

# Recommendation 1: Arrest Protocols & Identification of CIPs

The recommendation is:

***To establish appropriate and effective guidelines for law enforcement at various points of 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 primary points of entry into the system include, but are not limited to: Point of arrest - Booking into jail - Initial court appearance - Entry into jail or institutional housing - Release (either to community, reservation, or DOC) – Probation - Pretrial Services Implementation.

## This recommendation needs our attention because:

“Although they share many experiences with other children from highly stressed and/or low income families and communities, children of offenders are . . . distinguished by the experiences of parental arrest. Such experiences are often significant sources of trauma in the lives of these children.”<sup>1</sup> This recommendation is directed at three CIP conditions where opportunities for intervention should be focused: arrest, identification and placement. This Arrest and Identification Recommendation addresses critical, short-term issues regarding the wellbeing of CIPs related to the arrest of a parent.

Below we present the issues related to arrest, identification and placement that highlight the need to establish procedures. We will answer the following questions: Why are CIP arrest protocols/procedures needed? Why is it important to identify children at the above points of entry into the system? What is the current placement process for children whose parent(s) have been arrested? Why is “proper placement” of a CIP such a critical issue?

## Why are CIP Arrest Protocols needed?

There are two categorizing situations regarding CIPs and arrest of a parent: children are present at the arrest; children are not present at the arrest. Each of these situations poses different challenges and requires specific actions on behalf of law enforcement to ensure the safety of minor children. If children are present at the arrest of the parent, the concern is in minimizing the children’s exposure to a potentially traumatic arrest situation and in taking actions which might lessen children’s feelings of fear and confusion that may come up during the arrest situation. Children present at arrest may witness the handcuffing of a parent, weapons being drawn, or a physical struggle, and see these actions as violent or frightening. The loss of and separation from the parent initiated by the arrest is also considered a potentially damaging emotional trauma to the child. According to our local and state data, about 20% of children are present at a parent’s arrest. (See chart ).

Children “Present at Arrest” by local data set	Percentage
Arizona Department of Corrections Inmate-parents	20.8% <sup>5</sup>
Coconino County Jail Survey	13.2%
Killip Elementary CIPs	22.2%

For this 20% of children at arrest, there is an opportunity to institute arrest protocols and procedures, to minimize children’s exposure to the arrest situation. (See the Flagstaff Police Department Special Order 09-037 for a model on minimizing children’s exposure to the arrest situation.) This order resulted from Flagstaff Police Department’s involvement in the Task Force process.

If **children are not present at arrest**, the primary danger to the children is in **not** establishing that the arrestee has minor children in his/her custody. The inability to identify minor children at this point or at other points of entry into the system could lead to the accidental neglect or abandonment of minor children. For example, one of the eight children at Killip Elementary School, surveyed by a CIP Task Force member, reported being abandoned due to the arrest of both parents while the child was at church: “Parents got arrested while child was at church alone. Child came home to no parents, and stayed at the house with her siblings (all minors) for 2 days until Aunt came and stayed with them.”<sup>6</sup>

The majority of CIPs are **not** present at a parent’s arrest (79.8% minor children of ADOC inmate parents). However, not all of the children “not present at arrest” will require placement with another caregiver. In some situations, the arrested parent is not the child’s caregiver and/or the custodial parent; in other situations the other non-arrested parent is available to care for the child. The 1<sup>st</sup> table below shows the percentage of children who lived with the arrested parent prior to arrest; the 2<sup>nd</sup> table shows the percentage of CIPs who live with the other parent during parental incarceration. If the arrested parent is a single parent, or if both parents are arrested, this smaller population of CIPs who are not present at arrest has the highest risk for slipping through the system, because of the imminent absence of their caregiver.

Children living with parent prior to arrest	Percentage
Arizona Department of Corrections Inmate-parents	54.2%
Coconino County Jail Survey	58.1%

CIPs living with the “other parent” during parental incarceration	Percentage
Arizona Department of Corrections Inmate-parents	39.1%
Coconino County Jail Survey	45.2%

## Why are Identification Procedures needed?

Currently, there is no comprehensive system in place in Coconino County to identify children with incarcerated parents. Appropriate and effective guidelines are needed for identifying minor children at arrest or shortly after arrest as a first step to assure that children can be placed with an appropriate caregiver or guardian. Currently local law enforcement agencies, such as Flagstaff Police Department (please see Special Order 09-037 attached), are taking steps to identify CIPs at the time of arrest; however the progress is slow and not uniform within all agencies in the county.

According to law enforcement professional expertise (from members of the Coconino County CIP Task Force), the welfare of CIPs is still problematic at the time of arrest because this is not the best time to obtain truthful and detailed information regarding the children of arrestees. These individuals may not be honest and forthcoming due to the stressful nature of the situation and inherent distrust of law enforcement. In addition, these individuals may be under the influence of alcohol and/or drugs and therefore unable to give accurate or truthful information.

The experience of law enforcement noted here is consistent with national research by Denise Johnston, summarized in *Children of Incarcerated Parents*, which shows that parents do not volunteer information about their children to law enforcement at arrest<sup>7</sup> 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>8</sup>

Because the arrest situation may not be the best time to identify minor children in the care of the arrestee, it is important for information to be gathered at other points of entry into the system such as: booking into jail; initial court appearance; enters jail housing; release (either to community, reservation, or DOC); probation and pretrial Services Implementation. Guidelines are not currently in place to identify children at these other entry points into the system. The CIP

Task Force encountered numerous obstacles in trying to identify local CIPs to do further research and evaluation of the current situations surrounding CIPs in Coconino County.<sup>9</sup> (See end notes for additional explanations). Identifying children of incarcerated parents has multiple purposes and many benefits. Identification at arrest, or shortly after arrest is the first step in securing appropriate placement and reduces the risk for CIPs to become abandoned or neglected. Identification of CIPs will also allow law enforcement, jail staff, court staff, and/or corrections staff to refer and connect CIP families to an agency or mechanism which can help the CIPs and their families access needed services, programs and resources. The collection of data on CIPs and CIP families could also be used for grant writing, long-term documentation, tracking, and/or evaluation of programs for CIPs, their families, and incarcerated parents.

### Why is Proper Placement of CIPs needed?

Although the parental arrest event may be frightening to a child, the more profound risks to a child due to a parent's arrest are the following:

1. The subsequent separation from a primary caregiver
2. Not being placed with an appropriate<sup>10</sup> caregiver
3. Not being placed in a timely way, leading to neglect or abandonment.<sup>11</sup>

It is not necessarily the role of law enforcement in an arrest situation to determine or secure placement for children of arrestees; however, in order to address the short-term safety and security of the children, law enforcement is put in a position to take some action on behalf of securing placement. "The ABA (American Bar Association) study found that law enforcement officers make a variety of placement decisions in the field, 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>12</sup>

The American Bar Association (ABA) study also found that "while law enforcement policies and procedures specifically addressing children of arrestees may not currently exist in most agencies, the issue of accountability—and subsequently legal liability—is nevertheless present." The courts have found that officers have a duty to reasonably ensure the safety of children left unattended following a caretaker's arrest [*White v. Rochford*, 592 2d 381 (7th Cir. 1979)].<sup>13</sup> In contrast, an article by Department of Justice National Institute of Justice Analysts in the *Police Chief: the Professional Voice of Law Enforcement*, found in comparing lawsuits of law enforcement and children of arrestees that the legal liability of law enforcement regarding children of arrestees is not clear cut, consistent or prescriptive.<sup>14</sup> Therefore, this unclear legal terrain regarding law enforcements' liability in securing CIPs makes it difficult for law enforcement administrators to create policy regarding children of arrestees.

The Flagstaff Police Department Special Order #09-037 is a model for policy in handling minor children at the arrest of a parent. As suggested by the American Bar Association study, cited above, the Flagstaff Police Department policy provides for some necessary placement actions on behalf of the child, such as contacting responsible persons and arranging for informal caregivers (Section III B), or contacting Child Protective Services if both parents are arrested (Section III E). However, there is an implicit disconnect in these placement decisions: when a single custodial parent, both parents, or a sole caregiver is arrested, there is not currently a clear agency (or process) responsible for the children's placement, safety, and subsequent wellbeing. For example, CPS does not take custody of the children in every case of parental arrest; and law enforcement is only responsible to a point to secure the safety and wellbeing of the child. Law enforcement is not in position in every instance to seek out appropriate caregivers, place minor children, or formally oversee the placement. In addition, these "informal placements" are comprised of children hidden from the social service systems, as there is no formal process for supervision, oversight or follow-up of this caregiving situation.

