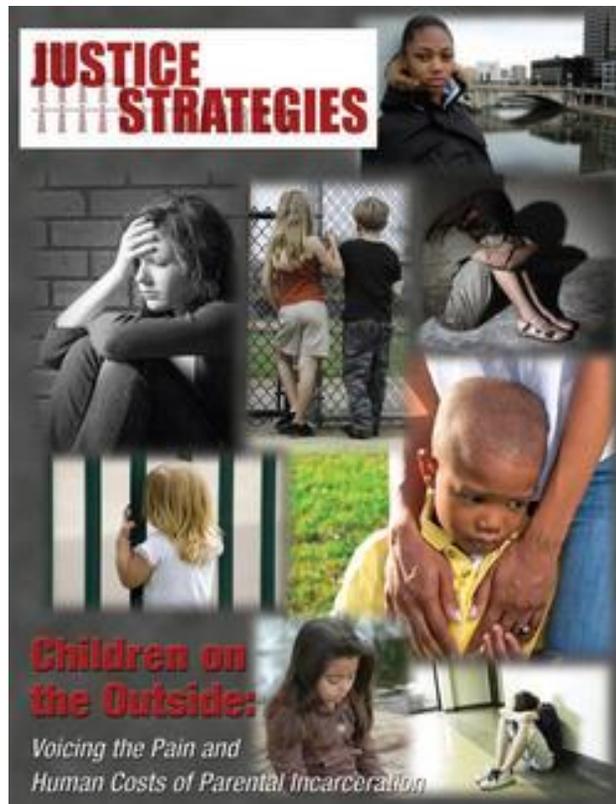


# JUSTICE STRATEGIES

**When the cost is too great: The emotional and psychological impact on children of incarcerating their parents for drug offences.**



**A summary of findings from**  
*Children on the Outside*  
prepared by  
Co-author Pat Allard  
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# When the cost is too great: The emotional and psychological impact on children of incarcerating their parents for drug offences<sup>1</sup>

By Patricia Allard<sup>2</sup>

## Introduction

The U.S. Bureau of Justice Statistics (BJS) has estimated that by 2007 more than half (53 percent) of the 1.5 million people in U.S. prisons were parents of one or more minor children – translating into more than 1.7 million minor children with an incarcerated parent. This represents an increase of 80 percent since 1991. Nearly one-quarter of these children are age four or younger, and more than a third will become adults while their parent remains behind bars.

Moreover, data compiled at BJS shows that the acute problem of racial disparity behind bars is reflected among the children of incarcerated parents. Black children are seven and a half times more likely than white children to have a parent in prison. The rate for Latino children is two and a half times the rate for whites.<sup>3</sup> The estimated risk of parental imprisonment by age 14 for white children born in 1990 is one in 25; for black children born in the same year, it is one in four.<sup>4</sup>

Undergirding this striking racial disparity is the sheer number of people behind bars in the U.S. The U.S. is the world's front-runner in the race to incarcerate.<sup>5</sup> A recent study commissioned by the Pew Charitable Trust determined that in 2008, when both prisons and jails were included, the number of parents behind bars skyrocketed. According to the Pew report, “more than 1.2 million inmates – over half of the 2.3 million people behind bars – are parents of children under age 18...[and] there are now 2.7 million minor children (under age 18) with a parent behind bars.”<sup>6</sup>

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<sup>1</sup> Article is based on and excerpts taken from a national report entitled *Children on the Outside: Voicing the Pain and Human Costs of Parental Incarceration*, (Jan. 2011), available at <http://www.justicestrategies.org/publications/2011/children-outside-voicing-pain-and-human-costs-parental-incarceration>.

<sup>2</sup> The author wishes to thank Judy Greene, the co-author of *Children on the Outside*. Patricia Allard was an Open Society Institute Soros Justice Advocacy Fellow and is a research consultant at Justice Strategies. Ms. Allard is a graduate of Queen's University Law School in Canada (1996), was called to the bar of Ontario in 1998, and received her master's in criminology from the Center of Criminology at the University of Toronto (1999). Since May 2009 she is Deputy Director of the Canadian HIV/AIDS Legal Network.

<sup>3</sup> LAUREN E. GLAZE & LAURA M. MARUSCHAK, U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, PARENTS IN PRISON AND THEIR MINOR CHILDREN (Aug. 2008) available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/pptmc.pdf>.

