court proceedings they often do not receive court notices in time to appear, or they lack the information about how to get permission to attend or transportation to a court hearing;
- ❑ Complications occur around adoption/termination of parental rights: case-workers have difficulty working with an incarcerated parent's grief, or in negotiating relationships between the biological parent and a relative who has adopted her child; and
- ❑ Few, if any, special services exist for the children or caregivers affected by the mother's incarceration.

**Numerous obstacles prevent productive visitation.**

Children need to see their mother as soon after her arrest as possible to be reassured that she is safe and unharmed. However, visiting at most jails (which house women awaiting trial or serving short sentences for minor offenses) can be more difficult than visiting at most prisons (which house convicted felons serving longer sentences). Further, regular contact between a parent in prison and her children is key in achieving reunification when the parent returns to the community. Visits provide a forum for building and maintaining essential family bonds. Most importantly, visits are often key to helping children deal with the trauma they have experienced, contrary to the common fear that visiting a parent in prison will traumatize the child further.

While those who work in the criminal justice and child welfare systems may wish to foster strong family relationships, barriers are encountered on several fronts, such as:

- ❑ Non-contact visiting is the common practice at local jails, which means literally that the child is not allowed to touch his or her mother the visit must occur by phone through plexiglass or through a wire mesh screen;
- ❑ Prisons are a long way from the children's homes the time and expenses associated with travel can be overwhelming for already burdened caregivers;
- ❑ Inadequate information exists among social service staff and caregivers about the importance of visiting, the legal mandates regarding visiting, and the guidelines for identifying those limited number of cases where it might not be in the children's best interest to visit their parents in prison;
- ❑ Even when visits are deemed appropriate, mothers and other caring adults often discourage visits because they want to spare the children pain and distress;
- ❑ Insufficient preparation before the visit and debriefing after the visit for the parent, child, and caregiver can result in a visit in which everyone is upset and the children's needs are unmet;
- ❑ Visiting procedures, security checks, waiting rooms, and visiting rooms require children to stand or sit for hours, frequently with no diversion;
- ❑ Child welfare workers and caregivers sometimes find the security process dehumanizing. They must wait in line and then might not get in because the proper gate clearance was not processed; they must take off jewelry and go through metal detectors; they can wait a long time with restless children for the visit to actually occur; and

- ❑ Child welfare workers do not know visiting procedures i.e. hours, rules, or that some gifts from the children may be considered contraband and will not be allowed in the facility.

**Women leaving corrections face many barriers as they try to reunite their families.**

Women leaving prison need preparation and support to return successfully to their families and their communities. Lack of comprehensive discharge planning on the inside leads many women to the homeless system, emergency rooms, and, worse, to relapse and re-arrest. The mother is under a great deal of pressure. She is often simultaneously dealing with the demands of several public systems. Probation or parole may require that she report to their offices regularly, that she submit to urinalysis, and that she make efforts to get a job; welfare may have her assigned to workfare and also require regular appointments to review her eligibility for benefits; the Family Court may require parenting classes or counseling; etc.

Child welfare and criminal justice system professionals agree on the importance of comprehensive discharge planning that begins within the facility and provides, in detail, for every major aspect of a mother's life when she is released. The woman should be connected to community-based programs that provide a continuum of services and that work from a comprehensive case plan for reuniting parents and children, finding housing, attending drug treatment, and obtaining education and employment training. A woman almost always needs to be picked up at the gate and accompanied as she begins to move in the free world. Where will she live? How will she eat? How will she support herself and her children? How will she stay sober? Where can she go for counseling when things get hard, as they inevitably will?

Successful transitions are difficult for many reasons, including:

- ❑ Child welfare workers lack information about when a parent is likely to be released, or where she will be living;
- ❑ The family may feel pressed to reunite too quickly. Parents and children need time to reconnect slowly following a parent's release;
- ❑ The waiting period for public assistance can prevent a woman's immediate enrollment in a drug treatment program and leave her without a source of income, typically for 45 days or more. Parole mandates are often unrealistic in this regard and can lead to unavoidable parole/probation violations;
- ❑ Community-based programs that provide housing, drug treatment, transitional services, and family counseling to help mothers stabilize their lives and reconnect with their families and communities may not be available. Some services even explicitly exclude ex-offenders or felons with drug convictions; and
- ❑ Few programs exist that work on a coordinated and comprehensive case plan that incorporates support and help for achieving all the things the various systems would like the family to do.

