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# *The Impact of Female Incarceration on Children in South Carolina*

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***A report of the  
South Carolina Correctional Association  
Adult and Juvenile Female Offender Task Force***

***2011***

The recommendations of this report were developed by a subcommittee of the South Carolina Correctional Association Task Force on Adult and Juvenile Female Offenders (SCCA Task Force). The opinions in this report are those of the subcommittee and do not necessarily reflect the views of the South Carolina Correctional Association.

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### BACKGROUND AND PURPOSE OF THIS REPORT

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The rate of female imprisonment has increased dramatically in the last 30 years. Currently, one third of all women in the world who are behind bars are incarcerated in the United States (Walmsley, 2006; Kruttschnitt, 2010). Although the sheer numbers of women incarcerated nationally are still much less than the numbers of men incarcerated, since 1980, women have been incarcerated at a much faster rate than men. In South Carolina, the number of women incarcerated increased 993 percent between the early 1970s and 2008 (SCDC, 2009).

The imprisonment of women is often damaging to their families and to their communities. Most women are parenting minor children at the time of their arrest, and many will return to caregiving on their release. Removal of women from the community even briefly may severely disrupt their family relationships and harm their ability to provide economic and social support to their children.

Notwithstanding the potentially high cost of female incarceration to individual families and communities, our understanding of the impact of female incarceration on children in South Carolina is still developing. Nationally, children with mothers in prison have been shown to be especially vulnerable. All children with parents in prison are at greater risk of living in poverty and experiencing instability in caregiving. Children with mothers in prison however are more likely to experience disruption in their day-to-day living arrangements. They are more likely to enter foster care. They also are more likely to experience trauma associated with separation from their mothers or exposure to other risky behaviors. Consequently, children with mothers incarcerated are more likely to experience their own emotional and psychological difficulties (Meyerson, Otteson & Ryba, 2010; Ingram & Price, 2000; U.S. Surgeon General, 1999).

Concerns about the potential impact of female incarceration on children led the South Carolina Correctional Association's (SCCA) Task Force on Adult and Juvenile Female Offenders (hereinafter "Task Force") to establish a subcommittee to examine this issue in greater depth. Consistent with the overall purpose of the SCCA Task Force to *investigate, educate, and advocate*, the Subcommittee was charged with

- Identifying the challenges facing children of incarcerated mothers in South Carolina;
- Providing recommendations for improving the response to children with incarcerated mothers; and
- Facilitating implementation of the Subcommittee's recommendations, including documenting successes.

This report is a beginning. It is intended to initiate a dialogue among the citizens of South Carolina about the challenges faced by children of prisoners more generally and children with incarcerated mothers specifically. To break the cycle of incarceration that can be characteristic of children with incarcerated mothers, it is important to gain a better understanding of the impact of maternal incarceration on children in South Carolina and to identify strategies for fostering environments that provide these children with opportunities to thrive and fully develop. This report considers the impact of maternal incarceration on children and suggests strategies for providing support to children and their caregivers as they struggle to cope with the challenges presented by maternal incarceration.

## HOW MANY CHILDREN HAVE MOTHERS INCARCERATED?

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No single agency in South Carolina tracks children of prisoners. The lack of data on children of prisoners is not unique to South Carolina but it does make it difficult to know exactly how many children are affected. Some states are beginning to address this deficiency by implementing strategies to identify children of prisoners in social services and juvenile justice populations and at the schools. States need to be careful to avoid further stigmatizing children with incarcerated parents. Nonetheless, understanding the specific characteristics of families affected by incarceration can help in designing interventions for children that are more likely to address the negative consequences associated with parental incarceration.

*1 in every 28 children in the United States has a parent in jail or prison. Just 25 years ago, the figure was 1 in 125. (Pew, 2010)*

Because data is not collected, the numbers of children affected by maternal incarceration can only be estimated. Undoubtedly, any estimate is likely to be low since parents often are reluctant to say that they have children. Mothers express fear that their children will be taken into foster care if they admit to having children. Fathers may not know they have children or they may have been out of touch with them for so long that they do not mention them. Father also may not say that they have children if the children are living with their biological mother. Often these relationships are so frayed that fathers are not in contact with their children.