As discussed in the "Arrest" section, placement is not required in every arrest situation, as many children will continue to live with the non-arrested parent or the children were already in the care of another custodial caregiver besides the arrested parent. However, for the children left without a caregiver due to arrest and incarceration of a parent, placement is a critical issue for CIPs beyond their short-term welfare. Placement is tied to many aspects of CIPs' medium, and long-term welfare:

1. The decision to keep together or separate CIPs and their siblings
2. The quality of care while the child is separated from the incarcerated parent
3. The ability to acquire and access needed services and support
4. The ability to contact or visit an incarcerated parent in prison
5. The success of parent-child re-unification<sup>15</sup>

### Establishing arrest and identification procedures will result in:

- Raising awareness among law enforcement & criminal justice of the need and opportunities to intervene on behalf of CIPs.
- Lessening the opportunity for CIPs to slip through the system without the support or safety by identifying and tracking CIPs at a variety of contact points.
- Identifying policies and practices that increase safer caregiving placements for CIPs.
- Examining policies, procedures and processes regarding placement and the liability of law enforcement and subsequent criminal justice employees who come in contact with arrested or incarcerated parents.
- Preventing CIPs from experiencing homelessness and the insecurity of inconsistent, unsafe or multiple caregiving situations.
- Defining and implementing a "formal" process which addresses the identification of an appropriate caregiver and the placement of the CIP who might be neglected or abandoned due to the arrest of a parent.

### The actions needed to establish arrest procedures include:

1. Implement a policy that would require all law enforcement agencies in the county to train their officers to be aware of minor children who may be in the care of a parent (adult, juvenile, or guardian) who is arrested.
2. Examine policies, procedures and processes regarding placement and the liability of law enforcement and subsequent criminal justice employees who come in contact with arrested or incarcerated parents.
3. Implement a policy to gather identification data on minor children at other points of entry into the system: booking into jail; initial court appearance; entry into jail housing; release (either to community, reservation, or DOC); probation; and pretrial services implementation.
4. Define and implement a "formal" process which addresses the identification of an appropriate caregiver and the placement of the CIP, who might be neglected or abandoned by the arrest of a parent.
5. Develop a "business card", to give to CIPs/parents/caregivers, with contact information to a central- service/coordinator/provider (see recommendation on "coordinating services"). The card will be distributed at arrest and at the points of entry listed above.
6. Periodically evaluate the system and measure the short-term and long-term outcomes of CIPs to ensure that their needs are being met. Make changes to the local policies and procedures based on these results.

**Sources of data for arrest and identification procedures:**

In addition to national research studies and publications on CIPs, incarcerated parents, and their families, we used three local and regional data sets, referenced previously, to examine the situation of CIPs in Coconino County regarding arrest, identification and placement.

- *An Epidemiological Study of the Prevalence and Needs of Children of Incarcerated Parents Within the State of Arizona* is a 2005 research study of Arizona CIPs whose parents are incarcerated within the custody of the Arizona Department of Corrections.
- The *Coconino County Jail Survey* was created by members of the Coconino County CIP Task Force and administered to 80 Coconino County Jail inmates (Coconino County Jail Survey) regarding their incarceration, children, and families.
- The *Killip Elementary CIP Survey* was also created by members of the Coconino County CIP Task Force and was administered to a focus group of CIPs who attended Killip Elementary School in Flagstaff in 2009-10; this survey focused on CIPs and their contact with their incarcerated parents.

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- 1 Katherine Gabel and Denise Johnston, Children of Incarcerated Parents (New York, NY: Lexington, 1995) 202.
  - 2 Jessica Nickel, et al., Children of Incarcerated Parents: An Action Plan for Policy Makers, (New York, NY: Council of State Governments Justice Center, 2009) 9.
  - 3 Ibid.
  - 4 Gabel 90-91.
  - 5 Applied Behavioral Health Policy, An Epidemiological Study of the Prevalence and Needs of Children of Incarcerated Parents Within the State of Arizona, (Tucson, AZ: University of Arizona, 2004).
  - 6 Coconino County CIP Task Force, Killip Elementary CIP Survey, 2009. See Appendix for survey questions and responses.
  - 7 Gabel 106.
  - 8 Ibid.
  - 9 Some of these obstacles are the following: lack of time and funding resources for surveys and interviews; an unclear answer to the question, “When is the best time, situation, or opportunity to identify CIPs?”; parents’ distrust of criminal justice employees (i.e. “If I tell them, will they call Child Protective Services to take away my children?”); unclear confidentiality and legal issues with information sharing among criminal justice entities; Coconino County’s very large geographical size (one of the largest in the U.S.); Coconino County’s huge cultural diversity; jurisdictional problems (differences in policy and procedures); Native American Reservations within the County present cultural, jurisdictional and transportation issues, along with the legal issues of a sovereign nation.
  - 10 “Anecdotal information suggests that the children of incarcerated parents sometimes end up in court when they are ready to enter school and need vaccinations, having been informally left with friends or relatives who lack legal authority for their medical care.” Charlene Wear Simmons, PhD, Children of Incarcerated Parents Volume 7, No. 2. (Sacramento, CA: California Research Bureau, 2000) 6.
  - 11 Gabel 103.
  - 12 Simmons 6.
  - 13 Ibid.
  - 14 Marilyn Moses & Cathy Girouard, “Written Policies for Responding to Children after a Parent or Caretaker is Arrested,” The Police Chief, Volume 72, No.9 September 2005. <[http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=print\\_display&article\\_id=710&issue\\_id=92005](http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=print_display&article_id=710&issue_id=92005)>
  - 15 Gabel 121.

# Recommendation 2: Training Criminal Justice Personnel

The recommendation is:

*Train all law enforcement officers, court staff, corrections staff, and criminal justice employees regarding the circumstances of 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*
- *Entering jail housing*
- *Release (either to community, reservation, or DOC)*
- *Probation*
- *Pretrial Services Implementation*

**This recommendation needs our attention because:**

In the events leading to a parent's incarceration (arrest, booking, initial court appearance, etc), law enforcement, court staff and other criminal justice employees may be in an opportune position to look out for the welfare of the arrested or incarcerated parent's children and to lessen the arrest's potential to become a traumatizing event for the children.

As explained in detail in Recommendation #1, children of incarcerated parents are vulnerable to the situations and implications surrounding arrest, such as the following:

- Children witnessing a violent or frightening arrest situation
- Children being separated from a parent
- Children who are not present at arrest being abandoned or neglected, due to not being identified
- Children not getting placed with a safe and stable caregiver

## WHY?

The Coconino County CIP Task Force has identified two audiences, law enforcement and criminal justice personnel, for this recommendation. The goal of training law enforcement is to increase law enforcement officers' sensitivity to CIPs (when present or not present at arrest), for personnel to lessen the trauma of the arrest situation, and to increase the number of minor CIPs who are identified at or shortly after arrest. The goal of training all other criminal justice personnel is to increase their awareness of the need to identify children with incarcerated parents and to increase the number of minor CIPs identified after the arrest of a parent. Identification of minor CIPs at or after arrest is a crucial step in ensuring that CIPs have a caregiver or are placed with a caregiver in a timely way.

**Law enforcement officers interact with minor children in arrest situations: Children who are present at arrest are exposed to law enforcement actions; and for children who are not present at arrest, law enforcement officers are often in a position to intervene on a minor child's behalf to ensure safety and security after a parent is arrested.**

Training for local law enforcement officers best addresses four critical objectives: 1. To be aware and sensitive to children's perceptions and emotions surrounding the arrest situation. 2. To be aware of minor children who are not present at arrest and their potential and immediate need to be made safe. 3. To be aware of the need for timely identification of minor CIPs; 4. To be aware of protocols and procedures regarding the placement of CIPs. Training on these critical objectives can make a difference in reducing the risks faced by minor children of arrested and incarcerated parents.