<sup>4</sup> Christopher Wildeman, *Parental Imprisonment, the Prison Boom, and the Concentration of Childhood Disadvantage*, 46 DEMOGRAPHY 265 (2009).

<sup>5</sup> THE PEW CTR. ON THE STATES. ONE IN 100: BEHIND BARS IN AMERICA 2008 (Feb. 2008), available at [http://www.pewcenteronthestates.org/report\\_detail.aspx?id=35904](http://www.pewcenteronthestates.org/report_detail.aspx?id=35904).

<sup>6</sup> THE PEW CHARITABLE TRUST. COLLATERAL COSTS: INCARCERATION'S EFFECT ON ECONOMIC MOBILITY, THE PEW CHARITABLE TRUST (2010) available at [http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Economic\\_Mobility/Collateral%20Costs%20FINAL.pdf](http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Economic_Mobility/Collateral%20Costs%20FINAL.pdf).

The advent of the modern “war on drugs” and its accompanying “lock ‘em up and throw away the key” crime policies largely explain the evolution of mass incarceration in the U.S. and account for much of the pain caused to children who have lost their parents to long prison sentences. For example, between 1986 and 1999 state prisons saw an 888% increase in the number of women incarcerated *for drug offenses alone*; this is compared to a 129% increase in the number of women in state prison for all non-drug offenses.<sup>7</sup> Drug offenses accounted for half of the rise in number of women incarcerated in state prisons between 1986 and 1996 and one-third of the increase for men.<sup>8</sup> Today, approximately one-quarter of all people in prisons and jails nationwide were convicted of a drug offense.<sup>9</sup>

This stark reality has sparked new research on the familial and societal costs of incarceration, increasing the attention given by policymakers to the children of incarcerated parents and stirring organizing efforts for change at the local and national levels. State and federal policymakers are also beginning to acknowledge that current laws and practices that sentence people to lengthy prison terms for low-level, relatively minor offenses, including drug offenses, not only bloat the incarceration rate and budget lines; they also create an intergenerational malaise. Because of this, they are exploring ways to avoid lengthy incarceration for those with drug addiction and the mental illnesses that often occur alongside drug addiction. There is also growing support for immediate efforts to increase contact between incarcerated parents and their children, and to support family reunification after parents are released from prison.

Notwithstanding these developments, insufficient attention has been focused on the most direct reform avenues for reducing or eliminating the social and emotional impact of parental incarceration on the child-victims of the drug war: reducing the number of parents who are sentenced to prison in the first place. The primary goal that we should all aspire to is the reduction of the use of prisons to address minor, victimless offenses such as drug offenses. There are countless policies, laws and practices that are being explored, and, increasingly, implemented in various states across the nation. Needless to say, the impetus behind state-based sentencing reforms as they relate to drug crimes are emerging primarily because of the fiscal crisis many states are facing as a result of mass incarceration over the last three decades. That said, by reducing reliance on incarceration in tackling the “drug problem” in the United States – through sentencing reform – there will be a positive impact on reducing the number of parents being separated from their children for inordinate amounts of time, thereby potentially reducing the negative emotional and psychological impact on children. Aiding parents in

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<sup>7</sup> MARC MAUER, CATHY POTLER & RICHARD WOLF, GENDER AND JUSTICE: WOMEN, DRUGS AND SENTENCING POLICY. THE SENTENCING PROJECT (Nov. 1999), *available at* <http://www.sentencingproject.org/pdfs/9042.pdf>.

<sup>8</sup> *Id.*

<sup>9</sup> JUSTICE POLICY INSTITUTE. SUBSTANCE ABUSE TREATMENT AND PUBLIC SAFETY (Jan. 2008), *available at* [http://www.justicepolicy.org/images/upload/08\\_01\\_REP\\_DrugTx\\_AC-PS.pdf](http://www.justicepolicy.org/images/upload/08_01_REP_DrugTx_AC-PS.pdf).

combating their addiction outside of prison walls is perhaps the most sensible criminal justice policy in addressing the needs of children who are caught in the cross-fire of the war on drugs.

