

## CHILDREN AND FAMILIES OF THE INCARCERATED FACT SHEET

*The growing number of children with an incarcerated parent represents one of the most significant collateral consequences of the record prison population in the U.S.<sup>1</sup>*

### ***What We Do Know About...***

#### **Children with Parents in Prison**

*“When my mother was sentenced, I felt that I was sentenced. She was sentenced to prison-to be away from her kids and family. I was sentenced as a child, to be without my mother”<sup>2</sup>*

#### **Demographics**

- In 2007 more than 1.7 million children had a parent in prison or jail.<sup>3</sup>
- Nearly 10 million children have a parent who is or has been under some form of criminal justice supervision.<sup>4</sup>
- In 2007, one in 43 (2.3%) American children had a parent incarcerated in a state or federal prison.<sup>5</sup>
- One in 15 black children and 1 in 42 Latino children has a parent in prison, compared to 1 in 111 white children.<sup>6</sup>
- Approximately half of children with incarcerated parents are under ten years old.<sup>7</sup>
- 2% of incarcerated fathers and 8-10% of mothers have children in foster care<sup>8</sup> (these data do not include at least some persons in prison with children in foster care who are in kinship placements)
- Information from one study on children in foster care with parents in prison provides the following data:<sup>9</sup>
  - 25% of children live with their fathers when a mother goes to prison
  - 90% of children remain with their mothers when the father is incarcerated
  - 50% of children with an incarcerated mother live with their grandmothers
  - In the child welfare system, 1 in 10 children in in-home settings is living with someone who is on probation.

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<sup>1</sup> Mauer, M., Nellis, A., Schirmer, S.; *Incarcerated Parents and Their Children -Trends 1991- 2007*, [The Sentencing Project](#), Feb. 2009

<sup>2</sup> Bernstein, N., *All Alone in the World, Children of the Incarcerated*, 2005

<sup>3</sup> Mauer, M., Nellis, A., Schirmer, S.; *Incarcerated Parents and Their Children -Trends 1991- 2007*, The Sentencing Project, Feb. 2009 - [www.sentencingproject.org](http://www.sentencingproject.org)

<sup>4</sup> Hairston, C.F. *Prisoners and Families: Parenting Issues During Incarceration*. In J. Travis & M. Waul (eds.), *Prisoners Once Removed*. Washington, DC: The Urban Press Institute, 2003.

<sup>5</sup> Mauer, M., Nellis, A., Schirmer, S.; Feb. 2009 *Incarcerated Parents and Their Children -Trends 1991- 2007*, [The Sentencing Project](#).

<sup>6</sup> Ibid

<sup>7</sup> Ibid

<sup>8</sup> Mumola, C.J.-*Incarcerated Parents and their Children* (NCJ-182335). Wash, D,C, Us Dept of Justice, BOJS, 2000

<sup>9</sup> Philips Ph.D., Susan D., Gleeson, Ph.D., James P., [Children, Families and the Criminal Justice System, A Research Brief](#), [Center for Social Policy and Research](#), Univ. Of Ill., Chicago

- 1 in 5 children with incarcerated parents had clinically significant internalizing problems (e.g., anxiousness, depression, withdrawal)
- 1 in 3 had clinically significant externalizing problems (e.g., attention problems, aggression, disruptive behaviors).
- About 15-20% of children entering the child welfare system have incarcerated parents.<sup>10</sup>
- About 1 in every 5 African American children who come to the attention of child welfare agencies have a recently arrested parent compared to only 1 in 10 White children and only 1 in 20 Hispanic children.<sup>11</sup> Care must be taken with these data on disproportionate representation of children of color so as not to interpret them as an indictment of specific groups of people but rather as a reflection of the long-term impact of poverty, segregation, discrimination and urbanization.

### The Impact

- Children of incarcerated parents mourn the loss of their parent.<sup>12</sup>
- Witnessing the arrest of a parent intensifies the child's loss, sense of helplessness and creates additional trauma.<sup>13</sup>
- Many children of incarcerated parents exhibit symptoms of Post Traumatic Stress Disorder.<sup>14</sup>
- Social stigma causes families to avoid discussing the absence of a parent. Being kept in the dark can influence children emotionally and psychologically and impact the restoration of parent-child relations when the parent in prison is released.<sup>15</sup>
- Literature suggests that parental incarceration can have profound consequences for children including:
  - \* feelings of shame, grief, guilt, abandonment, and anger;
  - \* social stigma;
  - \* disconnection from parent;
  - \* poor school performance;
  - \* impaired ability to cope with future stress and trauma;
  - \* potential addiction;

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<sup>10</sup> Yolanda Johnson-Peterkin, *National Resource Center for Foster Care and Permanency Planning*, 2003 - [www.hunter.cuny.edu/socwork/nrcfcpp/](http://www.hunter.cuny.edu/socwork/nrcfcpp/)

<sup>11</sup> Ibid.