There is evidence and research which demonstrates that the children present at arrest are often young, between 3 and 7 years old.<sup>1</sup> We recommend training that takes into consideration the ages and stages of the children involved. Moreover, no law enforcement training currently includes consideration of different arrest scenarios which can vary widely as a function of the age of the child, whether the

child herself is a victim, and whether the cause for arrest involves the immediate conduct of a parent or the past conduct of the parent. Since law enforcement officers deal with children in a wide array of arrest situations, training law enforcement officers in using a variety of arrest scenarios will be more effective in achieving a reduction in the number of children exposed to frightening, confusing or violent arrest situations. In addition, this type of training will be more effective in achieving an increase in the number of identified & secured minor children who may or may not be present at arrest.

Currently, training about CIPS is not offered as part of the inaugural officer training at the Law Enforcement Training Academy. Arizona Peace Officers Standards and Training (POST) recently produced a training DVD regarding CIPs, which is available for post-Academy, on-going training. Members of the Coconino County CIP Task Force, including the Flagstaff Police Department and other local law enforcement entities, circulated and watched the Arizona POST DVD. The Arizona POST DVD addresses common CIP situations at the arrest of a parent and should be a minimum for law enforcement training. Anecdotal evidence indicates that rural law enforcement agencies are more likely to lack even the basic POST training resources.

**Criminal justice personnel are in an opportune position to gather information regarding the children of incarcerated parents and help to secure them.**

The time of arrest is not the best time to obtain truthful and detailed information regarding the children of the individuals being arrested. Parents do not volunteer information about their children to law enforcement at arrest<sup>2</sup>; and 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> Therefore, other criminal justice personnel who come in contact with offenders at other points of entry into the system are in a position to gather information about dependent and minor children, who may otherwise be neglected or abandoned by the arrest of a parent.

Currently, there is no system in place in Coconino County to identify children of incarcerated parents. In addition, there is no process for placement of minor children, other than children being turned over to Child Protective Services.<sup>4</sup> The Coconino County CIP Task Force believes that training of all criminal justice personnel will result in the raised awareness of the existence of CIPs affiliated with the system; an increase in the number of identified minor CIPs; a decrease in the number of abandoned and/or neglected CIPs; and an increase in the number of children who are placed with a safe and stable caregiver.

**Training Law Enforcement and Criminal Justice Personnel will result in:**

- Increasing awareness and understanding of the circumstances and key issues which are specific to Coconino County CIPs.
- Reducing the number of children exposed to frightening, confusing or violent arrest situations.
- Increasing the number of identified & secured minor children who may or may not be present at arrest.
- Increasing the number of children who are placed with a safe and stable caregiver.
- Increasing the number of CIP placements that are monitored and supervised.

**The actions needed to train law enforcement and criminal justice personnel include:**

1. Provide on-going, annual in-service training to all Coconino County criminal justice personnel to achieve the outcomes listed above.
2. Provide a variety of parental arrest scenarios using role-playing activities, for law enforcement training, regarding the arrest of a parent. Role play training more actively engages the trainee, as compared to the passive exercise of watching a video presentation, and has a more lasting impact. Training scenarios should include: children’s age differences and developmental stages<sup>5</sup> ; a broad representation of family types (e.g. single parents, intergenerational families and non-related caregivers); and cultural differences (e.g. Native, Hispanic and other ethnicities). Include the following scenarios in the training: the parent is being arrested for conduct engaged in at that time; the parent is being arrested after a long period of time from the crime (bust/warrant); the parent engaged in no immediate violence prior to arrest; CIPs are present at arrest; and CIPs are absent from arrest; both parents are arrested; the arrested parent is a juvenile offender.
3. Encourage on-going training about CIPs through letters/ recommendations to local law-enforcement agencies and other criminal justice agencies.
4. Utilize the comprehensive curriculum that exists through the “Family and Corrections Network”, cited in the Arizona Children of Incarcerated Parents: Bill of Rights Project on pg 33.



1 Katherine Gabel and Denise Johnston, Children of Incarcerated Parents (New York, NY: Lexington, 1995) 105.  
 2 Gabel 106.  
 3 Ibid.  
 4 Child Protective Services is not involved in all placements of children identified at or after the arrest of a parent in Coconino County. There are informal placements that occur for a variety of reasons. See section on “Placement” in recommendation #1.  
 5 For more information on children’s reactions to arrest and incarceration by age and stage see the work of Denise Johnston, discussed at length in the following text: Gabel, Katherine and Denise Johnston. “Effects of Parental Incarceration,” *Children of Incarcerated Parents*. Lexington Books (New York, NY: 1995). Chapter 5.

# Recommendation 3: Training Agencies

The recommendation is:

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

**This recommendation needs our attention because:**

Training agencies to better understand CIP families' needs is crucial to assuring those CIPs and their caregivers have access to appropriate services in a respectful, sensitive way. Caregivers may not know of or be reluctant to seek help. Agencies may not understand how to alleviate CIP caregivers perceived barriers to service. A local jail survey (see attachments) revealed that most professional service providers, including law enforcement, do not provide training on the needs of CIPs. Furthermore, most service providers and even schools may not recognize CIPs as clients with particular needs so learning about them and using non-threatening outreach strategies would help agencies be more effective at reaching CIPs.

## WHY?

The Coconino County CIP Task Force believes that our county has resources that could be made more available to CIPs if agencies understood how a parent's incarceration changes a child's life. Flagstaff has many local agencies that have the potential to serve or are already serving CIPs and yet it is unknown how many outlying communities have service providers. Taking action to train all appropriate county agencies would promote networking, referrals and help identify service gaps, increasing the likelihood that CIPs who reside in rural areas might find services. Well-trained agencies would increase their efficiencies to better facilitate CIP families' access to critical services. The Task Force also believes that better trained agency staff would benefit both agencies and CIPs.

The Task Force also recommends training agencies because of our experience. Over the past three years, members have been discussing, learning about and consulting with CIP experts to better understand how a parent's incarceration affects local children. As a result of those discussions, we have increased our understanding of local CIP conditions, which has had some unanticipated outcomes that demonstrate that knowledge leads us to make changes to better serve CIPs. In April 2009, Task Force members were asked, "What are your agencies' experiences with CIP families?" Not 1 of the 7 responding agencies, offered services for CIPs. However by November 2009, the CIP Task Force found some agencies were taking actions, such as the Flagstaff Police Department's training of officers on what to do when children are impacted by an arrest. Flagstaff P.D. took that action because of the encouragement of CIP Task Force members. Officers now know to look for child seats or children's toys in an offender's car. The result is that arresting officers can better identify an offender who has children, which has the potential to link children to a caregiver and community resources. The Guidance Center also began to offer services targeted at CIP families.

The Task Forces own increased awareness of CIP conditions has also resulted in bringing attention to CIP issues among other external service providers. External community agencies now consult with members of the Task Force for CIP resources and information.

Our collective experience in better understanding CIP issues demonstrates that changes are made when people are better informed about conditions that CIPs face. This leads us to believe that training would prompt other agencies to recognize CIP conditions, alter or add services and perhaps remove agencies' barriers and increase efficiencies to better serve CIP needs.

**More evidence for agency training:**

- **CIPs need access and referrals to a variety of service providers.**

CIPs need access to many agencies' resources for a variety of reasons, including filling immediate basic needs like food, housing, transportation and clothing for children and their caregivers. In 2009, the CIP Task Force conducted a jail survey, (see appendix for survey), that identified which services are most needed by local CIPs. Two particular areas of service where some CIPs may experience elevated levels of need revolve around permanency planning and trauma due to these children's heightened direct or indirect exposure to violence and criminal behavior. Agencies that provide counseling and other children's services should be involved in training, along with agencies that provide for basic needs.

Schools should be included in agency training too. FUSD personnel reported to the CIP Task Force that if a child is not defined as "homeless," there are few school support services available to them. FUSD commented that they would like to work with other agencies to help identify students, streamline resource sharing, and help them be more effective at counseling CIP.

Task Force discussions with members, agencies and others leads us to believe that many county agencies and institutions are unaware of the services that could be provided and opportunities for collaboration among agencies to better serve this population of children.