In the meantime, as policymakers review, assess and, eventually, reform draconian drug laws, it is imperative that front-line service providers who work with children and family and juvenile court judges be mindful of the emotional and psychological impact that parental incarceration has on youth. A more in-depth understanding of the complexities of these young people's life experiences will hopefully enable the development of appropriate support services.

### **Background of Justice Strategies' report, *Children on the Outside***

The report, *Children on the Outside: Voicing the Pain and Human Costs of Parental Incarceration*,<sup>10</sup> examines the tragic consequences of mass incarceration and the war on drugs on the lives of countless children across the nation – especially black and Latino children – due to the incarceration of their parents. Parental incarceration has ripped their families apart, leaving them to fend for their own survival. The most fundamental question that emerged from the research conducted for the report – a question that many have asked since the beginning of the drug war – is this: Have our policymakers, in the name of public safety, taken punitive sentencing laws over the edge, pushing generations of young people into freefall without adequate parental support?

The research compiled for *Children on the Outside* presents the invaluable insights of the few social scientists who have studied the issues surrounding parental incarceration in great depth, painstakingly documenting that the resulting harms are as severe – if not more severe – than those caused by separation for other reasons (i.e. divorce). The findings of *Children on the Outside* emerge from a compilation of eight two-hour focus groups and 18 in-depth structured interviews conducted in New York and Alabama. Two focus groups were conducted with formerly incarcerated parents and two more were conducted with mothers and fathers who were at the time behind prison walls. The fifth and sixth were conducted with case workers and counselors who work in re-entry programs for adults, and the final two focus groups included discussions with teens who currently have a parent in prison, and child welfare workers who carry a case load of children in foster care with one or more parents in prison. The interviews included teens reunited with parents who had reintegrated into society after their prison term; educators who work with children/youth who experience parental incarceration; re-entry program managers; and caregivers for children whose parents are behind prison walls.

In addition, a thorough literature review of both national and international studies that have examined the impact of parental imprisonment on children and youth were used

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<sup>10</sup> PATRICIA ALLARD & JUDY GREENE, JUSTICE STRATEGIES, CHILDREN ON THE OUTSIDE: VOICING THE PAIN AND HUMAN COSTS OF PARENTAL INCARCERATION (Jan. 2011), *available at* <http://www.justicestrategies.org/publications/2011/children-outside-voicing-pain-and-human-costs-parental-incarceration>.

to contextualize the findings of the focus groups and interviews. Finally, a wealth of data that describe national drug enforcement patterns, and data that provide a closer examination of the sentencing and imprisonment of people convicted of drug crimes in New York and Alabama were collected and analyzed.

## **A Theoretical Context**

The significant and lasting pain young children and adolescents experience due to the loss of a parent is well-documented, especially when that loss is due to a parent's death or divorce. School systems, adult caregivers, family members and society at large tend to acknowledge the legitimacy of children's unique grieving processes, even when those processes include anti-social behaviors, such as acting out at school, withdrawing from friends or even getting into trouble with the law. The fields of child psychology, education and medicine have strived to develop effective interventions and support systems and to imbue these children with a strong sense of resiliency and the ability to cope.

Less care has been taken, however, to address and acknowledge the trauma children experience as a result of the loss of a parent to prison. Although the pain of losing a parent to prison is tantamount in many respects to losing a parent to death or divorce, the children who remain "on the outside" appear to suffer a special stigma. Unlike children of the deceased or divorced who tend to benefit from society's familiarity with and acceptance of their loss, children of the incarcerated too often grow up and grieve under a cloud of low expectations and amidst a swirling set of assumptions that they will fail – that they will themselves resort to a life of crime or that they too will succumb to a life of drug addiction.

There are many applicable theoretical frameworks for understanding the effects of parental incarceration on children. Unlike approaches to understanding the effects of parental loss due to other causes, criminological frameworks seems to have been most emphatically applied in the context of understanding the effects of parental imprisonment on children – focusing on whether the children of people in prison will themselves turn to a life of crime. To be sure, research shows a close connection between parental incarceration and adverse outcomes for children, including but not limited to criminal behavior – but this connection is decidedly complex.

