
Report to
The Vermont Legislature

THE RIGHTS OF CHILDREN OF ARRESTED AND INCARCERATED PARENTS

In Accordance with H.325

Act 168, Sec. 1 of the 2014 Session; An act relating to the rights of children of arrested and incarcerated parents

Submitted to: Senate Committee on Health and Welfare, the Senate Committee on Institutions, the House Committee on Corrections and Institutions and the House Committee on Human Services

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Following is the language of **Act 168** generating this report;

H.325 An act relating to the rights of children of arrested and incarcerated parents
It is hereby enacted by the General Assembly of the State of Vermont

Sec. 1. LEGISLATIVE FINDINGS

(a) Children of incarcerated parents have committed no crime, yet they pay a steep penalty. They often forfeit their homes, their safety, their public status and private self-image, and their primary source of comfort and affection.

(b) The General Assembly and the State have a strong interest in assuring that children of incarcerated parents are provided with the services and support necessary to thrive despite the hardship they face due to their parent's status.

Sec. 2. REPORT

The Secretary of Human Services, Commissioner of Corrections, and the Commissioner for Children and Families shall study and develop recommendations, within the Integrated Family Services Initiative (IFS), on the following issues:

1. the capacity needed to identify and connect children and families of incarcerated individuals to appropriate services within the Integrated Family Services Initiative;
2. existing services available to children with incarcerated parents and the need for any additional services to:
 - a. build and maintain healthy relationships between children and incarcerated parents, including parent-child visits, parenting classes, and supervised visits;
 - b. develop child- and family-centered tools or strategies that can be used throughout the criminal justice system to mitigate unintended consequences on children; and
 - c. support children and their families or caregivers by including the use of Family Impact Statements in the Court process;
3. appropriate physical settings for children to visit incarcerated parents and services while the parent is incarcerated;
4. a mechanism to ensure that coordinated services are provided to children of incarcerated parents by the Department for Children and Families and the Department of Corrections;
5. agency data systems to track and coordinate services for children of incarcerated parents; and
6. the cost of services necessary to implement a comprehensive system of care addressing the unique needs of children of incarcerated parents.

Recommendations shall be developed in consultation with the following stakeholders:

1. the Department of Corrections;
2. the Department for Children and Families;
3. the Department of Mental Health;
4. the Prisoners' Rights Office;
5. LUND;
6. the Parent Child Center Network; and
7. kinship organizations.

The Secretary and Commissioners shall consider the Inmate Family Survey Project and its recommendations for best practices.

EXECUTIVE SUMMARY

What Act 168 Asked Us to Do

Act 168 directed the Secretary of Human Services, the Commissioner of Corrections, and the Commissioner of Department for Children and Families to study and develop recommendations for how the Agency of Human Services can best support and provide for children of incarcerated parents, including helping them to maintain positive family connection during their parent's incarceration.

Why it is Important to Look Specifically at Children Who Experience Parental Incarceration

Being separated from a parent by incarceration is recognized as an "adverse childhood experience" (ACE) that is distinguished from other adverse childhood experiences by the unique combination of trauma, shame, and stigma. Being separated from a parent by incarceration severely jeopardizes a child's social and emotional health and well-being. They are at an increased risk for traumatic events, behavioral problems, academic failure, substance abuse, mental health issues, and ending up in prison themselves as adults. Many of these children have experienced multiple adverse childhood experiences in addition to their parent going to prison (parental addiction, domestic violence, poverty, divorce, sexual violence...). As the ACE Study informed us, the higher the number of ACEs the higher the risk for negative outcomes for these children. The attached report discusses the impact on children further, as well as the evidence that helping children maintain family contact and connection with their incarcerated parent results in better outcomes for the children and lowered recidivism for their parents.

Recommendations

The findings and recommendations in the attached report are largely the result of 9 hours of meeting and discussion time over two days with a group of 38 stakeholders representing a broad range of public and private sector child serving organizations, formerly incarcerated parents and their children's caregivers, as well as representatives from each of the consultants listed in Act 168.

Some of the recommendations come with significant fiscal impact which may not be feasible given the current fiscal realities. There are many that are low or no cost, including some recommended policy/practice changes within DOC and DCF.

We look forward to continued discussion with the Legislature about the contents and recommendations of this report.

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The Vermont Agency of Human Services has a strong interest in children impacted by parental incarceration. The Director of Women and Family Services from the Department of Corrections was asked to be a member of the Integrated Family Services (IFS) Senior Leadership and Implementation Teams two years ago and is currently co-located with IFS half time.

Framing Act 168

Children who experience parental incarceration have been an interest within the Vermont Legislature and Department of Corrections for many years. Previous reports have been submitted to the Corrections Oversight Committee in January 2009, and to the Senate Committee on Judiciary and House Committee on Corrections and Institutions in January 2011. A bill was introduced, initially in 2009, which would have adopted the San Francisco Children of Incarcerated Parents Bill of Rights. The Bill of Rights was developed by The San Francisco Children of Incarcerated Parents Partnership (SFCIPP), a coalition of social service providers, representatives of government bodies, advocates and others who work to improve the lives of children of incarcerated parents, and to increase awareness of these children, their needs and their strengths. The bill that resulted in Act 168, H.325, began initially with adopting the Bill of Rights before it was modified as passed.

After studying the issues affecting children who experience parental incarceration and their families, The San Francisco Children of Incarcerated Parents Partnership (SFCIPP) agreed that a children's perspective was the logical framework from which all future work should evolve. Understanding that children's rights and needs may sometimes conflict with, and must be balanced against, institutional concerns and requirements, but they believed it was essential to start from the child's perspective and work on what is possible from there. Hence, they created. The Children with Incarcerated Parents Bill of Rights, which follows;

Children of Incarcerated Parents Bill of Rights

- I have the right to be kept safe and informed at the time of my parent's arrest.
- I have the right to be heard when decisions are made about me.
- I have the right to be considered when decisions are made about my parent.
- I have the right to be well cared for in my parent's absence.
- I have the right to speak with, see, and touch my parent.
- I have the right to support as I struggle with my parent's incarceration.
- I have the right not to be judged, blamed, or labeled because I have an incarcerated parent.
- I have the right to a lifelong relationship with my parent.

This report refers to children, youth, their incarcerated parents and their caregivers. However, it is not inferred that every child or youth would benefit from the recommendations set forth. There are children for whom it would not be in their best interest to see their parent for a number of reasons, and there are parents who will not be appropriate to ever parent again. These are not the cases being discussed in this report. That being said, there are also many children who have an incarcerated parent, and many parents who are incarcerated, who are not currently being supported in maintaining a healthy connection with each other, a connection that could improve each of their outcomes.

The Impact of Parental Incarceration on Children and Youth

The VTDOC Inmate Family Survey Project, and a summary of its findings, are attached in Appendix A and B. The study found that there are over 1,600 children in Vermont that have a parent in prison on any given day. Over the course of a year parental incarceration affects over 6,000 Vermont

children. Data from the 2011-2012 National Survey of Children's Health - Adverse Family Experiences – found that 1 in 17 children in Vermont experience parental incarceration.

Parental incarceration is a strong risk factor and indicator for a range of adverse outcomes for children and caregivers. International human rights advocates have called parental incarceration "the greatest threat to child well-being in the U.S." These children and families are among the most complex cases service systems encounter. The absence of specialized attention and data collection to provide a voice for this population has allowed them to remain invisible and marginalized across multiple systems (including the Department of Corrections, the Department for Children and Families, the Agency of Education, Departments of Health and Mental Health, and the Judiciary).

Children of incarcerated parents are at increased risk for both internalizing (e.g., depression, anxiety, withdrawal) and externalizing (e.g., delinquency, substance use) behavior problems, cognitive delays, and difficulties in school (e.g., school failure).¹ Children with incarcerated parents are also at increased risk for insecure attachment – experiencing relationships with primary caregivers who are inconsistent, insensitive, or unresponsive to children's social and emotional needs.² The associations between parental incarceration and poor developmental outcomes are complicated because incarcerated parents and their children often experience many additional challenges that place them at risk for less optimal outcomes, even before the incarceration occurs. Parental incarceration is now recognized as an "adverse childhood experience" (ACE); it is distinguished from other adverse childhood experiences by the unique combination of trauma, shame, and stigma as well as the ambiguity, and lack of social support and compassion that accompanies other forms of parental separation (e.g. military deployment, death). While many of the risk factors children of incarcerated parents experience may be related to parental substance abuse, mental health, inadequate education, or other challenges, parental incarceration increases the risk of children living in poverty or experiencing household instability independent of these other problems.³ For children whose mothers are incarcerated, there is an increased likelihood of instability and that the children are in, or may enter, foster care.

Research suggests that intervening in the lives of incarcerated parents and their children to preserve and strengthen positive family connections can yield positive societal benefits in the form of reduced recidivism, less intergenerational criminal justice system involvement, and promotion of healthy child development⁴. Research shows that contact between incarcerated parents and their children during incarceration and immediately following release has been linked to reductions in recidivism⁵. According to a report issued by the Vera Institute of Justice (2011), a strengths-based, family-focused approach to correctional programming may improve incarcerated people's well-being and increase

¹ Byrne, M. W. (2010). Interventions within Prison Nurseries. In J. Eddy & J. Poehlmann (Eds.), *Children of Incarcerated Parents: A Handbook for Researchers and Practitioners*, Washington, D.C.: Urban Institute Press

² Byrne, M. W. (2010). Interventions within Prison Nurseries. In J. Eddy & J. Poehlmann (Eds.), *Children of Incarcerated Parents: A Handbook for Researchers and Practitioners*, Washington, D.C.: Urban Institute Press

³ Phillips, S.D., Errantly, A., Keeler, G.P., Costello, J.E., An gold, A., Johnston, D., et al. (2006). Understanding the risks: Parent criminal justice involvement and children's exposure to family risks. *Criminology and Public Policy*, 5

⁴ Christian, S. (2009). *Children of incarcerated parents*. National Conference of State Legislatures. Retrieved from <http://www.ncsl.org/documents/cyf/childrenofincarceratedparents.pdf>.

⁵ Visher, C. A. (2013). Incarcerated fathers: Pathways from prison to home. *Criminal Justice Policy Review*, 24, 9-26.

their chances of success upon reentry⁶. Also, most types of communication, especially visitation, during incarceration can have a positive effect on individuals and their loved ones. Individuals interviewed four to eight months after release say that family support is the most important factor in helping them stay out of prison (Vera Institute of Justice).

A key issue with this population of children is that there is no Department, Agency or collaboration in Vermont currently collecting data on the impact or the needs of children living with incarcerated parents. In fact, there is no systemic way to identify who these children and caregivers are. We know very little about the impact of incarceration specifically on Vermont's children. Without this information we will remain unable to make funding recommendations or evaluate current practices. Because of this, in 2013, the VTDOC partnered with the University of Vermont's Sociology Department in the Inmate Family Survey Project, in which a randomized sample of 25% of the inmate incarcerative population was surveyed in person and in detail about their family histories and impact of incarceration on their children and families. Each facility was done over the course of two consecutive days. While it may not be 100% accurate in terms of the findings, because the results are of a snapshot of the population. It allows us to begin to get a sense of who these children are and how parental incarceration has impacted them. The data has not been fully analyzed at this point. Much of it has not yet been broken down by gender and the crimes the parents were in prison for have not yet been factored in.

Findings

Currently there is no Department, Agency or collaboration in Vermont collecting data on the impact or the needs of children living with incarcerated parents. In fact, there is no systemic way to identify who these children and caregivers are. Whether a child has a parent in prison is not entered into any database within AHS. Act 168 called for the creation of Agency Data Systems to track and coordinate services for children of incarcerated parents. Because there is no **one point** of intake for these children and families, it will be impossible to have any accurate or useful data system unless a point of intake is created. Data is needed in order to effectively and successfully develop policies and systems that will nurture and enhance relationships between children and their incarcerated parents.

1. While programs, services and supports that currently exist within IFS and/or in our Communities are available to these children if they meet eligibility criteria, these significant barriers exist;
 - a) Criminal justice involved families tend to not access traditional supports and services on their own because of their lack of trust in the "system" and social stigma.
 - b) A single point of intake and referral that would capture all of the children impacted by parental incarceration and screen them for risk/need does not exist.
 - c) Supports and services that currently exist are not designed to, nor are their staff trained to; specifically address the unique issues and needs of these children and their caregivers related to separation from a parent by incarceration.
2. The Department for Children and Families and the Department of Corrections are deeply intertwined with these children and families and the policy ramifications of parental incarceration across the two Departments are significant.

⁶ Vera Institute of Justice. (2011). *Why ask about family?* A Guide for Corrections Pamphlet

Existing Services Available to Children With Incarcerated Parents

Act 168 called for the identification of existing services available to children with incarcerated parents and how to identify and connect them to appropriate services within The Integrated Family Services Initiative (IFS). It also asked for us to identify the need for any additional services to build and maintain healthy relationships between children and their incarcerated parents (including parent/child visits, parenting classes, and supervised visits).

Any program, service or support that is currently available within IFS and/or in our Communities is available to these children, if they meet the criteria. The barriers that exist are;

- d) Criminal justice involved families tend to not access traditional supports and services on their own because of their lack of trust in the "system" and social stigma.
- e) A single point of intake and referral that would capture all of the children impacted by parental incarceration and screen them for risk/need does not exist. That is a capacity that would need to be created/funded.
- f) Supports and services that currently exist are not designed to, nor are their staff trained to; specifically address the unique issues and needs of these children and their caregivers related to separation from a parent by incarceration.

There are only two Programs currently in the State of Vermont that were developed to specifically serve this population;

1. Kids-A-Part (KAP) – KAP is a program at the Chittenden Regional Correctional Facility delivered contractually by Lund. The Program works to reduce the trauma children experience as a result of their mother's incarceration by using a unique family-centered model within a regional correctional facility. The program involves intensive facility-based visitation and parenting programming, facility and community-based case management, as well as wide ranging collaboration with community providers to involve the children and families of incarcerated mothers in every step of the process. The program specifically seeks to:
 - a) Increase incarcerated mother's knowledge and skills around the specific needs of her children;
 - b) Increase incarcerated mothers' capacity and resources to nurture her children and engage in planning and communication strategies with her children and their caretakers that reflect their needs;
 - c) Providing outreach to children and caregivers during the mother's incarceration and link to appropriate services;
 - d) Preparing mothers to return to the community;
 - e) And improving cross-system coordination and collaboration to deliver services to families.

Kids-A-Part only serves mothers, children and their caregivers during the period of the mother's incarceration. It is funded partially by DOC and partially with private foundation grants.

2. Lamoille County Community Justice Program (CJP) – CJP is program that provides health-focused, home-based case management services to children age's birth to 12 who are impacted by their parents' incarceration. CJP's goal is to help children who experience parental incarceration transition successfully to adulthood by avoiding involvement in the

criminal justice system. Deep and broad case management is provided by a Nurse and clinical mental health counselor who serve the whole family *non-categorically* - across the criminal justice system, all AHS divisions and education. Their services are to support;

- a) parental resilience;
- b) social connections of kids and parents;
- c) knowledge of parenting and child development;
- d) social emotional competence of children; and
- e) concrete supports in times of need.

The CJP is funded fully by DCF. It is an evidence informed, research based program that has shown a 4.9 % conviction rate of 143 CJP participants, as compared to 24-61% of other youth at "high risk of offending" (VCJR, 2013). It only serves children impacted by parental incarceration who live in Lamoille County.

Collaboration between the Child Development Division (CDD) and the Family Services Division (FSD) of DCF, funded through a grant from OJJDP, created three Strengthening Families Demonstration sites located with Parent Child Centers that specifically target children and families who have both Child Welfare and DOC involvement. The project's primary objective is to engage and strengthen families to reduce the number of children going into state custody – children who live in families that have been determined to be high or very high risk to abuse or neglect those children. The project uses the Center of Study of Social Policy's Strengthening Families Protective Factors as framework for engaging, planning and providing a range of supports and case management services to improve safety, well-being and stability. Seventy percent (70%) of all DCF open cases have a child under the age of 3. Historically (without Strengthening Families), 30% of children with open family support cases come into state custody. With Strengthening Families, only 7% of children with open cases have come into custody, and the children are safe." The funding for this project will run out in June of 2015.

In addition to the above programs there are occasional 13 week Nurturing Fathers classes offered at most of the men's facilities through a combined Statewide Grant through AHS to Prevent Child Abuse VT (PCAV). Nurturing Fathers was not developed specifically for incarcerated fathers. At the Northern State Correctional Facility in Newport half of the classes they offer are InsideOutDad classes, an evidence based intervention for criminal justice involved fathers. The classes are attended by fathers who volunteer to attend. It is not based on screening or appropriateness for the class. A few Correctional Facilities have a monthly Father/Child visit, staffed by VTDOC Approved Volunteers, for fathers who have attended one of the classes above.

DOC recently began one hour video visitation with out of state inmates and their families using Vermont Interactive Technologies Inc. There have been 4 such visits to date. The cost is \$125 per visit which will limit the number of visits that can be supported.

Another recent development is that DOC has just finalized a contract with Jpay. Jpay offers many different services to the inmate population to include video visitation and email capabilities. Video visitation kiosks will be installed in living units and common areas of each of Vermont's Correctional Facilities. Once these kiosks are installed, family members will be able to set up a free account with Jpay and then be able to schedule video visitations with their incarcerated loved ones. Family members will be able to do this from home with an internet enabled computer with a camera and microphone.

There will also be the availability of email for those inmates who purchase one of the jp4 tablets. The tablets are expected to cost between \$50.00 and \$60.00. There would be additional costs for video visits and email.

Act 168 called for a mechanism to ensure that coordinated services are provided to children of incarcerated parents by the Department for Children and Families and the Department of Corrections. In terms of children who have a parent in prison that are open cases, the Family Services Division (FSD) of DCF has long had access to DOC's database and cross references it whenever they open a new case. Over the course of the last year FSD drafted a Position Paper entitled "Engaging Parents Who Are Incarcerated". This was done collaboratively within FSD's External Stakeholder Group. A full copy of the Paper is attached in Appendix D. It references the Children of Incarcerated Parents Bill of Rights as "aspirations of the Family Services Division (FSD)" "while at the same time recognizing that the existing system does not currently have the capacity to fully implement these rights for Vermont children. The Paper is being presented to FSD's leadership. There are not currently any mechanisms between DOC and DCF (FSD or CDD).

RECOMMENDATIONS

There were a number of strategies consistently identified as being needed to ensure a comprehensive system of care for these children, both overarching and department specific, with all of the Act 168 Stakeholders over the last several months. They are broken down in the following pages by Low or No Cost, Moderate Cost and High Cost, as well as recommendations outside of AHS. Costs have not been determined, only assumed.

Low or No Cost Recommendations

AHS

1. Consider adopting the Children of Incarcerated Parents Bill of Rights at the AHS level.
2. IFS, collaboratively with community partners, should seek opportunities for federal funding specific to children who experience parental incarceration and family focused interventions with correctional populations.

Corrections

1. Integrate a Family Informed and Strengthening Focus to Correctional Practices
 - a) Adopt the Strengthening Families Framework for working with offenders in the context of their families and to build on protective factors while mitigating risk factors. The Strengthening Families Framework has been embraced by IFS and is being used across systems other than DOC at this point. As was stated earlier in this report, the Vera Institute of Justice published a report stating that a strengths-based, family-focused approach within correctional interventions and strategies could improve incarcerated people's well-being and increase their chances of success upon reentry.
 - b) Devote resources from the Evidence Based Reentry Grant toward training and professional development around the impact of parental incarceration on children and

ways to work with offenders in the context of their family, as both are evidence based to reduce recidivism and improve outcomes for children and families.

- c) Integrate a family focus into case planning and reentry processes.
- d) Improve data collection around children and their caregivers within DOC database.
- e) Create processes for asking about children and caregivers along the continuum of involvement with Corrections—arrest, hearings, entering the facility, case planning, reintegration – to understand the impact and make possible referrals to existing resources.
- f) Ensure incarcerated parents are able to participate in decisions for their children (provided their rights are intact and there is nothing to indicate this would be a detriment to the child). For example, they participate by phone/video in CIS/IFS team meetings and school meetings, receive information regarding education and health of their child, and receive support to contact and interact effectively with their child, especially during significant milestones for the child (birthdays, holidays, extraordinary events).
- g) Utilize the DOC Volunteer Coordinator position to recruit volunteers that will support parent/child connection and activities.
- h) Develop a trauma-informed Arrest Protocol to ensure the safety and well-being of children for use when VTDOC takes a parent into custody and their children are present (Emergency Arrests, NOS's, and Graduated Sanctions).
- i) Ensure children and/or their caregivers are given basic information about the post-arrest process.
- j) Develop and include a Family Impact Statement in every PSI, ISR and Violation of Probation or Parole. An example of a Family Impact Statement is attached in Appendix E.

2. Professional Development/Training:

- a) Require training for all DOC staff who may interact with children (facility security staff who check children in for visits, field security staff who visit offenders homes, corrections services specialists, etc...) in the Strengthening Families Framework and in trauma-informed and developmentally appropriate strategies for interacting with children impacted by parental incarceration, and in recognizing their needs and concerns, as well as family centered tools and strategies.

3. Improve Opportunities for Parent/Child Contact and Connection During Incarceration:

- a) Consider proximity to family when assigning prisoners to different facilities as well as the strength of the emotional bonds between incarcerated parents and the children, especially when considering out of state placement.

- b) Create child friendly visitation spaces, to include the physical space. Create visitation times for children and their parents separate from general visiting. Work with each facility to create child friendly spaces that are non-intimidating and conducive to bonding (e.g. have bins with toys, books, floor mats, murals, etc....).
 - c) Schedule late afternoon and evening, weekend Family Visits (not mixed with general Visits) for caregivers and young children traveling long distances and where a child friendly and developmentally appropriate environment can be created.
 - d) Develop Enhanced Family Visitation Programs for children and their parents, and caregivers when appropriate. This would include Special Parent/Child visits at least once per month for incarcerated parents who meet certain behavioral criteria, allowing physical contact and where parents and their children can engage in family activities.
 - e) Collaboratively develop a protocol between DOC and FSD for when a child in custody has an incarcerated parent to ensure consistency across the state at each facility. The protocol would address things like whether an FSD Social Worker or Contractor could visit with/have an appointment with an inmate parent alone, how the visits need to be scheduled, how to include a child's caregiver in a visit if recommended, etc.
 - f) Offer Parenting Education for which parents could receive high school credit.
 - g) Change the age of children allowed to have physical contact with their parents to 18 from 13.
 - h) Create incentive visits for inmates with good behavior allowing physical contact with their loved ones, not just their children.
 - i) Utilize disciplinary sanctions that do not take away visits with children, but instead, recognize the responsibility of the inmate as a parent and the impact taking away a visit would have on a child, to be punished for their parent's misbehavior and choices.
 - j) Utilize technology - like Interact TV, GoToMeeting or Webcams as a method of family communication for parents out of state as well as for children and caregivers who aren't able to visit their parent in state.
 - k) Develop a policy for family visitation for Inmates incarcerated out of state.
4. Improve Information Sharing and Support for Children with Incarcerated Parents and their Caregivers/Families:
- a) Develop a Family Handbook with information about visiting correctional facilities and related policies and procedures for caregivers and families affected by incarceration. Develop the Handbook in collaboration with incarcerated parents and community based providers. Make the Handbook available on the DOC Website.
 - b) Develop a form letter to be sent to caregivers of inmate's children upon the incarceration of their parent that provides them with information about the Family Handbook, who their caseworker is, and how to register on the Vermont Automated Notification Service (VANS) – where they can register to be called or emailed when there

- is a change in the inmate's custody status including releases, re-incarcerations or transfers.
- c) Create a "Flip Book" (a picture book of each facility that provides children with visuals of where their parent is incarcerated to prepare them for visiting) of each facility to be available in each Parent Child Center and Family Services Division Office. An example of a Flip Book is attached in Appendix F.
 - d) Make resources available to caregivers at visitation, such as those available on the National Resource Center on Children and Families of the Incarcerated <https://nrccfi.camden.rutgers.edu/resources/library/children-of-prisoners-library/>.
5. Involve Family in the Reentry Process. Develop a Reentry Process that brings, when appropriate, the children and family into the facility to meet with the incarcerated parent and their case co-managers, providers, etc., prior to their release to be involved in the reentry planning process. Some states utilize existing community teams and justice centers to promote a coordinated community response to a child of an incarcerated parent. A program called Community Works in California offers restorative justice-based healing circles involving the incarcerated parent, children, caregiver and other family members and/ or support people. These circles, generally held shortly before a parent's release, provide a safe environment to have honest conversations about harm that family members may have experienced, and how to move forward to help the family to heal from this harm.

Department for Children and Families - Family Services Division

1. Develop A Coordinated Services Plan for families affected by incarceration between FSD and DOC.
2. Develop Policy Guidance that supports children in custody having regular contact with their incarcerated parent, including specialty populations (e.g. children and/or youth in residential placements or at Woodside).
3. Explore with DOC possibilities of visitation between youth at Woodside and their incarcerated parents if appropriate.
4. Ensure Social Workers have the Protocol (mentioned under DOC above) and use it consistently across the state.

Moderate Cost Recommendations;**AHS**

1. Professional Development and Cross Training for AHS Employees. Require all AHS staff who work with children impacted by parental incarceration and/or who work with criminal justice involved parents, as well as our community partners, to be trained around children impacted by parental incarceration so that they can recognize and meet the needs and concerns of children whose parents are incarcerated.

Family Services Division

1. Develop the capacity to provide Family Safety Planning and Family Time Coaching with incarcerated parents of children in custody.
2. Enhance foster care training to include trauma of separation by incarceration and children's special needs during that time.
3. Provide the training and support given to foster parents to kin/caregivers as well.