- **CIPs are a growing population and potential long-term clients of multiple agencies.**

CIPs may need services during arrest, incarceration, after incarceration of the parent and upon reunification with their parent. As the incarcerated female population has risen 10% annually in Arizona, and the time spent in a State Department of Corrections facility averages 6.87 years for mothers and 11.91 years for fathers, it's likely that CIPs might be in an agency's system for many years.<sup>1</sup> The average CIP is between five and eight years of age when a parent is first incarcerated which means the child may need services from early childhood to young adulthood. The type of services needed by a CIP will change as a child's developmental issues progress throughout his/her growing up.<sup>2</sup>

Many CIPs will end up in the care of relatives, particularly grandparents. Relative caregivers' needs for agency resources will also change to meet the children's requirements over the years. Agencies that serve CIPs will need to adjust their services as both children's and caregiver's needs change over the course of a parent's imprisonment. Those agencies which are trained to better understand CIP issues will be better able to develop a relationship with CIPs and customize agency services for their (CIP's) changing needs.<sup>3</sup>

Training will inform agencies about the changing nature of children's' and caregivers' needs and prepare agencies to have greater long-term success to serve or refer CIP families.

- **CIP caregivers may be less fearful and reluctant to access services when agencies better understand their issues and can provide more sensitive outreach to CIPs.**

Families of incarcerated parents, particularly extended family members who may take on child care responsibilities, may be reluctant to be involved with social services for a variety of reasons, even though they need those services. Agencies that can and want to serve CIPs would be more effective in reaching CIPs if they understood their feelings and made adjustments to agency services. When programs advertise that they are for children of prisoners, family members may find it difficult to accept services due to the stigma of being classified with other CIP families.<sup>4</sup>

Another factor that influences whether CIPs families access agency services is found in studies that reveal that caregivers may not want to be associated with other prisoners' families nor be seen as a CIP family. Agencies that market programs "just for CIP families" may need more subtle recruitment and intake approaches.

Relative caregivers often do not have guardianship and so may be fearful that children will be removed from their home. They hesitate to seek help for behavioral or emotional conflicts because of the fear of losing custody of CIPs. Caregivers, who often need financial help, may be reluctant to initiate child support litigation or requests from an imprisoned parent. A caregiver may want to protect a CIP from having contact with the imprisoned parent. Requesting child support might trigger a parent's knowledge of the child's location, which could make the child vulnerable to attempts at communication from the imprisoned parent.

CIP families would benefit from well-trained agencies that understand their challenges to seeking or receiving services. Agencies could learn to structure practices in ways that support caregivers by reducing their fears or the social stigma involved.

#### **Training agencies will results in:**

- Increasing agencies' understanding of circumstances and key issues that are specific to Coconino County CIP families.
- Identifying gaps in service and greater opportunities for collaborative efforts between agencies to serve CIP families.
- Improving communication among agencies and institutions in order to facilitate services provided in more effective and streamlined ways.
- Removing practices and procedures that discourage participation in services by CIPs and their families.

#### **The actions needed to train agencies include:**

1. Gather, distribute and provide resources about CIPs to a variety of the county service providers.
2. Enlist a service provider or persons who are familiar with local CIP conditions to organize training for agencies (especially those providers that could offer key resources as identified in the jail survey), using a train-the-trainer model.
3. Offer and facilitate ongoing opportunities for agencies to discuss serving CIPs in more effective and streamlined ways.

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1 Arizona, Governors Office of Children, Youth and Families, *An Epidemiological Study of the Prevalence and Needs of Children of incarcerated Parents within the State of Arizona* (Tucson: Applied and Behavioral Health, 2005)

2 Susan Phillips and Barbara Bloom, *In Whose Best Interest? The Impact of Changing Public Policy for Relatives Caring for Children with Incarcerated Parents.* (Child Welfare League, 1998) 531-541

3 IBID

4 IBID

# Recommendation 4: Improving Communication & Visitation

The recommendation is:

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

**This recommendation needs our attention because:**

There are compelling reasons to provide better access to visitation to keep CIPs in safe and regular contact with their incarcerated parent(s). Many, though not all children, will want and need contact with their imprisoned parent in order to progress through their developmental tasks, such as learning a sense of self and family identity. There are some challenges, however, with maintaining contact, and the reality is that there are conditions, some attitudinal and others institutional, that may block both communication and direct visitation between a child and the incarcerated parent. Travel distances and costs can be a burden for caregivers. Attitudes about the prison environment, as well as concerns about contact with an imprisoned parent, influence both caregivers' and children's desire for visitation. Technology that allows contact without being physically present in the same location is underutilized.

Children with Incarcerated Parents in Coconino County, either have parents in the county jail, in a prison or jail outside of Coconino County within Arizona, or in a prison or a jail outside of the state of Arizona. While 28% of all parent-inmates reported some contact with their children, the 2005 study of Arizona's incarcerated parents found that contact was more frequent between an incarcerated mother and her children. However, the same study noted that 24% of CIPs had no contact with their parent(s) and for the majority of these children, the absence of contact was with incarcerated fathers.

## WHY?

Whether it is travel distances, attitudes or technology, these factors represent concrete and emotional conditions, which influence the frequency of contact between a child and his/her incarcerated parent.

Improving communication strategies should be a priority because there is evidence that contact with an incarcerated parent benefits the child (our Task Force's primary concern) in the following ways. Contact promotes attachment, and attachment to the parent bears positive outcomes for the child<sup>1</sup>. Contact helps children cope with their feelings of loss and the emotions of separation.<sup>2</sup> Parent-child contact also affects positive outcomes for the child emotionally, academically and behaviorally.<sup>3</sup>

The Task Force suggests that developing additional communication modes, like video-conferencing, and also making reasonable environmental adjustments, like improved child contact areas in prisons and jails, will improve the safety, the regularity of communication and long-term welfare of CIPs. If expanded communication modes were offered to CIP families and the parent-prisoner, it could also ease the burdens (both financial and emotional) that may hinder visitation.

**More evidence for improving communication and visitation:**

- **Contact promotes re-unification post-incarceration.**

Communication and on-going contact increases positive outcomes in the cases of re-unification between incarcerated parent and child. If the incarcerated parent is the custodial parent, maintaining parent-child contact allows for higher probability that the child/children will return to the custodial parent after incarceration. And from the perspective of the state and welfare systems, re-unification with a parent decreases overall cost on the welfare system; eliminates the need for foster parents, and reduces the likelihood of case management from Child Protective Services.

- **Contact increases the incarcerated parents' success.**

Several national studies look at incarcerated parents and their relationships with their children. These studies demonstrate that parents' recidivism rates decrease and they are more likely to succeed out of prison when they continue to be involved in their children's lives and can maintain a relationship through regular contact, including visitation and phone contact, while they are incarcerated.<sup>4</sup>

- **Limited contact may have unhealthy consequences.**

In contrast to the positive outcomes from parent-child contact and visitation, there is at least one consequence in not making contact and visitation more accessible to CIPs and their incarcerated parents: parental rights could be severed leading to loss to a child of a custodial caregiver. In addition to actions to sever parental rights, lack of parent-child contact has a disproportionate, and potentially damaging, effect on mothers' relationships with their children. "For both mothers and fathers, policies on parent-child contact (letters, phone calls, visitation) make an essential difference to their ability to have a significant positive role in their child's emotional life. But because incarcerated mothers are far more likely than fathers to have been the custodial parent of their child before going to jail, mothers in much higher proportions than fathers face the threat of losing custody of their children as a result of incarceration."<sup>5</sup>

**The barriers to contact:**

There are at least two distinct situations present in Coconino County to consider, in which parent-child visitation may be prohibitive, even if the visitation is in the best interests of the child: **visitation conditions** and the **distance to travel to a jail or prison.**

- **Visitation**

The first situation is within the Coconino County Jail: in personal conversations with family caregivers of CIPs some have reported that the visitation conditions within the Coconino County Jail inhibit parent-child visitation because of the physical conditions of the entry and visitation areas<sup>6</sup>. Incarcerated parents usually stay in the Coconino County Jail during or while awaiting a trial, presumably for the short-term, some incarcerated parents' stays may be up to a year or longer<sup>7</sup>, and therefore parent-child visitation may be desirable.