At the national level, models estimating the number of children with incarcerated parents are based on an average of 2.3 children per parent. Using this average, more than 63,100 children have a parent incarcerated or under supervision at any point in time (based on self-report data from the South Carolina Departments of Corrections (SCDC) and Probation, Parole and Pardons (SCPPP)). This figure only includes admissions to SCPPP

(14,327 males and 3,145 females), not those already under supervision. We also have used SCDC percentages (64% of men and 78% of women) to estimate the numbers of parents since the percentage of males and females in SCPPP who are parents is not available. Of the 63,100 children, 36,237 have a parent incarcerated in state prison (78% or 1,247 women and 64% or 14,508 men) (SCDC, 2010).

As suggested previously, there are important limitations in estimating the number of children with parents in the criminal justice system. First, the numbers do not include children with parents in jail or federal prison. Second, the data do not include youth in the juvenile justice system who may be parents of young children. Finally, the figures only present a point in time. Therefore, offenders who had been incarcerated but were released before the date of the count (June 30) are not included. Similarly, offenders incarcerated after the date of the count are not included. As a result, the numbers only provide a snapshot of the possible extent of parental incarceration on children in South Carolina.

## HOW DOES MATERNAL INCARCERATION AFFECT CHILDREN?

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Children with incarcerated mothers often have very complex needs that stem from changes in their daily routines to unresolved trauma associated with their mother's incarceration. ***However, the shame and stigma associated with incarceration and the lack of concerted efforts to reach out to children at the time of arrest and sentencing often prevents these children from receiving assistance to address their needs.*** Until recently, there has been little understanding of the level of trauma experienced by children with parents in prison.

Children with incarcerated mothers have been shown to experience changes in their daily lives, increased trauma and isolation within the community.

### CHANGES IN DAILY LIFE

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When mothers are incarcerated, day-to-day life for children often changes. They may move to new neighborhoods or communities, change caregivers and schools, lose their friends, and experience a sense of loss, fear, anxiety and confusion over the absence of their parent. Approximately 64 percent of mothers in state prisons and 84 percent of mothers in federal prisons lived with their children at the time of incarceration (Parke & Clarke-Stewart, 2002). Of these, about 80 percent of the mothers living with their children were single parents (Gentry, 2003; Mumola, 2000). In South Carolina, 78 percent of female prisoners reported at intake that they are mothers (SCDC, 2010). Nearly 60 percent of these women were single or divorced.

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### *Where do children live when mothers are incarcerated?*

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The majority (65 percent) of children of incarcerated women live with grandparents or other relatives. In contrast, only 15 percent of children of incarcerated fathers live with grandparents. When a father is incarcerated, more than 77 percent of children live with their biological mother.

### *How many children live in foster care?*

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The number of children with incarcerated parents living in foster care has been a question of considerable interest to policy makers and researchers alike. Historically, the child welfare system has not collected this data so it is a question that is not easily answered. However, children with mothers in prison are more likely to enter foster care than children with incarcerated fathers (Johnson & Waldfogel, 2002). This is due, in part, to the large numbers of female prisoners who are single mothers.

The overlap between children in foster care and parents in the criminal justice system is significant (Phillips & Gleeson, 2007; Brazzell, 2008). According to data from the National Survey of Child and Adolescent Well-being (NSCAW), as many as 1 in 8 children who are reported victims of child maltreatment have a parent or parents who were arrested within 6

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*At least 1 in 3 families that have had contact with child welfare agencies also have been involved with the criminal justice system when arrests at any time during a parent's adult life are considered.*

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months of the report or maltreatment (Phillips & Gleeson, 2007). "If arrests at any time during a parent's adult life are considered (rather than only recent arrests), **the criminal justice system has intervened in at least 1 in 3 families with which child welfare agencies have contact**" (Phillips & Gleeson, 2007, p. 2). Phillips and Gleeson (2007) further noted that about 1 in 10 children in in-home settings live with a primary caregiver who was arrested and sentenced to

probation in the year before they came into contact with child protective services. In the 18 months after child protective services investigated a report of maltreatment, about 1 in 12 of these children had a parent or caregiver who was arrested at least once and 1 in 8 had a parent who was incarcerated (Phillips & Gleeson, 2007, p. 2).