High Cost Recommendations;

The cost of services to implement a comprehensive system of care addressing the unique needs of children of incarcerated parents would be significant and likely prohibitive considering the current fiscal realities. The recommendations that fall into the High Cost category follow;

1. Replicate Kids-A-Part in each of the men's prisons;
More specifically this means to create the capacity to grow/enhance community based Parent Child Centers to partner with the men's facilities in their communities, essentially creating Specialized Correctional Facility Based Parent Child Centers activities for fathers and their children/caregivers. Parent Child Centers were chosen because there are 15 existing across the state and they have a demonstrated track record of providing barrier-free, family friendly services that improve parenting, reduce child abuse and neglect, provide enriching programming for children, and help connect families to formal and informal networks of support. The recommendation is that Parent Child Center grants be increased to support sustainable, consistent, best practice parenting education and support programs for children and caregivers impacted by parental incarceration. The services would include both center-based family programming and co-located parent education & support in each of Vermont's Correctional Facilities).
2. Creation of a Family Services Specialist (FSS) Capacity within VTDOC;
A Family Services Specialist capacity within DOC would enable and support the partnership between the local Parent Child Center by bridging the gap between parenting activities and security concerns. Experience with the Kids-A-Part program has shown that a position within DOC that is working directly with facility management and security is crucial in integrating parenting programs and services/activities into a prison environment. It would be modeled after the Victim Services Program in DOC where 3 Family Services Specialists would serve regions rather than individual sites. The following link outlines the Family Services Specialist Model being used in Washington State; <http://www.doc.wa.gov/family/docs/FamilyServicesBrochure.pdf>
3. Replicate the Community Justice Program in each district;
There are currently 19 Community Justice Centers and 14 Parent/Child Centers across the state. Each of these would be existing infrastructures that would be able to replicate the CJP model of providing deep and broad case management that serves the whole family *non-categorically* - across the criminal justice system, all AHS divisions and education.
4. Create Integrated Family Services Coordinators within each District based on the Children's Integrated Services (CIS) Coordinator Model to become the single point of contact for children and families impacted by parental incarceration;
CIS Coordinators have a demonstrated history of being a single point of contact for system referrals in every region for children and families prenatally through age six. An IFS Coordinator role should be created and funded based on this model to cover the full array of IFS services to accept referrals of children and youth, regardless of age, impacted by parental incarceration, and their caregivers, to coordinate responses to referrals across the IFS system of services.
5. Develop an Alternative to Incarceration Program for parents of minor children. In 2010 the Washington Legislature approved SSB 6639, a bill supported by the Department of Corrections (DOC) and the Department of Social and Health Services (DSHS) that created two alternatives to prison confinement for some nonviolent offenders who have minor

children. This bill created a judicial sentencing alternative is referred to as the Family & Offender Sentencing Alternative or FOSA. It also created a new program of partial confinement for use by the Department that is referred to as the Community Parenting Alternative or CPA. Prison sentences are waived and offender parents are placed on electronic monitoring and are required to attend programming in the community. Community Corrections Officers that have been trained in the Strengthening Families Framework supervise these cases and visit them in their homes, functioning more like a social worker or case manager than the traditional CCO. The following link speaks to early outcomes of the programs; <http://www.vera.org/blog/promising-outcomes-parenting-sentencing-alternative>

6. Develop a systematic data collection system across all of AHS. Require all AHS children youth and family service contractors/grantees to collect and report this data as well. Information would contain demographic and statistical information, as well as information related to caregiver status and relationship and options for visitation. The VTDOC is about to change to a new Offender Management System, and in doing so, will be creating questions within the system to gather information about children and caregivers. Contractors and Grantees of AHS who serve children, youth and families should be required contractually to gather this data as well from this point forward.

Recommended Strategies Outside of AHS

1. Work with Judiciary Branch to institute the use of family impact statements in all pre-sentence investigations and intermediate sanction reports that speak to what the impact of incarceration on the child (unborn if parent is a pregnant mom) will be if incarceration is being contemplated as well as the impact to caregiver, visitation distance, and financial consequences.
2. Work with the Judiciary to develop a screening process for offenders being considered for Community Restitution sentences to avoid unintended incarceration due to pre-existing barriers to being successful, e.g. lack of childcare, lack of transportation, etc.
3. Work with Judiciary to establish a protocol to identify when guardianship transfer is the result of parental incarceration, and ensure that families have access to resources (such as those available on the National Resource Center on Children and Families of the Incarcerated <https://nrccfi.camden.rutgers.edu/resources/library/children-of-prisoners-library/>)
4. Develop and financially support an advocacy system for children of incarcerated parents or expand the Guardian ad Litem Program to accommodate this target population.
5. Enhance GAL training to include trauma of separation by incarceration and children's special needs during that time.
6. Create opportunities for children of incarcerated parents to communicate with and support one another in their communities, such as support groups or mentoring programs.
7. Create capacity with United Way's 211 for children and families impacted by parental incarceration.

Next Steps

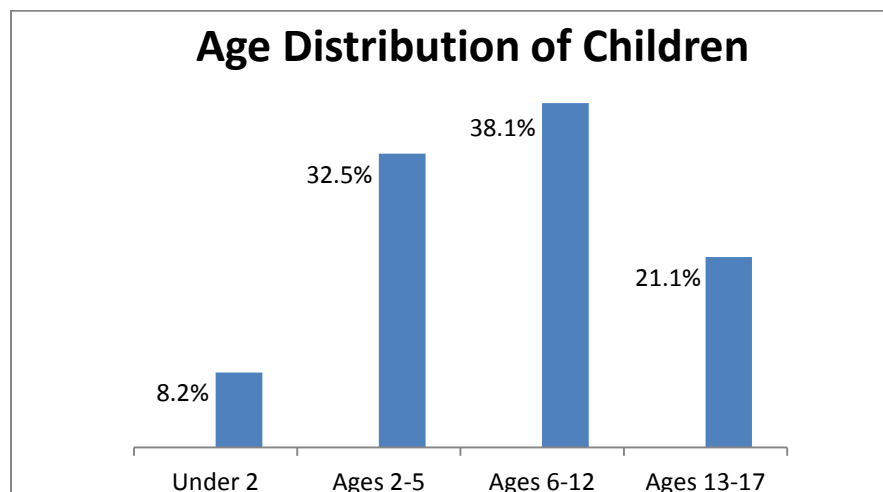
- AHS level discussion around creating a system for collecting data on this population.
- Recommended strategies and resource allocation to support and build resiliency in caregivers that is informed by the expertise of the Parent Child Network and based on the Strengthening Families Framework. The underlying belief being that children won't have good outcomes if their caregivers are not supported and resilient.
- Address the dilemma of needing to identify the targeted population in order to provide supports and services and the potential for the identification to contribute to the stigma.
- Engage the Network Against Domestic and Sexual Violence and other Victim Advocacy voices in the collaborative development of protocols for visitation and training specific to children who have witnessed and/or been the victim of domestic violence by the incarcerated parent.
- While they were invited to be a part of the process for developing this report and recommended strategies, no one from the Agency of Education (AOE) was able to participate. AOE should play a central role in this work/conversation since all children go to school. There needs to be some work between AHS/IFS and AOE to develop mechanisms for collaboration and support for children when a parent is incarcerated and to develop best practice strategies that involve parents in decisions related to education. One idea that came in the process that might be explored is the use of IEP's / Act 264 to address the special needs of children who experience parental incarceration.
- Ensure that Initiatives currently underway, including IFS and the Governor's Race to the Top Early Learning Challenge, include this population specifically in the development of strategies and implementation.
- IFS should continue to review services, and implement policies and training to improve support for children of incarcerated parents across AHS and our community partners.
- Continue to explore the use of Children's Medicaid dollars to support in facility services for children and their incarcerated parent.

APPENDIX A

Findings of the VT Inmate Family Survey Project

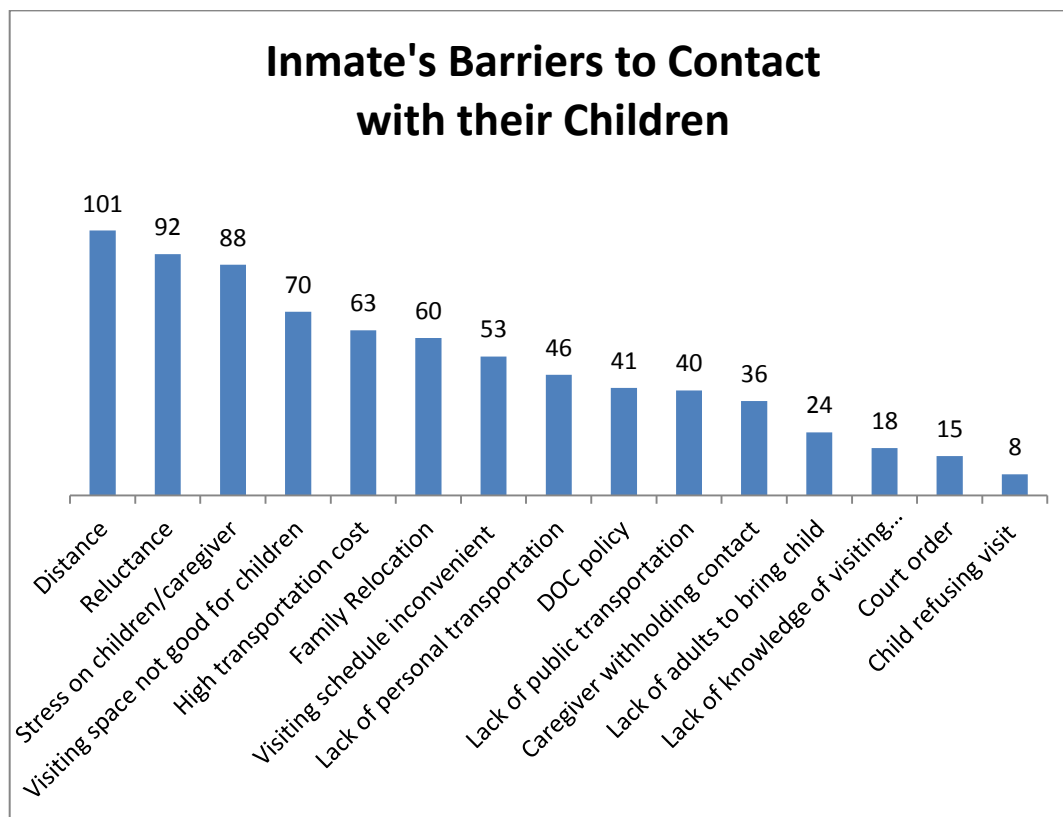
A summary of key findings to date from the Inmate Family Survey relative to this report follow;

- 57.8% of inmates have experienced parental incarceration or the incarceration of another loved one as a child.
- Findings with incarcerated men included that as a child;
 - 14% had experienced homelessness.
 - 23% had been in foster care.
 - 26% had Juvenile Justice involvement.
- Findings with incarcerated women included that as a child;
 - 25% had experienced homelessness.
 - 25% had been in foster care.
 - 11% had Juvenile Justice involvement.
- Further, it was determined that having a parent incarcerated increases the chance that a child will spend time in the foster care system and/or homeless. Moreover, that risk nearly doubles when each parent has been incarcerated.
- Vermont houses more parents in their prisons than average. 64.1% of the incarcerated population in Vermont report having children, which is significantly higher than the National Rate of 52%.
- With regard to minor children at the time of their incarceration;
 - 53% of male inmates reported having minor children
 - 64% of female inmates reported having minor children
- Based on the findings it is speculated that there are over 1,700 Vermont children who have an incarcerated parent on any given day. That translates into over 6,000 children in Vermont have an incarcerated parent over the course of a year.
- The following figure shows the findings with regard to the ages of the children who have a parent in prison;



- Only 24.5% of the incarcerated parents report that they were residing with their child prior to their incarceration. This is not broken down by gender.
- Close to 37% of incarcerated parents reported that Family Court (32.2%) or Probate Court (4.6%) had determined custody of the child other than with them.

- Incarcerated mothers have had their parental rights terminated at some point at a rate twice that of incarcerated fathers (20.4% vs. 10.5%).
- 81.6% of parents reported living with or having frequent visitation with their children prior to their incarceration. Only 8.1% reported having no contact with their child prior to incarceration.
- Only 1/3 of children impacted by parental incarceration visit their incarcerated parent. Close to 40% of Vermont's in state population receive no visits at all.
- Where the children are living during the parent's incarceration (not broken down by gender);
 - 68.5% with the other parent
 - 16% with a grandparent
 - 11% with other relative or girlfriend/boyfriend
 - 2% in a foster care placement
 - 2% other setting
- The following figure shows the findings with regard to why the children don't visit. Note that "Reluctance" is the reluctance of the incarcerated parent to have their child visit them while incarcerated.



- The following is the list of the specific VTDOC Policy Issues that were reported as barriers to visitation with children in the survey;
 - Limited physical contact allowed.
 - Limited number of visitors allowed – Can't have visit with all children or whole family.

- Restrictive visitation hours – Not conducive to long distances and young children.
- Dress Policy for visitors – inconsistent between facilities and unreasonable.
- Needing to bring photo id and legal guardian documents to each visit instead of having a way to submit them at the first visit.
- Lack of privacy.
- General visiting is not a good environment for children to visit their parents.
- Children's behavior not allowed/tolerated.

APPENDIX B



Vermont Inmate Family Survey

University of Vermont, Department of Sociology

April 2014

A Partnership between the State of Vermont, Agency of Human Services, Department of Corrections and the University of Vermont, Department of Sociology

Corrections

Jill Evans, Director of Women and Family Services

UVM Sociology Students

Spring 2013

Sociology 286--Devinne Gosselin, Molly Manjak, Jackie Menkel, Erika Parry, Jake Perkins, Dan Rosen, and Patrick Studdert-Kennedy

Fall 2013

Sociology 216--Shelley Bissonette, Tara Bradley, Melissa Brenner, Allie Diefendorf, Julia Dillavou, Kevin Flynn, Arielle Holliday, Molly Jeffries, Whitney Keefner, Alexander Loomis, Molly Manjak, Eliza Novick, David Schweizer, Patrick Studdert-Kennedy, Zachary Tyson, Brian Voelkel, and Michael Wood

Sociology 100—Jonathan Connor, Jaz Greiss, Dana Heng, Marissa Mahoney, Ashley McCuin, Connor McWilliams, Clare Miller, Garrett Milner, Devin Motivala, Andre Smith, Ashley Usseglio, Maggie Williams, and Moto Yano

Faculty Supervisors

Alice Fothergill, Kathy Fox, Jenn Strickler, and Nicholas Danigelis

INTRODUCTION

At the request of the Women and Family Services Director for the Vermont Department of Corrections, the Vermont Inmate Family Survey was designed to:

“develop a survey tool and method for surveying inmates about their children and families, and the impact of their incarceration on them.” Specifically, the project addressed the following questions:

- **What are Vermont inmates’ family backgrounds?**
- **How many children under the age of 18 do inmates have?**
- **Who is caring for their children and under what kinds of arrangements?**
- **How do inmates keep in contact with their families and other important people?**
- **What are the barriers to maintaining contact?**

In partnership with the Vermont Department of Corrections, three University of Vermont undergraduate Sociology classes participated in survey design, literature review, data collection and analysis, report writing and presentation beginning in the spring semester 2013 (January) through the fall semester 2013 (December).

This report is the result of these efforts and provides a summary of the data from structured face-to-face surveys with 379 inmates around the state. (Methodology explained thoroughly in the “Methods” section.)

The report concludes with recommendations based upon a literature search and our data collection about the effects on children with incarcerated parents, the effects of incarceration on the whole family, barriers to prison visitation, and post-incarceration benefits concerning contact with family.

Background

According to Christian (2009), most prisoners have at least one child under the age of 18, and the number of children with an incarcerated parent has increased by almost 80% over the past 20 years (Bureau of Justice Statistics, 2007). Imprisonment disrupts positive, nurturing relationships between parents and their children, whereas preserving and strengthening family connections can “reduce recidivism, lessen intergenerational criminal justice system involvement and promote healthy child development” (Christian, p. 1).

Research shows that contact between incarcerated parents and their children during incarceration and immediately following release has been linked to reductions in recidivism (Visher, 2013). Upon interviewing fathers eight months after their release, Visher found that fathers who were involved with their children within the first months post-incarceration worked more hours per week, were less likely to use illicit drugs, and were less likely to commit crimes, get arrested, or violate conditions of their probation/parole than fathers who were not involved. According to a report issued by the Vera Institute of Justice (2011), a strengths-based, family-focused approach to correctional programming may improve incarcerated people’s well-being and increase their chances of success upon reentry. Also, most types of communication, especially visitation, during incarceration can have a positive effect on individuals and their loved ones. Individuals interviewed four to eight months after release say that family support is the most important factor in helping them stay out of prison (Vera Institute of Justice).

Despite the demonstrated benefits of family-inmate contact, there are several barriers to these important connections. Examples include unfamiliarity with visiting policies (e.g., dress codes), difficulty scheduling visits, relative isolation of prison facilities, costs of transportation, visiting procedures that are uncomfortable or humiliating, visiting rooms that are inhospitable to children, and foster parents or caregivers who are unwilling to facilitate visits. Visher et al. (2013) state those who

receive mail or visits from their children tend to work more hours after release and are less likely to report criminal activity. Visser et al. continue by stating that one year after release, men who had greater involvement with their children and family had more successful outcomes in terms of increased employment stability and reduced crime and drug use. Visser and colleagues demonstrate that incarcerating individuals in facilities closer to their families, implementing policies that make communication more affordable and accessible, and instituting parenting programs for incarcerated fathers, may encourage positive relationships that will be beneficial to all parties involved.

METHODOLOGY

The purpose of this study was to better understand the relationship between inmates and their families and children during incarceration. Jill Evans, the Director of Women and Family Services at the State of Vermont Department of Corrections, approached the University of Vermont Sociology Department to partner with a Sociology class to aid in the project in order to improve family contact for inmates. Professor Alice Fothergill's Service Learning Internship class began the project, devising the survey instrument, refining it, and administering it to inmates in three prisons. Professor Nick Danigelis, who has expertise in survey construction, assisted with developing the 91 question instrument.

The 91 questions were split into 10 sections related to:

- Background Information
- Family and Important People
- Important People Visitation
- Phone Calls
- Written Contact

- Other Important People Information
- General Background Information on Children
- Child Specific Questions
- Looking to the Future
- Final Background Information

Once the survey was complete, the students field-tested it on each other in class to familiarize themselves with it. Further, the students visited transitional houses in the Burlington, VT area: Phoenix House RISE, Northern Lights, to further test the survey for bumps or glitches on people who had been in prison before and therefore had stories much like the real inmates would have. Finally, the survey and method for conducting the survey was reviewed by Professor Alice Fothergill, a qualitative interviewing expert, for efficacy and quality.

At each facility, all the surveys were conducted together in a common room (gym, visiting room, chow hall, etc.) to protect the safety of the interviewers. The students decided upon a 25% random sample size of the Vermont prison population, which meant traveling around the state to each of the seven prisons and conducting over 350 surveys. The 25% randomized sample was produced by the facility head count on the day of the prison visit; every fourth name was starred and they were called down to an interview space within the prison one-by-one. In an effort to increase validity and honest answers, the survey was not made mandatory to the inmates and they could decline to participate altogether if they chose. It was decided that upon refusal, the inmate's name would be crossed off the list and would be replaced by the next name below their names. At times, depending on the facility, students

were told that they were not allowed to interview certain inmates either due to bad behavior on the part of the inmates (sometimes in isolation) or because the facility didn't want interviews to be conducted on a certain "house" within the prison. In these cases, students treated it like a refusal, crossed off their name and continued down the list. Before arriving at a facility, the students were prepared with a full head count list, a stack of surveys, some scrap paper, a few "non-click pens", and their volunteer ID badges.

During the spring semester 2013, interviews were conducted at:

- Northwest State Correctional Facility, Swanton
- Southeast State Correctional Facility, Windsor

Summer 2013, students interviewed at:

- Chittenden Regional Correctional Facility, South Burlington (partial completion)

Fall 2013:

- Marble Valley Regional Correctional Facility, Rutland
- Southeastern State Correctional Facility (including workcamp), St. Johnsbury
- Northeast State Correctional Facility, Newport
- Southern State Correctional Facility, Springfield
- Chittenden Regional Correctional Facility, South Burlington (completed)

SESCF	25
CRCF	44
MVRCF	36
NSCF	105
NECC	60
SSCF	59

By October 10, 2013, 379 surveys had been conducted. Three senior Sociology majors were put to the task of entering the survey data into SPSS (Statistical Product and Service Solutions). Before entering the data, however, they had to code each quantitative data question for each of its potential responses, clumping together like-answers and creating a matrix for which the data could be entered into. Senior Erika Parry and Sociology professor and SPSS guru, Jennifer Strickler, worked together to code the survey properly. Once the coding was complete, it was time to enter the quantitative data into SPSS. There were over 350 variables, which meant that to enter data from just one survey meant going through 350 potential data points and typing them into the computer. For the qualitative data, the same three seniors Sociology majors entered six of the most interesting qualitative data questions into a standard Excel file, writing each response exactly as it was seen on the survey.

From there, Professor Strickler's "Research Methods" class took over. With the data that they had entered into SPSS, they created frequencies for each question. Through SPSS, they were also able to manipulate the data and compare it to other questions; for example, if they knew how many inmates

were in foster care as a child, and they wanted to find out how many of those inmates had parents in prison, they could create a “crosstab” and find out the exact overlap between those two data points. With the qualitative data that we entered into Excel, the “Research Methods” students coded the data (combined like-answers), and produced frequencies for these data as well.

After the data entry was complete, senior Erika Parry performed a quality analysis on the quantitative data in SPSS to check that all the data was entered correctly and to ensure that there weren’t any stray numbers entered. Parry ran each frequency and also reviewed every fifth survey to make sure data were entered properly.

LITERATURE REVIEW

Families of Inmates Overview

According to the Bureau of Justice Statistics Special Report (2010: 1) “an estimated 809,800 prisoners” (52% of state inmates and 63 % of federal inmates) “of the 1,518,535 held in the nation’s prisons at midyear 2007” were parents of children under 18 years old. It was estimated that 1,706,600 children, 2.3% of the United States resident population, have at least one parent incarcerated (Bureau of Justice, 2010). In 2007, 744,200 of the inmates with children were male and 65,600 were female (The Sentencing Project, 2009). These numbers were up 76% for males and 122% for females from numbers in 1991 (The Sentencing Project).

The Sentencing Project (2009) stated that in 2004, around half of incarcerated parents had never had a personal visit from children, a number that had been steadily on the rise since 1997 (52.3% of state inmates and 41.2% of federal inmates with children were 101 to 500 miles away from their children). The Bureau of Justice (2010) estimated that almost 40% of inmates lived with at least one of their children the month prior to their incarceration.

Families are important to inmates as they provide every type of support imaginable. They provide financial support by giving inmates money for commissary, emotional support by creating a connection to the outside world, and support when the inmate is released. Families are a key factor in the effectiveness of incarceration. A released inmate is much less likely to recidivate with a strong family connection and support system. These connections and support systems are often developed through contact while in prison.

Effects of Incarceration

Incarceration not only affects the inmate, but anyone in the inmate's life. Families of inmates are at risk for much greater levels of stress and distress due to the disruption incarceration causes. Caregivers of children must arrange transportation to the prison, deal with complicated policies and regulations regarding visitation, pay for phone calls to and from the corrections facility, and cope with children's behaviors related to their parent's incarceration (Arditti, 2003; Poehlmann, Dallaire, Loper, & Shear, 2010). Families provide financial, social, and emotional support to the inmates, which can be highly taxing (Cecil, McHale, Strozier, & Pietsch, 2008; Vera Institute of Justice, 2011). Inmates and their families are greatly stigmatized, which causes stress from the outside community (Cecil et al.)

Not only are family systems damaged, but they are also put at a logistical disadvantage. Families who were already in financial risk are likely to be more so than before (Akeson, 2003; Arditti, 2003). Families are put at a financial disadvantage when a member is incarcerated as they have lost the opportunity to work and make money (Western & McLanahan, 2000). Myers et al. (1999) states that families of inmates generally have higher risk factors for problems such as community violence, poverty, and drug and alcohol problems.

Children of incarcerated parents are at an increased risk for traumatic events, behavioral problems, academic failure, and substance abuse (Akeson et al., 2010; Cecil et al., 2008; Poehlmann et al., 2010).

Research (Carlson & Shafer, 2010) shows that there is a much higher rate of childhood trauma among inmates than there is in the general population. According to Murray, Farrington, Sekol, & Olsen (2009), children of incarcerated parents have twice the risk of antisocial behavior and damaged mental health than children without incarcerated parents. Poehlmann et al. explains that there are many systems within a child's environment that affect the child's behavior and development and incarceration has effects on every system. These children need extra attention to help them develop without great consequences from their parent's incarceration. Children with incarcerated parents need very supportive and nurturing caregivers, preferably an alliance of caregivers, honesty regarding the situation their parents are in, consistency in any programs they part of, and contact with parents when possible (Akesson, 2012; Cecil et al., 2008; Meyerson & Otteson, 2009).

Effects of incarceration on an inmate vary between inmates, sentences, and facilities. Some common effects of prison time on individuals are a greater prevalence of depressive attitude and emotional instability (Dettbarn, 2012).

Incarceration is also shown to have negative effects on reducing recidivism as it labels and treats the inmate as a criminal; an effect known as the criminological effect but family contact is shown to help counteract these effects (Mears, 2012; Minnesota Department of Corrections, 2011). One study (Daley, 2002) found that although the "majority of the inmate mothers will be reunited with their children" many do not have the resources to "succeed in living crime-free and drug-free lives or maintaining stable relationships with their children" (p. 1). One way to help eradicate this issue is through changing contact policies and programs.

Benefits of Contact

Research shows many benefits of family contact for inmates as well as the families they are keeping in contact with. Inmates who are able to retain contact with families are shown to have decreased

likelihood of recidivism upon release (Cecil et al., 2008; Minnesota Department of Corrections, 2011). Family networks outside of prison are crucial to inmates as they provide emotional and financial support, childcare, and connections to the outside world as well as to jobs, housing transportation, and help reintegrating upon release (Casey-Acevedo, Bakken, & Karle, 2004; Vera Institute of Justice, 2011).

Incarceration has significant effects for the children, relatives, and other important people of inmates because the inmate is still connected to a family unit even while incarcerated. Research suggests that programs should look at the family unit as a whole and not just the inmate alone (Akesson, 2012). Akesson et al. (2012) states that it is important for these family units to have stable caregiving arrangements, social and economic support, and a more sympathetic attitude from the public. Children of incarcerated parents are also greatly benefited by contact with incarcerated parents. One experiment (Landreth & Lobaugh, 1998) found lower parenting stress among incarcerated fathers and greater self-esteem in children who participated in a filial therapy program than did those in a control group.