The following questions from the *Coconino County Jail Survey* addressed family visitations and the responses demonstrate that distance to the facility, lack of money, and lack of transportation are key barriers in preventing family visitation, even to a presumably more localized jail within Coconino County. The jail survey responses also mirror the research findings regarding children with parents incarcerated in prisons within Arizona.<sup>9</sup>

“Does your family visit you regularly?”	
Yes	22
No	57

“What is the biggest barrier to your family visiting you?”	
Family lives too far from jail	30
Lack of money for gas	23
No transportation	17
Discomfort/fear of jail	7
Visiting hours don’t work with family’s schedule	6
Other <sup>8</sup>	21

“What is the biggest barrier to your family visiting you?”	
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Visiting hours don’t work with family’s schedule	6
Other <sup>8</sup>	21

There are no prisons in Coconino County<sup>10</sup>. If a child’s guardian or caregiver chooses to allow a visitation at an Arizona prison, the distance to travel could be prohibitive to the caregiver for the following reasons: distance to prison, lack of transportation, cost of fuel, cost of travel expenses (food and lodging), and/or time away from responsibilities.<sup>11</sup> In “No Further Harm,” co-authors Katzenstein and Shanley state that obstacles to visitation “exact a high toll in money, time, and dignity.”<sup>12</sup> In addition, their findings agree with what we observe Coconino County CIP families face: “Correctional institutions are often located at a considerable distance from the child’s home; a visit can entail the expense of bus tickets, an overnight stay in a motel, and food on the road and from vending machines in the visitation room. The trip to prison may mean the loss of one or two days’ wages.”<sup>13</sup>

According to *Focus on Children with Incarcerated Parents*, distance to prison is a key factor in discouraging parent-child visitation; “Of the prisoners whose homes were within 50 miles of the prison where they were placed, 54 percent had one or more visitors in the past month compared with 44 percent who lived from 50 to 100 miles, 30 percent who lived 101 to 500 miles.”<sup>14</sup> (See end note IX for distances to prisons.) In Coconino County, distance plays a key role in prohibiting parent-child visitations, and there is no free transportation in Coconino County<sup>15</sup> to help ease the transportation situation.

In a survey administered to a focus group of Coconino County CIPs<sup>16</sup>, conducted by a representative of the Coconino County CIP Task Force, 37.5 % of the children reported they had visited an incarcerated parent and/or continue to visit the parent; these same children all reported that they would like to visit their incarcerated parent more often than they are currently able to visit. 12.5% of the sample reported that he/she wanted to continue to visit the incarcerated parent, but that his/her family did not have a vehicle or the money to make a visit. The remaining children, 62.5%, who had not visited the incarcerated parent, reported a variety of reasons explaining why they had not visited the incarcerated parent at prison or jail, including that they were “too young” to visit, they didn’t want to visit, the parent was not incarcerated long enough, and they did not know why they were not able to visit.

• **Phone Calling**

Phone calls help many incarcerated parents to talk regularly with their children and other family members. “Phone calls from prisons are usually monitored or recorded and limitations are placed on the time when calls can be placed, the number and/or names of persons on each prisoner’s call list, and the length of time before a call is automatically terminated. In addition, most calls must be placed collect from the prison and billed to the individual responsible for the receiving phone line.”<sup>17</sup> The above findings by Hairston are consistent with Arizona Department of Corrections Policy number 915 on “Inmate Phone Calls” within the Arizona prison system<sup>18</sup>

We have anecdotal data from Flagstaff family caregivers, claiming that collect calls from the prisons are expensive and are accepted at a higher cost per minute rate than other collect calls<sup>19</sup>. The cost of these collect calls is a deterrent for children’s caregivers, to maintain child-parent communication by phone, because of the large expense collect calls from prisons can incur.<sup>20</sup>

• **Letter Writing**

Although two-thirds to one half of Arizona inmates use letter writing to keep in contact with their children, in a focus group of local Coconino County CIPs<sup>21</sup>, only one of the eight children used letter writing as a means for staying in contact with a parent. We don’t have any conclusive reasons from the above focus group on why letter writing was not more regularly employed by these Coconino County CIPs. It is possible that illiteracy plays a role. However, another possible explanation is that today’s children may be more oriented to electronic forms of communication, such as texting, emailing, or social networking, which we believe are modes of communication which may or may not be available to AZ inmates due to monitoring difficulties.

**Specific strategies to promote parent-child contact include:**

• **Visitation areas**

- “When in the best interests of the child, encourage correctional facilities to facilitate communication, family-friendly visitation, environments and procedures.” -- Pima Prevention Partnership report. We would especially recommend this for the Coconino County Jail.
- “Provide access to visiting rooms that are child-centered, non-intimidating, and conducive to bonding.” Children’s Bill of Rights
- Construction of a “children’s center—a small, plexiglass-enclosed enclave off to the side of the larger visiting room”<sup>22</sup> such as at Sing Sing Prison in New York. This allows children and parents to have some psychological space to interact with one another.

• **Phone calling**

“States can decline to charge commissions, as New York has recently done, and allow prisoners to place-outgoing calls using debit phone cards rather than forcing them to rely exclusively on collect calls.”<sup>23</sup>

**Using technology**

- “Consideration of distances to correctional facilities should be made, including utilization of video- conferencing capacity for parent-child communication, parent-teacher conferences, and communication by parent inmate with child and family teams, when appropriate.” -- Pima Prevention Partnership report.
- Utilize an internet-based video visitation system, -- similar to SKYPE, -- such as the one recently designed and utilized by the Ada County Jail in Idaho. According to the Ada County Sheriff, this visitation system decreases recidivism by promoting family visitations and contacts, helps to balance the budget, and increases facility security by freeing up staff and decreasing contraband coming into the jail.<sup>24</sup> “Since installing the system in February, the Ada County Jail has been able to increase the regularity of family visitations from three days a week to seven days per week. This enables inmates to build stronger connections with a wider variety of (agency approved) family members and friends. Family members no longer have to travel from their home to the jail, process through security and sit in waiting rooms before visiting loved ones.”<sup>25</sup>
- “Some prisons use technology to foster parent-child interaction even without physical visitation. Florida, Illinois, Iowa, Mississippi, New Hampshire, and Oregon have programs that promote literacy for prisoners and their children by allowing parents to create an audio or video recording of themselves reading a book, and both the tape and book are then sent to the child. The parent can, in effect, read aloud to the child, a positive and nurturing activity.”<sup>26</sup>

**Parenting Skills Classes**

Provide parenting classes that help the incarcerated parent focus on how they can support the child’s caregiver and continue to have a supportive parenting role, even if it is from afar.

**Improving communication and visitation will result in:**

- Increasing attachment, where appropriate, between children and their incarcerated parent(s).
- Increasing the frequency and regularity of communication between CIPs and incarcerated parents.
- Providing safer and less emotionally stressful contact and access between CIPs and incarcerated parents.
- Reducing the burdens on caregivers for the costs of face-to-face visits.
- Improving access to child-friendly face-to-face visits by changing systems to provide settings.

**The actions needed to improve communication and visitation include:**

1. Improve visitation areas to promote parent-child bonding and attachment relationships.
2. Provide inexpensive access or alternative methods to phone calling.
3. Utilize a variety of communication strategies and technology to compensate for the long distances to travel to AZ prisons.
4. Create incarcerated parent programming which supports healthy relationships.