Several risk factors have been shown to be significantly associated with placement of a child in foster care regardless of whether the parent incarcerated is the child's mother or father. Incarcerated mothers who have a history of physical or sexual abuse and who have

not completed 12 years of school are more likely to have children placed in foster, agency or other care during incarceration. If a mother was receiving public assistance prior to incarceration, the risk of her children being in non-parental care during her incarceration nearly doubles (Johnson & Waldfogel, 2002). Finally, if the incarcerated mother lived in foster care as a child, the likelihood that her child will enter foster care doubles (Johnson & Waldfogel, 2002).

If children enter foster care because of maternal incarceration, they may be more likely to permanently lose their parent. The Adoption and Safe Families Act of 1997 (ASFA) was enacted to reduce

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*1 in 8 children who are reported victims of child maltreatment have a parent or parents who were arrested within 6 months of the report of maltreatment.*

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the likelihood that children would languish in foster care if there is a reasonable expectation of reunification. However, the timeline for decision making regarding permanency may increase the likelihood that parental rights are terminated. In the five years after the enactment of ASFA, terminations increased 250 percent as compared to 30 percent in the 5 years prior to the enactment of ASFA (Genty, 2003).

The impact of ASFA on children of prisoners may have life-long consequences. Very young children whose parents are incarcerated may be easily adoptable, but this is less likely to be the case for older children. If parental rights are terminated, they may remain in the foster care system without much hope of being adopted.

### **TRAUMA ASSOCIATED WITH MATERNAL INCARCERATION**

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When a mother is incarcerated, it often is a sign of a family deeply in crisis. In some families, the mother's incarceration triggers the crisis. But in many, criminal justice involvement is another symptom of a family living in poverty, engaged in substance abuse, and/or dealing with violence within the family. Regardless of the circumstances, maternal incarceration is often an indicator of a family in need.

How children respond to and cope with the incarceration of their mother varies depending on such factors as their age at the time of the incarceration, their exposure to the criminal justice process (e.g., did the child witness the arrest?), and the level of support they receive from caregivers, the school teachers and other adults in the community.

For most children, incarceration is a process that unfolds over a period of time, beginning with the arrest of their mother and ending with the mother's reentry or release from supervision. Because of this, children have been shown to experience enduring traumatic stress when their parent becomes involved in the criminal justice system (Johnson, 1992).

### *How does maternal incarceration affect a child's development?*

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Studies of parental incarceration have consistently shown that the separation of children from their parents can negatively affect the emotional, behavioral, and psychological development of children (Johnson & Waldfogel, 2002; Bloom & Steinhart, 1993). Young children may show signs of depression, sadness, and withdrawal. They may have nightmares and bedwetting incidents, and worry excessively about their parent, especially if they witnessed the arrest.

School-aged children often experience problems with peers and a variety of school difficulties, including poor grades, truancy, suspensions and poor behavior at school and at home (Hairston, 2007; Snyder, Carlo, & Mullin, 2001).

Older children are more likely to act out. They may become aggressive, defiant, and disobedient. More generally, children with an incarcerated parent have been shown to experience a two-fold increase in risk for mental health problems and higher rates of major depression and attention disorders, than the general population of youth (LaVigne, Davies, & Brazzell, 2008; Murray & Farrington, 2007; Phillips, Burns, et. al., 2002). In their review of NSCAW data, Phillips and Gleeson (2007) found that one in five children with recently arrested parents had clinically significant internalizing problems (depression, anxiety, withdrawal) and one in three had clinically significant externalizing problems (aggression, attention problems, disruptive behavior), compared to roughly one in ten children in the general population (p. 4).

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*Young children of incarcerated mothers may show signs of depression, sadness, and withdrawal. Older children are more likely to act out.*

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The personal characteristics of incarcerated mothers can also place their children at greater risk for negative outcomes. Many of these families struggle with poverty, domestic violence, inadequate housing, lack of education and difficulties with interpersonal relationships. Substance abuse and mental health issues often play a large role in their lives (Phillips & Gleeson, 2007).

In South Carolina, a review of data reveals a female prison population with many of these characteristics. In 2007, for example, 50 percent of females incarcerated in 2007 did not have a high school diploma or GED. Sixty-three percent of women had a reading score less than 12<sup>th</sup> grade and 41 percent had a reading score of less than 9<sup>th</sup> grade. Although employment rates are not available for female prisoners in South Carolina, nationally, only about 24 percent of women were employed prior to their incarceration (LaLonde & Cho, 2005).

