

# CIP Task Force Executive Summary

## Statement of the Problem:

*There is no system in place for identifying children with incarcerated parents (CIPs) and as a consequence, their needs are neglected. We need procedures and services for these overlooked children so they are protected from being punished by their parents' incarceration. The children are profoundly affected by a parent's incarceration, though it is not their fault.*

## INTRODUCTION

This report presents the work of the thirty-one members of the Coconino County Children with Incarcerated Parents (CIPs) Task Force to reduce the vulnerability that local children are likely to experience when their parent(s) are incarcerated. The Task Force was charged by the Coconino County Criminal Justice Coordinating Council to examine the ten recommendations of the Arizona Bill Of Rights Project prepared by the Pima Prevention Partnership in December of 2007; to evaluate which **recommendations are relevant** to Coconino County; and to **propose actions and desired outcomes** for each recommendation. This report's recommendations present the conditions that are unique and specific to Coconino County's children who have incarcerated parents. In this document we present six recommendations which, if adopted, would **reduce the negative impacts and potential trauma that local children are likely to experience when their parent(s) are incarcerated**. The report presents our Task Force's justifications for each recommendation, which are based on local and national data. The report also incorporates the experience, expertise, and in-depth discussions of the Task Force with guest speakers' input from 2007-2011.

The recommendations of the CIP Task Force, summarized below, (which are provided in greater detail in the body of the report) are:

- Establish arrest protocols and procedures to identify CIPs.
- Train justice personnel to understand the needs and threats to CIPs.
- Train agencies to understand the needs and threats to CIPs.
- Improve visitation by removing barriers that hinder communication
- Connect CIPs and their caregivers to a centralized service provider.
- Promote ways to lessen the poverty CIP families' experience.

## HOW A CHILD IS AFFECTED BY A PARENT'S

### Incarceration

*After three years of research, important debates, and discussion, the Coconino County CIP Task Force concludes that incarceration impacts a child's life in ways that are unique among high-risk populations. We also know from our experience and investigation of literature about CIPs, that children respond differently. Some children respond positively and others negatively to a parent's incarceration. When a parent is arrested, a series of unexpected events may change a child's life and contribute to a child's ability to cope with a parent's incarceration. We offer possible situations as information about CIP conditions:*

- **A child is present during a parent's arrest.**

According to local and state data, about 20% of children are present at a parent's (who is likely to be the child's custodial parent) arrest.<sup>1</sup> Seeing, hearing, and feeling a parent's arrest has the potential to traumatize a child. However a child who is present during a parent's arrest has a better chance for safe placement with a caregiver because law enforcement may take actions to

secure the child's immediate safety needs such as placement and make referrals for follow-up issues such as counseling to other agencies. An American Bar Association study found that law enforcement officers make a variety of placement decisions in the field, such as calling in Child Protective Services (CPS), taking the child to the police station, or informally placing the child with the parent's neighbors, relatives, or friends.<sup>2</sup> For example, the child who is present during a parent's arrest may be frightened as a result of the arrest's events and separation from his/her parent, yet that child is more likely to be attended to by authorities who seek temporary care and guardianship for the child.

- **A child is NOT present at the arrest.**

Not experiencing a parent's arrest keeps a child from short-term trauma. However, a committee member who served time in prison with many mothers whose children were not present at the time of their arrests felt that, "Even when a child is not present at arrest, many children will still have long-term negative impacts." The child who is not present at arrest is at risk because law enforcement and other authorities are not present to intervene on the child's behalf nor able to immediately identify them as vulnerable and in need of a caregiver. In addition, an incarcerated adult or juvenile parent may not be asked if or reveal that they have children in their care. Local law enforcement experience is consistent with national research, which shows that "...parents do not volunteer information about their children to law enforcement at arrest and that arrested parents are reluctant to share information about their children and families due to legitimate concerns about confidentiality, criminal liabilities, child custody matters, and public assistance."<sup>3</sup> Although local law enforcement agencies, such as Flagstaff Police Department, are taking steps to identify CIPs at the time of a parent's arrest, there is no uniform implementation of this practice among all county law enforcement.

- **A minor child lives with varied caregivers.**

When a father is in prison, typically the mother will care for the children. However, when a mother is incarcerated it is likely that the children will live with a non-parent relative caregiver who is frequently (in 35% of CIP placements) the grandparent. Throughout a parent's incarceration, a child may live with a series of informal caregivers, such as an unmarried partner, family friend or relative, resulting in the potential for inconsistency of care. Whether a child is in relative or state placement, there is the potential that he/she will change homes in addition to the possibility of the child becoming homeless, which can put the child's well being at risk.<sup>4</sup> There are no coordinated referral and follow-up procedures among law enforcement and other agencies that identify and monitor CIPs for ongoing safe and stable placement.