<sup>12</sup> Adalist-Estrin, Ann, 2003, [\*Responding to Children and Families of Prisoners, A Community Guide\*](#)

<sup>13</sup> Adalist-Estrin, Ann, [\*Impact of Parental Incarceration\*](#), CPL 301, Families and Corrections Network, Children of Prisoner Library

<sup>14</sup> Ibid

<sup>15</sup> Travis, Jeremy, Solomon, Amy, 2003, *Families Left Behind*, [Urban Institute](#), Justice Policy Center

\* negative perceptions of police and other authority figures.<sup>16</sup>

- Children with parents in prison need support and there are very few programs and social services specifically designed to serve their complicated and layered needs.<sup>17</sup>

### ***Why We Do Not Know More***

*Our anecdotal and observational assessment informs the following conclusions about the various gaps in information on children and families of people in prison.*

- Studies on children of people in prison have focused primarily on those who intersect with child protective services and constitute only a fraction of all children with incarcerated parents
- Data on children living with other parents, relatives, and casual caregivers are inconsistent and inconclusive.
- There is no accountability or oversight of Federal, State or Local law enforcement, judiciary, and other criminal justice agencies to identify children of arrestees and persons in prison.
- Similarly there are no inter-agency efforts to assess the impact that law enforcement and criminal justices policies have on children and families of people in prison.
- At the time of arrest, conviction and imprisonment, parents are often fearful of giving information about their children and families. Therefore information that is gathered is usually extremely inaccurate.

### **Parents in Prison**

*It's hard to live away from my children; tears of sadness fill my eyes; and through my tears I alleviate the pain; my tears reflect the love I feel for them<sup>18</sup>.*

- In 2007 there were 809,000 parents in prison, an increase of 79% from 1991<sup>19</sup>
- Seventy five percent of women and 65 % of men in prison are parents.
- Incarcerated parents lose their parental rights at a disproportionate rate due to the Adoption and Safe Families Act (ASFA) which set strict timelines for initiating Termination of Parental Rights (15 of last 22 months).<sup>20</sup>

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<sup>16</sup> Vigne, N., Davies, E., Brazzell, D, Feb. 2008, [Broken Bonds, Understanding and Addressing the Needs of Children with Incarcerated Parents](http://www.urban.org/UploadedPDF/411616_incarcerated_parents.pdf), Urban Institute, Justice Policy Center, [http://www.urban.org/UploadedPDF/411616\\_incarcerated\\_parents.pdf](http://www.urban.org/UploadedPDF/411616_incarcerated_parents.pdf)

<sup>17</sup> Ibid

<sup>18</sup> Wolfgang, L., 1999, *Fathers in Prison*, Stone Creek Publishing

<sup>19</sup> Mauer, M., Nellis, A., Schirmer, S.; *Incarcerated Parents and Their Children -Trends 1991- 2007*, [The Sentencing Project](#), Feb. 2009

- Seventy-two percent of incarcerated mothers with children under age 18 lived with those children before entering prison.<sup>21</sup>
- 54% of mothers and 57% of fathers in state prisons reported never receiving a visit from their children.<sup>22</sup>

### Caregivers

*Societal stigma and the shame it leads to can be paralyzing for caregivers, keeping them invisible and preventing them from seeking support for themselves and the children they care for.* <sup>23</sup>

- Caregivers of children with parents in prison bear numerous burdens, including stigma and shame associated with having a family member in prison, increased financial strain, physical and emotional stress, and lack of external resources<sup>24</sup>
- Public assistance programs, including TANF were not designed with relative caregivers in mind. Grandparents especially are reluctant to seek support for fear of losing the children the child welfare system.<sup>25</sup>
- Caregivers struggle with multiple challenges in fostering continued relationships between children and their parents in prison.<sup>26</sup>
- Most prisons are not accessible by any form of public transportation, restricting child-parent visits. In some cases this means children will never visit their parents.<sup>27</sup>
- Collect phone calls from prisoners are subject to excessive surcharges, an economic burden most caregivers cannot manage.<sup>28</sup>
- Caregivers of children with incarcerated parents are often forced to re-negotiate family responsibilities and assume new roles.<sup>29</sup>
- Approximately 70% of children whose mothers are in prison live with grandparents and other relatives.<sup>30</sup>

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<sup>20</sup> Margolies, J.K., Kraft-Stolar, T, Feb. 2006, *When “Free” Means Losing Your Mother*, A Report of the Women in Prison Project of Correctional Association of New York

<sup>21</sup> Talvi, S. 2007, *Women Behind Bars, The Crisis of Women in the U.S. Prison System*, Seal Press

<sup>22</sup> Mumola, 2000, *Incarcerated Parents and Their Children*, [Bureau of Justice Statistics](#)

<sup>23</sup> Condry, R., 2007, *Families Shamed*, Willan Publishing

<sup>24</sup> Travis, Jeremy, Solomon, Amy, 2003, *Families Left Behind*, [Urban Institute](#), Justice Policy Center,

<sup>25</sup> Vigne, N., Davies, E., Brazzell, D, Feb. 2008, [Broken Bonds, Understanding and Addressing the Needs of Children with Incarcerated Parents](#), Urban Institute, Justice Policy Center

<sup>26</sup> Margolies, J.K., Kraft-Stolar, T, Feb. 2006, *When “Free” Means Losing Your Mother*, A Report of the Women in Prison Project of Correctional Association of New York