As disadvantage increases within a family, so too does the level of risk for children. To illustrate, only seven percent of children with fewer than two risk factors (e.g., number of changes in residences, single parenthood, low SES, marital separation, young motherhood, maternal mental health problems) had behavioral problems, as compared with 40 percent of children with eight or more risk factors (Johnson & Waldfogel, 2002; Williams, Anderson, et al., 1990). At age 2, children who have four or more risk factors had more serious learning and behavioral problems at age 10 and 18 than children with fewer than four risk factors at age 2 (Johnson & Waldfogel, 2002; Werner & Smith, 1989).

Although risk is clearly higher for children of incarcerated mothers, it is important to remember that some children may actually benefit from the incarceration. Mumola (2000) suggests that children who are subjected to very high levels of dysfunction and instability prior to their parent's incarceration are less likely to experience negative outcomes typically associated with parental incarceration. In some cases, prior to the arrest of the mother, children have been subjected to or witnessed domestic violence, drug trafficking and/or abuse, or prostitution. Nearly 20 percent of mothers in state prisons reported being homeless in the year prior to incarceration. As Lengyel and Harris (2003) have noted, "...when the disruptive parent is incarcerated, the remaining family may stabilize. Children may improve and even perform better in school" (p. 4). Although this group of children may do better with maternal incarceration, often they still can benefit from more supportive and inclusive environments.

#### **ISOLATION WITHIN THE COMMUNITY**

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Another troubling aspect of maternal incarceration is its impact on the social connectedness of family members left behind. Even within the general population, the decline in social capital in the past generation has had a dramatic effect on the health and well-being of children. This is only exacerbated for children with incarcerated mothers. For a variety of reasons, incarceration tends to marginalize family members within the community. When children lose parents to death or divorce, the community often reaches out to provide support in various ways. In contrast, when children lose their mothers to incarceration, they may be shunned by the community. The stigma that a child feels may be worsened by well-meaning caregivers who are not forthcoming with the child about their parent's circumstances. If the child does not understand the circumstances surrounding the "disappearance" of their parent, children may feel that they have done something wrong to cause their parent to leave. Often, childcare workers and teachers do not know that a child's mother is in prison.

Of course, many families already are on the margins of society. But if a family was socially connected, the inclination to withdraw once their family member becomes involved in the criminal justice system is strong.

The disconnection of parents or caregivers from the larger community or their intentional isolation can negatively affect the well-being of children in a variety of ways.

Social isolation can make it less likely that families can take advantage of the exchange of information, informal help, emotional support, and direct assistance that is so critical to the healthy development of children (Melton, 2005). Parents or caregivers who are less engaged in community life are also more likely to have children who not as engaged in schoolwork and community activities (Melton, 2005). Finally, the children of socially isolated adults are less likely to have access to other caring adults. Research has clearly demonstrated the importance of relationships with non-parental adults to the healthy development of children.

Given the likelihood of social disconnection for families of offenders, fostering the development of interpersonal relationships between children and non-parental adults is a key strategy for improving the well-being of children with incarcerated mothers. Runyan and his colleagues (1998) demonstrated that children in high risk environments (many of whom were known to Child Protective Services) can thrive if they are socially connected. Even one indicator of social capital (e.g., two parents in the home, perceived social support for the mother, regular church attendance) decreased the odds of an abnormal score on a mental health diagnostic instrument or a developmental screening instrument by 29%. Any two indicators did so by 66% (Melton, 2005, p. 26; Runyan, et. al., 1998).

## WHAT CAN BE DONE TO ENHANCE THE DEVELOPMENT AND WELL-BEING OF CHILDREN WITH INCARCERATED MOTHERS?

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Not all children of incarcerated mothers will develop negative outcomes, but many will. Those who are most at risk are the children of incarcerated mothers who lack the fundamental support in their relationships and in their neighborhoods that is so critical for healthy development. Regardless of their specific circumstances, all children have assets that can be developed when they are connected to the right combination of opportunities, guidance, positive role models and relationships with caring, consistent adults. They are more likely to develop fully when they have the following:

- Environments that are physically and emotionally safe and stable;
- Access to adequate nutrition, health care and shelter;
- Multiple relationships with non-parental adults for emotional support, guidance, and instrumental (e.g., informational, tangible) help;
- Challenging and engaging learning experiences and activities; and
- Opportunities for meaningful involvement in the community.