- **A child lives in new or deepening poverty.**

When parents are incarcerated, families may suffer financial hardship because of the costs of maintaining the household, legal fees associated with criminal defense, loss of the incarcerated parent's income, and the costs associated with maintaining contact during imprisonment. It is often the case that a family's income sharply decreases when a father is incarcerated. If the

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*"Children should not be punished for their parents' crimes." - M. L. Shanley, Vassar College Researcher*

mother is the primary caregiver, then the burden to generate family income shifts to her. How a mother decides to make up for lost income due to a breadwinner's incarceration may positively or negatively affect the long-term welfare of the family.<sup>5</sup> When a mother is incarcerated, the trend is to place CIPs with relatives and while there are many benefits to the child's overall stability in staying with a family member, the evidence is that relative caregivers are more likely (by greater than 50%) to be low-income than non-kin caregivers.<sup>6</sup> Attempts to legislate increased caregiver support are not likely to pass in Arizona's current environment.

- **A child may be safe but not adequately cared for.**

a. When children are placed with relative caregivers, they may not get the help they need because of the stigma about parental incarceration that inhibits CIP caregivers from pursuing services, programs and resources.<sup>7</sup> Caregivers may not know of or want to keep their family connected to services because an admission of a parent's incarceration may signal unwanted attention from agency providers, which may threaten a child's services as well as custody issues.

- **A child has limited face-to-face access to an incarcerated parent**

Distance to prisons, prison visiting conditions, and caregiver attitudes are all factors that influence the frequency of face-to-face contact between a child and his/her incarcerated parent, even if the visitation is in the best interests of the child. Travel distance from many homes in Coconino County to a prison can be 50 to several hundred miles away, a key factor in discouraging parent-child visitation. Only 30% of prisoners whose homes were 101 to 500 miles, had one or more visitors in a month compared with 44 percent who lived from 50 to 100 miles away.<sup>8</sup> Caregiver's attitudes about the imprisoned parent may also influence whether the caregiver can emotionally, physically and financially support contact between the parent and child. Caregivers may also be challenged by prison settings and find them not child-friendly which can contribute to the emotional fall-out children may experience (and caregivers must handle) after visiting a parent.<sup>9</sup> A child's contact with her/his incarcerated parent may be sporadic because of the travel costs due to great distances from home to prison and caregiver attitudes discouraging face-to-face contact.

## THE RECOMMENDATIONS

*The Coconino County CIP Task Force offers a brief and prioritized overview of recommendations that when implemented will lessen the indirect punishment these children receive because their parent(s) are in jail or prison. It is the collective belief of the CIP Task Force that we can make these changes in our community to lessen the unnecessary hardships of CIPs.*

### **Priority #1: Identifying CIPs**

*To establish appropriate and effective guidelines for law enforcement at various points in a parent's entry into the system to ensure proper identification, proper placement, safety, and stability of children whose parents are arrested or incarcerated.*

- The recommendation applies to:
  - Law Enforcement.
  - Any entity that interacts with arrested or incarcerated parents.
- Taking action on this recommendation will result in:
  - Raising awareness among law enforcement and criminal justice of the need and opportunities to intervene on behalf of CIPs which will result in identifying and tracking CIPs at a variety of contact points to lessen the opportunities for them to slip through the system.

- Changing policies, procedures and processes about placement and the liability of law enforcement and subsequent criminal justice employees, who come in contact with arrested or incarcerated parents.
- Identifying policies and practices that increase safer caregiving placements for CIPs.
- Defining and implementing a "formal" process which addresses the identification of an appropriate caregiver for the CIP who might be neglected or abandoned by the arrest of a parent.
- Preventing CIPs from experiencing homelessness and the insecurity of inconsistent, unsafe or multiple caregiving situations.

### **Priority #2: Training Justice Personnel**

*Train all law enforcement officers, court staff, corrections staff, and criminal justice employees regarding children of incarcerated parents. Training is especially needed for employees who come in contact with arrested parents, CIPs, or CIP caregivers and who are present at the following entry points into the system: point of arrest, booking into jail, initial court appearance, housing into jail, release (either to community, reservation, or DOC), probation and Pretrial Services Implementation*

- The recommendation applies to:
  - Any law enforcement authority making an arrest (police, sheriff, game & fish, state and national forest service rangers/marshals).
  - Criminal justice personnel, including but not limited to jails, court, corrections, probation and other personnel.
- Taking action on this recommendation will result in:
  - Raising criminal justice's awareness of the needs and risks of CIPs.
  - Incorporating best practices for how law enforcement and other criminal justice entities manage CIP situations.
  - Lessening a child's exposure to a parent's arrest and reducing her/his trauma.
  - Increasing referrals for the placement of a child into a safe caregiving situation.