- 1 Creasie Finney Hairston, Prisoners and Families: Parenting Issues During Incarceration (Chicago: University of Illinois, 2001) 6.
2. Nancy G. La Vigne, et al. Broken Bonds: Understanding and Addressing the Needs of Children with Incarcerated Parents (Washington, DC: Urban Institute, Justice Policy Center, 2008) 10.
- 3 Tanja Rothrauff, When a Child’s Parent is Incarcerated (Columbia, MO: University of Missouri Extension, 2008) 2.
- 4 Hairston, Prisoners and Families 2.
- 5 Mary L. Shanley, The Relational Rights of Parent and Child: The Case of Incarcerated Parents (Poughkeepsie, NY: Vassar College, 2008) 6.
- 6 The Family Caregiver subgroup collected anecdotal data from CIP caregivers regarding the visitation conditions at the Coconino County Jail.
7. Gina Duleno-Burke, EXODUS program, Personal Interview, 15 Oct. 2009.
- 8 The 21 “other” answers included the following: “they don’t talk to me anymore, lack of money/no transportation, and my family lives in a different state.” Nine of the 21 responses stated that, “Family lives too far from jail, lack of money for gas, and no transportation”.
- 9 Applied Behavioral Health Policy, An Epidemiological Study of the Prevalence and Needs of Children of Incarcerated Parents Within the State of Arizona, (Tucson, AZ: University of Arizona, 2004) 28.
- 10 See map of Arizona prisons at the Arizona Department of Corrections website. 13 Oct. 2009 <[http://www.azcorrections.gov/prisons\\_1.aspx](http://www.azcorrections.gov/prisons_1.aspx)>
- 11 The closest prison to Flagstaff is in Winslow, which is 65 miles away; the second closest is in Holbrook, 100 miles away; and the third closest prison is in Phoenix, 152 miles away. If a child lives in Page or Tuba City, the distance to the closest prison in Winslow is 184 miles and 129 miles, respectively.
- 12 Mary Fainsod Katzenstein & Mary Lyndon Shanley, “No Further Harm.” Boston Review, July/August 2008. 10 Dec. 2009 <<http://bostonreview.net/BR33.4/katzenstein.php>>
- 13 Ibid.
- 14 Creasie Finney Hairston, Focus on Children with Incarcerated Parents: An Overview of the Research Literature (Baltimore, MD: Annie E. Casey Foundation, 2007) 7.
- 15 Coconino County, Community Services Department, Coconino County Needs and Assets Assessment 2009 (Flagstaff, AZ: 2009) 20.
- 16 Coconino County CIP Task Force, Killip Elementary CIPs Survey, 2009. See appendix for survey questions and responses.
- 17 Hairston, Focus on Children with Incarcerated Parents 7.
- 18 Arizona Department of Corrections, “Department Order: 915. Inmate Phone Calls.” Department Order Manual. 21 April 2008, 30 Mar. 2011 <<http://www.azcorrections.gov/Policies/900/0915.pdf>>
- 19 In 1999, the Pima County Board of Supervisors, Arizona, was involved in a lawsuit (*Daleure v. Kentucky*, 119 F. Supp. 2d 683 (W.D. Ky. 2000)) regarding anti-trust practices regarding prisons making contracts with phone companies to charge higher collect calling rates to consumers receiving calls from inmates. The case was dismissed. 13 Oct. 2009 <<http://www.november.org/razorwire/rzold/14/1409.html>>
- 20 Hairston, Focus on Children with Incarcerated Parents 8.
- 21 Coconino County CIP Task Force, Killip Elementary CIPs Survey, 2009.
- 22 Katzenstein, 10 Dec. 2009 <<http://bostonreview.net/BR33.4/katzenstein.php>>
- 23 Katzenstein, 10 Dec. 2009 <<http://bostonreview.net/BR33.4/katzenstein.php>>
- 24 Luke Whyte, “Internet Video Visitation: Why and How to Make the Switch.” CorrectionsOne News, 1 June 2010, 10 Aug. 2010 <<http://www.correctionsone.com/products/facility-products/inmate-visitation/articles/2075432-Internet-video-visitation-Why-and-how-to-make-the-switch/>>
- 25 Ibid.
- 26 Katzenstein, 10 Dec. 2009 <<http://bostonreview.net/BR33.4/katzenstein.php>>

# Recommendation 5: Coordinating Services

The recommendation is:

*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 web 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 to lessen the burdens experienced by CIP families .*

**This recommendation needs our attention because:**

The current reality for children with incarcerated parents is that **their needs are overlooked, neglected or underprovided**. There is no local nor countywide systematic and coordinated response to help CIPs and their caregivers, nor is there a process to coordinate service referrals from law enforcement or other agencies. It is the long-term vision of the Coconino County CIP Task Force that a central-service, coordinates programs in an agency and/or a mechanism (such as a hotline) is needed to actively connect involved agencies and provide information and resources for CIP families, their parental and/or relative caregivers. This centralized program needs to offer services, resources and referrals for CIP families to reduce their physical, emotional, financial and other hardships.

**WHY?**

CIPs are overlooked because there is no process to identify them at a parent's arrest, during school, and at other contact points, which might reveal the lack of attention to children's basic needs such as poor school performance or compromised physical and emotional health. CIPs who have critical needs may be overlooked unless they qualify for state welfare. CIP's needs may also be overlooked because relative caregivers are reluctant to ask for help.

Data from the Coconino County Jail Survey indicates that some Coconino County CIP families are accessing a variety of services and supports<sup>1</sup> from both non-profit and state providers. However, there are many communities in the county where CIP needs may be neglected because service providers are not locally available nor is there any mechanism to connect them to services. CIP families could be eligible for services from non-profits, faith-based organizations and other non-government providers if there was a county referral process or coordinating mechanism.

There are organizations that provide some basic needs, like food boxes and clothing. However, there are a variety of gaps in service, such as affordable mental health, school counseling and academic support specifically for CIPs or affordable and accessible housing and transportation. A study by the Annie E. Casey Foundation found that while caregivers might receive concrete aid, such as food boxes, what they commonly lack is "robust support" for children who are NOT involved with the welfare system and formal foster care.<sup>2</sup> Evidence shows that the majority of CIPs are cared for by relative placements that are informal and unconnected to child welfare systems. This condition leads us to believe that those CIP families, relative care-givers, are less likely to receive the services and support children need.

Children, who do not qualify for state welfare as well as relative caregivers, are most disadvantaged at finding the resources they need. Members of the Coconino County CIP Task Force conclude, based on research and collective expertise, that Coconino County CIPs would benefit from connection to and coordination of services.<sup>3</sup>

**More evidence for the need for coordinated services:**

- **Navigating social systems are complex, costly and intimidating.**

During the crisis of a parent's arrest and afterwards, when the uncertainty of the family's future emerges, caregivers may need services that they have not accessed before, especially if they are relative caregivers, who are unfamiliar or reluctant to ask for help. New needs may emerge that caregivers do not recognize (counseling); are overwhelmed by (legal processes); are desperately seeking (lost income); or are fearful of (removal of CIPs). Both the real and the perceived barriers may hamper a caregiver's approach to request support and services that the CIP needs.

CIP caregivers would benefit from being able to access information and services from a single primary provider who is knowledgeable about community resources and sensitive to CIP conditions. A provider should have these additional characteristics: offering confidential and flexible services and using a variety of delivery methods that might include phone consultation, face-to-face contact, group support and printed materials (i.e. directory of services).<sup>4</sup>

- **The stigma of a parent's incarceration may block caregivers from requesting the help and assistance caregivers need for the CIP.**

Members of the CIP Task Force intend that this centralized service coordination be focused on Children with Incarcerated Parents. However, it is worth noting, that it is the formal, informal, and/or custodial caregivers that will be required to access and apply for services and supports for minor children. So it is important that all CIP caregivers have direct access to these services and supports on behalf of the CIPs.

Stigma due to parental incarceration may keep CIP caregivers from pursuing services, programs and resources, according to Hairston, in *Focus on Children with Incarcerated Parents*. Despite high needs, many programs for children have difficulty recruiting participants. While there are certainly practical reasons for low recruitment rates, the stigma that surrounds incarceration is also a large part of the reason. This stigma attaches not only to persons convicted of crime but to their children as well. Within incarcerated populations, and also on the outside, there are further "stigmatizing" distinctions, with some crimes viewed as much worse and more disgraceful than others. Similarly, families of incarcerated parents, particularly extended members who assume childcare responsibilities, may not want to be associated with other prisoners' families. When programs advertise that they are for children of inmates, family members may find it difficult to accept services.<sup>5</sup> The stigma surrounding the incarcerated parent, their family and their children must be acknowledged and addressed in any program or service intended to engage them.

- **CIPs may live with a variety of caregivers, which is a situation that can challenge multiple agencies' abilities to provide continuity of services to varying caregivers.**

A child can potentially remain a CIP for an average of six to twelve years.<sup>6</sup> When one parent is incarcerated, the other parent typically cares for the child, although in cases of a mother's incarceration, it is probable that a non-parent relative will care for the child. A study by Phillips, found that increased illegal drug offenses committed by mothers, have resulted in more mothers being sent to jail. Former sentencing decisions would take into greater account a mother's need to care for her child and thus be more lenient.<sup>7</sup> This sentencing trend has indirectly contributed to the increase in non-parent relative caregivers.