Scholars at Cambridge University's Institute of Criminology, Joseph Murray and David P. Farrington, recently investigated the effects of parental incarceration on children.<sup>11</sup> Their research shows that parental imprisonment is a risk factor with strong effects and multiple adverse outcomes for children. After examining findings from several longitudinal studies, they concluded that parental imprisonment is associated with children having three times the odds of engaging in anti-social or delinquent behavior

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<sup>11</sup> Joseph Murray & David Farrington, *The Effects of Parental Imprisonment on Children*, in 37 CRIME AND JUST.: A REVIEW OF RESEARCH 133, (Michael Tonry ed., 2008).

(violence, drug abuse), and experiencing more negative outcomes as children and adults (school failure, and unemployment).<sup>12</sup> They found that these children are twice as likely to develop serious mental health problems. Earlier studies also suggested that parental imprisonment was associated with missing the imprisoned parent, sadness, withdrawn behavior, sleep problems, aggressive behavior, deteriorating school performance, truancy, and sometimes delinquency.<sup>13</sup>

While Murray and Farrington’s findings comport with the experiences of some of the interview subjects for *Children on the Outside*, these findings alone fail to paint a complete picture of youth outcomes or the mechanisms by which parental incarceration affects children. Murray and Farrington drew from qualitative research to identify specific “mediating factors” that might cause these adverse outcomes in later years for the children of incarcerated parents.<sup>14</sup>

When examined closely, and with the benefit of these deeper theoretical explanations, the connection between parental incarceration and the potential for criminal behavior by the children left behind reveals itself as more complex. Society has a stake in understanding these connections and their causes, including the emotional, psychological, social and economic experiences of children and youth who ultimately grow into adulthood and take responsibility for careers, families and lifestyles of their own. As both family court and juvenile court judges assess situations involving children and youth that come before them, the complex emotional and psychological impact of parental incarceration on these young people should be considered and suitable orders that can support their well-being and healthy growth must be crafted. These children deserve the understanding, support and positive expectations accorded children who experience the trauma of losing their parents under different conditions. The rest of the article presents some of the emotional and psychological impacts that children face as a result of parental imprisonment. These are some, among many others, that judges consider as they are confronted with situations involving parental incarceration.

### **Undermines children’s sense of stability and safety**

The imprisonment of a parent fundamentally undermines a child’s sense of stability and security. The sudden removal, often without explanation, of the parent from their daily life affects a child’s ability to focus on their normal daily activities, such as school. Children and youth become preoccupied with the disintegration of their families,

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<sup>12</sup> Although it is often said that the children of prisoners are five or six times more likely to be convicted of a crime or sentenced to prison than their peers, Murray and Farrington report that they were not able to locate a convincing source for this claim.

<sup>13</sup> Joseph Murray & David Farrington, *Evidence-Based Programs for Children of Prisoners*, 5(4) CRIMINOLOGY AND PUB. POL’Y, 721, 721-36 (2006).

<sup>14</sup> “Mediating factors” refer to the mechanisms through which parental imprisonment might harm children.

worrying about their parent's whereabouts, their ability to reconnect with siblings or other family members, and – for many – where they will live from one week to the next.

A parent's arrest and subsequent incarceration represents a drastic change in the lives of many young people. As research shows, before their arrest many parents were closely involved in their children's day-to-day lives – especially mothers who were most often the primary caregivers. The sudden disappearance of a parent is likely to deeply affect a young person's sense of well-being. In some cases, children will take responsibility for the parent's sudden absence.

Children feel like the world revolves around them,  
so when parents go away, children will assume it's  
their fault.

-Makeba, 24-year-old university student/advocate,  
whose mother was formerly incarcerated

The long-term impact of the sudden disappearance of a parent can also produce, in some cases, high levels of aggression towards others. For example, Anita's 14-year old-daughter has become extremely defiant, and has developed a violent "rap sheet" of her own.

Given the significant impact of a parent's abrupt disappearance as a result of incarceration, it is incumbent on the judiciary and/or social services that are the first points of contact to families dealing with imprisonment to develop protocols and practices that facilitate the maintenance of contact between incarcerated parents and their children. Age-appropriate support services should be developed and implemented. The services should also be culturally and gender-sensitive.

Children may experience a dramatic change even if they still have another parent at home caring for them. The caregiver may have limited resources and may struggle to address the emotional, psychological and financial needs of the children. Once again, efforts to support families experiencing parental incarceration should be the primary focus of service providers and the judiciary. The judiciary has a role in ensuring that social workers working with these families are providing them with all the resources available and necessary to minimize the impact of parent imprisonment.