### **Priority # 3: Training Agencies**

*To conduct training for service providers and agencies to improve their knowledge of the special needs of CIPs, and to encourage agencies to adopt strategies and increase their efforts to address those needs.*

- The recommendation applies to:
  - Service providers and a variety of agencies.
- Taking action on this recommendation will result in:
  - Increasing the understanding and collaborative efforts of agencies to identify circumstances and key issues that are specific to Coconino County families with a CIP .
  - Identifying greater opportunities for more agencies to intentionally serve CIP families.
  - Improving communication among agencies and institutions serving the needs of CIPs and their families in order to facilitate services provided in more effective and streamlined ways.

**Priority # 4: Improving Visitation:**

*Provide enhanced access to communication and visitation among children, caregivers and incarcerated parents, as appropriate and in the best interests of the child.*

- The recommendation applies to:
  - The criminal justice system, its processes and its facilities.
  - Community organizations that could provide access to or have a role in delivering and/or facilitating alternate communication strategies.
- Taking action on this recommendation will result in:
  - a. Increasing the frequency and regularity of communication between CIPs and incarcerated parents by utilizing a variety of communication strategies and technologies at prisons and jails.
  - b. Promoting alternative means of communication that increase access and allow for safer contact and access between CIPs and incarcerated parents.
  - c. Reducing the burden of visitation costs on caregivers.
  - d. Making changes to improve face-to-face visits to make them more child-friendly.

**Priority # 5: Coordinating Services**

*To support the development of a centralized, one-stop, CIP service provider created from an existing or new organization. The provider will mobilize, coordinate and manage a network of services from a variety of organizations (i.e. government, non-profits, faith based, etc.) in order to connect CIPs and their caregivers to resources that will help lessen the burdens put upon CIP families due to a parent's incarceration.*

- The recommendation applies to:
  - Agencies that come in contact with CIPs and their caregivers.
  - Government, non-profit and faith-based organizations that provide the services that incarcerated parent's identified (on behalf of their families); as the most frequently and critically needed including employment, medical services, housing, mental health care, food and legal resources.
  - A future subcommittee of the CIP Task Force.
- Taking action on this recommendation will result in:
  - Increasing agencies' knowledge of the services that are available in the county for CIPs.
  - Developing a consistent referral system.
  - Connecting CIPs to services that would result in reducing their hardships.
  - Mobilizing increased community support among agencies, non-profits and the faith-based community to provide services and resources for CIPs to improve feelings of security and greater coverage of basic needs (food, clothing, shelter).
  - Expanding access to timely and affordable mental health and other critical services for CIP families where state assistance is withdrawn or decreased.

**Priority # 6: Reducing material hardships**

*Use data and research on the material hardships of CIP families to disseminate information to address the disproportionate impacts on children with incarcerated parents.*

- The recommendation applies to:
  - Agencies whose funding has been withdrawn or reduced in the areas of financial assistance to CIPs.
  - CIPs and their caregivers.
  - Former incarcerated parents.
  - Advocacy and social justice groups and faith-based organizations.
- Taking action on this recommendation will result in:
  - Initiating a local advocacy group to raise awareness about CIPs' needs and mobilizing local efforts to secure supports for Coconino County CIP and their caregivers.
  - Increasing CIPs' access to existing services.
  - Increasing public awareness about the material hardships and needs of CIPs.

**INFORMATION INCLUDED IN THE FOLLOWING COMPLETE REPORT COVERS:**

- A series of six in-depth and prioritized recommendations that are supported by research and other rationales of the Task Force.
- A bibliography of research, including where to find Task Force minutes, 2007 to 2011.

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- 1 Katherine Gabel and Denise Johnston M.D., *Children of incarcerated Parents* (N.Y.: Lexington, 1995) 105.
  - 2 L. Wright Ph.D and C.Seymour J.D., *Effects of Parental Incarceration on Children and Families* (Michigan Family Impact Seminars: 2000) 9-14.
  - 3 Gabel, 106
  - 4 Gabel, 90.
  - 5 Sara Wakefield and Christopher Uggen, *Having a Kid Changes Everything?: The Effects of Parenthood on Subsequent Crime* (Minneapolis: University of Minnesota, 2001) 9.
  - 6 Jennifer Macomber and Rob Geen and Regan Main, *Kinship Foster Care: Custody, Hardships and Services* (Urban Institute: No 14 Series, 2003) 3.
  - 7 Gabel, 112.
  - 8 Creasie Finney Hairston, Ph.D., *Focus on Children With Incarcerated Parents* (A Report Prepared for the Annie E. Casey Foundation, 2007) 7.
  - 9 Hairston, 9.