Contact with family during incarceration increases the likelihood of a caregiver alliance between the inmate and caregivers of the child or children. Having an alliance between co-parents, whether incarcerated or not, married or not, biological parents or not, is crucial to the wellbeing of the child. Cecil et al. (2008) found that cooperative co-parenting consists of a shared system of childrearing ideologies, cooperation, support, respect and validation for each other's parenting effort, shared warmth, open and effective communication, and productive problem solving. Cecil and colleagues also found that this type of an alliance between co-parents was shown to promote better self-regulation, pro social peer behavior, greater empathy and emotional understanding, securer child-adult attachment and greater overall competency in children while an absence of this type of alliance leads to negative family representations, behavioral problems, interpersonal aggression, anxiety, poor social adjustment, and an insecure parent-

child attachment. This type of alliance is also shown to reduce the likelihood of delinquency and criminal behavior in children.

Programs

The goal of most prison programming is to improve outcomes for both inmates and their families in the long run. According to Loper and Tuerk (2006), programs designed strictly for improving inmates' parenting skills are differently designed with their effectiveness measured only indirectly. These measures include increased self-esteem, parenting attitudes before and after the program, adjustment to institutional life, and qualitative relational measures (Loper & Tuerk). However, evaluations have shown many of these programs to have a significant effect on recidivism. In a recent study done by the Minnesota Department of Corrections (2011) on the relationship between visitation and recidivism, inmates who had visits were significantly less likely to reoffend. Of inmates who received visits, there was a 13% decrease in reconviction for a felony and a 25% decrease in reincarceration on a technical violation.

Despite the documented benefits of contact between inmates and their families, availability of programs that facilitate this contact varies greatly among facilities. Some programs are as simple as The Mothers Making Memories Program which allows inmates to record themselves reading a book and send it to their child (South Dakota Department of Corrections (DOC)) while others like the 4-H Living Interactive Education Program provides parenting classes and an opportunity for inmates to plan curriculum for their child's visit (Lawson, 2010). Of the programs that do exist, there is a wide range in quality due to a lack of evaluation and research on the subject. Still, the programs that have demonstrated positive results can provide invaluable support for both families and inmates (Cecil et al., 2008; Loper & Tuerk, 2006; Meyerson & Otteson 2009).

Barriers

While many children would like to visit their parents and many incarcerated parents would like visits from their children, this is not always possible. Poehlmann et al. (2010) list child welfare policies and legal issues, correctional visitation policies, and concerns about visitation policies and procedures are common barriers to contact. Because prisons are usually far away from inmates' families, it takes many hours and a lot of money to visit (Poehlmann et al.). Many visitors are deterred from visiting because of the "waiting, no contact/privacy, short visits, and logistics" (Arditti, 2003, p. 126). Visitors looking to visit are often deterred by the treatment they receive when visiting. Arditti (2003) described one barrier to family visitation in prisons as "harsh, disrespectful treatment" (p. 127) by jail staff.

Programs promoting family contact are difficult to implement, however. Not only do they require evidence of efficiency and success, they also require much compliance with the correctional and criminal justice system and a cultural sensitivity (Herman-Stahl, 2008). It is for these reasons and many more that there is little research, consensus, and institution regarding the best practices for family connection programs for incarcerated individuals.

VERMONT INMATES

This study surveyed a sample of Vermont's incarcerated population. The following analyses on inmate backgrounds and important people in their lives were conducted on data from all the inmates surveyed. The analyses of parenting issues were restricted to inmates who reported having minor children. The following chart (Figure 1) shows the percentage breakdown by facility. It is of importance to note that the Chittenden facility is all female, and all other facilities are all male. This study sampled at a ratio of 8:1 males to females. Although the National average ratio for the incarcerated population is 13:1 males to females (U.S. Department of Justice, 2012), this study further breaks data down into gender categories to control for this difference.

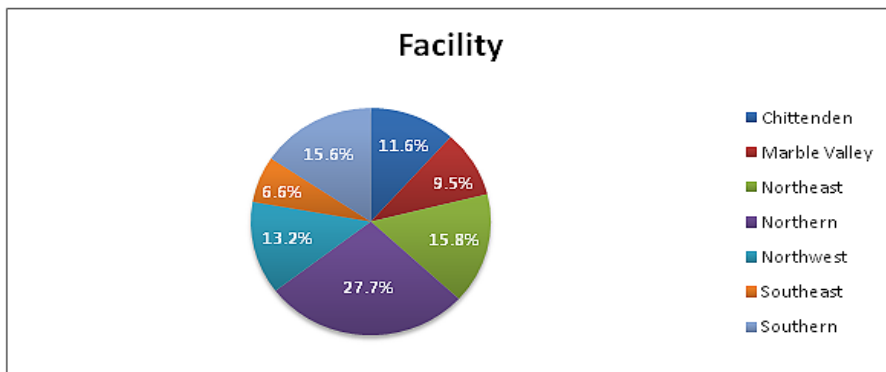


Figure 1: Sample of Vermont's Incarcerated Population

The prison population in Vermont is predominantly White (77%) (see Figure 2). This differed significantly from the National average of 33.58% (U.S. Department of Justice, 2012). The National average also had a majority of the incarcerated population Black or African American, at 37.81% (U.S. Department of Justice). But supporting this data skew, Vermont's race distribution is predominately White compared to National data from 2010 – 94% White compared to a National average of 63% and 1.1% Black compared to a National average of 13.1% (U.S. Census Bureau, 2012).

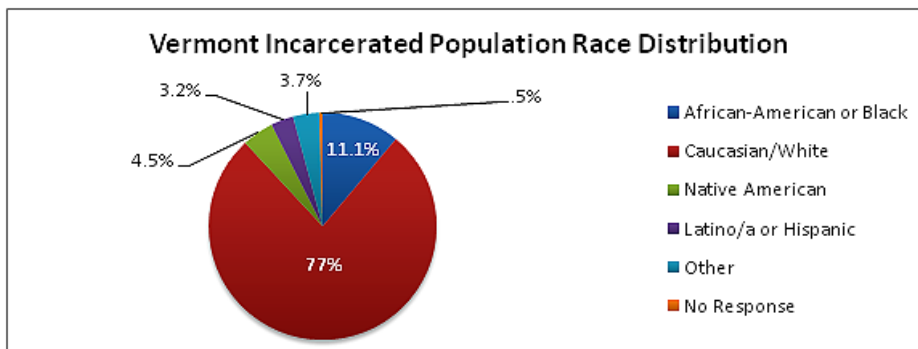


Figure 2: Vermont Incarcerated Population Race Distribution

Age is demonstrated in the following charts: Figure 3 and Figure 4, respectively. Vermont's Incarcerated population is slightly younger than the National Incarcerated population average, taken from a 2011 BJS data sample (U.S. Department of Justice, 2012). However, Vermont's average age in the general population is slightly older than the National average (U.S. Census Bureau, 2012). This

difference suggests that there may be certain factors of the younger population particular to Vermont that may not exist elsewhere. Although this study did not find any causality, this does pose a sociological question about the nature of this difference.

Figure 3: Vermont Average Age at Current Incarceration

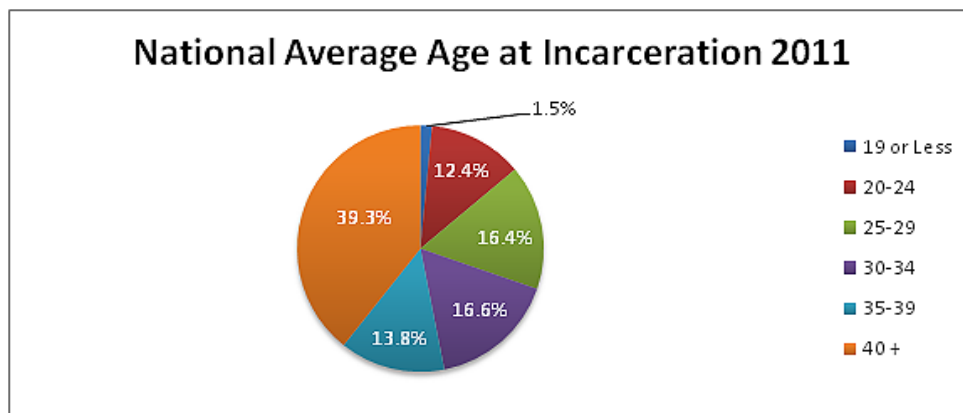


Figure 4: National Average Age at Current Incarceration

This part of the prisoner background is mainly focused on education. In observing a 1997 Bureau of Justice Census study on the incarcerated population's education attainment levels (Harlow, 2003), with several different breakdowns of correlation, it appears that education attainment level may have a causal effect with the incarcerated population. The factors by which prisoner education was analyzed in this study were: gender, race, income prior to incarceration, employment status prior, first time offense vs. prior adult incarceration vs. prior juvenile incarceration, by whom were they raised if a parent was incarcerated, and if they grew up on welfare or in public housing. What the findings were is that on average, the incarcerated population had lower education attainment levels than the National average. Education had a significant impact on income, 63.3% of those with less than a high school diploma or equivalent had an annual income of less than \$1,000 (Harlow, 2003). It is also important to note that 32.7% of the incarcerated population with some college experience or higher was also at an annual income level of less than \$1,000 (Harlow, 2003). This gives some evidence to the idea that poverty

levels and crime have a high positive correlation. For first time offenders vs. recidivists, individuals who had been incarcerated in a juvenile facility had the lowest levels of education (highest levels below high school, lowest above a high school or equivalent degree) (Harlow). A 2011 census report stated, “Education impacts work-life earnings five times more than any other demographic factor” (U.S. Census Bureau, 2011). Cumulatively, the evidence suggests that people living in poverty have higher rates of incarceration and also have a lower education rate. Multiple factors can affect education rate negatively, and evidence suggests that if a parent is incarcerated, on average education level will be lower. The data below supports this theory and shows the approximate educational landscape in Vermont. It is suggested that it is beneficial to Vermont to invest interest into the education of children with incarcerated parents in order to help curve this currently negative relationship in a beneficial way.

Figure 5 describes the education attainment level of the incarcerated population surveyed for this study.

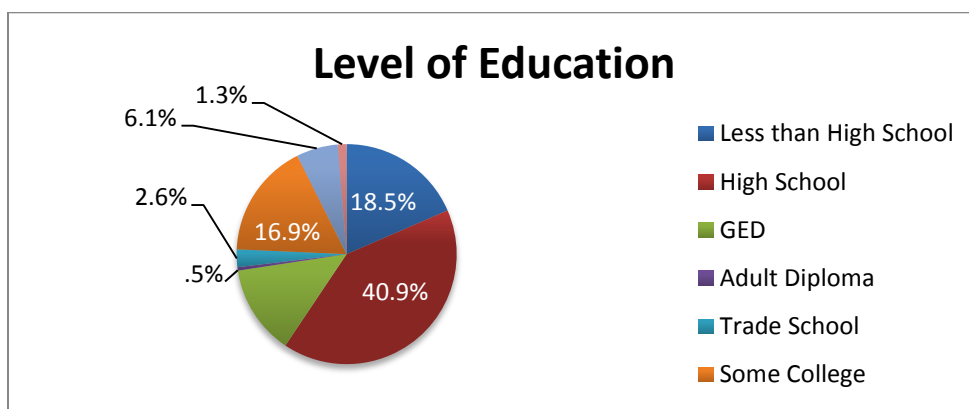


Figure 5: Level of Education

Figures 6 and 7 below show on an even scale the education attainment level of Vermont’s incarcerated population vs. the National average education level from a 2012 census report (U.S. Census Bureau). The main difference between the two populations is that the National average has a 5.3%

higher rate of at least some college experience, and a 6.9% lower rate of achieving less than a high school diploma or equivalent degree (U.S. Census Bureau). Comparing Vermont's State average, some college or higher was greater than the National average, at 35.8% and had only 7.9% of the population with less than a high school diploma or equivalent (U.S. Census Bureau).

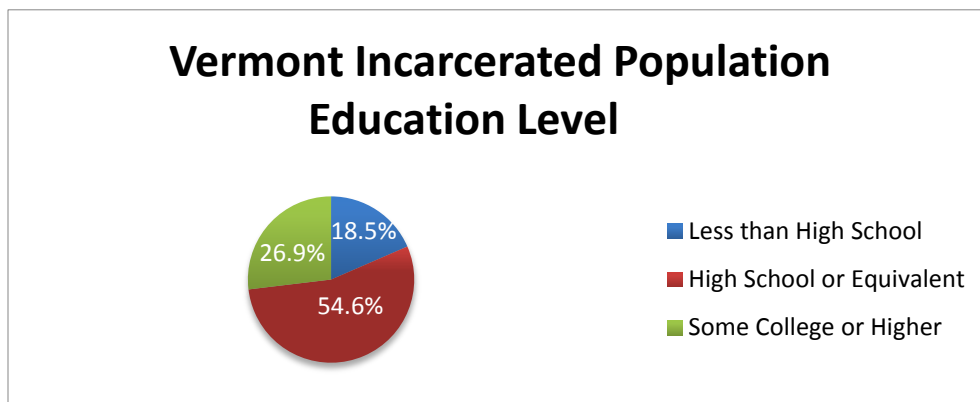


Figure 6: Vermont Incarcerated Population Education Level

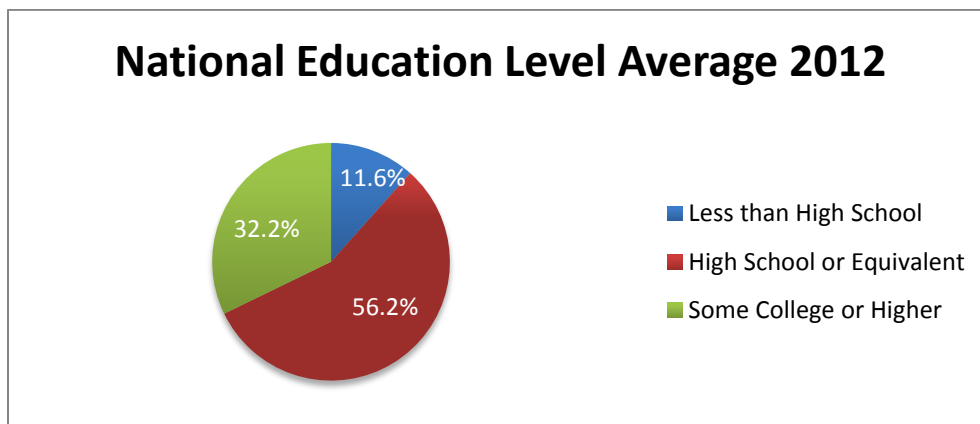


Figure 7: National Incarcerated Population Education Level

Comparing Vermont's incarcerated population's average education level with the National incarcerated population's education level, the most recent comparable data is a 1997 study (Harlow,

2003). Figures 8 and 9 are the National averages for education in 1997 for both the incarcerated population as well as the National average, for a scaling reference (Curry & Day, 1998). Attainment of some college or higher was 26.9% at the current incarcerated Vermont level, versus 12.7% of the National incarcerated population's average, (Harlow); however, the 1997 National average was 48.3% (Curry & Day), nearly double that of Vermont's current incarcerated population's rate. For less than a high school education, Vermont's incarcerated population was on average 22.8% lower than that of the National incarcerated population average (Harlow).

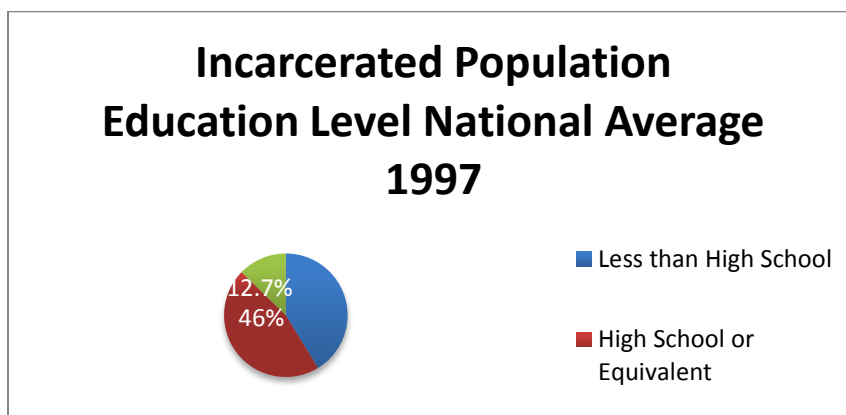


Figure 8: Incarcerated Population Education Level National Average. (Harlow, 2003)

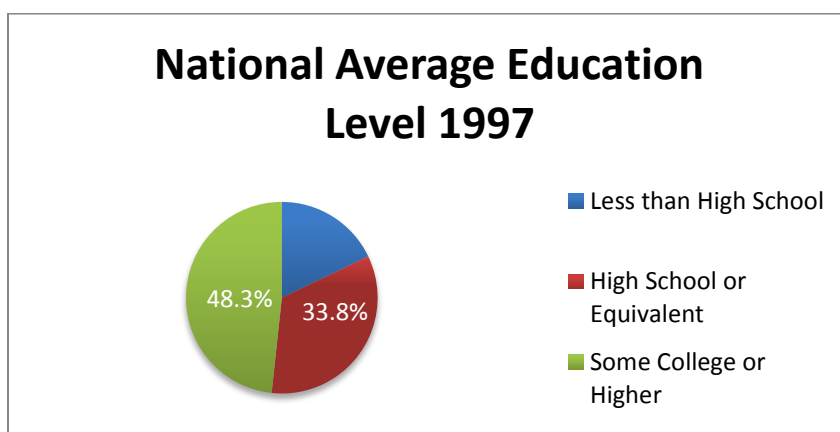


Figure 9: National Average Education Level
(Curry & Day, 1998)

Education was distributed fairly evenly by gender (Figures 10 and 11), with females having a higher rate of achieving a high school diploma or equivalent. Males had a more even distribution, with more achieving at least some college, but with a decent proportion having achieved less than a high school degree.

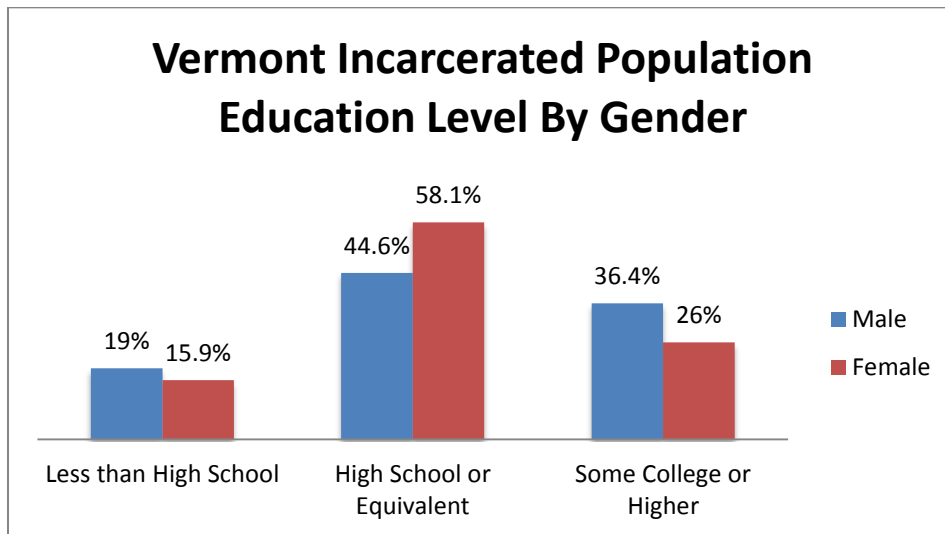


Figure 10: Vermont Incarcerated Population Education Level by Gender

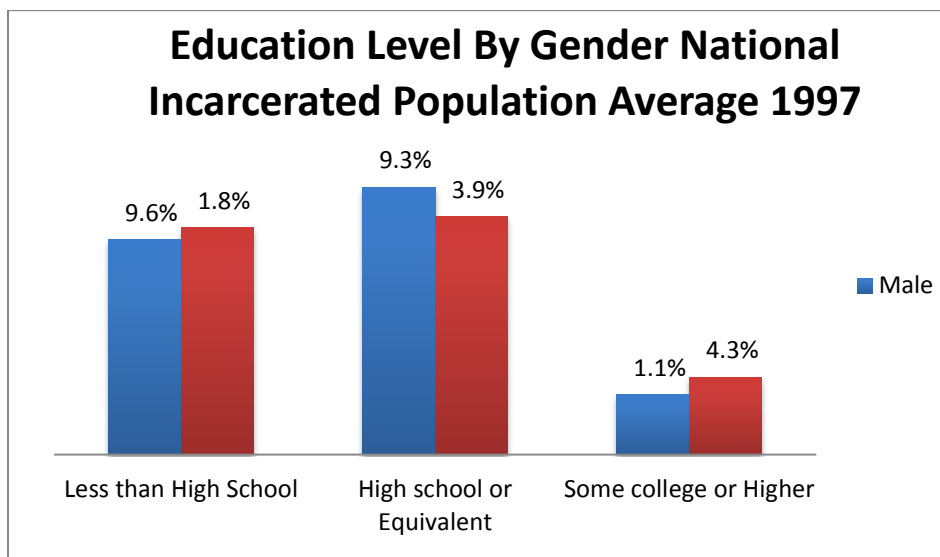


Figure 11: National Incarcerated Population Education Level by Gender (Harlow, 2003)

Figure 12 displays the average ages of first incarceration. More than half are between 16 and 20 years old. 60.7% are below the age of 21. The findings of this statistic suggest that an abnormal amount of illegal activity begins during adolescence and early adulthood. It is worthwhile to consider what possible situations may exist during this time period that may cause this.

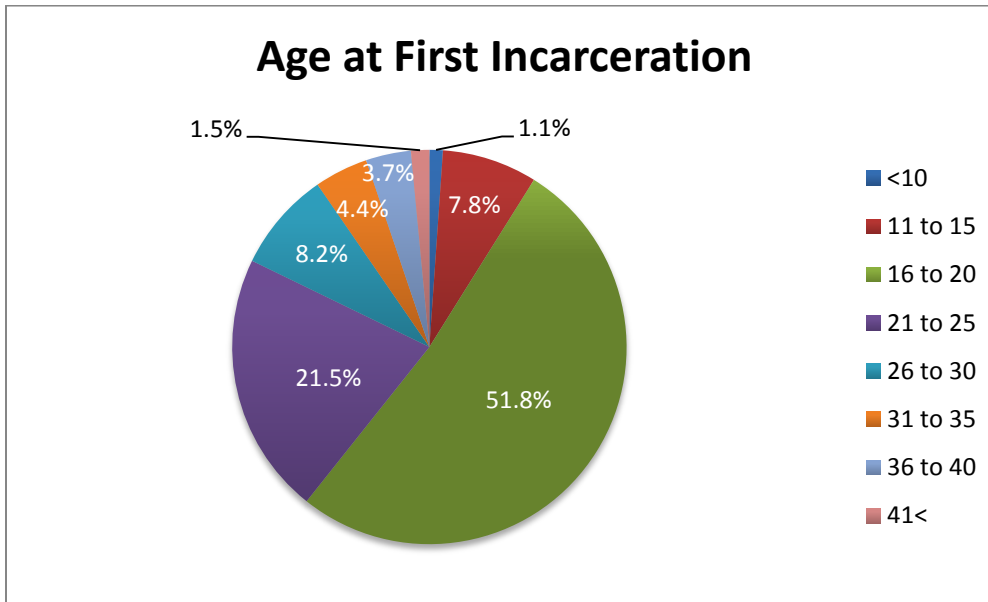


Figure 12: Average Age at First Incarceration

Figure 13 further explores age of first incarceration by dissecting it with current education attainment level, those specifically between the ages of 17 to 18 had the lowest rates of some college experience or higher. This age group also had the highest rate of having less than a high school degree or equivalent. Although there is no definitive causal relationship between education, poverty levels and crime recidivism in this study, it might be of high interest to note this small age range and the proportion of education below that of a high school degree. If this age group were to have programs in place to help them achieve a high school degree or equivalent, there may be lower recidivism rates by these individuals in the future, due to higher education and income earning abilities. Figure 14 displays the relationship between education levels and employment status. It shows that the higher the degree of

education, the more secure one is in the job market, and is therefore more financially stable. This cuts down on the exposure to poverty an individual will have that is directly related to level of education.

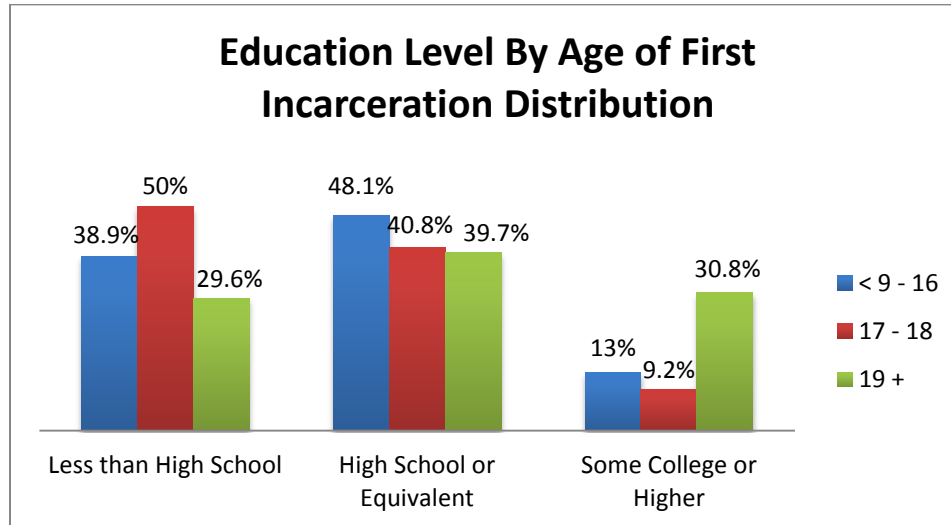


Figure 13: Education Level by Age of First Incarceration

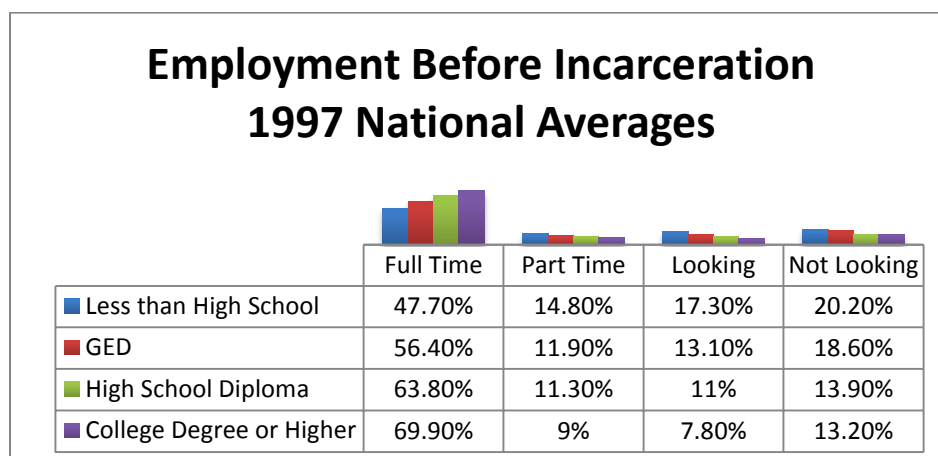


Figure 14: Employment before Incarceration (Harlow 2003)

The following distributions show the study's results on Vermont's incarcerated population in relation to: family members incarcerated while growing up (Figure 15); previous incarcerations (Figure 16); and youth care (Figure 17). The findings show that the majority of the incarcerated population had a parent or loved one incarcerated while they were growing up. The population also had a high rate of incarcerations for previous crimes, parole, probation, and furlough violations. Finally, the findings show

that just fewer than 24% of the population grew up in foster care, and just less than 25% of the population was at one point in a juvenile facility. With 57.8% of the population growing up with a loved one incarcerated, and 23.5% of the total population also growing up in foster care, this displays that a significant portion of the current incarcerated population experienced caregiver problems growing up. Relating back to the data from the 1997 Bureau of Justice report (Harlow, 2003), these problems have a direct correlation with education attainment level. Factors that negatively impacted education attainment were: being raised by a single parent, and more negatively, someone other than a biological parent. On average, the 1997 incarcerated population also had lower education levels if a parent was incarcerated growing up, as well as if they grew up on welfare or in public housing (Harlow). These factors appear to be barriers to achieving education, which on average appears to lead to higher rates of incarceration later in life.