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*Visitation provides a forum for building and maintaining essential family bonds.*

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## A P L A N O F A C T I O N

Our challenge is to see beyond the urgent demands of managing our systems through each day. Longer-term goals include child welfare's need to recruit more foster parents to respond to the explosion of children in placement, and the justice system's need to maintain secure facilities in the face of a growing census and staff cuts. If we can focus on what we are trying to do—that is, to create a criminal justice system that reduces recidivism and a child welfare system that keeps children with their parents—we will discover that the two systems have an underlying shared interest in connecting offenders with their children and nurturing families' links with their communities.

Offenders who have strong family connections are the most likely to succeed in the community. Mothers who are able to stay in contact with their children have the best prospect of successful reunification and family functioning. And, it is because we invest so many of our resources in the most expensive responses to social problems—i.e. foster care and imprisonment—that we have no money left to do the preventive and community-based work that we think would reap better rewards.

Both systems share an interest in shifting resources to drug treatment, child development, education, and vocational programs that will enable adults to care for their families. We should share an interest in keeping families together whenever possible and in providing the intensive social services that develop better parenting and help children make the best of the cards that they were dealt.

Short of these policy changes that shift the way that society deals with its

poor, many things lie within our power that can make a huge difference in the prospects for families with incarcerated parents. These have to do with how we treat the parent, the caregiver, and the child, and how well the child welfare and criminal justice systems communicate and cooperate with each other. Although initiatives have to be tailored to local circumstances and differ depending on the resources and stakeholders in the community, effective interventions incorporate some of the following strategies:

- ❑ They draw on the participation and strength of the intended beneficiaries (the incarcerated parents or the foster parents themselves);
- ❑ They expand the community of interested or committed stakeholders;
- ❑ They actively develop new community linkages to churches, community organizations, and volunteer groups;
- ❑ They are culturally relevant;
- ❑ They identify and serve children without stigmatizing them;
- ❑ The interventions are therapeutic without the stigma of therapy; and
- ❑ They generate better information on which to make good policy and programmatic decisions.

### Possible Initiatives

#### **Foster and support an interagency commitment to working together.**

1. Conduct periodic interagency meetings and encourage regular informal communication.
2. Designate a liaison person within each system to act as a facilitator for personnel from other systems to



aid in locating a mother or a child within the other system, to assist in arrangements for visitation, to provide information to staff on the rules and regulations of the system, etc.

3. Regularly collect information that reveals the overlap between systems – in other words, how many children in placement have mothers in prison or under criminal justice supervision? How many women under correctional supervision have children? Where and with whom are these children residing?
4. Develop manuals and provide cross-training so that staff in the child welfare system have a basic understanding of the operations and mandates of the criminal justice system, and vice versa. These should be accompanied by frequently updated directories of key personnel within each system that include their names, addresses, and phone numbers.
5. Publish a directory of correctional facilities that includes a map and directions; the hours and rules governing visits, mail, and phone calls to a prisoner; a description of programs available in the facility; and a contact person within the facility.
6. Conduct regular collaborative case conferences, coordinate the delivery of services to the woman and the children, and jointly participate in discharge planning.
7. Encourage the exploration of worker/agency biases.
8. Acknowledge and reward effective partnership.

**Aid mothers in managing their parental role and responsibilities.**

1. Provide women with information and support in planning for their children as soon after arrest as possible. Ideally, social service personnel can aid with this, or criminal defense attorneys can give basic

information to their clients. The Women's Prison Association developed a bilingual brochure that provides basic information.