It turned my children's world upside down. I was  
the rock of the family. I was the sole financial  
provider. I was a stickler for good grades. So, when  
I left they were without guidance because my ex-  
wife was not an authority figure. She was an old-  
fashion housewife.

-Carl, incarcerated father

Dr. Susan Phillips' research demonstrates many of these sentiments. She found that children of incarcerated parents are more than twice as likely as their peers to experience family instability. The arrest of a parent may trigger a move to another caregiver. Prolonged incarceration can result in children having to live with a series of different caregivers.<sup>15</sup>

Noting theories that a child whose parent is involved in criminal activity may be predisposed to follow him or her into a life of crime, and that removal of such a parent might improve the situation, John Hagan's research suggests that parental imprisonment is more often likely to "intensify the problems caused by a dysfunctional parent," compounding, rather than mitigating family problems.<sup>16</sup>

Even though a parent may not always have maintained an intact household, they may have made positive contributions to their children's well-being.<sup>17</sup> Ethnographic work in this area indicates that non-resident minority fathers often make informal contributions to their children, for example, by buying toys and diapers or providing babysitting services, and in other ways demonstrating that paternity is significant to them, even when this role emphasizes emotional support and guidance more than economic responsibility.

When mothers are incarcerated, families are often splintered. Family instability can result in further separation from immediate family and friends. Siblings may be sent to separate relatives – sometimes in different states – or placed in foster care. Even if they are not separated, a large majority of their caregivers may not have the financial wherewithal needed to meet the necessary expenses for the children. Hagan points out that older children may have to take responsibility for the care of younger siblings, or feel pressure to drop out of school in order to find ways (legitimate or otherwise) to supplement household income.

Because prisons rarely offer rehabilitative services such as drug treatment to help imprisoned people tackle substance abuse issues, many parents are likely to cycle in and out of prison. The "comings and goings" of parents inhibits their children's developing sense of personal safety. Children may become apprehensive about bonding with their parents, fearing another separation. Some may become withdrawn, while others may act out as their world becomes increasingly unstable and uncertain. Not knowing what may happen from one day to the next can wreak havoc on a young person's life and well-being. Treasure, a teen whose father has been in prison for many years, explains the fear and anxiety she feels when she thinks about her father's eventual return:

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<sup>15</sup> Susan Phillips, et al., *Disentangling the Risks: Parent Criminal Justice Involvement and Children's Exposure to Family Risks*, 5(4) CRIMINOLOGY AND PUB. POL'Y, 677, 677-702 (2006).

<sup>16</sup> John Hagan & Ronit Dinovitzer, *Collateral Consequences of Imprisonment for Children, Communities, and Prisoners*, in CRIME AND JUST.: A REVIEW OF RESEARCH 121, 121-63 (Michael Tonry & Joan Petersilia eds., 1999).

<sup>17</sup> *Id.*

Sometimes when I think about him I do miss him. He says that when he gets out he's going to spend all this time with me. But he can't make up for ten years like that. He's gonna come out, and you think I'll listen to him? I'm afraid that when he comes out and I let him back into my life, he might go back in. It really scares me.

In some cases, young people will find safe and welcoming foster homes where they rebuild a sense of stability. However, they also seek to maintain a relationship with their birth parent, and may worry about what will happen to the stability they have established with their foster family when their parents return.

It is clear that placing children with family members may ease the effect of the separation they experience, as well as possibly increase the likelihood that siblings may continue to maintain contact. However, families who do not receive adequate support to meet the needs of one or more additional children in their household may undermine familial integrity and the well-being of the children. Regardless of whether the household is one led by a single parent or grandparents, a "needs assessment" should be conducted to determine what support services are required to ensure the family and children excel as best they can. Placing children in foster care should be a solution of last resort. When necessary, child welfare workers should, with the court's oversight, ensure that the connection between children and their incarcerated parent is maintained, as well as the connections with siblings and other relatives.

### **Compromises children's sense of connectedness and worthiness**

Many people have had the opportunity to connect deeply with their parents, whether with one or both parents who lived in the same home, on a regular, secure basis. The parental connection enables individuals to bond, to clash, to disengage, and – eventually – to find their own personhood and sense of personal worth. Unfortunately, children whose parents are incarcerated are unable to experience such an unconditional connection with their parents to shape who they will become in the adult world. While most caregivers attempt to provide a replacement to the parent-child relationship, too often they are unable to meet the huge challenge this represents.