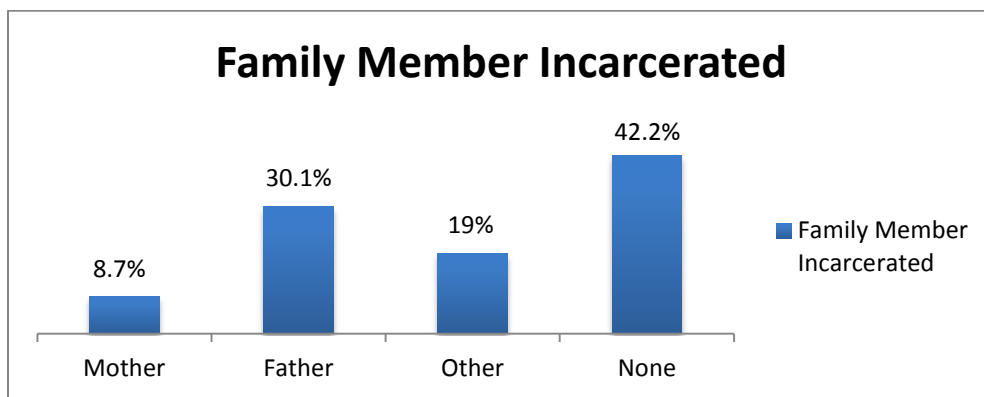


Figure 15: Family Member Incarcerated While Growing Up

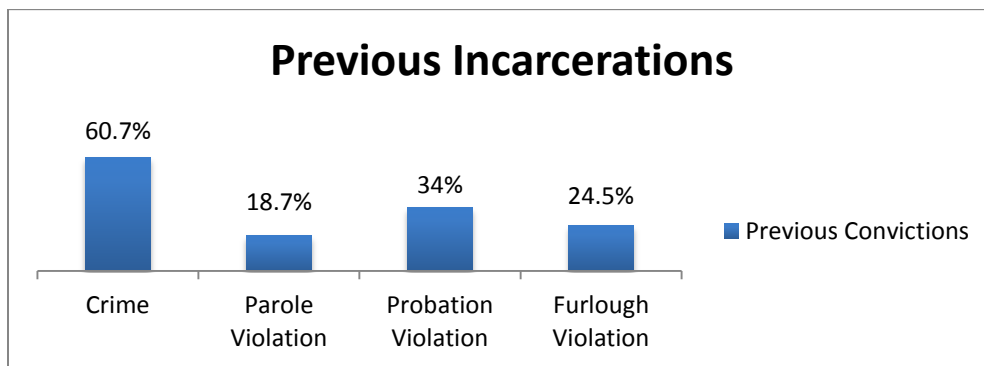


Figure 16: Previous Incarcerations

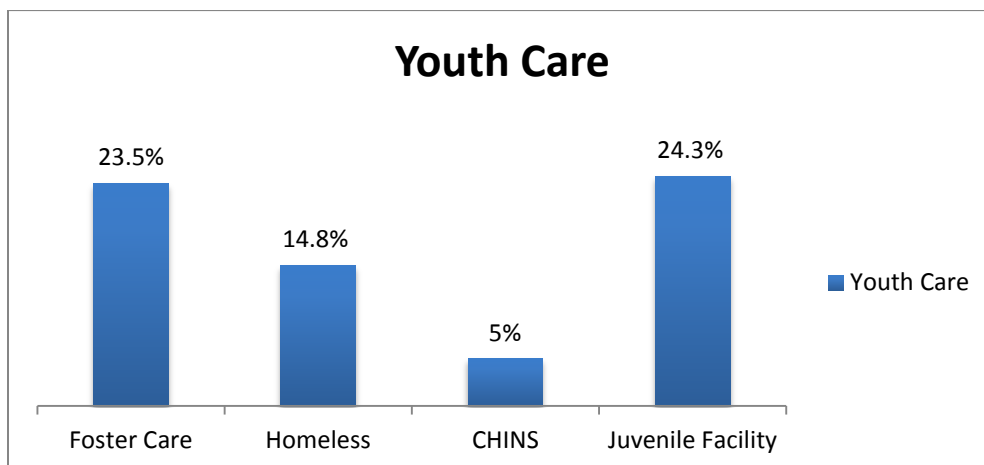


Figure 17: Youth Care

This study discovered that of the prison population surveyed, an overall 14.8% of them were homeless during their youth and another 23.5% were in foster care. When these statistics are further broken down by gender, it becomes clear that many of those incarcerated in Vermont were significantly disadvantaged during their developmental years. As shown in Figure 18, 14% of the male population surveyed was homeless during youth, with another 23% having been in foster care. These are fairly high percentages, yet the female population was even more disadvantaged as 25% of the female population surveyed were homeless and another 25% had been in foster care. These non-traditional living arrangements account for 37% of male inmates' youth living situations and a full 50% of those of

female inmates; the data shows that a significant portion of the incarcerated population lived without biological family members during youth.

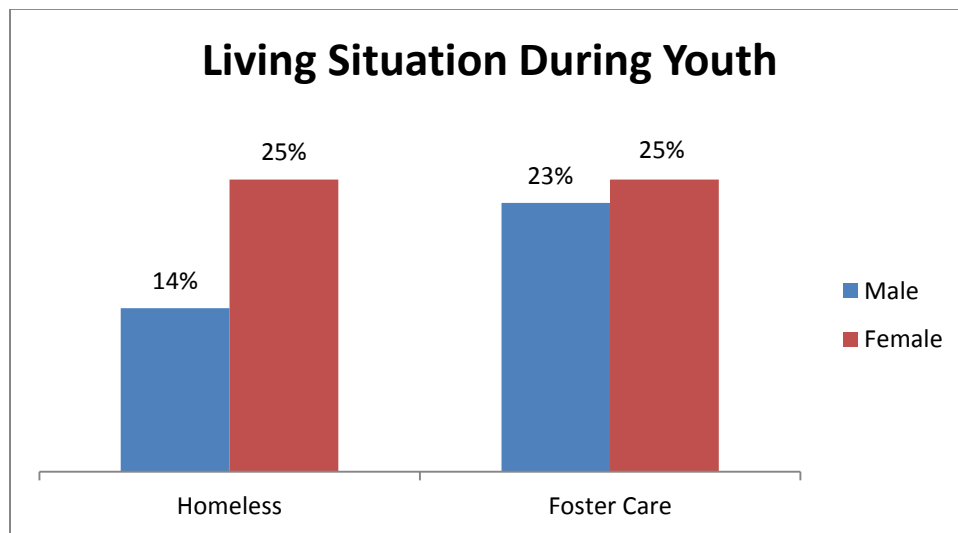


Figure 18: Living Situation during Youth

National data presented by Kjellstrand et al. (2012, p. 2410) indicated that of current incarcerated, 22% of their parents were also incarcerated, data from their 2012 study demonstrated that 60% to 70% of inmates had at least one parent arrested or incarcerated (p. 2413), and data from this study demonstrated that nearly 40% of prisoners in Vermont had had at least one parent incarcerated during their youth (see Figure 19). A full 6.1% of the Vermont prison population reported having had both parents incarcerated during their youth. It appears that division of the family unit and separation from incarcerated parents leads not only to non-traditional living arrangements, but also influences involvement with the criminal justice system.

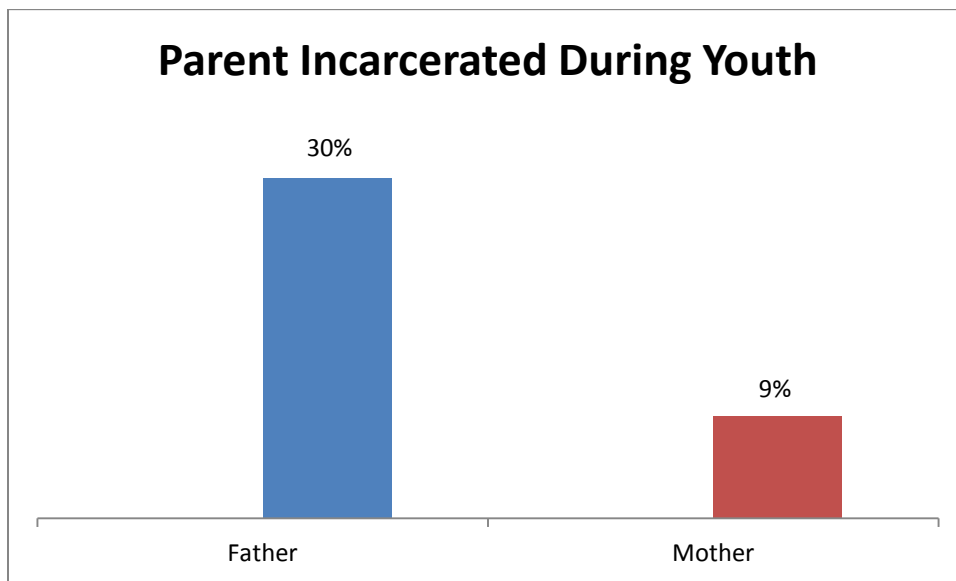


Figure 19: Parent Incarcerated During Youth

This effect is evidenced by the fact that 24.3% of the inmates surveyed were involved in the juvenile justice system. As shown below in Figure 20, more than a quarter of male inmates were involved in the juvenile justice system during youth, as well as just over a tenth of the female inmates surveyed.

The data represented in Figure 21 are statistically significant. Having a parent incarcerated increases the chance that a child will spend time in the foster care system and/or homeless. Moreover, that risk goes up with two parents incarcerated. Thus, the child welfare system and Department of Corrections are deeply intertwined. The policy ramifications of parental incarceration are enormous.

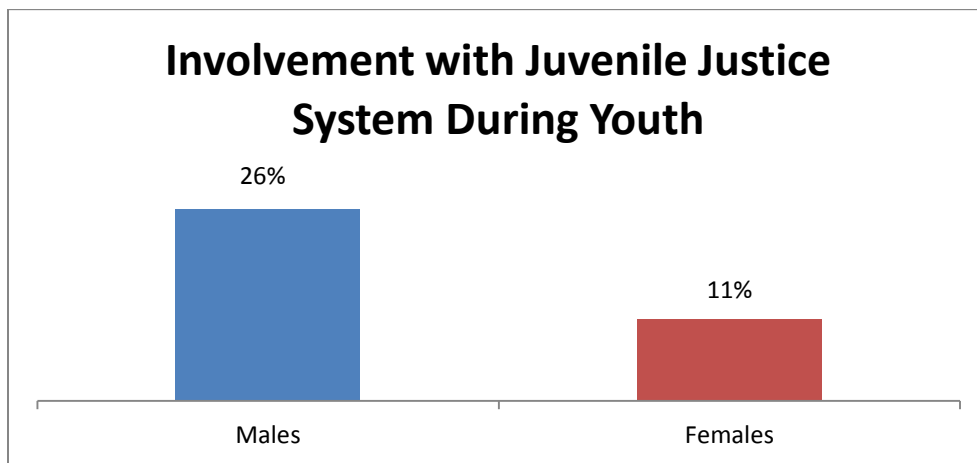


Figure 20: Involvement with Juvenile Justice System during Youth

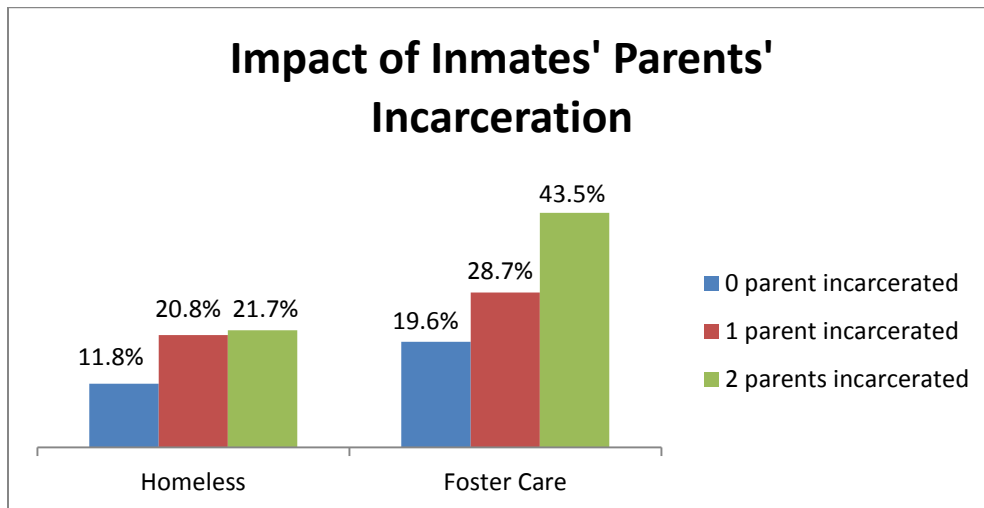


Figure 21: Impact of Parental Incarceration

Familial separation inevitably leads to a variety of problems within the family unit. Financial strain, alternate living arrangements, and weakened attachment to parents can all place significant burdens on children of incarcerated parents (Jeremy, McBride, & Solomon, 2003). This burden is particularly significant when children are left without their primary caregiver. It has been estimated that “30% to 50% of incarcerated parents lived with at least one of their children prior to their prison admission” (Kjellstrand et al., 2012, p. 2409). This study found that 64.1% of inmates surveyed have at

least one child under the age of 18, and that 20.1% of those had at least one of their underage children living with them prior to their current incarceration.

Because children of incarcerated parents are disadvantaged by their parents' absence, they are likely to become involved in the criminal justice system themselves, with 10% to 30% of children of incarcerated parents arrested or incarcerated themselves (Kjellstrand et al., 2012, p. 2409). Interestingly, "The adult children of incarcerated mothers were 2.5 times more likely to be incarcerated than the adult children of fathers" (Kjellstrand et al., p. 2410). It is possible that this is due to the fact that 42% of incarcerated mothers are single-parents, and so children of incarcerated mothers are more greatly disadvantaged when they lose their sole caregiver than those of incarcerated fathers, of which a greater number live in two-parent households (Christian, 2005, p. 2). Additionally, high rates of homelessness are reported by female inmates and are consistent nationwide with "mothers in state prison [being] twice as likely as fathers to report homelessness in the year prior to their most recent arrest" (Kjellstrand et al., p. 2410). The homelessness of mothers who are subsequently incarcerated can have serious effects on their children due to the consequent lack of a stable environment and a sudden shift in caregiving responsibility. These risk factors likely contribute to the frequency of generational cycles of incarceration.

CHILDREN

Parent

As the number of people incarcerated increases each year, the number of parents incarcerated increases as well. According to a Special Report released by the Bureau of Justice Statistics of the U.S. Department of Justice entitled, "Parents in Prison and Their Minor Children," found that:

Between 1991 and midyear 2007, parents held in state and federal prisons increased by 79% (357,300 parents). Children of incarcerated parents increased by 80% (761,000 children), during this period.

In this report, unless otherwise stated, the word *children* refers to people under the age of 18, and the word *parent* refers to inmates who stated they had minor children.

As of April, 2013, there were 1,555 inmates incarcerated in the state of Vermont; 379 of those inmates were interviewed for this project. Of those 379 inmates interviewed in the fall of 2013, 243 prisoners were parents of minor children (64.1% of inmates) and the majority reported having between 1-2 children (see Figure 22). 44% had children under the age of 12. 58.6% of the male inmate population surveyed reported having children; only 4% of fathers reported that one or more of their children had child welfare system involvement.

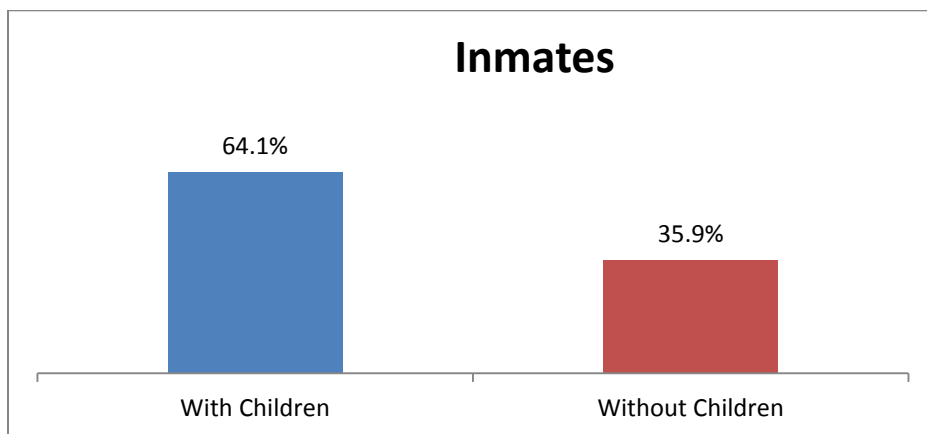


Figure 22: Percentage of Inmates With and Without Children

The 243 parents had 416 minor children (54.1% of inmates surveyed). 53% of male inmates and 64% of female inmates had minor children. To clarify, 64.1% of inmates reported having children, but not all of them are minor children. Compared to the United States as a whole, Vermont houses more

parents in their prisons than average – 52% of state inmates and 63% of federal inmates are parents, as shown in Figure 23. It could be speculated, based on the findings of this report, that there are over 1,700 Vermont children who have an incarcerated parent.

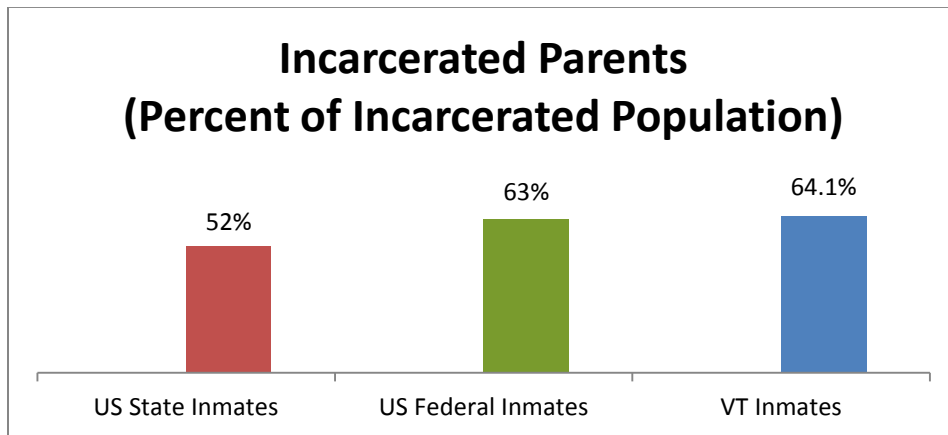


Figure 23: Percentage of Incarcerated Parents

Children

It can be speculated using data from this survey, that approximately 1.38% of the child population of Vermont has an incarcerated parent. 8.3% of children are under 2 years old and 32.5% are ages 2-5 years old resulting in more than 40% of the children with incarcerated parents are under school age. Furthermore, 38.1% of children are ages 6-12 years old and 21.1% are ages 13-17 (see Figure 24).

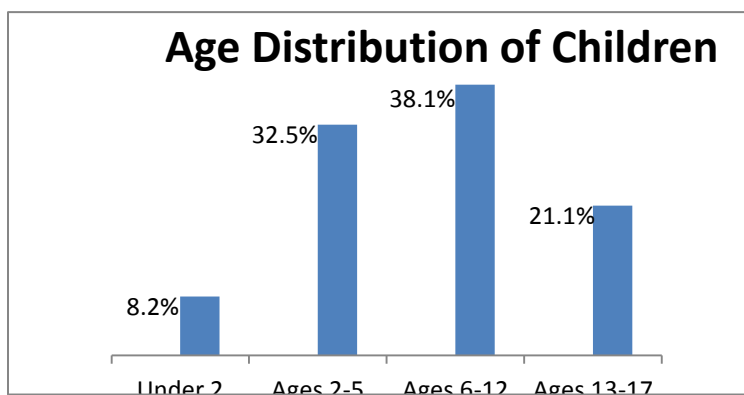


Figure 24: Age Distribution of Children with Incarcerated Parents

Custody

32.2 % of the children of Vermont inmates have had their custody decided through family court. Additionally, 24.3 % were decided through an Informal Agreement, 23.6 % have 50/50 custody, 15.4 % of inmates have custody, and 4.6 % were decided through probate court.

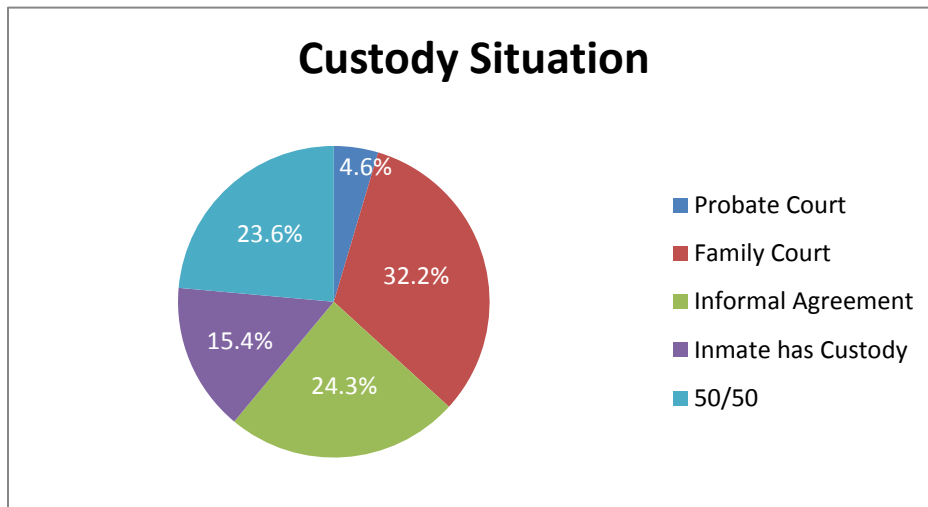


Figure 25: Custody Situation

15.3 % of inmates with children still hold custody of their children, with 15.1 % of the inmates being men and 16.7 % of the inmates being women. Only 9.6 % of the inmates interviewed for this project gave up their parental rights prior to their incarceration.

It was found, as shown in Figure 26, that it is much more likely for women to have their parental rights terminated.

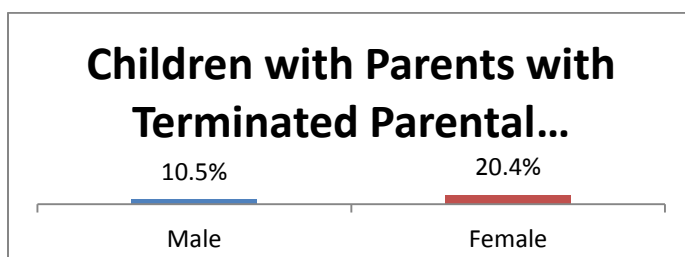


Figure 26: Terminated Parental Rights vs. Gender of Inmate

Children's Living Situations

Figure 27 displays the living situations of the children of the interviewed inmates, comparing them before and during their current incarceration. 48% had lived with one or more of their children prior to their incarceration; in addition, 41% of the children were living with their incarcerated parent, while only 8% of children were living without a family member in the home. Most children with an incarcerated parent live with the other parent during the incarceration. We found that only five children, representing 2% of the sample, are currently in foster care; 3.3% of all children live with the inmate's significant other.