2. Provide crisis nurseries and a range of supportive options for children without other suitable places to go.
3. Provide access to a telephone so that a mother can make arrangements for the care of her children and stay in touch with them throughout her absence from them. If she is to be an active parent, she should also be able to speak to the school about her child's progress.
4. Provide the woman, her family, child welfare personnel, and caretakers with information on the likely processing of her case so that realistic plans can be made for the children. Family assistance could include a bilingual brochure that describes how to find an inmate in the system; directions to the various facilities, including public transportation; regulations on visiting, correspondence, packages; how to prepare a child for visiting, etc.
5. Provide ongoing education and counsel on the law related to children and the child welfare system. The Bedford Hills Children's Center developed a model publication, *The Foster Care Handbook for Incarcerated Parents: A Manual of Your Legal Rights*.
6. Provide access to legal counsel if needed to secure visitation or to protect parental rights. Law school clinics and pro bono attorneys can be resources in this regard. In New York, WPA and the Volunteers of Legal Service have cooperated on the creation of the Incarcerated Mothers Law Project (IMLP).
7. Connect families with preventive or family preservation services as soon after arrest as possible.
8. Allow mothers to tape record themselves reading a story to their children and to send their children the tape.

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*Women leaving prison need preparation and support to return successfully to their families and their communities.*

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*Offenders who have strong family connections are the most likely to succeed in the community; mothers who are able to stay in contact with their children have the best prospect of successful reunification and family functioning.*

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### **Improve the conditions of visitation.**

1. Allow contact visits and make visiting rooms child-friendly. When possible, create a special children's visiting room with a rug and toys. Standardize and simplify visiting policies. Visiting hours should be responsive to the schedules of the child welfare workers and the caretakers responsible for the visits.
2. Incarcerate parents as close to their homes as possible.
3. Provide inmates with free telephone calls to their children and foster care agencies.
4. Provide free or affordable transportation to the facilities.
5. Train correctional officers on how to treat visitors especially children and provide them with cultural sensitivity development.
6. Provide mediation between prisoners and caregivers when necessary in both foster care and non-foster care situations.
7. Create periodic opportunities for extended visitation. Examples include the Bedford Hills programs where children are with their mother all day, for a weekend or for a week during the summer. Children may stay overnight in host homes within the community or in more congregate settings like a church.

### **Reduce the trauma suffered by children.**

1. Provide training to police and revamp their protocols to be more child aware.
2. Provide information and counseling to children at every stage of their separation from and reunification with their mothers. Coloring books, stuffed toys, and other aids are useful in this regard.
3. Provide opportunities for the mitigation of adversarial relationships between the biological mothers and caregivers, many of whom are family members who have their own history with the mother.

4. Increase the sensitivity of adults to the effect of their attitudes and comments about children. Harsh statements about criminals getting what they deserve or anger directed at a mother can be very disturbing for children. It is also debilitating to create an environment in which children are discouraged from speaking about their parents' incarceration.
5. Provide information and training to parents on child development and help them have realistic expectations of their children.
6. Provide caregivers and child welfare workers with information on how to work with the children, including how to prepare them for visits, how to deal with their emotions after visits, how to coach them on what to tell other children, etc.

### **Provide strategic services that support the healthy development of women and families.**

1. Provide more alternatives to incarceration, such as community corrections or other correctional options that keep parents in their communities with their children while they receive drug treatment.
2. Develop a continuum of care for families to provide critical support during the transitions (i.e. immediately following the parent's arrest, after the parent has been sentenced, when the parent is returning home). It should reconcile the many demands on clients and their families and address all of the family's basic needs subsistence, housing, child care, drug treatment/relapse prevention, education and/or employment, healthcare.
3. Create nursery programs at the local detention facilities and state prisons that allow pregnant women to keep their babies with them up until the baby is one year old.

## RESOURCES

Across the country, many child welfare and criminal justice agencies, both public and private, have recognized the importance of working more effectively with children of incarcerated parents and made innovative efforts to better address the needs of these children and families. The following list of resources can provide a starting point from which to learn about these efforts. It is not an exhaustive list of all the programs and resources nationwide. Included are sources of statistical information that might be helpful in determining the needs of children and families in a particular state.