Although programs and services can be helpful in supporting children with incarcerated mothers, rarely do they provide a comprehensive approach to developing children as resources. As Gambone and Connell (2004) have noted,

we cannot “program” or “service” young people into healthy development. Providing specific programs and high-quality youth services are key strategies for optimizing youth development outcomes; but without caregivers, neighbors, and employers of young people providing the supports and opportunities at home, in their neighborhoods, and where they work, our impact on the lives of a community’s youth will be minimal (p. 19).

All children need direct and indirect support to thrive. Direct support is the type of assistance that children get through relationships with others. Children need to have adult role models who can give them individualized attention and help them deal with their concerns and fears about their parents. This includes mentors, tutors, teachers and faith leaders who care about them, and neighborhood and youth-serving organizations and religious communities that actively engage them in the life of the community.

Indirect support is focused on building the capacity of parents and caregivers in their parenting responsibilities. It also means connecting the entire family to community resources, which may include providing formal services such as counseling, other mental health services, or income support. Because families may move in and out of formal services depending on their needs at any point in time, it is also important that they are connected to networks of informal support. Informal support can take the form of help with the basic necessities (e.g., clothing, food, shelter) to providing respite care, guidance or advice on how to deal with problem behaviors, access to activities for children, and information about their incarcerated family member.

Children with mothers in prison also need direct and indirect support, but their specific circumstances may make it more difficult for them to receive help. In some ways, their needs are unique. Of critical importance to these children is acknowledgment and protection of their relationship with their incarcerated parent. This includes providing children with information as the process from arrest to sentencing and incarceration proceeds, and giving them opportunities to stay in touch with their parent if they so choose.

Many, although not all, want a continuing relationship with their incarcerated parent. Some cannot have a relationship because they have been victimized by their parent. Others will choose not to be in touch with their parent. Still others may not know what has happened to their parent. If a child wants to continue the relationship, the benefit of maintaining contact, especially if the incarcerated mother is likely to resume parenting on her release, is well-documented. Contact gives the child an opportunity to process the absence so that the child is less likely to feel abandoned or confused. It also can help minimize the possibility that the child will feel that he or she has done something to cause their parent to leave. Finally, contact can help children know that they are not alone in their situation when they see other children and families visiting together.

To better understand the needs of children affected by incarceration, a coalition of governmental agencies, service providers, and advocates worked with children of prisoners and their caregivers to identify their most pressing needs. This has been translated to a set of principles that can be used to guide interaction with families. The principles, which mostly relate to the psychological needs of children, provide a framework for developing policies and practices to better protect children. The principles also can serve as a tool for organizing support in the community using mostly informal, rather than formal, resources. Informal services draw on help from friends, neighbors, teachers, religious leaders, and others.

#### *Children of Prisoners: A Framework for Meeting Needs*

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

Supporting children also often necessitates providing assistance to caregivers. The range of support needed by caregivers is likely to vary depending on their age, the age of the children, and the employment status of the caregivers. Some caregivers, especially grandparents, may need more intensive assistance. Grandparents commonly need concrete supports like housing to accommodate an expanded family, assistance with food and clothing when they live on a fixed income, legal assistance to get children enrolled in school when they do not have custody, transportation to get children to health and other appointments, information on the status of the incarcerated parent including where the parent is, when she will be released, and when children can visit, guidance on what to say to the children about their parent, and help in managing the behaviors of children and seeking services for them. Most importantly, grandparents may simply need a break from caregiving.

Ultimately, caregivers need assistance that supports them in their parenting responsibilities and connects to others in the community and to activities and resources. Research (Cromer & Fraser, 1998) has documented that this type of assistance is more likely to lead to:

- Improved physical health and psychological well-being;
- Increased self-esteem and sense of competence of individuals;

- Fewer incidents of child abuse and neglect;
- Less juvenile delinquency;
- Improved behavior and performance of children at school;
- Increased self-confidence, knowledge of child development, and parenting skills among caregivers.

## WHAT PROGRAMS/SERVICES ARE OPTIMAL FOR SUPPORTING CHILDREN OF INCARCERATED MOTHERS?

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In South Carolina, some programming is or has been available for children with incarcerated mothers. However, most of these programs have limitations in coverage across the state and all suffer from insufficient financial and volunteer support.