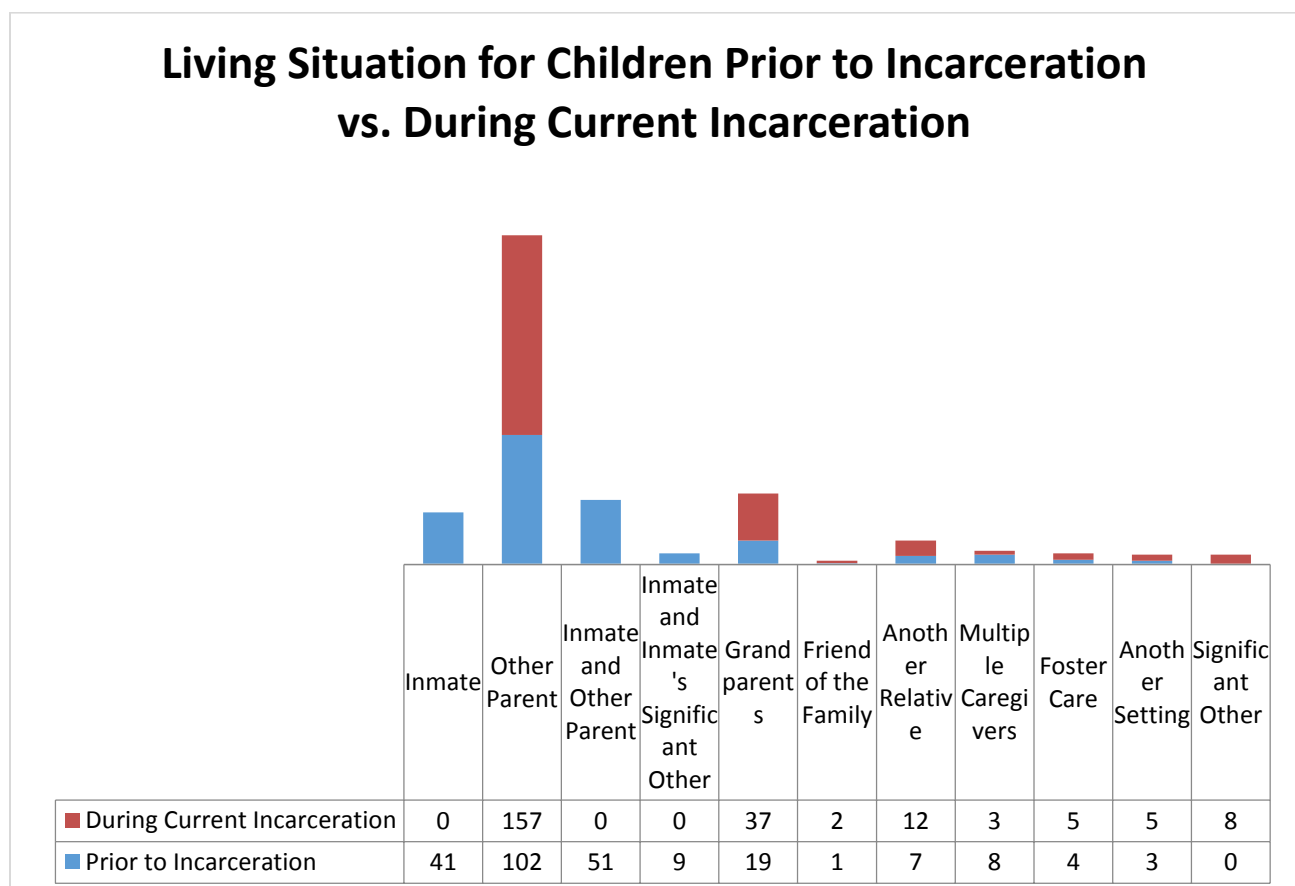


Figure 27: Living Situation of Children of the Interviewed Inmates

Only approximately one-third of children visit their incarcerated parent (see Figure 28); our findings did not vary by parent's gender. Prior to the parent's current incarceration (see Figure 29),

however, 81.6% of children always or often visited with their parent, with only 8.1% of children having had no contact with their parent. Over 95% of children who visit their incarcerated parent are transported using a caregiver's personal vehicle.

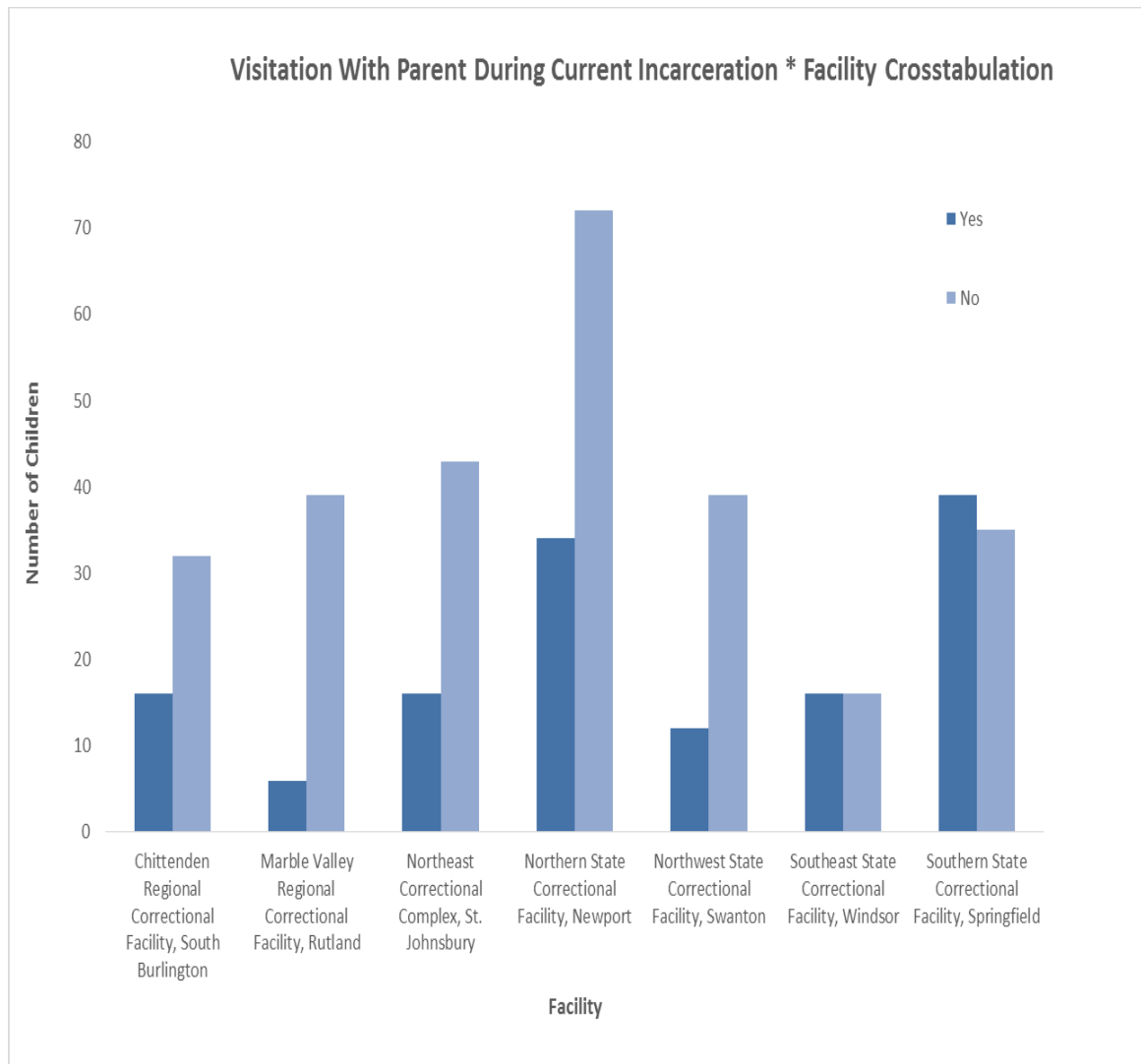


Figure 28: Parental Contact during Incarceration per Facility

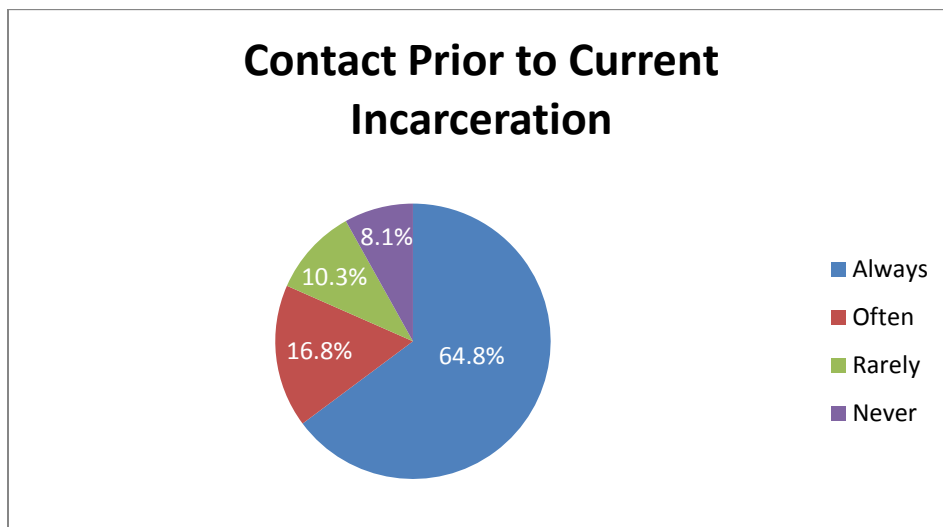


Figure 29: Parental Contact Prior to Current Incarceration

Barriers to Contact

Figure 30 shows the barriers that inmates face to having visitation with their children. The most common barrier to visitation with children is distance. The second and third greatest barriers were reluctance on the part of the inmate for children to see them incarcerated and stress on children and their caregiver. The study found that 34.7% of inmates with children said that the visiting space was not suitable for their child(ren), and 20.3% of inmates with children said that DOC policy was a barrier to contact. Specifically, inmates mentioned the need for caregivers to bring birth certificates to each visit, or not being allowed physical contact, children not understanding why they cannot hug their parent(s), and the space not being child-friendly.

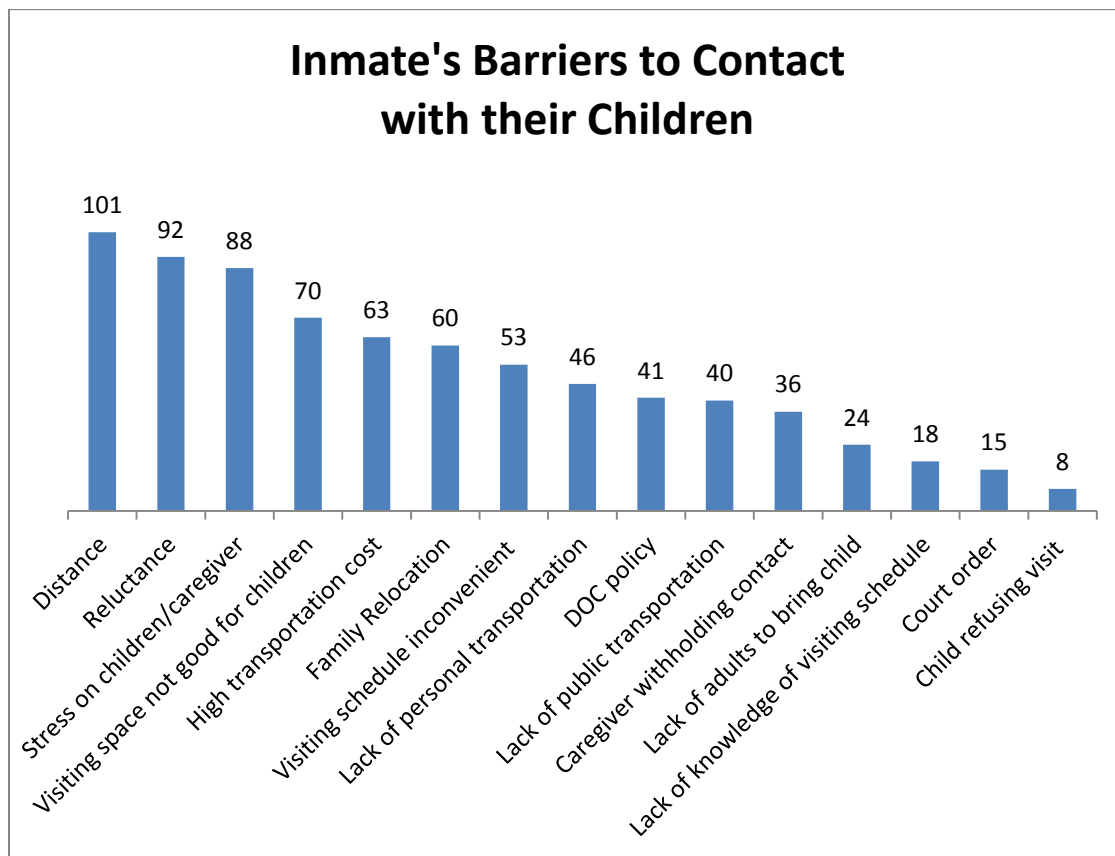


Figure 30: Inmates' Barriers to Contact with their Children

Decision Making

Incarcerated parents reported that the frequency of daily parental decision-making about children decreased significantly during their incarceration. Prior to their current incarceration, incarcerated parents reported always making decisions regarding 61.2% of the children mentioned. During their incarceration, this figure fell to 18.5%. In contrast, prior to the current incarceration, parents reported never making decisions regarding 12.6% of their children; this figure rose to 46.1% during this current incarceration (see Figure 31).

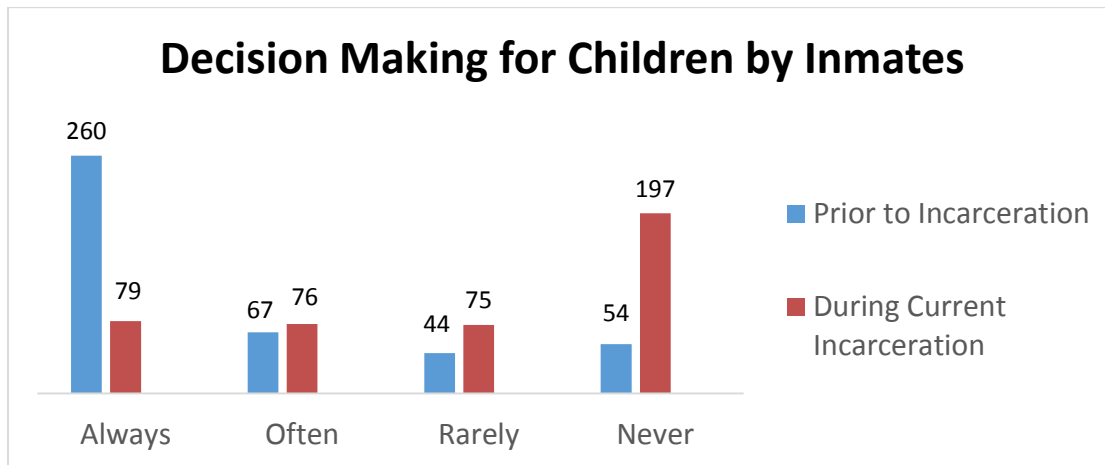


Figure 31: Decision Making for Children by Inmates

Figure 32 shows the caregiving arrangements for inmates' children. For example, male inmates, both nationally and in Vermont, are significantly more likely to have their child(ren) live with their other parent than female inmates are. This has tremendous implications for contact, visitation, and possibly the involvement of other state agencies, such as income assistance and child welfare.

Caregiving Arrangements

Child lives with other parent	Vermont Average	National Average
Male Inmate	83.5%	89.6%
Female Inmate	32%	28%

Figure 32: Caregiving Arrangements

Parental expectations about post-incarceration contact with children

28.2% of inmates expect to live with their child or children when they are released. 97 % of inmates with children say they will have visits with their children when they are released yet only one-third of children visit their parent while they are incarcerated.

CONTACT⁷

Why Contact Matters

The criminological literature suggests that inmates who have contact with loved ones while incarcerated have significantly greater success with the reentry process; moreover, maintaining a social network while incarcerated is integral to successful reentry (Casey-Acevedo 2004; Vera Institute of Justice 2011). Specifically, contact has been shown to delay recidivism and decrease the overall likelihood of recidivism (Cecil et al. 2008; Minnesota Department of Corrections).

The effects of incarceration reach beyond the inmates to impact their families and communities as well. Akesson et al. (2012) emphasize the importance of Corrections' programs that view the inmate as part of a family unit and not an isolated individual by orienting visitation programming and policy toward keeping families together and healthy. Researchers Casey-Acevedo and Karen (2008) state, "maintaining family ties through visitation programs can help strengthen these relationships. Visitation will probably increase the possibility of successful prison adjustment, parole, and reunification with friends and families, and perhaps more importantly, with children."

The percentage of inmates reporting having maintained *visitation, phone contact, and written contact* is reported below in Figure 33.

⁷ This section looks specifically at contact with *important people*. Important people are any persons related more or less intimately to the inmate other than children under the age of 18. For example, some people that would fall into this category would be siblings, parents, significant others, grown children over the age of 18, or close friends of the inmate. For data on contact with children under the age of 18, turn to the "Children's Issues" section.

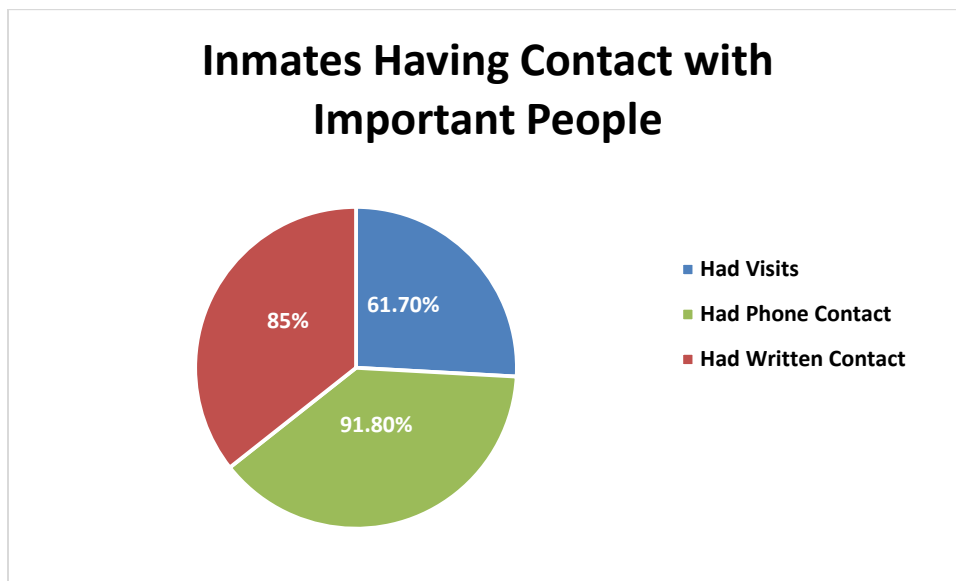


Figure 33: Percentage of Inmates Having Contact with Important People by Type

Visitation

Only 62% of Vermont inmates reported having received a visitor during their current incarceration. That means that 38% of inmates, or by this study's estimates—576 individuals, currently incarcerated in Vermont have not had a single visitor during the term of their current incarceration.⁸ This is a surprisingly high number given the demonstrated benefits of visitation for all parties involved.

The second highest reported frequency of visits was weekly. 19% of inmates reported weekly visits, while 15% of inmates reported receiving visitors a few times a year. 11% reported having visitors two or three times a month, and 0.3% reported receiving visitors more than weekly (See Figure 34).

⁸ This study's sample was 25% of the entire Vermont prison population. The sample had 379 cases.

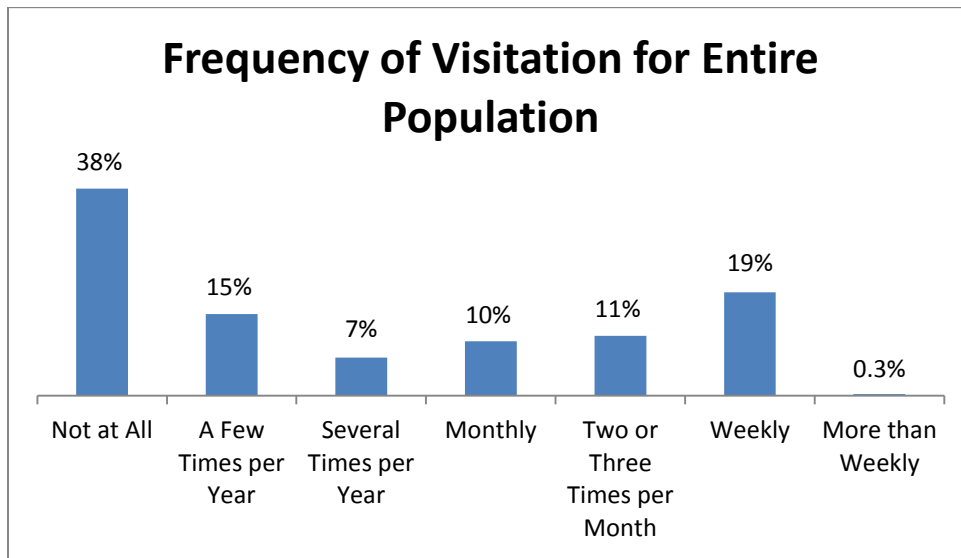


Figure 34: Frequency of Visitation for Entire Population

In our sample, for each category of visitation frequency, percentages were nearly identical for re-offenders and first time offenders. Specifically, among inmates that receive visitors monthly or less frequently, 59% have previously been incarcerated for a crime and 61% have not. The cross tabulation is pictured below in Figure 35.

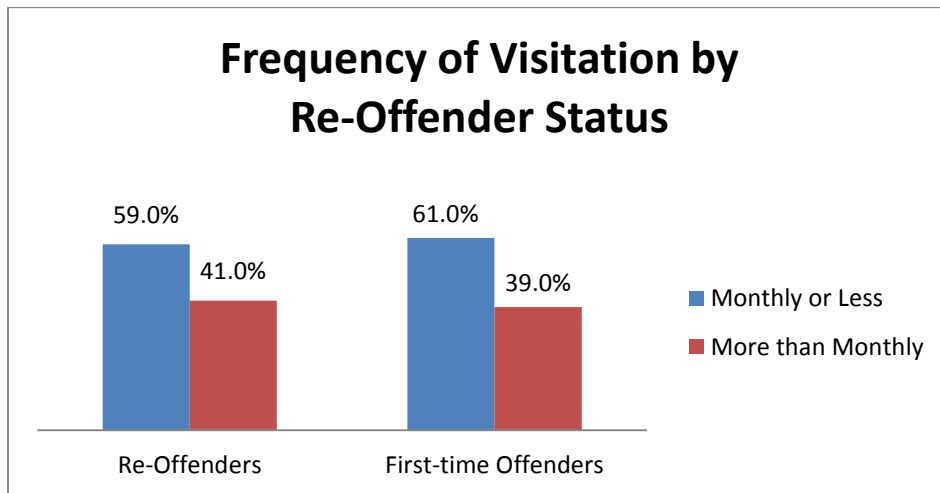


Figure 35: Frequency of Visitation by Re-offender Status

Differences by Facility

There is a significant difference in visitation frequency by facility. Among inmates that receive visits, the largest number reported this happening weekly. The upper category of one of the categories is *weekly* visitation.⁹ This also allowed for the examination of the apparent milestone of weekly visitation. Frequency of visitation varies vastly by facility and the distribution is depicted below in Figure 36.

⁹ See fn1 above for an explanation of how and why frequencies are dichotomized in cross tabulations or comparative analyses.

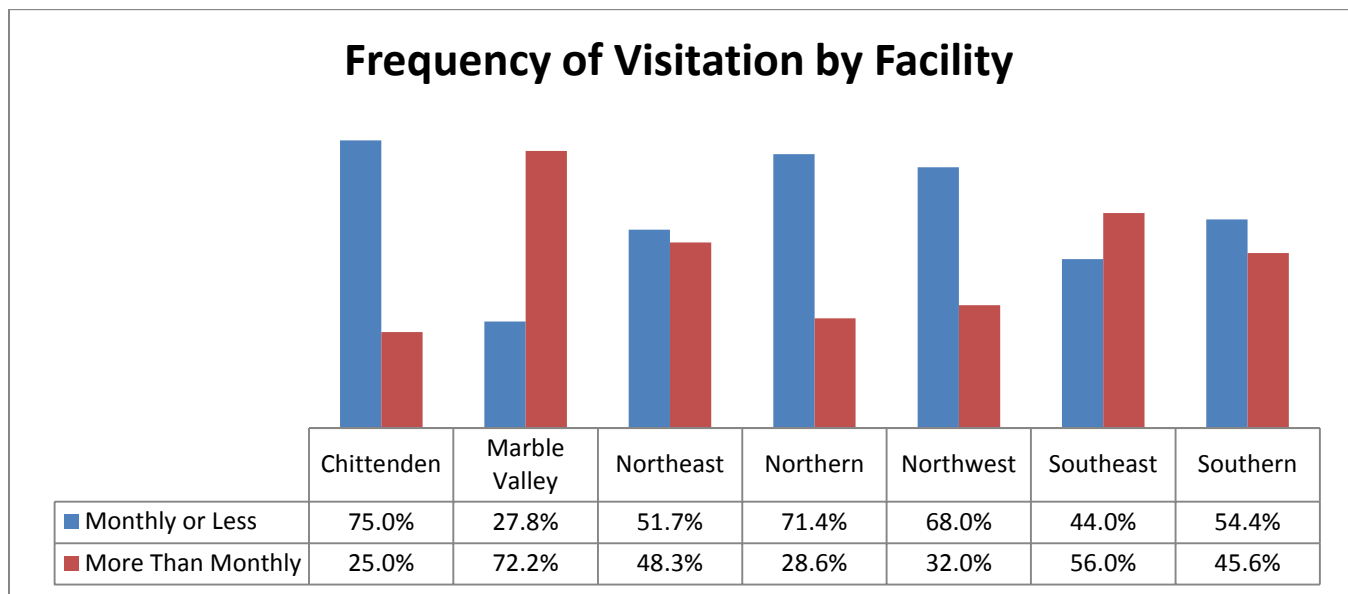


Figure 36: Frequency of Visitation by Facility

Northeast, Southeast, and Southern all have nearly proportional numbers of cases on both sides of the dichotomy. However, Marble Valley is disproportionately visited more frequently. Specifically, 72% of Marble Valley inmates fell into the *More Than Monthly* category. At first glance this seems to be a reflection of the fact that this facility houses the majority of detainees or perhaps could be due to its accessibility via public transportation from Burlington. However, given what we see from the rest of the northern part of the state, it appears as though there are other structural factors at play.

Chittenden, Northern and Northwest are disproportionately under-visited. Specifically, 75% of Chittenden inmates fell into the *Monthly or Less* category along with 71% of Northern inmates and 68% of Northwest inmates. This is unexpected if we assume transportation or concentration of detainees explain the difference, as Chittenden is far easier to access from Burlington, has the *Kids-A-Part Program* and also houses detainees. Yet, Chittenden has the lowest frequency of visitors. The only salient explanation as to the differential frequency of visitation at the Chittenden facility is the fact that it

is the only women's facility in the state. This leaves the disproportional under-visitation of Northern and Northwest unexplained, and this certainly warrants further investigation.

Differences by Gender

It is clear that there is a significant relationship between the gender of inmates and the frequency with which inmates receive visitors. Specifically 42.3% of men receive multiple visits a month, while only 25% of women receive visits more than once a month (see Figure 37).