### Contacts/Organizations

#### Child welfare

Child Welfare League of America  
440 First Street, N.W., Suite 310  
Washington, DC 20001  
202/942-0270

Hour Children  
94-24 118th Street  
Richmond Hill, NY 11419  
718/433-4724

#### Parent/child visiting and parenting programs in prison

Aid to Children of Imprisoned Mothers  
50099 Mitchell Street, S.W.  
Atlanta, GA 30314  
404/221-0092

Centerforce  
64 Main Street  
San Quentin, CA 94964  
415/456-9980

Bedford Hills Children's Center  
Bedford Hills Correctional Facility  
247 Harris Road  
Bedford Hills, NY 10507  
914/241-3100

Osborne Association  
Family Works (a program for fathers)  
135 East 15th Street  
New York, NY 10003  
212/673-6633

#### Corrections/ community corrections

California Department of Corrections  
1515 S Street  
P.O. Box 942883  
Sacramento, CA 94283  
916/445-1578

Providence House  
396 Lincoln Road  
Brooklyn, NY 11225  
718/455-0197

Summit House  
122 West Elm Street  
Greensboro, NC 27401  
910/275-9366

Women's Prison Association  
110 Second Avenue  
New York, NY 10003  
212/674-1163

#### Research on offenders and their families

Barbara Bloom, author of *Why Punish the Children: A Reappraisal of the Children of Incarcerated Mothers in America*  
P.O. Box 866  
Petaluma, CA 94953  
707/778-7270

Creasia Finney Hairston, Ph.D.  
Dean, Jane Addams School of Social Work  
University of Illinois at Chicago, M-C 3091  
1040 W. Harrison  
Chicago, IL 60607-7134  
312/996-3219

Merry Morash  
School of Criminal Justice  
Michigan State University  
560 Baker Hall  
East Lansing, MI 48824-1118  
517/355-2192

Dr. Denise Johnston  
Pacific Oaks College Children's Programs  
The Center for Children of Incarcerated  
Parents  
714 West California Boulevard  
Pasadena, CA 91105  
818/397-1300

National Council on Crime and Delinquency  
685 Market Street, Suite 620  
San Francisco, CA 94105  
415/896-6223

#### **Other resources**

American Correctional Association  
4380 Forbes Blvd.  
Lanham, MD 20706-4322  
1-800-222-5646

Family and Corrections Network  
32 Oak Grove Road  
Palmyra, VA 22963  
804/589-4239

International Community Corrections  
Association  
P.O. Box 1987  
LaCrosse, WI 54602  
608/785-0200

#### **Governmental resources**

Bureau of Justice Statistics Clearinghouse  
Box 179  
Annapolis Junction, MD 20701-0179  
1-800-732-3277  
<http://www.ojp.usdoj.gov/bjs/>

National Criminal Justice Reference Service  
(NCJRS)  
Box 6000  
Rockville, MD 20849-6000  
1-800-851-3420  
[askncjrs@aspensys.com](mailto:askncjrs@aspensys.com)

National Institute of Corrections  
320 First Street, N.W.  
Washington, DC 20534  
202/307-3995

National Institute of Justice  
633 Indiana Avenue, N.W., Rm. 805  
Washington, DC 20531  
202/514-6205

#### **Materials**

*Breaking the Cycle of Despair: Children of Incarcerated Mothers* (policy brief and accompanying video), the Women's Prison Association (see address above)

*Don't Forget About Your Children! Protect Your Rights as a Parent*, the Women's Prison Association (see address above)

*A Vision Beyond Survival: A Resource Guide for Incarcerated Women*, National Women's Law Center, 11 Dupont Circle, N.W. Suite 800, Washington, DC 20036, 202/588-5180

*Children on Hold: Improving the Response to Children Whose Parents Are Arrested and Incarcerated*, American Bar Association, Center on Children and the Law, 740 15th Street, N.W., Washington, DC 20005, 202/662-1720

*The Foster Care Handbook for Incarcerated Parents: A Manual of Your Legal Rights and Responsibilities*, Bedford Hills Children's Center (see address above)

*Parents in Prison: Addressing the Needs of Families*, American Correctional Association (see address above)

*Why Punish the Children? A Reappraisal of the Children of Incarcerated Mothers of America*, National Council on Crime and Delinquency, 685 Market Street, Suite 620, San Francisco, CA 94105, 415/896-6223

*Parents in Prison, Children in Crisis*, the Child Welfare League of America (see address above)

*How Can I Help?* The Osborne Association (see address above)