Kids experience a sense of rage when parents go to prison, and the folks who are left are more taxed, and aren't as available to care for the kids, to help them understand who they are without their mothers or fathers. Without anyone to help guide them as they grow up, it takes a toll on the familial relationships they develop later on.

- Jessica, family services provider

Even when a parent is left behind to meet the child's needs, as a single parent he or she may struggle. Some youth come to expect a certain parent to play a particular role in their lives, which their other parent cannot step in and assume.

In junior high, I was a mess. I got kicked out of school because I use to steal, skip school and get into fights. It got to the point where my mom had to home-school me. When I got to high school I realized I couldn't do that no more. I had to finish high school. But I didn't finish high school because I just had a daughter. I chose to stay home. But I'll go back to finish high school or get a GED. I don't think I would have gotten pregnant if my dad was around. I would have finished high school because my father is really strict and I would have been real scared of him. There are a lot of things I won't have been able to do because my dad was out. I can't let what he did affect my life. I got to keep it moving.

- Saphina, teenager of an incarcerated father

The belief that the push-pull dynamic between parents and children can be assumed by grandparents often overlooks the generational gap that can cause a young person to feel misunderstood. In addition, grandparents may have limited energy or health problems that make it hard to follow up on the rules and restrictions they set – less able to search for a youth in the street at three o'clock in the morning.

The low self-worth that may result in children who feel neglected or misunderstood can cause them to feel an overwhelming need to be accepted and loved by others, at all costs. In turn, this may lead them to overcompensate as they seek to be accepted by others, be more susceptible to peer pressure, or engage in high-risk sexual behavior.

My children became very promiscuous after I went into prison. My son started having sex at age 12 with the neighbor. My daughter met a guy from the naval academy and got pregnant at 14. She had an abortion. Where were the adults letting them have sex at those ages?

- Connie, formerly incarcerated mother

My granddaughter has low self-esteem. She feels like she was so horrible that her mom and dad didn't want her, so she feels like no one likes her. You could do pretty much anything to her and she'll put up with it as long as you remain her friend.

- Ms. Thrower, grandmother/caregiver

The combination of losing a parent and experiencing the resulting low self-esteem and symptoms of trauma may push young people to engage in risky behavior. John Hagan and Ronit Dinovitzer’s review of early studies of the impact of parental incarceration on the family situation point to evidence of psychological trauma: separation anxiety, preoccupation with loss, sadness as well as rebelliousness, school problems, and truancy.<sup>18</sup> They cite more recent research findings that children whose mothers were imprisoned exhibited symptoms of post traumatic stress disorder, including mood disorders, flashbacks of parent’s arrest, and, in some cases, vivid memories of their mothers’ voices.<sup>19</sup>

Emphasizing the need for role models and supervision in a child’s socialization process, Hagan cites Travis Hirschi’s seminal work on social control theory to argue that a parent who engages in criminal acts him or herself may nonetheless steer children away from that life, prodding them toward more pro-social goals and activities. When a parental role model is absent, however, the classic adolescent struggle of allegiance between family and peers may default in favor of anti-social peers. Moreover, the stigma associated with having a parent in prison may cause children to mask feelings of shame and rejection with anger and defiance – increasing tendencies toward violent behavior and delinquency.

### **Loss of attachment and ability to trust**

Once the close parental presence is removed, many young people have trouble trusting others and letting them into their lives. Many remain as reticent or guarded in their efforts to protect themselves and not get hurt again, as they were when their parents departed. The parent-child bond is a fundamental building block to a child’s ability to trust others, and parental incarceration undermines this foundation:

My daughter doesn’t trust anyone because of what I did. My mother raised her but she needed me. She needed mama love instead of grandma love.

- Ronnie, incarcerated mother

Being unable to count on their parents to “be there for them” affects young people’s ability to trust and bond, not only with their parents but also with others in their lives. A parent’s lack of availability undermines a child’s sense of stability and safety, and this in turn affects their capacity to establish stable lives as an adult, as well as develop safe and trustworthy relationships:

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<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

As adults they'll have difficulty trusting people and building relationships because there is a fear they will not last, or people will not stick around. This can result in sabotaging relationships. "I'll leave you before you leave me." Also, people will not trust when something *is* a healthy relationship, because based on past experience, when something may have been feeling good, things may have gotten disrupted.