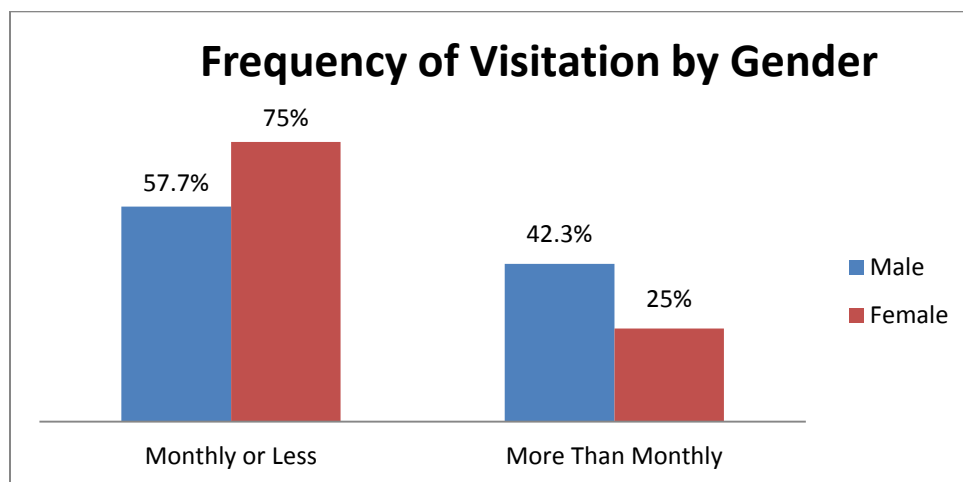


Figure 37: Frequency of Visitation by Gender

Phone Contact

Frequency of Phone Contact

Phone contact is a popular form of communication between inmates and important people. 93% of inmates make calls to important people at least once a year. Of this 93%, 47% speak to their

important people several times a week, 16% speak weekly, and 11% speak daily. In contrast, only 5% of inmates speak once a month and 2% speak a few times a year (See Figure 38).

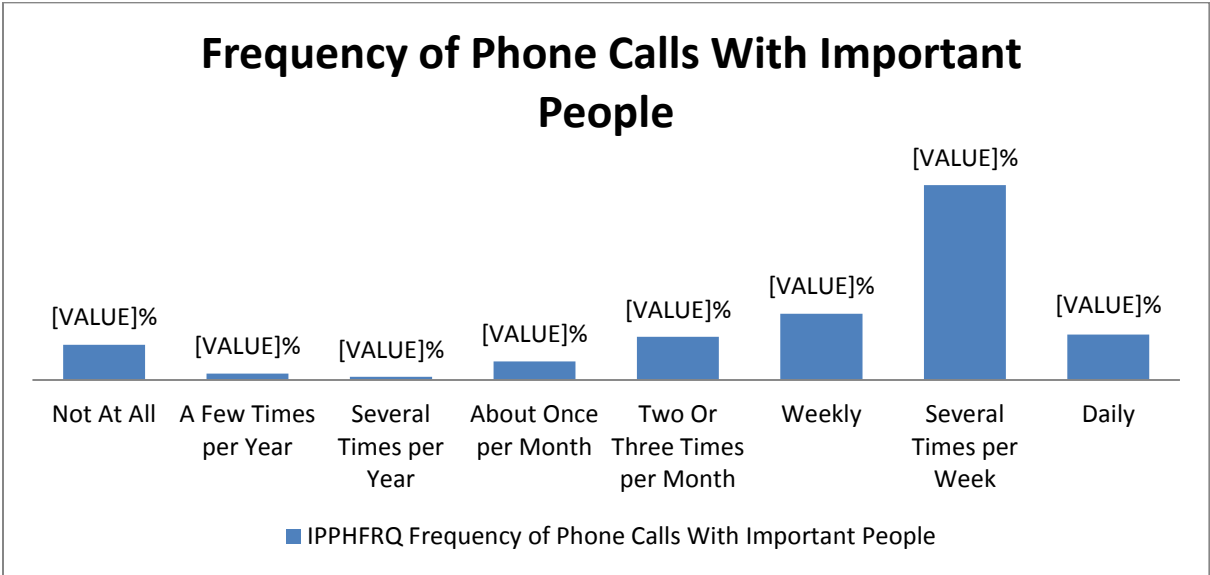


Figure 38: Frequency of Phone Contact for Entire Population

Differences by Facility

When comparing phone contact data by facility, frequencies did vary by facility as depicted in Figure 39 below. However, the association has a significance level of .770 which is far too high to establish statistical significance. Therefore the results in this figure should not be generalized to the population, though they may be suggestive of patterns in the population at large.

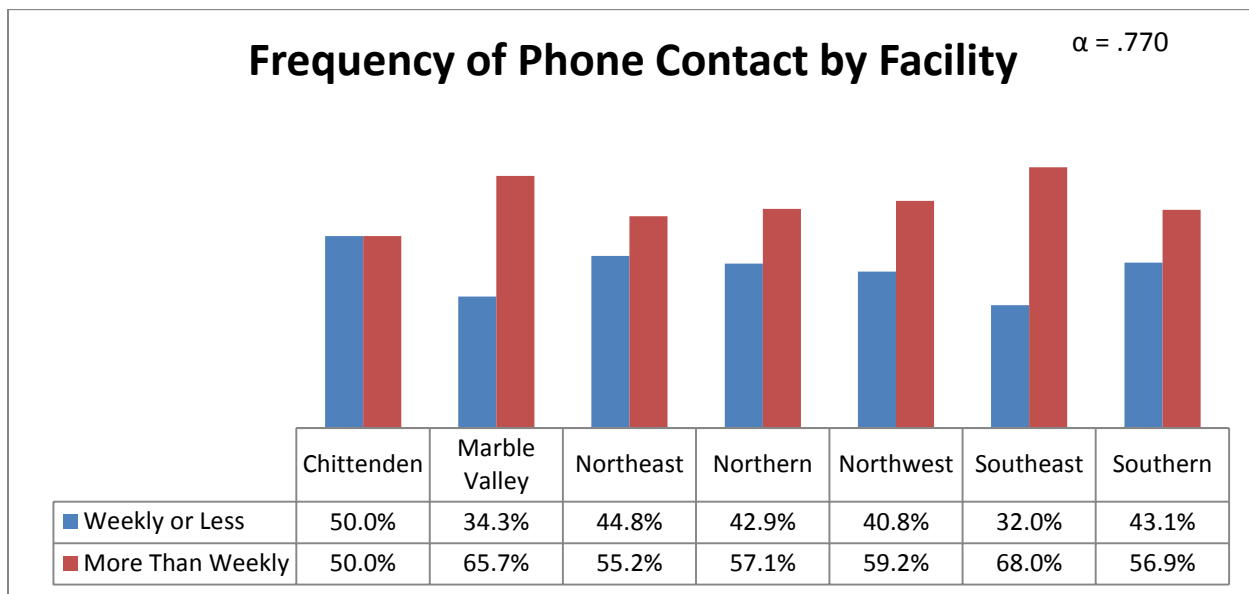


Figure 39: Frequency of Phone Contact by Facility

Both Marble Valley and Southeast are notable for having over 65% of their inmates receiving phone contact more frequently than weekly. Chittenden again has the lowest frequency of phone contact with only 50% of inmates in this facility receiving phone contact with more than weekly frequency. Otherwise, 55% of inmates at Northeast receive phone contact more than weekly, 57% at Northern, 59% at Northwest and 57% at Southern.

Written Contact

Frequency of Written Contact

The qualitative part of our survey revealed that inmates had very positive sentiments about their written contact with important people. According to the data, 85% of inmates had written contact with important people. Of those inmates who did utilize written contact, 41% of those inmates talked monthly while only 3% of inmates spoke daily. 15% of inmates have either written contact weekly or several times per year; 11% of the inmates reported rarely having written contact with important persons (see Figure 40).

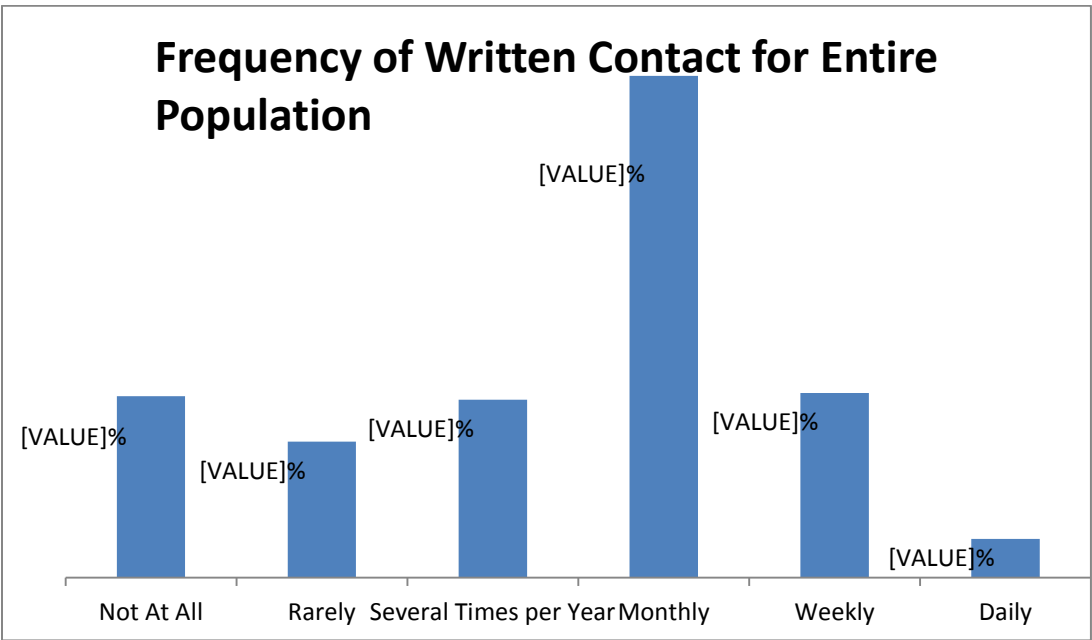


Figure 40: Frequency of Written Contact for Entire Population

Frequency of Written Contact by Length of Incarceration

The data show that there is a relationship between incarceration length and frequency of written contact, with daily contact declining as the prison stay increases: 23% of inmates incarcerated for three months or less reported daily written contact, whereas only about 10.5% of inmates incarcerated for more than three months reported daily written contact, Data show that around 40% of inmates receive written contact weekly. Also, the longer someone is incarcerated the more likely they are to receive written contact monthly. This is displayed by the 8% of inmates who had written contact monthly within the first three months of their incarceration and the roughly 18.5% of inmates who reported written contact after three months of their incarceration. This is portrayed in Figure 41 below.

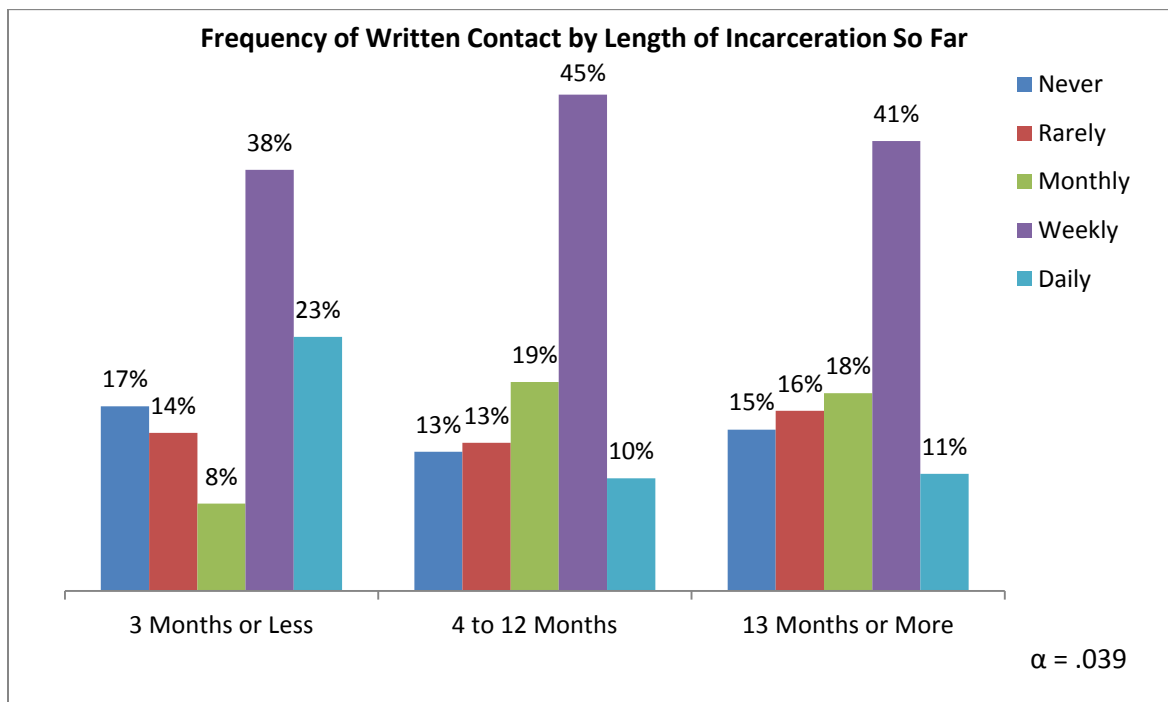


Figure 41: Frequency of Written Contact by Length of Current Incarceration

Differences by Facility

In further analyses, we compared the frequencies of written contact by facility, displayed in Figure 42. The data have a significance level of .172, which is not quite statistically significant; however there is over an 80% chance that these data do suggest significant patterns. The data shows that Chittenden, Marble Valley, and Southern all had close to 65% of their populations receiving written contact on a weekly basis or more frequently. Additionally 56% of the inmates at Northern received written contact at the same rate. These statistics are in contrast with the results of the inmates in Northeast, Southeast, and Northwest who received written contact monthly or less frequently less than 50% of the time. This is demonstrated by Figure 42. Anecdotally, inmates at Marble Valley reported receiving their allotted seven stamps and envelopes per week, whereas some inmates at other facilities stated that they do not regularly receive their stamps and envelopes.

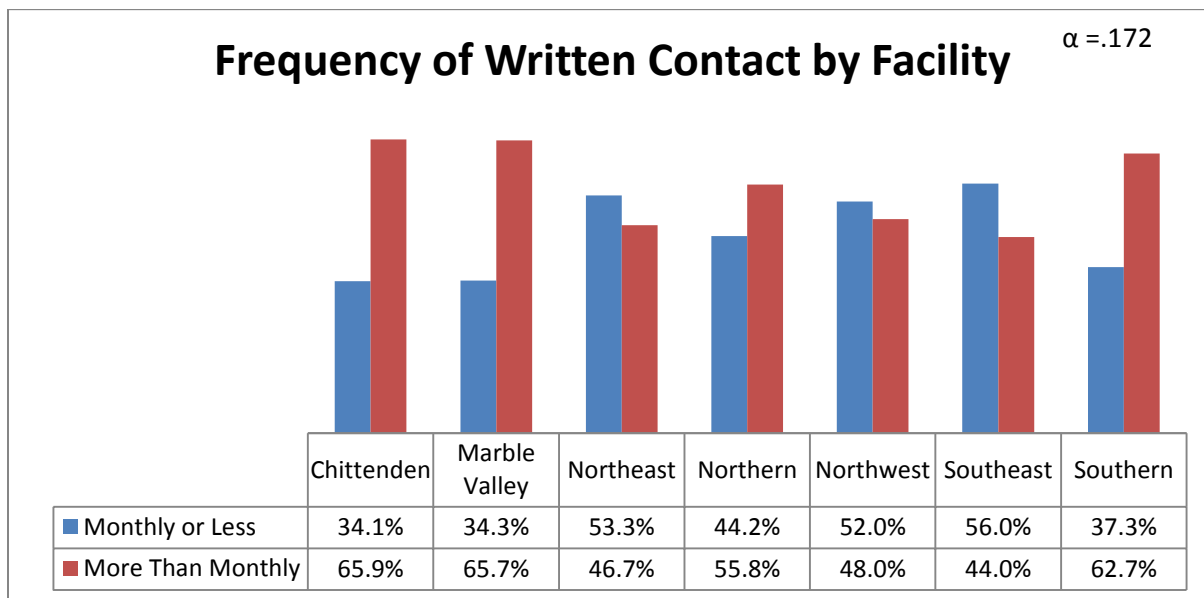


Figure 42: Frequency of Written Contact by Facility

Support

Respondents reported feeling a great deal of support from important people. 84% of inmates felt that their families are very supportive, while less than 1% responded that they were not supportive at all. Additionally, 8% felt they were mostly supported, followed by 5% who felt they were somewhat supported. Lastly, 2% of inmates felt their families were not very supportive. These findings were further validated through reports that most inmates (78%) receive money for commissary from important people. This is demonstrated in Figure 43.

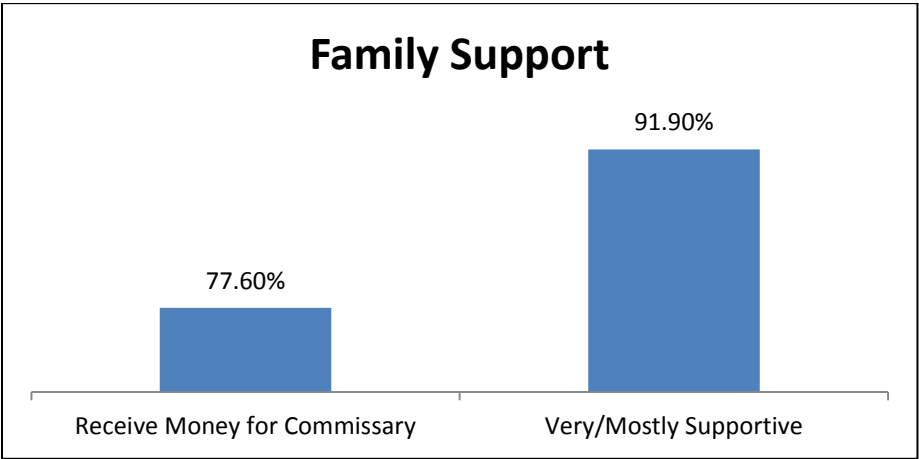


Figure 43: Measures of Family Support

BARRIERS

Barriers to Contact

About 49% of inmates reported that the frequency of visits from their important people has decreased because of the distance between the facility and their loved ones. Although 44.4% of inmates reported that the frequency of visits has remained the same, they still believe that distance acts as a barrier to visitation (see Figure 44). The majority of the inmates that completed the survey reported that they were placed in a facility too far away from their families regardless of the visits they had received.

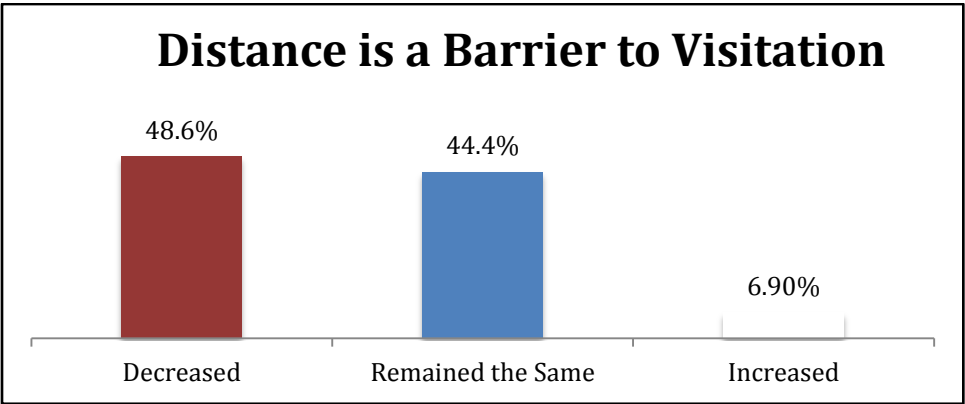


Figure 44: Percentage of Inmates Who State That Distance is a Barrier to Visitation

The data show that 29.4% of inmates who do not receive visits claim that the visiting schedule is

a barrier to visitation; moreover, 41.5% of inmates who have received visits agree that the visiting schedule acts as a barrier to visits. Approximately 75% of all respondents reported that the visiting schedules, especially early morning hours, interact with long travel times to create barriers to visitation. In order for a family to arrive on time for visiting hours, the family might need to travel during the night, or sleep at a hotel located somewhere near the correctional facility. Therefore, visits take a toll on families' financial resources, as well as their time and energies. These experiences are consistent with the existing literature, which finds that:

We may be quick to assume that the relatively low levels of family contact with prisoners are because families do not want to maintain contact or visit, but evidence indicates that the maintenance of familial relationships is more complex. Whether a family visits may have nothing to do with a desire to maintain connections with the inmate but rather the difficulties of getting to the visit. (Christian, 2005, p. 44).

Figure 45 shows that 33% of important people mention distance as a barrier to visiting inmates; whereas 28% cited both distance and visiting schedules as barriers. Of inmates who do not receive visits, about one-third cited high transportation costs as the reason. About 38% of those who do receive visits reported high transportation costs as a barrier to visitation. Although many of the inmates said their important people traveled to the facilities with a personal vehicle, 25% of the inmates' families need to use public transportation to attend visitation hours.

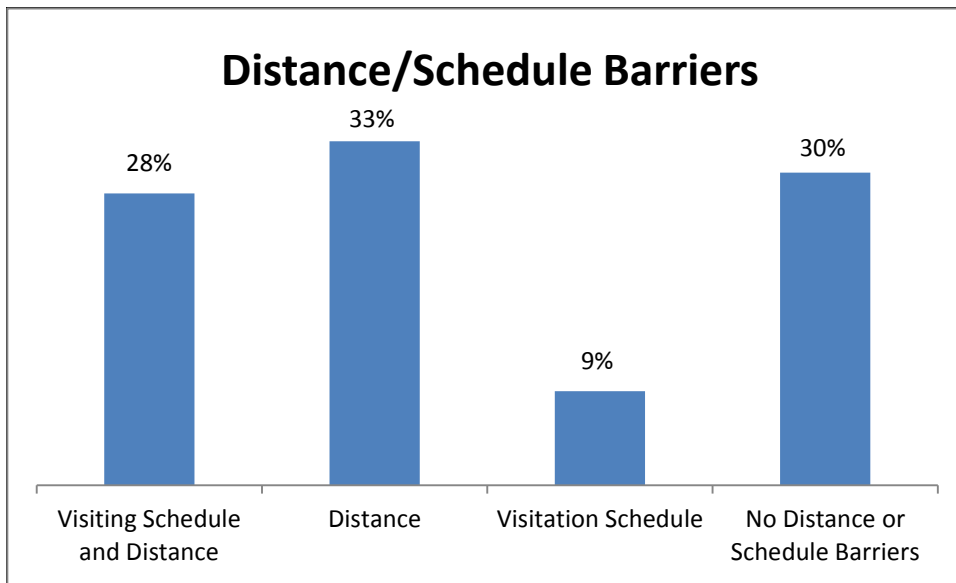


Figure 45: Percentage of Inmates Stating that Visitation and Distance are Barriers to Visitation

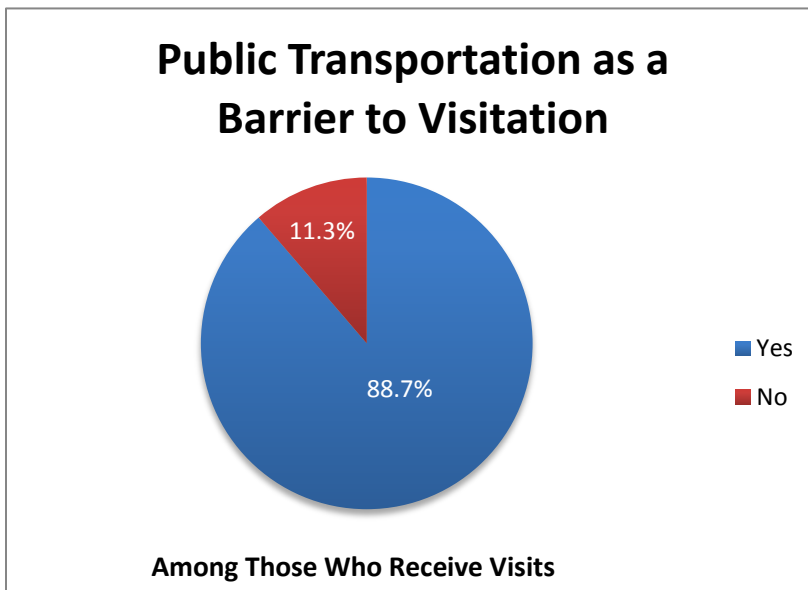


Figure 46: Percentage of Inmates Surveyed State Lack of Public Transportation is a Barrier to Visitation

Among the inmates whose important people use public transportation, 85.7% of inmates say that their families have trouble visiting due to the lack of available public transportation. Of the inmates who do not receive visits, 28% reported that the lack of public transportation for their family acts as a barrier

to visitation. Another factor to consider is the age of visitors. As some inmates stated, their families live up to 10 hours away from the facility location. Family members that are too old or too young may not be capable of sitting in a vehicle for such long periods of time, and smaller children have bedtimes that are often not consistent with visiting hours.

Doc Policy

Our results show that among the inmates whose visits have decreased, 37.5% believe that their visits have decreased because of the DOC's policies. Examples include limited visitation hours, pre-visitation approval requirements, reduced physical contact, and limitations on the number of visitors per inmate, intrusive searches of visitors, lack of privacy in visiting rooms, and an unsuitable environment for children. Of the inmates who have not experienced changes in their frequency of visits, 54.7% believe that DOC policies still act as barriers to visitation (see Figure 47).

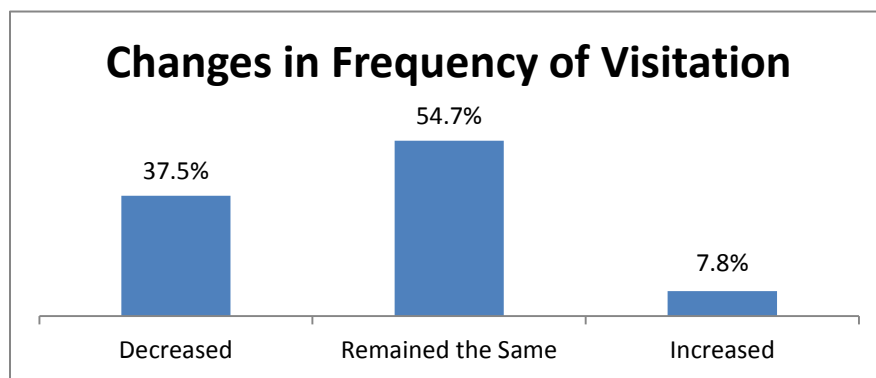


Figure 47: Changes in Frequency of Visitation

Let us now consider those inmates who do not receive visitors (see Figure 48). About 46% of these inmates decline visitation from their important people, and of those who do decline, 30.9% see DOC policies as a reason. Of the remaining 53.8% of inmates who do not refuse visitors, 22.4% also reported that DOC policy acts as a barrier (see Figure 48).