<sup>27</sup> Ibid

<sup>28</sup> Hairston, C.R., 2007, *Focus on Children of Incarcerated Parents, An Overview of the Research Literature*, A Report for the Annie E. Casey Foundation

<sup>29</sup> Travis, Jeremy, Solomon, Amy, 2003, *Families Left Behind*, [Urban Institute](#), Justice Policy Center

<sup>30</sup> Johnston, D. 1995, *Children of Incarcerated Parents*, New York, Lexington Books

- 62% of parents in state prisons and 84% of parents in federal prisons are held over 100 miles away from their residence. 43% of parents in federal prisons are held over 500 miles away from their last residence.<sup>31</sup>

### Who Is In Prison

*The uneven geographic distribution of incarceration in poor communities and communities of color means that the effects radiate beyond the individual to the broader community, presenting profound long-term consequences for family integrity, public health and general quality of life.<sup>32</sup>*

- In 2007, 2.3 million people were held in Federal or State prisons or in local jails; 200,000 women and more than 2.2 million men.<sup>33</sup>
- African Americans constitute 900,000 of the total prison and jail population today.<sup>34</sup>
- From 1995 to 2005, the number of women in prison nationwide increased by 57%.<sup>35</sup>
- There are now more than 7 million Americans incarcerated or on probation or parole, an increase of more than 280 percent since 1980.<sup>36</sup>
- Roughly two-thirds of women in prison are women of color, representing the fastest growing prison population.<sup>37</sup>
- 93% of people in prison are male, 7% female.<sup>38</sup>
- 25% of people in prison in state and local jails have mental illness.<sup>39</sup>
- In 2002, 76% of people in state prisons were convicted of non-violent crimes, including 31% for drug offenses, and 29% for property offenses.<sup>40</sup>
- Blacks make up 12.3 percent of US population and 43.9% of the state and federal prison population. Latinos constitute 12.6% of the country's population, but make up 18.3% of the prison population. Whites are 69% of the general population with on 34.7% of those incarcerated.<sup>41</sup>
- One in every 3 Black males born today can expect to go to prison in his lifetime.<sup>42</sup>

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<sup>31</sup> Fact Sheet, [Women In Prison Project](#), Correctional Association of NY -

<sup>32</sup> Mauer and King; 2007, *Uneven Justice: State Rates of Incarceration by Race and Ethnicity*; The Sentencing Project

<sup>33</sup> Ibid

<sup>34</sup> Ibid

<sup>35</sup> Ibid

<sup>36</sup> Ibid

<sup>37</sup> Fact Sheet, [Women In Prison Project](#), Correctional Association of NY

<sup>38</sup> Mauer and King; 2007, *Uneven Justice: State Rates of Incarceration by Race and Ethnicity*; The Sentencing Project

<sup>39</sup> Glaze, L.E. & James, D.J. (2006, September). *Mental Health Problems of Prison and Jail Inmates*. US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics: Washington, D.C.

<sup>40</sup> The Sentencing Project, 2002

<sup>41</sup> Incarcerated America, Human Rights Watch

<sup>42</sup> Mauer and King; *Uneven Justice: State Rates of Incarceration by Race and Ethnicity*; The Sentencing Project, 2007,

## Reentry

- Parents released from prison face a myriad of legal barriers making it difficult for them to have a successful reentry<sup>43</sup>
- Parents reentering society need supports if they are expected to parent: many prisoners have few skills with which to find and maintain employment. This issue, coupled with restrictive hiring policies and stigmas associated with possessing a criminal history, makes it difficult for parents to provide adequate support to their families<sup>44</sup>
- Reentering parents may also face restrictions to accessing public benefits<sup>45</sup>
- A criminal record can impede a reentering parents ability to achieve reunification when children are involved with the child welfare system
- Strong family ties during imprisonment can have a positive impact on people returning from prison and on their children.<sup>46</sup>
- Some research suggests that parenting programs in prison reduce recidivism, improving the chances of successful reentry.<sup>47</sup>
- People returning home from prison who have access to family support fare better than those who do not on a range of reentry outcomes.<sup>48</sup>

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<sup>43</sup> Hirsch, A., 2002 *Every Door Closed, Barriers Facing Parents with Criminal Records*, Center for Law and Social Policy

<sup>44</sup> Vigne, N., Davies, E., Brazzell, D, Feb. 2008, *Broken Bonds, Understanding and Addressing the Needs of Children with Incarcerated Parents*, Urban Institute, Justice Policy Center

<sup>45</sup> Ibid

<sup>46</sup> Travis, J., Solomon, A., Waul, M. 2001, *From Prison to Home, The Dimensions and Consequences of Prisoner Reentry*, The Urban Institute

<sup>47</sup> Geas, Gerald G., Sabol, Flangan, Timothy J., 1999, *Adult Correctional Treatment in Prisons*, Crime and Justice.

<sup>48</sup> Shollenberger, T.L., 2009, *When Relatives Return: Interviews with Family Members of Returning Prisoners in Houston, Texas*, The Urban Institute, Justice Policy Center