In the workplace, the young adults may also experience trust issues with supervisors and colleagues. They may also feel a need to prove themselves even more, because of their history. They may have difficulty trusting themselves that they are doing a good job or performing well. Others may overachieve. Having grown up very fast, in the workplace they will excel to camouflage their past. Underneath one would not know that the "am I good enough" complex is driving the individual.

- Tanya, re-entry service provider/former child welfare case worker

The inability to trust others undermines their capacity to connect with others as adults – always maintaining a certain distance either by withdrawing, or putting on a tough exterior. It also undermines a young person's ability to envision and plan for their future. Children may demonstrate their mistrust towards their caregivers, or their parents once they return from prison, by becoming hyper-vigilant, monitoring every move the adults in their lives make. A former child welfare caseworker says that often children cling to others close to them asking such questions as "Where are you going? When will you return?" They clearly fear another loss, imagining in their young minds, "If you lose one parent, why not someone else close to you?"

When I go home, my kids won't trust me to go to the bathroom by myself because they're afraid I won't come back.

- Alicia, incarcerated mother

Research confirms and further explains a possible basis for these types of reactions. Julie Poehlmann has closely studied the many attachment issues and problems children face when a parent is incarcerated, conducting assessments of 54 children with incarcerated mothers.<sup>20</sup> Noting that very young children are particularly vulnerable to developmental disruption when mothers are incarcerated, she describes the emotional cost of parental separation for children of prisoners:

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<sup>20</sup> Julie A. Poehlmann, *Representations of Attachment Relationships in Children of Incarcerated Mothers*, 76(3) CHILD DEV. 679, 679-96 (2005).

Consistent with attachment theory, the majority of children initially reacted to separation with sadness, crying, and calling for or looking for mothers. Other common reactions included confusion, worry, anger, acting out, fear, developmental regression, sleep problems, and indifference. Although many of these responses are similar to reactions exhibited by older children following parental incarceration, such as loneliness, fear, anger, and aggression, young children's sleep patterns and maintenance of developmental milestones appeared highly vulnerable to disruption following separation from mothers. Clearly, prolonged separation from an imprisoned mother who once cared for the child is a stressful experience.<sup>21</sup>

Noting that some children seem to react with indifference, Poehlmann wonders whether this represents a true lack of reaction, or a defensive mask of false detachment.

Obviously *he's* not trying, so why should *I* try. It's like, 'You got yourself arrested and went back.' I don't know if he gives a crap, but he certainly isn't showing it. When he calls ... we don't have anything to relate about or talk about something that happened in the past because there is no past for us. I don't know who he is; I just know he is my dad.

- Zara, teenager with an incarcerated father

A secure attachment relationship can help to nurture resilience in high-risk children, and promote healthy concepts of self that will foster stronger interpersonal skills and relationships in the future. However, Poehlmann found that two-thirds of the children in her study engaged in dysfunctional relationships characterized by immense ambivalence, violence or detachment.<sup>22</sup> Such personal characteristics are unlikely to lead to close, intimate and nurturing relationships, which are most needed for young people as they become adults.

Additionally, Poehlmann found that less than a third (28 percent) of the children she assessed experienced the benefits of stable and consistent care giving while their parent was incarcerated:

Although confirming previous observations that many children experience multiple placements following maternal incarceration, the present study found that stability of the care giving situation was the strongest predictor of children's representations of relationships with caregivers. Children who lived with one continuous caregiver since the mother's incarceration were much more likely to have a secure relationship with the caregiver

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<sup>21</sup> Ibid., p. 692

<sup>22</sup> Ibid., p.690

than were children who changed placements one or more times. From an attachment perspective, developing relationships with consistently available alternative adults can ease the negative effects of parental loss and facilitate interpersonal resilience, whereas experiencing multiple shifts in caregivers undermines this process.<sup>23</sup>

For infants and toddlers, attachment to their parent plays an enormous role in their psychological development. Visitation during this period in their lives is essential in establishing a trusting relationship. Very young children are unable to develop relationships through telephone conversations or letter correspondence. Actual physical contact is extremely important. Once again, judges have a role to play in ensuring that age-appropriate contact between children and their parents is maintained in an effort to minimize the emotional and psychological damage caused by incarceration.