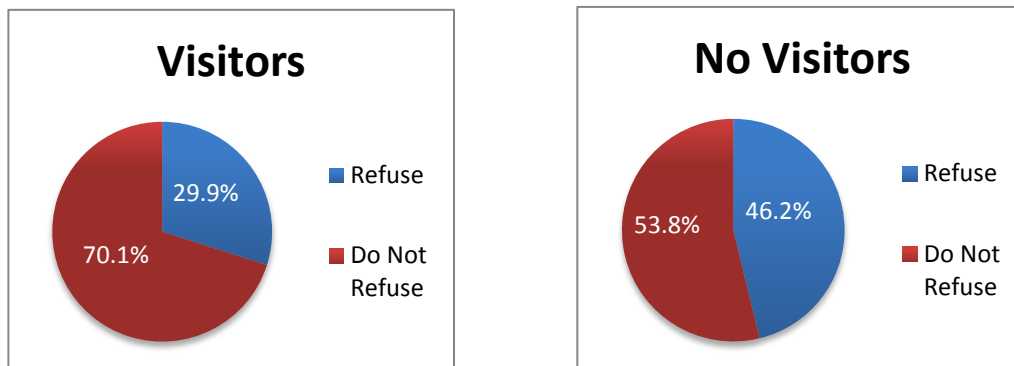


Figure 48: Percentage of Inmates That Receive and Do Not Receive Visits Based on Their Refusal of Visitors

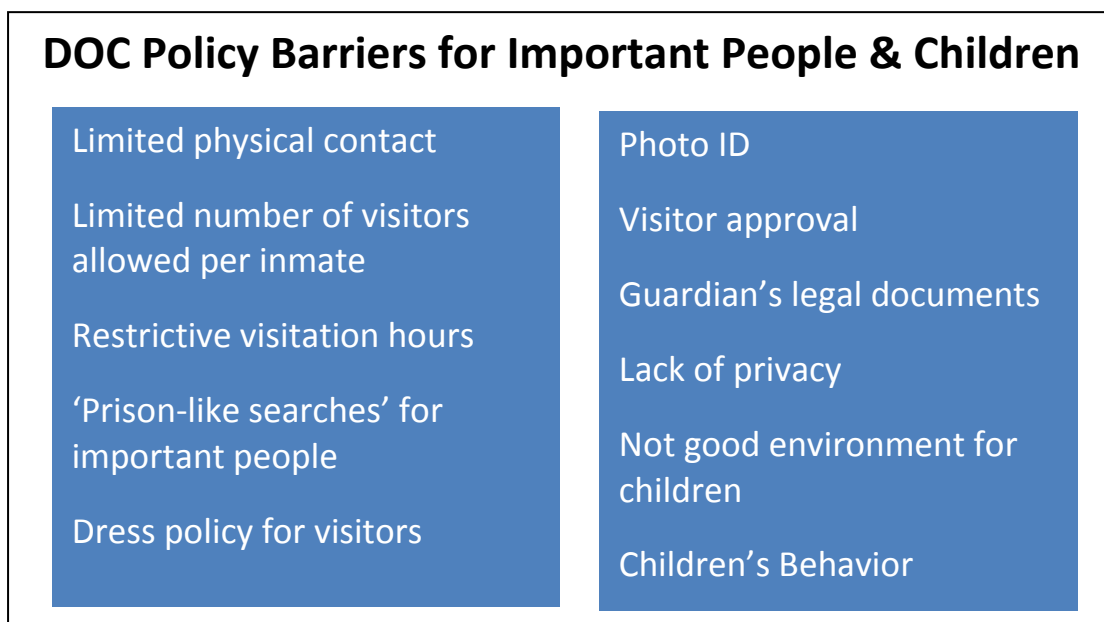


Figure 49: DOC Policy as Barriers

Inmate Relocation

Of the 379 inmates surveyed, 38% had experienced a facility move at some time. Of those who had been moved, many reported that their families had never been notified (see Figure 50).

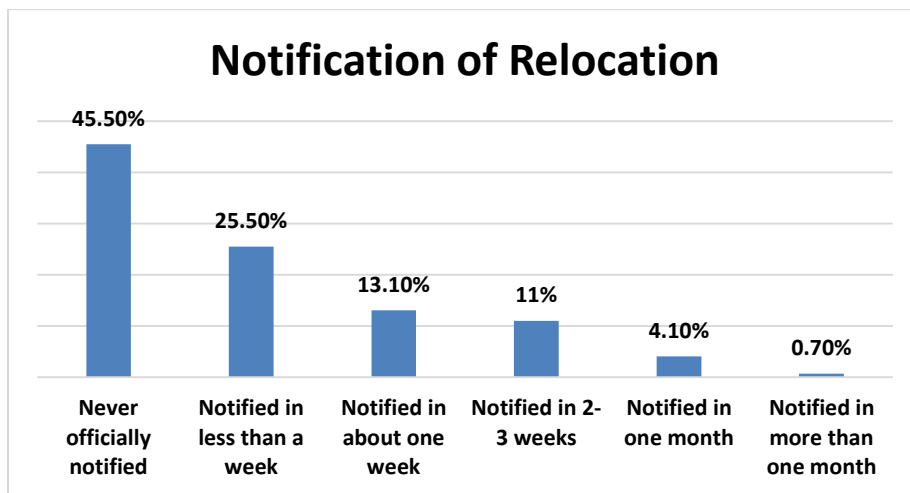


Figure 50: Notification of Relocation

Although most families were eventually notified and very few had to wait more than a month for notification, a significant number were never notified. Of those notified, more were notified within a week than any other category. However, the lack of notification impacted families' abilities to remain in contact or visit inmates. Figure 51 demonstrates the percentage of inmates who felt that their relocation and notification about it served as a barrier to contact with their important people.

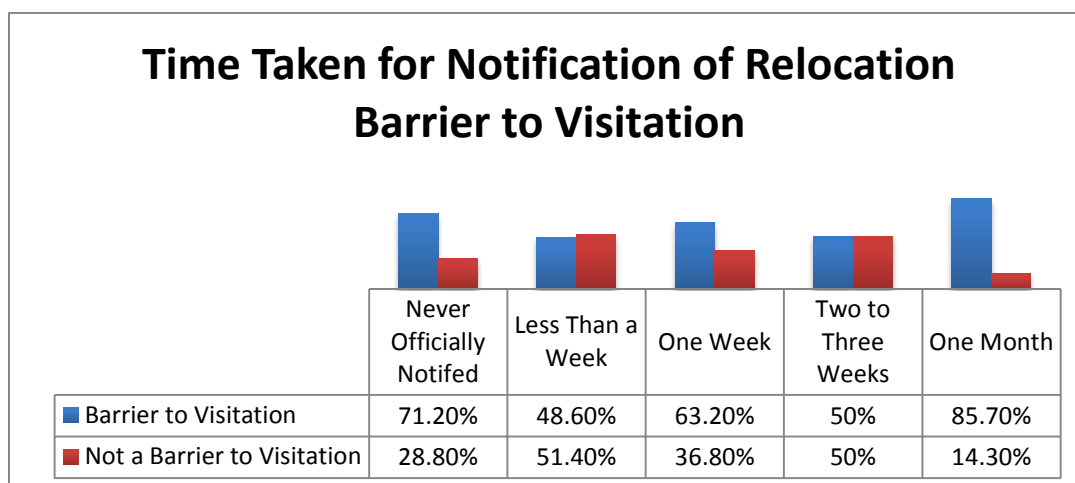


Figure 51: Time Taken or Notification of Facility Relocation as a Barrier to Visitation

While less than 10% of the inmates' families were notified one month after the relocation, 85.7% of the families' incarcerated individual reported that the lack of notification acted as a barrier to contact. The data discloses that 23.8% of inmates that do not receive visits stated that their facility relocation prevents their important people from visiting. Among the inmates who did receive visitors, 41% believed that their facility change acted as a barrier to visitation (see Figure 52).

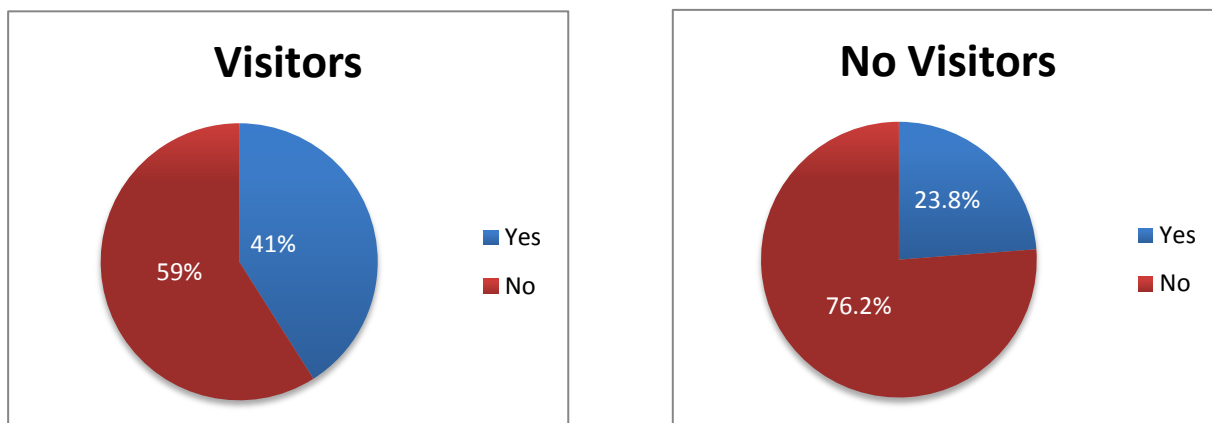


Figure 52: Percentage of Inmates Who Considered Facility Relocation as a Barrier to Visitation Based on if They Did Have or Not Have Visitors during Their Incarceration

Once an inmate is relocated, the two-week waiting period inhibits all lines of communication between prisoners and families. If an inmate is relocated to a different facility, it affects their contact and chances of receiving mail from their important people. Nearly half of the inmates who receive mail on a weekly basis claim that their facility relocation acted as a barrier to written contact with their important people.

These kinds of disruptions in family and other important ties can be extremely damaging to individual inmates, especially in regards to their chances of successful reintegration. Research has found that:

Contact with family members allows an inmate to remain connected to and informed about the activities in the world beyond prison. Such awareness in turn can increase the chances of success

on parole... Evidence suggests visitation from family and friends may also have a positive impact on inmates' behavior inside the institution as well. (Casey-Acevedo & Karen, 2002, p. 69)

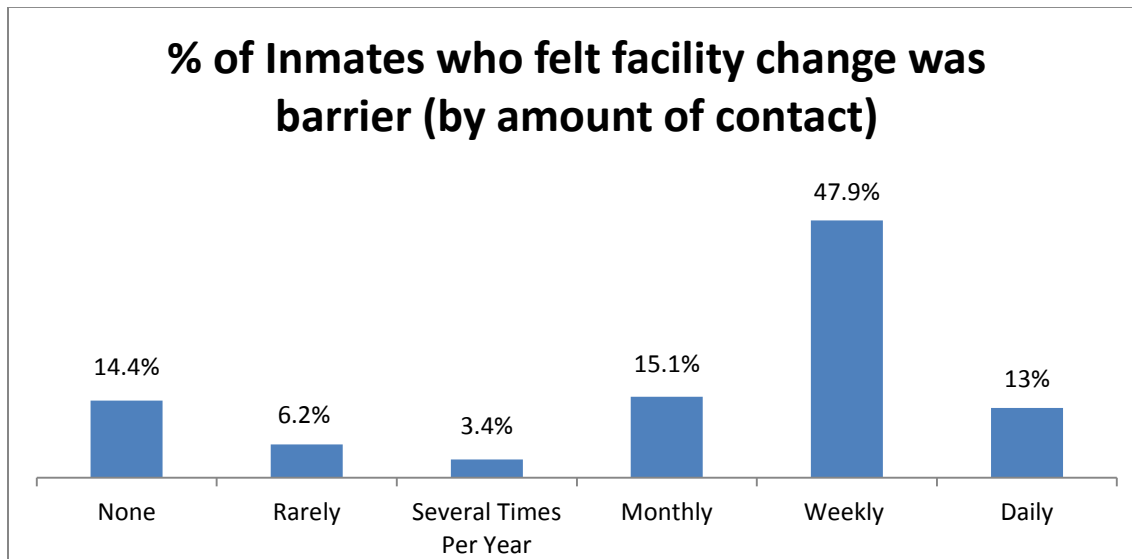


Figure 53: Percentage of Inmates Who Reported Facility Change as a Barrier to Written Contact Based Their Frequency of Written Contact

Cost of Phone Communication

Telephone communication is very convenient and widely used among inmates to stay connected with family and loved ones outside of the facilities, but it is expensive. Although more than three-quarters of inmates receive commissary, 88.2% of inmates reported that cost of phone calls is a barrier to contact. Another barrier to phone communication is the lack of privacy. The data show that 47.1% of inmates who were able to have phone conversations several times a week reported a lack of privacy, and a staggering 92.7% of all inmates that use the telephone claim that their lack of privacy is a barrier to phone communication. (See Figure 54)

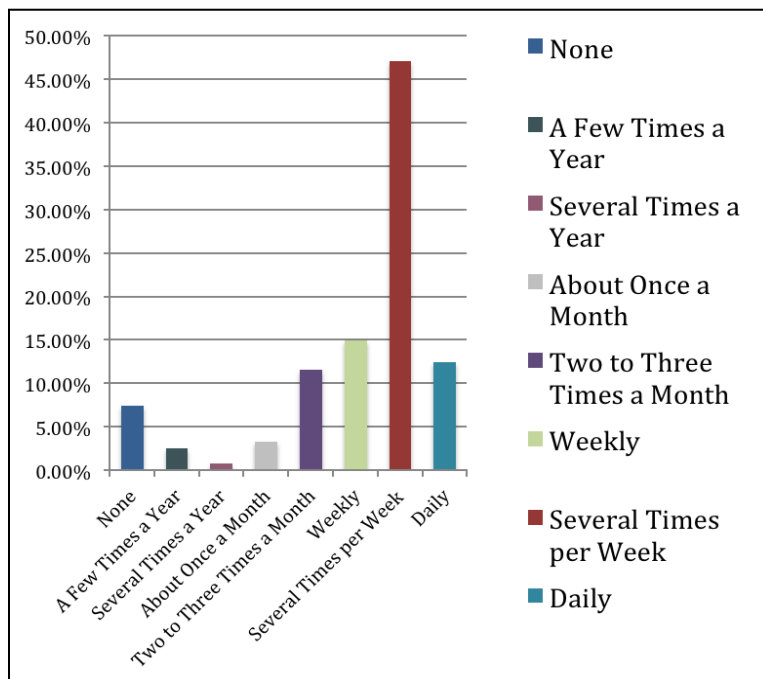


Figure 54: Inmates Who Reported Lack of Privacy as a Barrier to Phone Contact Based on Their Frequency of Phone Calls

CONCLUSION

Snyder, Carlo, and Coats Mullins (2001) state, “The disruption of a family due to incarceration has been noted to have as negative an impact as death or divorce, possibly with additional pain attached” (p. 36). The data indicate that there are real barriers to communication and visitation. Distance plays a big role in the amount of visitation an inmate may receive throughout his or her incarcerated term. The lack of public transportation to and from prisons throughout the state of Vermont inhibits visits from families who depend on mass transit systems. Not only are there factors outside the facilities, but within the facilities, as DOC policies have also decreased the amount of visits some inmates have received throughout the years. The relocation of prisoners has had a negative impact on communication and

visitation. Family members are sometimes left in the dark about the movement of their loved ones, which will interrupt communication through mail as well as personal visits. Telephone communication has barriers as well because of the high cost to use and the lack of privacy. These barriers need to be resolved in order to foster a healthy relationship between incarcerated individuals and their families who are trying to be supportive of the changes they are making in their lives.

RECOMMENDATIONS

In light of our findings from the interview data and from the extant literature on best practice, we offer a number of recommendations to the Department of Corrections.

Recommendation: Incorporation of Technology to Aid Virtual Contact

- **Use videoconferencing as a method of family communication**

Videoconferencing is a cost-effective way to connect inmates with families and important people, especially for those who lack access to transportation or who are limited by distance. Virtual visits are a solution to these barriers and provide a more intimate and engaging experience than phone calls and written letters can provide. Videoconferencing may also enable children to behave more authentically, as they can be at home during the virtual visit rather than in the less than ideal conditions in the prison under the surveillance of correctional officers (Phillips, 2012).

The expenses of this program would be limited to the cost of a few computers and webcams per facility, due to the availability of free videoconferencing programs like Skype¹⁰ or ooVoo¹¹ that could be used. Prison security would not be threatened by the implementation of this program, as correctional officers could oversee family-inmate communication. Alternatively, ooVoo supports three-way video communication. Using this technology, a correctional officer could monitor electronically a video

¹⁰ <http://www.skype.com/>

¹¹ <http://www.oovoo.com/>

conversation between inmates and their family members. Renovo Software provides a similar paid service that is specifically designed for prison use.¹²

About 20 states have either implemented or plan to implement videoconferencing technology in their prisons (Emmanuel, 2012). For example, in Pennsylvania, inmates are offered one 55-minute conference per month at the cost of \$15.¹³ In Wisconsin, videoconferencing is available for inmates housed out-of-state (Doyle et al., 2011). Michigan implements videoconferencing for inmates because video communication provides a more flexible schedule for families and others important to inmates (Washtenaw County, 2013) Michigan also uses videoconferencing to hold parole board hearings, saving a great deal of money on inmate transportation (Doyle et al.).

In addition, the vast majority of inmates reported that their family members had access to both the internet generally and electronic mail specifically. Thus, incorporating email contact under supervision would be inexpensive to implement and can increase access to family without risking contraband risks.

Recommendation: Development of Programming

- **Include inmates in development of policies and procedures**

Several of the more successful programs for inmates were designed with their input in mind. This is important because the inmates understand their own needs, and without their input, programs run the risk of channeling resources into less efficient projects. For example, a successful program that is now used across the US, InsideOut Dad™, evolved from an original program called Long Distance Dads. Long Distance Dads was evaluated in 2003 and no evidence was found that it improved inmate attitudes and parenting skills. In response, researchers held focus groups with facilitators and inmates in

¹² <http://www.renovosoftware.com/>

¹³ Philips, Susan D. Video Visits for Children Whose Parents are Incarcerated: In Whose Best Interest? The Sentencing Project. October 2012. http://sentencingproject.org/doc/publications/cc_Video_Visitation_White_Paper.pdf

order to make changes to the program that ultimately became InsideOut Dad™, which has proven more effective (EDRG, 2011).

In addition to developing more effective programming and policies, being involved in the development process can be a positive experience for inmates. One program in Missouri that provides regular programs for children and their incarcerated fathers includes the fathers in planning the curriculum for the next visit so they are more invested in their children's education (Lawson, 2010).

- **Create and distribute a handbook for families and important people of inmates**

The creation of a resource to educate people with an incarcerated loved one may facilitate smoother visitation and communication by clearly delineating expectations, policies, and procedures. Our respondents reported that information regarding the following would be helpful for their families while they are incarcerated:

- Facility address and contact information
- Visitation policy and schedule (a “do’s and don’ts” guide to visiting)
- Facility programming including health and mental health services
- Phone and written communication policies
- Inmate disciplinary procedures and their consequences for visitors
- How to add money to a debit account and information about commissary
- Information regarding inmate facility transfers (how to locate inmates)
- Bail and legal contact information
- A shopping list of items inmates need upon entering a facility

- An outline of a day in a facility
- Transportation options for visitors

Several states have created handbooks that are distributed to families of inmates as well as made available online. The “Handbook for the Families and Friends of New York State Offenders” provides the aforementioned information to families as well as a section on how to report complaints about a facility and how to notify facilities of death or illness in a family.¹⁴ Connecticut’s handbook includes a section on services available to victims of crimes as well as information on coping with an incarcerated loved one and techniques for talking to children about their incarcerated parent.¹⁵ North Carolina provides a glossary of terms and their definitions as “prison has a language of its own.”¹⁶

Improvements to visiting experience

- *Provide a more family-friendly visiting space*

Several of the Vermont facilities, such as Springfield and South Burlington, already have visiting rooms with books or toys. However, many inmates reported not wanting their children to visit because “the visiting space is not good for children.” Several states, including Washington and Missouri, have laws stating that toys and books must be made available to visitors (Chesa, Stutz, & Littman, 2012). Several studies have also shown that the visiting process is unnecessarily stressful for visitors, with many reporting that there was no comfortable place to wait and they felt that the Correctional Officers were rude to them (Sturges & Al-Khattar, 2009).

- *Increase flexibility of visiting hours*

¹⁴ <http://www.doccs.ny.gov/FamilyGuide/FamilyHandbook.html>

¹⁵ <http://www.ct.gov/doc/lib/doc/pdf/familyfriendshandbook.pdf>

¹⁶ <https://www.ncdps.gov/div/AdultCorrection/2010Handbook.pdf>

Increasing the flexibility of facility visiting hours may encourage inmates' contact with their families and important people. Several states have successfully implemented facility visitation policies more accessible than Vermont's. For example, in Oregon and Pennsylvania facilities designate open visiting hours during which time people can visit at their convenience (Chesa et al., 2012). In Alaska it is written into official DOC policy that, "Visitation must be made available on at least three week days and one weekend day, a facility must make reasonable efforts to schedule visitation to accommodate day and night work shifts of potential visitors" (Chesa et al., Appendix, pg. 1). Other states also make exceptions for families who must travel long distances; California exempts visitors from termination of visits due to overcrowding if the visitor has traveled over 250 miles one way and has not visited in the last 30 days (Chesa et al.).

- *Revise no-contact policy for inmates and visitors*

California allows a brief kiss and/or hug at the beginning and end and for inmates and visitors to hold hands during the visit.¹⁷ As a research team, we discussed that nearly all inmates anecdotally reported concern about the lack of physical contact they were allowed, especially with young children. Recognizing that monitoring for contraband and inappropriate behavior is a valid concern of correctional staff, we suggest that those concerns can be addressed while creating visits in a positive space for inmates to develop pro-social physical contact skills in a secure environment. Children would benefit from extended contact with parents, and we recommend that DOC consider revising the no-contact policies where possible to match the developmental needs of children, at a minimum.

- *Avoid disciplinary consequences that compromise inmate's contact with family/important people*

Given the well-documented benefits of inmate-family contact for both inmates and families (Vera Institute of Justice, 2011), it is in everyone's best interest to view family contact as a right and not

¹⁷ <http://cdcr.ca.gov/Visitors/docs/InmateVisitingGuidelines.pdf>

as a privilege. Denying family visits as punishment for disciplinary reports extends beyond just the inmate and is harmful to families as well, especially children. Family contact has been shown to reduce recidivism and children are less likely to act criminally themselves if they are engaged with their incarcerated parents (Maldonado, 2012). Disciplinary reports should avoid compromising inmates' visitation rights because the risk of negatively impacting family, especially children, is too grave (Maldonado, 2006).

- *Kids-A-Part Program for Incarcerated Fathers*

The Vermont DOC funds the Kids-A-Part Program, a mother-child extended visitation program in the Chittenden Regional Correctional Facility, Vermont's only correctional facility for women. The goal of this program is to foster an environment that promotes a healthy parent-child relationship and minimizes the trauma children often undergo as a result of parental incarceration through programming within the prison.¹⁸

Extended visitation programs not only benefit mothers, but fathers as well. Research has found that father-child visitation and the education coupled with it is associated with a decrease in violence and over-aggressive behaviors, successful reintegration, and a decrease in the chance of recidivism (EDRG, 2011). Incarcerated men often endure parental stress as a result of a sense of detachment from their children and regularly externalize these anxieties through violence and aggression (Loper et al., 2009). Implementing a Kids-A-Part-style program will allow fathers to exercise their parental rights, which may translate into a decrease in prison and other violence.

Traditional, no-contact visitation spaces may help maintain some father-child relationships, but these visits are not nearly as beneficial as an extended visitation program can be. Providing toys and books and space to play will allow fathers and children to build relationships in age-appropriate ways

¹⁸ <http://www.lundvt.org/kids-a-part.html>

and encourage pro-social physical contact. These spaces would give fathers more time to build relationships with their children, spend time talking about personal issues to build stronger relationships, and exercise parental rights to maintain both father-child bonds and respect.

Improvements to Phone Contact

- *Provide all inmates with a 20-minute phone call upon intake*

Often people are unable to notify their family members and important people upon their intake into prison and, without money in their account, are unable to make important arrangements. A free 20-minute phone call upon intake may help alleviate both inmate and family stress at this time. This is of particular importance for inmates who are parents/guardians of children, as appropriate care arrangements require organization. In addition, such calls could allow inmates to make financial arrangements necessary to limit the negative impact on their families and on their reintegration upon their release.

- *Allow inmates to obtain phone numbers off their cell phones upon intake*

This recommendation is purely practical—most people have not memorized the numbers stored in their cell phone contacts. Without these numbers it might be nearly impossible for inmates to reach out to their important people. This adjustment may aid in reintegration, as it can help facilitate the logistics of cancelling bills, holding mail, etc. associated with an unanticipated incarceration.

- *Create a more private space for inmate phone calls*

One of the most common complaints recorded by the survey was inmates' dissatisfaction with the privacy of the rooms from which phone calls are made, citing excessive noise and close proximity to other inmates as specific concerns. An easy solution to these problems is to designate phone room where fewer inmates are permitted to make phone calls at a specific time, cutting down on noise and crowding.

This environment will increase intimacy and improve pro-social communication between inmates and their families over the phone. It may also reduce tension between inmates.

- *Equip all inmates with one free phone call each week*

Providing all inmates with a free weekly phone call will aid them in maintaining contact with their families and important people. Research indicates that maintaining ties to family and important people during incarceration reduces recidivism, and phone calls are an easy way to promote this contact. However, many inmates cited the high cost of calls as a barrier to phone use. The Chittenden Regional Corrections Facility is the only facility that offers inmates a free phone call each week via Kids-A-Part, and we recommend extending this program to all facilities to promote inmates' contact with family and important people to help reduce recidivism.

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APPENDIX C**Act 168 Stakeholder Participants****Inputs to the Report**

The recommendations in this report are largely the result of 9 hours of meeting and discussion time over two days with a group of 38 stakeholders representing a broad range of public and private sector child serving organizations, formerly incarcerated parents and their children's caregivers, and representatives from each of the consultants listed in Act 168. Participants used an RBA Framework and Turn the Curve exercise to guide the conversations. A full list of stakeholder participants is attached in Appendix C.