The profile of a relative caregiver is a 50 year old, low-income maternal grandmother, according to a study by the National Council on Crime and Delinquency. It is not unreasonable to assume that a 50-year-old grandmother's response to an incarceration crisis and return to child-rearing may cause an elevation of her stress levels and hardships with her own health and economic conditions. Phillips also shares that, "Assuming responsibility for a relative's children can disrupt work, marriages, plans for retirement, and the lives of other children in the household." When relative caregivers (who commonly have an informal agreement with the incarcerated parent to raise his/her child) are faced with hardships, they may turn to other family members to take over a CIP's care. Phillips also noted that, "When caregivers lack adequate financial means to meet the essential needs of children whose parents are incarcerated, siblings may be separated and disbursed among relatives."<sup>8</sup> While there is no research on the frequency of changes in caregivers a CIP is likely to experience, a local grandparents-raising-grandchildren program notes that it is not uncommon for increasingly stressed grandparents to seek other caregivers for their CIP.<sup>9</sup>

The opportunity and need for continuous and coordinated services are also desirable when imprisoned parents are reunited with their children. When a parent is released from prison/jail and wants to reclaim his/her children there are a variety of punitive provisions that prevent a parent from receiving assistance, such as TANF or food stamps. Phillips states that, "This may pose an obstacle to mothers reuniting with their children and extend the length of time during which mothers are dependent on relatives to care for their children."<sup>10</sup> Parents will have a heightened need, upon release from jail or prison, to access customized services to reassume the immediate and ongoing care of their children.

### **We recommend that a "centralized provider" have the following characteristics:**

1. A strong connection with law enforcement because law enforcement is the first point of contact with CIP families and can direct CIP families to immediate assistance. Officers at the scene give out information on some services, such as those of Victim Witness. However, CIP referrals to Victim Witness may not necessarily qualify them for services because Victim Witness defines a client/victim as "*a person of any age who has suffered financial, physical, sexual or emotional harm as a result of the commission of a crime. A victim is defined as the person against whom the crime was committed, except in the case of homicide and DUI/DWI deaths where the victims are survivors. In domestic violence situations, children of spouse/partner abuse victims are considered victims*".<sup>11</sup>
2. No income or eligibility requirements (besides being a CIP family).
3. Service for all CIPs and their caregivers in Coconino County.
4. Provide immediate and ongoing support, following the arrest of a parent.
5. Confidential and anonymous service and support.
6. Timely, collaborative, non-threatening service and support, which includes a process for follow-through and connection of families to non-profits, faith-based and other community based organizations, countywide.

### **A checklist of service a provider should offer include:**

- ✓ Coordination and connection of CIPs and their caregivers to existing services, resources, programs and supports, which could include a CIP Hotline.
- ✓ Assessment, referral, case-management and follow-up.
- ✓ Creation of a resource card for CIPs and their caregivers to be distributed by law enforcement at arrest or at other opportune times.
- ✓ Ongoing orientation and training to agency providers regarding CIPs.
- ✓ Evaluation of CIP needs and their access to services.
- ✓ Provision of services, which support and facilitate contact between CIPs and their incarcerated parents. Examples include information to CIP families about jail and prison visitation policies/procedures, support and guidance on letter writing, and/or access to the Internet (i.e. Skype style technology).
- ✓ Collaborations to gather material and other resources that support and facilitate contact between CIPs and their incarcerated parent, such as gas cards, phone cards, and/or transportation to corrections facilities.

**Providing centralized service coordination will result in:**

- Mobilizing increased community support and collaboration from agencies and others (non-profits, faith-based organizations and advocacy groups) to provide services and resources to improve CIPs feelings of security and provide greater coverage for basic needs (food, clothing, shelter) and other needs (mental health, school remediation, etc.).
- Increasing other agencies' knowledge of the services that are available in the county for CIPs.
- Developing a consistent referral system.
- Connecting CIPs to services that would reduce their hardships.
- Providing training of criminal justice and agency personnel related to CIP issues.

**The actions needed to deliver a centralized service are:**

1. Support the formation of a countywide, centralized service coordination program.
2. Recruit and/or help develop a local service mechanism, which can expand its service, to provide anonymous and confidential service and support to CIP families.
3. Identify sustainable funding possibilities for this service mechanism.

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1. Incarcerated parents in the Coconino County Jail Survey reported that they and/or their children would use a range of supports and services provided by a wide array of agencies, including governmental, non-profit and faith-based organizations.
  2. Hairston, Creasia F., Ph.D. Focus on Children with Incarcerated Parents: An Overview of the Research Literature. Annie E. Casey Foundation. October 2007. 26.
  3. IBID.
  4. Hairston, Creasia F., Ph.D. Focus on Children with Incarcerated Parents: An Overview of the Research Literature. Annie E. Casey Foundation. October 2007. 26-31.
  5. Hairston, Creasia F., Ph.D. Focus on Children with Incarcerated Parents: An Overview of the Research Literature. Annie E. Casey Foundation. October 2007. 34.
  6. Arizona, Governors Office of Children, Youth and Families, An Epidemiological Study of the Prevalence and Needs of Children of incarcerated Parents within the State of Arizona (Tucson: Applied and Behavioral Health, 2005).
  7. Susan Phillips and Barbara Bloom. In Whose Best Interest? The Impact of Changing Public Policy on Relatives Caring for Children of Incarcerated Parents. (The Child Welfare League of America, 1998) 531-541
  8. IBID.
  9. S. Francis, KKONA documentation. 2010.
  10. Susan Phillips and Barbara Bloom. In Whose Best Interest? The Impact of Changing Public Policy on Relatives Caring for Children of Incarcerated Parents. (The Child Welfare League of America, 1998) 531-541.
  11. Flagstaff Victim Witness Program. February 2011.

# Recommendation 6: Reduce Material Hardships of CIPs

The recommendation is:

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

## This recommendation needs our attention because:

When a parent goes to prison, the loss of income usually creates a financial and material hardship on the CIP caregiver.<sup>1</sup> “For some, incarceration caused a drastic change in socioeconomic status because of the loss of an incarcerated parent’s income. For others, incarceration meant a continuation of poverty and a diminished likelihood of getting out of it.”<sup>2</sup> In addition to assuming the cost of caring for the children of incarcerated parents, caregivers who maintain relationships with the incarcerated parent incur additional financial burdens and hardships, due to the extensive costs of maintaining contact and supporting the prisoner’s expenses.<sup>3</sup>

## WHY?

- **CIP caregivers have differing assets and challenges, and who the CIP caregiver is has a bearing on what services and supports are available and accessible to the CIP.**

It is the caregiver who is responsible to secure resources and provide for the minor child of an incarcerated parent. Most Coconino County CIPs end up living with a parent, grandparent or other family member while a parent is incarcerated. A comparison of Coconino CIP Task Force’s *Coconino County Jail Survey* to a study of parent inmates<sup>4</sup> in the custody of the Arizona Department of Corrections (ADC) shows a consistent picture of CIPs’ living situations while a parent is incarcerated.

“Who are they living with while you are in jail?”	#	%
Other Parent	38	45.2 %
Grandparent/s	15	17.8 %
Family	16	19.0 %
Friends	2	2.3%
Foster Parents	3	3.6%
Don’t Know	3	3.6%
Other	7	8.3%

“Current Living Situation”	Girls %	Boys %
Mother/Father	37.5%	40.6%
Grandparent	26.1%	25.9%
Other family member	10.7%	9.5%
Foster placement	3.1%	3.1%
Group Home	.8%	1.1%
Juvenile Corrections	.2%	.3%
Homeless	.2%	.4%
Living Alone	4.5%	3.4%
Residential treatment/institution	.1%	.3%
Other	12.9%	11.7%
Missing/Don’t know	3.9%	3.7%

Data from the *Fragile Families Study* shows, “children whose parents have been incarcerated face significant economic instability.”<sup>5</sup> Controlling for parents background characteristics, the child of an incarcerated father faces a 25% greater chance of experiencing material hardship,<sup>6</sup> as compared to a child with similar economic and social circumstances but with neither parent incarcerated. “Material hardship is defined as whether the mother has experienced one of the following events due

to inability to pay: receiving free food, losing phone service, losing utility services, eviction, not paying full utility bills, not paying full rent or mortgage, or not seeing a doctor when one is needed.”<sup>7</sup> A mother who finds herself as the primary provider may be forced to make choices about working in a legitimate job or taking-up an illegal activity in order to generate income to provide for dependent children.<sup>8</sup>

When a mother is incarcerated her children face even greater potential of family instability and material hardship because incarcerated mothers are often single, custodial caregivers before being incarcerated.<sup>9</sup> Grandparents who assume the care of children of incarcerated mothers are often on fixed incomes and have physical challenges that strain their financial capabilities, such as disabilities and impaired health.<sup>10</sup>

- **Based on the data gathered from the *Coconino County Jail Survey*, 62.5% of the incarcerated individuals (and/or their families) had lived or are currently living in poverty.<sup>11</sup>**

We have two local sets of data which frame the needs of Coconino County CIPs and their caregivers. One set comes from incarcerated parents who participated in the *Coconino County Jail Survey*; the second set is from grandparents and relative caregivers in Coconino County who contacted Kinship Kare of Northern Arizona (KKONA).