In the most extreme cases, without visitation the parent is essentially a stranger to the infant.

- Tanya, re-entry service provider/former child welfare case worker

The first time my mother brought my boys for a visit I was in county jail. There was a glass dividing us. I'll never forget how the young one kept putting his hands on the glass and saying, "I want to touch you, daddy." Later visits, he'd always want to ride on my shoulders because that's what we did when I was free.

- Charles, incarcerated father in Alabama

While visits are a crucial way for young children and teens alike to bond with their parents, it can also be an emotionally taxing event, partially explaining why many caregivers and social workers are reticent to facilitate visits.

Kids will get a sense the visit is almost over and they'll start to react. Some will pick a fight with their parent. Others will cling on to their parent. Once they get on the bus they'll breakdown.

- Tammy, child welfare case worker

The frequency of the visits may be able to help. We see young girls and boys who have regular visits feeling like they have a mom or a dad, and therefore are not needing to seek out a father or mother figure. Unfortunately, many fathers – unlike mothers – decided to stop the visits because of the emotional and psychological turmoil it placed on the children.

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<sup>23</sup> Ibid., p. 691

It is quite possible that fathers feel their children are less impacted by their absence, as many of the children continued to be cared for by their mothers in their absence, which is generally the case in most instances. Imprisoned mothers are more likely to have a sense of urgency around what's going on with their kids – afraid they will lose them to the foster care system. They remain concerned about the impact of visiting conditions on their children's well-being, but are less likely to think that ending visits is an option.

Some youth whose parents stop the visits are extremely angry when they return home.

- Tanya, re-entry service provider/former child welfare caseworker

Indeed, Murray and Farrington identified prison visitation as another possible mediating factor in the adverse effects of parental incarceration on children. While prison visitation is generally counted as a positive factor, it can prove traumatic for children due to the long distances often traveled to reach the prison; onerous, demeaning or intimidating prison security procedures; prohibition of physical contact with one's parent; and the repeated pain of having to leave one's parent behind as the visit is concluded.<sup>24</sup>

LaVigne and her colleagues at the Urban Institute point out that prison parents may effectively lose contact with their children without the formal revocation of custodial rights. Since most parents are in prisons located more than 100 miles from their home communities, visits with their children are expensive and logistically difficult. Caregivers may be reluctant to endure the discomforts and difficulties of making the trip. Some parents are too ashamed to let their children know they are incarcerated. Others may prefer not to put their children through the stressful process of a prison visit. Moreover, the costs of long-distance phone calls may also be beyond the means available to caregivers, especially as collect-call rates for calls placed from prisons can cost as much as five to ten times that of a call from a residential phone. It is incumbent upon children service agencies and family court judges to publicly acknowledge the barriers that undermine their ability to adequately address the needs of children with incarcerated parents.

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<sup>24</sup> Murray & Farrington, *supra* note 13 at 721-36.

## Conclusion

*Children on the Outside*'s primary recommendation is quite simple: reform sentencing policies for drug offenses so that fewer parents face prison time in the first place. In the meantime, child welfare workers, family court judges and others who have influence on the systems that are intended to aid children in need should remain mindful of the following recommendations that are likely to ease the emotional and psychological pain experienced by children and youth during the parent's imprisonment:

- Efforts should be made to keep siblings together or maintain regular contacts when parents are imprisoned.
- Facilitate children and youth's ability to maintain regular contact with their incarcerated parent, including visits, telephone or Skype contact.
- Facilitate the development of consistent and stable alternative homes – with preference given to relative caregivers – and avoid multiple shifts in children's care giving.
- Facilitate regular contact visits, especially for infants and toddlers, to ensure a healthier development of trust and attachment.
- Establish child-friendly visitation policies and procedures to encourage regular visitation.
- Provide supportive counseling for children of incarcerated people to help them cope with the psychological and emotional impact of experiencing the separation from the parent, adapting to new living conditions, and adjusting to the parent's return home.
- Prioritize the placement of children with family or close friends, and provide sufficient economic resources to increase the odds that a placement will provide stable and adequate care.