### Community-based Programs

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**Mentoring.** The most widely available programs that are specifically geared to the needs of children affected by incarceration are mentoring programs in some communities of South Carolina. These programs typically provide services to children between the ages of 4 and 18. Volunteer adults are recruited, screened, trained, and matched with eligible children.

**Support at Christmas.** Angel Tree Ministries, an initiative of Prison Fellowship, works with faith communities at the local level to organize support for children of prisoners at Christmas.

### Prison-based programs

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Incarcerated mothers often need an array of programs and services to prepare them for return to the community. Because most women will return to caregiving, it is particularly important that they have opportunities to develop their employment skills, deal with past histories of violence, receive substance abuse and mental health treatment services, and address health challenges. Having work, in particular, can be an important turning point for women who are trying to support their families. In some cases, however, treatment services and skill development is a necessary prelude to job training. Although this is beyond the scope of this paper, they also need advocacy skills to be able to secure housing and other assistance on behalf of their children.

Historically, the three female correctional facilities in South Carolina (Camille Griffin Graham and Goodman Correctional Institution in Columbia and Leath Correctional Institution in Greenwood) have implemented programming to: (1) strengthen the parenting skills of mothers, (2) provide enhanced opportunities for visitation between children and mothers that may include exceptions to the ordinary visiting policies, (3) facilitate

communication and contact between children and their mothers, and (4) providing family-friendly visiting rooms with toys and books for children.

Because many of the following programs are dependent on volunteers, they are not always available. Nonetheless, the availability of these programs at all three female facilities would greatly enhance the likelihood that children will do well.

#### **Girl Scouts Beyond Bars**

This program typically serves incarcerated mothers and their daughters, ages 5-17. Previously, the program has been available only at the Camille Griffin Graham Correctional Institution. It currently is being reorganized with an eye towards expanding the program to other facilities. The program is designed to preserve and/or rebuild the mother-daughter relationship while providing girls with opportunities to build their character, self-confidence and self-esteem. Girls and their mothers meet throughout the year usually on Saturdays. In the past, the girls have met on one Saturday during the month as a traditional Girl Scout troop to take part in community service projects, field trips to cultural and educational facilities, participate in outdoor adventure activities, hold planning meetings and work on badge requirements. On a subsequent Saturday, the girls have had an opportunity to interact with their mothers and participate in troop activities like crafts, songs, games and community service projects.

#### **Words Travel**

Words Travel is a prison-based program where incarcerated mothers read and record books on tape for their children. The books are then either sent to the children or given to them at visits. The children are able to listen to their parent's voice and read along as often as they like. The goal of Words Travel is to facilitate a connection between the parent and child and strengthen the early literacy skills of children. This program has been available on a limited basis in the past but it is dependent on volunteer support and contributions to fully implement.

#### **Parenting Programs**

The goal is to provide in-prison parenting assistance for incarcerated mothers to strengthen their existing parenting skills and learn new skills. This initiative is especially important to incarcerated mothers since many women will return to caregiving on their release from prison.

### RECOMMENDATIONS

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Although some legislative changes to help support children at every stage of the criminal justice process is desirable, the subcommittee acknowledged that the critical resources necessary for increasing the capacity of parents and/or caregivers to nurture their children will ultimately be dependent on community networks.

As a result, the recommendations of the Subcommittee are premised on three overarching principles:

- The community has a collective responsibility to support children at each stage of their parent's involvement in the criminal justice system.
- Assistance to families should be designed to increase their capacity to nurture their children, to use the resources and opportunities within the community, and to join supportive networks to enable families to watch out for one another.
- When families are connected to social networks, they are better able to manage stress, parents' feel better about their parenting efficacy, and children do better in school.

The response to the needs and challenges of children impacted by parental incarceration must be multi-faceted in addressing policy, service and research concerns. From a policy perspective, we need to better understand how policies and practices in South Carolina affect children of incarcerated parents. From a service perspective, we need to continue to identify and implement strategies for strengthening the connections between children and their incarcerated parent, if appropriate, and community support for caregivers and other family members. Finally, research should be strengthened to help us better understand how children are affected by parental incarceration from the point of arrest through reentry.