The *Coconino County Jail Survey* asked inmates the following questions regarding services (out of 35 identified services<sup>12</sup>): “What services do your family use or have used in the past?”; “What services would benefit your family?” The top five highest used and needed services were the following, respectively:

Food Stamps	62.5 %
AHCCCS	53.8%
Food Bank	53.8 %
Health Center/Clinic	45%
The Food Center	26.3 %

Low income housing	48.8 %
Food Stamps	46.3 %
AHCCCS	37.5 %
Health Center/ Clinic	32.5 %
Job Training	32.5 %

The combined results from the answers to these two sets of questions demonstrate that Coconino County families with an incarcerated family member predominantly need access to basic services, such as food, health care, and housing. In addition, the fact that 62.5% of the incarcerated individuals (and/or their families) qualified for food stamps indicates that these families had lived or are currently living in poverty.<sup>13</sup>

Local data from the KKONA program demonstrates that kinship caregivers need access to financial and material supports. In 2009, the greatest number of requests for information and referral by grandparents and other kinship caregivers were for financial and/or material supports (34%). Grandparents and other family caregivers often cannot maintain employment due to assuming the care of CIPs.<sup>13</sup> “A single grandmother called KKONA and said she was looking for any kind of financial

support for her three grandchildren, all of whom were CIPs. The grandmother took on guardianship of these three kids directly from the mother, when the mother was entering prison in Arizona. The grandmother subsequently could not maintain her job as a result of caring for the three children. In addition, she was not eligible for the specific kinship supports through Children, Youth and Families because the children had not gone into the custody of Child Protective Services at the time the mother was imprisoned.”<sup>14</sup>

There are no financial support programs specifically for CIPs and their caregivers in Arizona. However, there are Federal programs for low income families that can provide cash assistance, healthcare and food assistance, if CIP caregivers and their families can qualify based on the income requirements: Temporary Aid for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and Arizona Health Care Cost Containment System (AHCCCS).

There have been a number of key reductions in financial and material supports available to Arizona children and caregivers, since the Coconino County Task Force was formed in 2008:

- “Child only TANF” which provided cash assistance to kinship caregivers was eliminated.
- Kinship Kare Support money for grandparents raising grandchildren was eliminated.
- KidsCare health insurance for children who could not qualify for AHCCCS was eliminated.
- Food stamp benefits have been reduced.
- TANF monies for qualifying low income families has been reduced Children of incarcerated parents and their caregivers have been affected by the loss of these critical financial supports.<sup>15</sup>

Grandparents are at an economic disadvantage in caregiving for a CIP, and their financial supports in Arizona have been diminishing in the last three years. Up until July 1, 2010 children who went to live with relatives (regardless of their involvement or non-involvement with Child Protective Services), were able to receive “child only TANF” in Arizona based on the child’s income. This provided some much needed financial support to grandparents and other kinship caregivers. Now, a grandparent or relative caring for a CIP can only receive TANF and SNAP based on their family income eligibility; CIPs living with kinship caregivers are still eligible to receive AHCCCS. Foster parents caring for a CIP, in contrast, would receive AHCCCS, SNAP, a clothing stipend (\$150), “education money” (\$82.50) and money per day (\$20.31 to \$38.38)<sup>16</sup> depending on the medical/mental health needs of the child. However, only about 3% of CIPs are placed in Foster families; therefore, relatively few CIP caregivers are receiving financial support to this degree.

- **The economic and material challenges CIPs and their caregivers face may be exacerbated by the economic reality of living in Coconino County.**

Well documented research and data show that families who raise children with an incarcerated parent face financial challenges and in some cases extreme poverty.<sup>17</sup> According to the 2009 *Coconino County Needs and Assets Assessment*, county residents face four specific and significant challenges: “lack of affordable housing, especially rental housing; lack of livable wage jobs with little or no opportunities for wage base increase; lack of transportation; lack of child care.”<sup>18</sup> From our research, we have found that these county-wide needs mirror the needs expressed by Coconino County Jail inmate parents<sup>19</sup> and incarcerated parents in the custody of the Arizona Department of Corrections.<sup>20</sup>

In 2007, 35.6% of the Coconino County resident population was defined as “poor”—below 200% of the Federal Poverty Guideline.<sup>21</sup> This statistic of poverty in Coconino County was measured before the effects of the “Great Recession.” In addition, the following select quotations from the *Coconino County Needs and Assets Assessment* demonstrate the economic climate in the county:

- The housing wage required for a 2 bedroom apartment is \$19.46 compared to the statewide requirement of \$15.90/hour (Arizona Department of Housing, 2008).<sup>22</sup>
- The retail wage in Coconino County is \$9.66, minimum wage is \$7.25 and median wage is \$12.94. The percentage of renters in Flagstaff that are unable to afford a 2 bedroom apartment is 39%, including teachers and police officers (Arizona Department of Housing).<sup>23</sup>
- In 2007, the percentage of residents below the federal poverty guidelines were: Flagstaff 17.4%; Page 18.9%; Williams 12.8%; statewide 13.9% (Bureau of Labor Statistics).<sup>24</sup>
- 37% of Coconino County families headed by single mothers with children under the age of 5 live below the federal poverty level (The American Community 2005-2007 Survey, US Census).<sup>25</sup>

**Reducing the material hardships of CIPs will result in:**

- Reducing CIPs vulnerability due to poverty.
- Increasing CIP’s access to services & supports.
- Increasing the stability of CIPs’ living situations.

**The actions needed to reduce CIPs material hardships include:**

1. **Initiate a local advocacy group to raise awareness about CIP’s material hardships and needs.**
2. **Mobilize local efforts to secure financial and material supports for Coconino County CIPs and their caregivers.**
3. **Increase CIPs’ access to existing services by connecting CIP caregivers to a central-service coordination mechanism.**
4. **Increase awareness about the material hardships and needs of CIPs through agency trainings.**

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  - 2 Sara Wakefield, The Effects of Parental Incarceration on Children: Using Qualitative Interviews to Inform a Survey Analysis (Irvine, CA: University of California, 2008) 11.
  - 3 Hairston, Prisoners and Families 5.
  - 4 Applied Behavioral Health Policy, An Epidemiological Study of the Prevalence and Needs of Children of Incarcerated Parents Within the State of Arizona, (Tucson, AZ: University of Arizona, 2004).
  - 5 “Parental Incarceration and Child Wellbeing in Fragile Families,” Fragile Families Research Brief, Number 42 (Princeton, NJ: Princeton University, 2008) 2.
  - 6 Ibid.
  - 7 Ibid.
  - 8 Sara Wakefield and Christopher Uggen. Having a Kid Changes Everything? The Effects of Parenthood on Subsequent Crime (Minneapolis, MN: University of Minnesota, 2008) 20.
  - 9 Katherine Gabel and Denise Johnston, Children of Incarcerated Parents (New York, NY: Lexington, 1995) 21.
  - 10 Applied Behavioral Health Policy 25.
  - 11 This figure is based on the number of inmates who said they received Supplemental Nutrition Assistance Program (food stamps), which is based on income eligibility requirements.
  - 12 Temporary Aid to Needy Families, cash assistance, was not among the 35 choices.
  - 13 Hairston, Prisoners and Families 4.
  - 14 Sydney Francis, Kinship Kare of Northern Arizona, Personal Interview, 10 Oct. 2010.
  - 15 Ibid.
  - 16 Julie Wood, Arizona Children’s Association, Personal Interview, 14 Oct. 2009.
  - 17 Creasia Finney Hairston, Focus on Children with Incarcerated Parents: An Overview of the Research Literature (Baltimore, MD: Annie E. Casey Foundation, 2007) 14.
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  - 20 Applied Behavioral Health Policy 23.
  - 21 Coconino County, Community Services Department 13.
  - 22 Coconino County, Community Services Department 18.
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