We commend the South Carolina Correctional Association Task Force on Adult and Juvenile Female Offenders for its leadership in bringing issues related to children of incarcerated mothers to the forefront. ***Our overarching recommendation is that this work continue in the form of multi-disciplinary Task Force on Children with Incarcerated Parents.***

At a minimum, the Task Force should include representatives of: (1) the advocacy community, (2) State agencies, (3) the Universities and Colleges, (3) relevant non-profits (e.g., Prison Fellowship) and civic organizations (e.g., League of Women Voters).

The responsibilities of the Task Force would include defining further and, in some cases, implementing the recommendations of the Subcommittee. The following recommendations identify places where improved policy and practice at the state level might help pave the way for better assistance and response at the local level. But, we reiterate that

we believe that this is not solely a problem of state government. Local policy makers, community and civic leaders, businesses, faith leaders and school professionals have a significant role to play in improving the environment of support for children with incarcerated mothers and fathers. Therefore, implementation must be as much a priority for communities as it is for the state.

We offer the following recommendations:

### **RECOMMENDATION 1: WHERE APPROPRIATE, ENHANCE SUPPORT TO CHILDREN WITH INCARCERATED MOTHERS**

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Because children are not currently identified by any of the systems that may interact with them, it is impossible to know exactly how many children in South Carolina have parents involved in the criminal justice system. Although we are cautious about recommending that agencies identify these children because of the possibility of further stigmatizing them, we also understand that identifying children would allow for much earlier intervention to deal with their unique challenges. There are natural points where information and support could be provided to families and/or caregivers to help children deal with the trauma associated with parental incarceration.

First, children of incarcerated mothers living in foster care can be easily identified. If the goal for the family is reunification, supporting the child-parent relationship may be especially important. Even if the goal is not reunification, respecting the desire of children to know their parent is important to helping children reconcile and understand the reasons for separation. Therefore, we would recommend that data be collected on parental incarceration for children who are involved with the child welfare system (e.g., child protective services, foster care, income support, etc.).

The more delicate issue is identification of children who are not in the custody of the state. Where children have been placed with family members or friends, care should be taken to avoid stigmatizing these children if their families choose to remain silent about the incarceration. The fact that a parent is in prison does not mean that the children have relinquished their right of privacy.

Notwithstanding this, because children can be adversely affected by parental incarceration, it is useful to reach them early to provide support. The question is how to reach children in a supportive, helpful way. Because schools are the logical place to reach children early, we recommend that school personnel, especially guidance counselors, social workers and school-based mental health workers, receive training on the characteristics of children with parents in prison so that schools can engage children in a supportive, nurturing way. Some of the mentoring programs in South Carolina already are providing this type of training to limited groups of professionals. By teaming with the Prevent Child Abuse affiliates and with the cooperation of the state agencies, the training could be expanded.

Finally, even if families do not want to be identified, they should be able to receive information on available services and supports so that they can avail themselves of these services if they so choose. This information can be provided throughout the criminal justice process, starting with the point of arrest to sentencing. Obviously, this information should be tailored to each community and may need to be developed. Currently, information is available from Prison Fellowship and from some of the mentoring programs in the areas that they serve.

#### RECOMMENDATION 2: SUPPORT THE PARENT-CHILD RELATIONSHIP

When a mother is imprisoned, we assume that she has made a serious mistake or a bad decision in her life. We also assume that, in general, policies are not explicitly intended to tear apart families although we recognize that circumstances arise where it may be necessary to terminate parental rights and where visitation is not advised.

Nonetheless, for the majority of children, mothers will resume their caregiving responsibilities on their release from prison. In these cases, the profound disruption of the parent-child relationship that occurs when a mother is incarcerated may have life-long negative consequences for the child.

Research and experience has shown that maintaining the mother-child relationship during the incarceration can help children in processing their mother's absence, ease reunification when their mother returns home, promote healthy child development and reduce the likelihood that the mother will re-offend and return to prison (Margolies & Kraft-Stolar, 2006).

Visitation is one way of maintaining contact between the mother and child. Currently, visitation often does not occur because the families lack transportation and the resources to make the trip to the prison. Based on our experience, the female prisons in particular have been welcoming to efforts to foster visitation. Faith communities and other civic organizations can help at the local level by organizing transportation to the prison and by providing support to children before and after the visit. A handful of faith communities already offer transportation to the prisons for parents. This needs to be expanded and information disseminated about the service to caregivers so that they can avail themselves of it.

A second strategy for maintaining contact is through expansion of programs such as Words Travel. These types of programs often are dependent on the contributions of volunteers, both in providing the books and the taping equipment and facilitating the delivery of the books to the children. With proper support from volunteers, through faith communities, civic organizations, community action agencies, or other community groups, greater numbers of children could have the opportunity to hear their mothers' voices.

#### **RECOMMENDATION 3: ORGANIZE A COMMUNITY/NEIGHBORHOOD RESPONSE TO THE NEEDS OF CHILDREN OF INCARCERATED MOTHERS AND THEIR CAREGIVERS**

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To be responsive to children with incarcerated mothers, their caregivers and their mothers on reentry, informal support is critical. To be clear, we believe that the services provided by publicly-funded agencies are important and should be supported. However, we also recognize that the stigma and shame associated with incarceration causes some families to disengage from the community. Our objective must be to bring families affected by incarceration back into the mainstream. As we stated previously, needed services range from parenting support and help to assistance in finding employment, housing, medical care and child care.

We recommend that teams be organized within communities to reach out to and work with children and families affected by incarceration. How this occurs may vary from community to community. In one community, the leadership for this may come from a family resource center while in another it may be a community action agency, and in still another, a coalition of churches. We are not recommending a particular model, but rather suggesting that, however configured, the principles identified in the framework drive implementation.

The Children’s Justice Alliance in Oregon has established a three-day training workshop called “And How are the Children” Summits. These sessions are organized for school personnel, law enforcement, child protective service workers, faith representatives, and other community leaders. The purpose is to raise awareness of how maternal incarceration affects children and provides strategies for communities, and their justice and human service partners to work together to better meet the needs of these children. The sessions are designed to conclude with the development of a community action plan that includes strategies for supporting children of prisoners.

The Oregon model is one example of how this recommendation might be implemented. There undoubtedly are other models. The starting point may be teams of community leaders who are willing to come together and develop a plan for reaching out to ensure that the children are well.

#### **RECOMMENDATION 4: COORDINATE POLICIES AND PRACTICES OF PUBLIC AGENCIES THAT INTERACT WITH FAMILIES AFFECTED BY INCARCERATION**

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A major obstacle to serving children and families affected by incarceration is the lack of coordination in agency policies and practices. Although there are undoubtedly other examples, the child welfare and criminal justice systems are two examples of systems that make decisions about family relationships that often are in conflict. Despite this, the service systems have distinctly different missions. Criminal justice policymakers are concerned with

sentencing and punishment while child welfare policymakers are concerned with safety and permanency for children (Genty, 2003). Changes in sentencing policies have lengthened time in prison, while ASFA changes have shortened time limits for time in foster care. As Genty (2003) has noted, it might be acceptable public policy for these conflicting policies if they were made with conscious and careful study. But more often, it is a matter of the systems not coordinating. Children are not considered in making criminal justice decisions and child welfare decisions are made without taking into account the unique situation of incarcerated parents (Genty, at p. 1681).

We recommend a review of policies and practices from arrest to reentry to minimize the likelihood that families will fall through the cracks and diminish the adverse impact of agency policies on families. This review should occur across agencies and should be undertaken by the multi-disciplinary task force recommended previously. For this purpose, it would be helpful to talk with parents and children about their experiences. Nationally, such reviews are leading to the implementation of protocols for more effective service delivery between such agencies as law enforcement and child protective services and the implementation of family impact statements. We have no preconceived notions about what will be developed in South Carolina but we are aware of policies that do not facilitate the kind of support that we believe is necessary to help children of incarcerated parents.

## CONCLUSION

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There is much work that needs to be done to protect the interests of children whose parents are incarcerated. Although we can only approximate the number of children affected by parental involvement in the criminal justice system, we have ample evidence from our experiences with mentoring these children and providing parenting assistance to know that their needs often are substantial. The South Carolina Correctional Association Task Force on Adult and Juvenile Female Offenders has initiated leadership in beginning to formulate ideas about how we can better support female offenders and their children. With coordinated leadership and the commitment of all South Carolinians, we can begin to make strides in strengthening and supporting children with incarcerated mothers and in preventing adverse outcomes.

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