APPENDIX D

Engaging Parents Who Are Incarcerated: A Position Paper

Vermont Department for Children and Families, Family Services Division

DRAFT September 2014

Purpose: To articulate the **Family Services Division's** position on the importance of engaging all parents, specifically those under supervision and/or in the custody of the Department of Corrections, in order to increase the stability, well-being, safety, permanence, and law-abidance of Vermont's children and youth who are in contact with the Family Services Division.

Acknowledgements:

Jill Evans, Kids-A-Part/Lund, Department of Corrections, parents

Introduction:Bill of Rights for Children of Incarcerated Parents*I have the right to be kept safe and informed at the time of my parent's arrest.**I have the right to be heard when decisions are made about me.**I have the right to be considered when decisions are made about my parent.**I have the right to be well-cared for in my parent's absence.**I have the right to speak with, see, and touch my parent.**I have the right to support as I face my parent's incarceration.**I have the right not to be judged, blamed, or labeled because of my parent's incarceration.**I have the right to a lifelong relationship with my parent.**-San Francisco Children of Incarcerated Parents Partnership, sfcipp.org*

The Bill of Rights for Children with Incarcerated Parents was developed to highlight the rights of children with incarcerated parents, regardless of the family's involvement with child welfare. The rights listed above are aspirations of the Family Services Division (FSD) while at the same time we recognize the existing system of services has not yet developed the capacity to implement these rights for Vermont children.

The FSD encounters children who have incarcerated parents in many different capacities. This paper is intended to address the broad spectrum of how our system of care interacts with these children and their families. Every point of contact from the first Child Safety Intervention through permanency (reunification, adoption, or guardianship) should be viewed through the ideals set forth in this paper.

This position paper is intended to challenge the default questions being asked regarding engaging and involving incarcerated parents. Shifting from "Why engage a parent while they are incarcerated?" to "Why wouldn't we engage a parent who is incarcerated?" Continuing to ask this question across regarding all choices made regarding children impacted by parental incarceration.

The Scope of the Issue

There are over 1,600 Vermont children/youth on any given day with a parent incarcerated. Approximately 6,000 Vermont children/youth experience their parents' incarceration each year. It is estimated that between 40 and 50% of children with incarcerated parents are somehow involved or have been involved with FSD (DOC Inmate Family Survey Project with UVM, 2013/2014).

The majority of adult women (72%) incarcerated in Vermont are serving sentences of 3 months or less. The average length of stay for a woman in Vermont correctional facilities in 2013 was 65 days. The average length of stay for men in 2013 was 207 days. Only a third of incarcerated parents in Vermont report visits from their children while incarcerated. Fathers have visits with their children at a higher rate than mothers. In Vermont, mothers who are incarcerated have their parental rights terminated at a rate twice as high as incarcerated fathers.

Roughly 80% of incarcerated adults in Vermont are charged or convicted of non-violent crimes. Of that 80%, the majority of convictions are for property crimes related to drug use and addiction. The cases where a child is the parent's direct or identified victim are, thankfully, relatively rare and are considered exceptions to the norm.

The Department of Corrections in Vermont differs from most other states in the way they supervise offenders. In Vermont the DOC utilizes a furlough program (which can be likened to 'house arrest') that very few other jurisdictions have. The Vermont DOC facilities house detainees as well as sentenced inmates. Most other jurisdictions separate the two populations.

The FSD recognizes any child/youth removed from their home will face challenges as a result of the situations that contributed to their removal, as well as, the trauma of the removal itself. Children/youth who are involved with the FSD whose parents are incarcerated face additional challenges. These children/youth are at increased risk of mental illness, substance abuse, poor school performance, and becoming involved with the criminal justice system. These observations are consistent with the information from the Adverse Childhood Experiences Study (ACES) which identifies 'incarceration of a household member' as one of the top 5 adverse experiences in the "household dysfunction" category. (CDC, 2014) The ACES makes clear links between adverse experiences in childhood and poor health and social/emotional outcomes as children enter adulthood.

The number of children/youth with mothers who are incarcerated has more than doubled since 1991. Most children/youth's primary parent, prior to the incarceration, is their mother. The substitute caregivers of children/youth whose parents are incarcerated experience high rates of poverty, unemployment, poor health, and typically parent alone.

At this time, there is no Department, Agency, or collaboration in Vermont currently charged with collecting data on the impact of or directly addressing the needs of children/youth that have parents who are incarcerated. As a state, we do not systematically gather information about the impact of incarceration on Vermont's children/youth; most knowledge is based on anecdotal reports of individual programs. Without this information, Vermont agencies tasked with serving incarcerated persons and vulnerable children/youth have thus far been unable to

make accurate funding recommendations, evaluate current practices, create effective policies, and develop new practices to engage this population.

At the close of the 2014 Legislative Biennium, H. 325 (An Act Relating to the Rights of Children of Arrested and Incarcerated Parents) allocated funding for a Summer Study which will look at the systems serving this population and make recommendations to address gaps in services as well as make recommendations for existing systems/services.

“It is no wonder that human rights advocates have referred to parental incarceration as one of the greatest threats to child well-being in the United States.” – Tanya Krupat, Director NY Initiative for Children of Incarcerated Parents. (From article Children with Incarcerated Parents, The Bronx Times, November 15, 2010)

Definitions

Adoptions and Safe Families Act of 1997 (ASFA) – A federal law passed in response to children/youth “lingering in foster care” for years. The law forced states to adhere to shorter timelines prior to seeking termination of parental rights. The law also required states to make “reasonable efforts” to prevent removal from the parent and to reunify with the parent before seeking termination of parental rights.

Community partners – The FSD often contracts with outside service providers to provide services to families involved with the Division. DCF expects that these contracted providers adhere to the core values of the DCF Transformation Plan.

Department for Children and Families (DCF) – The department of the Agency of Human Services tasked with overseeing the well-being of children and families. The Divisions of the Department include:

- Family Services Division
- Economic Services
- Office of Child Support
- Child Development Division
- Disability Determination
- Office of Economic Opportunity

Detainer/Detained – person held at a correctional facility for pending charges that are not yet adjudicated.

Family Services Division – The Division of the Department of Children and Families responsible for responding to allegations of child abuse and neglect and child welfare. FSD is also responsible for overseeing youths who have been adjudicated delinquent and are on juvenile probation.

Family Services Division Transformation Plan – The comprehensive plan developed in 2007 which outlines the mission, guiding practice principles, and core practice principles for the Family Services Division.

Family Time or Parent-Child Contact – Visitation between parents and children. May be court ordered and/or have an outside facilitator.

Family Time Coaching – The parent education and supervised visitation model adopted by FSD and their community partners who provide family support.

Reasonable efforts – Each state has their own guidelines on what constitutes reasonable efforts. Generally speaking reasonable efforts can be defined as the state agency's provision of services to the parent to help remediate the concerns that indicated removal of the child/youth. Part of those services should, in the eyes of the court, include parent-child contact unless it has been ordered by the court that it is not in the child/youth's best interest for contact to occur.

Sentenced – A person who has been convicted of a crime for which they have been given an incarcerative sentence to serve.

Philosophy and Principles of the Family Services Division

As detailed in the FSD Transformation Plan of 2007, FSD believes that:

- All children/youth have the right to be safe.
- All families have both risk and safety factors.
- Everyone is capable of growth and change – with support and adequate resources.
- Engaged relationships hold the promise for sustained change.
- Valuing a family's expertise enhances our work together.
- Separating children/youth from their families is traumatic and should be seen as a last resort.
- Early engagement of the larger family network is a key to success.
- Responsibility should be shared and use of authority limited.
- Each family's cultural, ethnic, and spiritual diversity deserves respect.

As a Division, the best interests of the children and youth we serve are critical to our focus. To live to these values, we shall be intentional, unwavering, committed to addressing capacity, and focused on the long term.

Maintaining parent-child contact and parental involvement, despite circumstances such as incarceration, benefits both children/youth and parents. Parental involvement during incarceration should be based on the children/youth's needs and parents' wishes.

FSD social workers and contracted service providers can be granted access to an incarcerated parent outside of the "normal" visitation times and may be allowed more freedom to supervise visits, including contact visits. FSD social workers will need to support children who are in the care and custody of an entity other than DCF and/or who does not have access to contracted visitation support services. In these cases visits may have to occur during larger open visitation times and may be more challenging for the child and the custodian to navigate.

Family time/parent-child contact and involvement during incarceration helps children/youth by maintaining family ties, bolstering children/youth's well-being and sense of love from their parents, promoting healthy development, reducing the trauma of separation, and increasing the likelihood of reunification post-release. For incarcerated parents, family time increases morale and good behavior while incarcerated and greatly decreases the rates of recidivism after release.

Values of Family Time (Parent-Child Contact) in Vermont

The FSD holds and our Family Time Coaching Partners support the following values:

- Family time is the right of every child/youth and family.
- We honor the existing bond between children/youth and their families.
- We respect parents for their strengths.
- Family time is an educational opportunity for parents.
- Family time creates a linkage between the present and the past and a basis for future relationships.
- Family time is planful and purposeful with a productive outcome.
- Family time should be in the least intrusive and most natural environment available based upon safety and risk.
- Family time recognizes and respects the emotions of the parent and child/youth, which underlie the visitation process. FSD and our community partners should attend to those emotions in a respectful and thoughtful manner.
- Family time is family-driven and individualized.
- We respect a family's culture and rituals.
- Family time is never used as a reward or punishment for the parent and child/youth.

The Family Time Coaching model asserts that children/youth have a right to family time with their parent even when a parent is incarcerated. In addition to potentially restrictive facility guidelines, there are other special planning considerations.

Children/youth are sometimes placed into FSD custody when a custodial parent is incarcerated and arrangements with other appropriate caregivers, such as extended family members, cannot be made. When a parent's incarceration is related to having harmed the child/youth, the impact of contact with the parent on the child/youth should be assessed. When a child/youth is placed due to the parent's incarceration and family reunification is the goal, every effort should be made to assure regular visiting and ongoing contact.

It is essential for social workers to examine their own attitudes about children/youth visiting in prison. If the social worker is uncomfortable with a plan to facilitate contact in a prison, that discomfort may deprive families of their right to contact by delaying the scheduling of visits due to incarceration. Social workers should also encourage correspondence between parents and children/youth in this situation by providing stationery and stamps and/or facilitating phone calls.

Supporting Children Whose Parents Are Incarcerated

“I guess some caseworkers assume your mom is a bad person when they hear she’s incarcerated. But they should keep an open mind and remember that every child has only one mother, one father. The ones we’re given are special to us, even if we can’t live with them, even if they’re not perfect.”

—Youth speaker with Foster Change for Children, New York

In Vermont, there are many types of families and accordingly, each child/youth’s situation and the supports needed should be addressed individually and on an ongoing basis. Some children/youth and parents will need support to establish contact when a parent who has been absent from their lives for a period of time is now stable in their incarcerative setting. Some children/youth and parents will need support in maintaining contact and bonds when a parent who was a primary caregiver becomes incarcerated. And still other children/youth and parents will need support in transitioning from a traditional parent-child relationship when reunification is no longer the permanency plan.

A child/youth may experience all of these situations in their childhood. The decisions made in all of these circumstances will not be the same. At all times the child/youth’s needs for safety and permanency will be considered and balanced with the family’s right to have regular contact. Each family situation is different; however it has been demonstrated when the situation is safe, visitation has reduced the trauma associated with the separation of the parent/child relationship and resulted in better outcomes for the children.

The adults in a child’s life are critical. They are people who can help facilitate connections between the child and the parent by: helping them with letters or pictures if they child is too young to write, assisting with phone calls and preparing a child for visits.

In the absence of timely, accurate information regarding the facility that their parent is in, children may create a catastrophic internal explanation about their parent’s incarceration. The places children create in their minds can be very scary places; much worse than what their parents may actually be experiencing. Media and television can ignite their imagination, even cartoons. They may be very sad and fearful about the well-being of their parent and by visiting they can experience a sense of relief knowing their parents are not just “breaking rocks” or “eating bread and water.”

Children can have a feeling of responsibility about their parent’s incarceration and talking face to face can provide an opportunity for parents to talk about their arrest and incarceration – creating opportunities for myths, rumors or gossip to be dispelled about the circumstances leading up to the parent’s arrest and incarceration. It can be an opportunity for children to identify and express feelings and emotions where they can feel understood. It may also serve as a learning opportunity, teaching valuable lessons about responsibility, accountability and communication. Also, creating awareness for all, about the potential consequences to one’s actions.

Children visiting their parents may also have the opportunity to meet other children whose parent(s) are incarcerated. This allows children to know that they are not alone and may allow the development of meaningful friendships and connections. Providing “peers” experiencing

similar difficult circumstances gives the child yet another avenue of support in facing these issues when needed.

Often times, when parents are released they will live with their children again. Without contact while the parent is incarcerated, this can be very confusing for children. They may struggle with understanding whose expectations to follow, especially if the parents and caregiver do not have proper communication in place. Their parenting styles may be different, rules and expectations may not be in alignment with one another. Although communication between parent and child via mail or telephone does not guarantee a stress free transition, it can ease the anxiety considerably to have community between all about what that transition will look like and what is best for the child.

The bond between parent and child is one of the strongest and most influential in a child's life. Children love their parents, even when the child is angry or in a difficult place. Some children express their anger, others don't. It is important to keep in mind that love for the parent may be felt by the child, even if not expressed in a clear way, regardless of how others feel about the parent, or their incarceration. Disrespect or negative conversations only serve to hurt and confuse the child. It also may send an unintended message: "if you do something wrong, break a rule, make a mistake, you forfeit their right to love and affection".

Answering questions and providing answers at the child's developmental level can ease anxiety and improve trust issues. Children are resilient, especially when given tools. The truth will not change over time and works well with children already experiencing an insecure situation. There are tools available to help with these talks. It is important to let children know that you understand they miss their parent, that it is normal to be upset and miss someone you are absent from. It is important to confirm to the child the actions/incarceration of their parent does not reflect on them in any way. It does not determine the future of the child or speak to their worth as a person.

At times, just like children visiting their parents in the community setting, children visiting their parents in correctional facilities may have a poor reaction to visitations. In some cases, it may be appropriate to stop or reduce visitation, but most cases will require further planning and support to make visitation less distressing for the child.

Parent's Voices

Both mothers and fathers incarcerated in Vermont correctional facilities were given opportunities to discuss their concerns regarding DCF and their children. Themes such as lack of contact from social workers were common ("Social workers never call back. They make excuses.", "I've been here 11 months but my DCF worker has never sat down and made a plan with me. They don't communicate with me. I don't know about the case plan. I don't know what I'm supposed to do. No one has told me."). Lack of services being available to inmates and/or lack of acknowledgement from social worker of services completed while incarcerated was nearly universal ("I had my parenting certificate and at court, they didn't care because I was in jail. They didn't even look at it.", "I wish there were things I could work on while I'm in jail.", "Not enough programs for father's out there – no reaching out (except to get child support)").

Another theme that emerged was around grief and loss. “Our only hope is our kids. If they take our kids; we can’t rehabilitate; we lose hope.” “I don’t think I can ever recover from losing my kids.”

Research

The current empirical research on incarcerated parents has several universal findings about the stressors and positive outcomes within the population. The research presented below is relevant to the population and service providers this paper is discussing, but is not specifically related to FSD or DOC in Vermont.

Poehlmann, et al looked parent-child contact and found that children of incarcerated parents are at risk for negative social and academic outcomes, including internalizing and externalizing behavior problems, substance abuse, adult offending and incarceration, truancy, and school failure. Research indicates that children/youth with incarcerated mothers may face greater stress and risks in their environments than children of incarcerated fathers. This increased risk is due, in part, to the fact that most mothers are custodial parents of their children at the time of their incarceration.

Nationwide, incarcerated fathers have less contact with their children than incarcerated mothers do. This is the opposite in Vermont. When there is a lack of contact with children parental distress increases. The authors suggest that even when face to face contact cannot occur, letter writing and phone calls can reduce distress of parents and children/youth regarding their separation. Recommendations included ways to improve parent-child contact (increasing the availability of child/youth friendly environments, increasing usage of programs such as Girl Scouts Behind Bars, not frisking very young children or engaging in other procedures that scare children/youth, limiting barrier visits [i.e. through glass], eliminate exorbitant rates for collect calls from prisons and jails). Recognize the developmental needs of children/youth and that they change with age (i.e. infants need more face to face contact while older children/youth can utilize phone calls and letters). Increase the likelihood of a positive visit by educating people ahead of time, supporting during the visit, and processing after the visits with all parties (this includes parent, child/youth, and caregivers).

Visher et al studied similar outcomes, but focused specifically on fathers. Qualitative studies have found little evidence that, while incarcerated, fathers have the opportunity to appropriately display either affection or behavioral aspects of involvement, and often report being unable to carry out what they see as essential functions of their fathering role (e.g. protection, support, guidance, and discipline). Incarceration often results in the father missing important developmental milestones in their child’s life that may weaken the parent/child relationship.

Studies have found empirical links between visitation, family ties, and better reentry outcomes among offenders, underlining the importance of the processes involved in family contact for incarcerated offenders. In general, most incarcerated parents have benefited from visitation and seek to have contact with their children. For fathers, personal visits from their children are particularly difficult to maintain during incarceration. Barriers included poor relationships

with the child/youth's caretakers (often the mother) and lack of access to transport for child/youth to attend the visit. Fathers who are married to the mother of their children had more frequent contact.

Contact between parents and children/youth benefits the parents (e.g. less emotional distress, positive perceptions of parent/child relationship). Prisoners with close relationships to family have lower rates of recidivism than those without similar attachments, and have also demonstrated a link between family support upon release and positive post-release outcomes such as employment success, substance use avoidance, and reduced rates of post-release depression. Empirical findings indicate that father-child involvement may be an important factor in understanding the desistance and reintegration among men who are released from prison. Once released, former prisoners who assume the role of an active father may help improve their reentry outcomes. As the results of the current study indicate, about one year after release, men who had a greater involvement with their children and family had more successful outcomes across the domains of employment, recidivism/criminal activity, and substance use.

Visher et al also made suggestions for improvement to build on the positive outcomes identified. The first is to incarcerate fathers closer to their families. It is easier to maintain contact and reintegrate into a community if fathers are kept local. The second is to make communication between fathers and children/youth more affordable and accessible. Reduce the cost of collect telephone calls and make letter writing supplies available at low or no cost. The third suggestion was to increase the availability of parenting programs available to fathers in jail.

Parental incarceration is now recognized as an "adverse childhood experience" (ACE); it is distinguished from other adverse childhood experiences by the unique combination of trauma, shame, and stigma. The trauma of losing a parent to incarceration and the instability that follows severely jeopardizes a child's social and emotional health and well-being. Some assume that the removal of a "bad" ("criminal") parent will improve the situation for the child. However, parental incarceration more often intensifies and compounds, rather than alleviates, the challenges children face. The majority of incarcerated mothers will also resume caretaking roles with their children when they are released.

Research suggests that intervening in the lives of incarcerated parents and their children to preserve and strengthen positive family connections as well as support the development of permanency planning for children can yield positive societal benefits in the form of reduced recidivism, less intergenerational criminal justice system involvement, and promotion of healthy child development.

When a parent is incarcerated, it matters which parent it is. If it is the father, 92% of the children continue in their mother's care, and the mother brings them to visit. If it is the mother, only 26% stay in the father's care. When a mother is incarcerated, more often than not, the father also is. Incarcerated women are also more likely to have minor children than are men, and more often have children living with grandparents, other relatives, or in foster care and they are less likely to have visits with their children.

Best Practices

The Annie E. Casey Foundation (AECF) has published “When a Parent is Incarcerated: A Primer for Social Workers” as a baseline for child welfare social workers working with incarcerated populations. The primary point that the publication makes is: Whether reunification and visitation are part of the case plan or expressly excluded, barring termination of parental rights, every case manager has the same responsibilities to both incarcerated and non-incarcerated parents. Also, the true scope of the population is not clear as child welfare nor corrections agencies collect comprehensive data about incarcerated parents and their children.

There are moments in time where social workers’ engagement with families and other agencies can reduce trauma for children/youth and potentially prevent removal.

- By assisting law enforcement officials at the time of arrests.
- Most local law enforcement agencies do not have policies or protocols in place to guide officers’ response to children/youth present at the time of arrest or living in the household of the parent being arrested, unless the arrest was specifically for child abuse, domestic violence, or a drug-endangered child/youth.

Communication with the incarcerated parent, especially when begun at the earliest states of incarceration, can create better outcomes for all involved.

- Offering a family conferencing model at the earliest possible opportunity with an incarcerated parent can be extremely helpful in ensuring engagement and smoother communication between the parent, child/youth, and child welfare agency.
- Another equally important reason to find parents is their right to receive notice. Failure to provide proper notice to incarcerated parents will not only result in denial of the parents’ fundamental rights, but may also result in court continuances and possible sanctions against the child welfare agency.

Unless suspended by the court, the child welfare agency must employ reasonable efforts to reunify parents and children/youth.

- Child welfare jurisdictions are mandated to work on reunification efforts with incarcerated parents just as they would in any other case.
- Though service referrals and the parent’s ability to access helpful programs are severely hampered in prison, social workers should still discuss the service plan with the parent, advise her/ him to participate in any available programs, and plan for additional community services upon release.

There are many advantages related to family stability and children/youth’s well-being which justify connecting children/youth with their incarcerated parents.

- For the child/youth, visitation and other contacts allow the children/youth to express their emotional reactions to the separation from their parents.
- The contact also helps the child/youth to develop a more realistic understanding of their parent’s circumstances, preserve important connections, and assures the children/youth that their parents are safe.

- For the parent, visitation and other contacts also allow parents to deal with separation and loss issues, and to develop maintain their role as parents.
- Research has shown that parents who maintain contact with their children are less likely to recidivate than inmates who do not maintain contact with their families.
- Regular visits between parents and their children/youth in foster care are also a necessary—though not always sufficient—step forward in the family reunification process.

Planning for the parent's release and re-entry is equally important as early contact and engaged case planning.

- As parents near their release, child welfare agencies should also be sure to discuss the service plan with them and the remaining steps needed to achieve reunification.

The Brennan Center at NYU also published a best practice guideline for working with this population entitled “Rebuilding Families, Reclaiming Lives: State Obligations to Children in Foster Care and Their Incarcerated Parents”. It makes several recommendations for changes to law and policy regarding the “reasonable efforts” clause in ASFA, extending the ASFA timeframes when warranted in cases of incarcerated parents, and increasing the availability of comprehensive family- and community-based substance abuse treatment programs to divert parents from prison.

In a study of New York City ACS records regarding maternal incarcerations, researchers concluded that “child removal appear[ed] to accelerate criminal activity among the study group's mothers.” The study suggests that if children/youth are coming into contact with state child welfare agencies prior to parental arrest or incarceration, it may be possible to provide family services, such as family-based substance abuse treatment, to prevent both child/youth removal and subsequent parental incarceration. “Family preservation efforts may function as a crime reduction tool. Successful efforts to avert placement not only keep families together and children out of foster care, but can also prevent the increase in maternal criminal activity that can take place following a child's removal.”

Much as in the AECF Primer, the Brennan Center asserts that family visits are seen as vital to maintaining ties, bolstering children/youth's well-being and healthy development, reducing the trauma of separation, and assisting families to reunify after a parent's release. Agency efforts to help parents and children/youth in maintaining contact during incarceration reassures children/youth of their parents' love and increases the likelihood that families can be successfully reunited when prisoners return home. It is difficult to facilitate “bonding” when there is not regular contact or communication between child/youth and parent. Lack of “bonding” between parent and child/youth is often cited as a supporting factor to seek TPR. Maintenance of family ties promotes inmate morale, better staff-inmate interactions, and more connection to the community, which in turn has made inmates less likely to return to prison upon release.

When a child/youth is in state care, contact between parent and the case worker is vital. Prison policies regarding phone contact also limit a parent's ability to contact their caseworker.

Though agency district offices may accept collect calls from facilities, social workers are often working in the community and communication is best done through cell phones. At this time, DCF- FSD social workers cannot accept collect calls from the facility on state cell phones. Collaboration between FSD social workers and DOC caseworkers in the facilities is vital to communication. Other barriers for incarcerated parents include high rates of staff turnover in both child welfare and corrections facilities and lack of regular face-to-face contacts between caseworkers and incarcerated parents.

Current Resources Available to Vermont Social Workers (factsheet/grid)

- Resources in facilities, etc. what is currently working/happening around the state?
 - Kids a Part
 - Lamoille Cty
 - Parent programs in male facilities

Outcomes and Recommendations

1. There is currently a lack of clarity for FSD social workers regarding expectations and best practice regarding engaging with incarcerated parents. To that end, below are steps that can be taken to increase consistent engagement.
 - a. When a parent is known to be incarcerated or the location is unknown and incarceration is a possibility, FSD staff will utilize the inmate locator to determine if the parent is incarcerated in a Vermont facility and in which facility the parent is currently housed.
 - i. Offender Locator (<http://doc.vermont.gov/offender-locator/>)
 - b. The VAN Service is the Department of Correction's Victim Notification and Information Service which is available to anyone. Registering in VANS for incarcerated mothers and fathers will notify you of changes in facility, custody and supervision status. It is an especially good resource for the social workers with regard of the incarcerated fathers because they are frequently moved between different facilities. To register for notification call toll free 866-976-8267 (VANS) or register online at: <http://doc.vermont.gov/victim-services/the-van-service-vermont-automated-notification-service/>
 - c. If the parent is incarcerated, the FSD social worker will contact the facility caseworker assigned to the parent. If the parent is missing, but supervised in the community by a probation or parole officer, the social worker will contact that person.
 - i. The names of these DOC staff members can be found in the secure DOC intranet casenotes database at <http://doc.vermont.gov/about/contact-us/>
 - d. The FSD social worker will engage with the parent in person or via telephone to create a case plan which supports a parent in engaging in appropriate services, even while incarcerated.
 - i. This plan should be created in coordination with the facility caseworker
 - ii. The parent and FSD social worker should discuss the timelines outlined in ASFA and how they may impact the parent's family situation.
 1. If reunification is not a possibility, involve the parent (and child/youth if appropriate) in the permanency planning process.

- iii. The plan will include a plan for contact (in-person, written, or telephone) unless it has been determined to not be in the child's best interest by the court or family team that contact occur.
 - iv. A copy of the completed plan will be provided to the parent and the facility
 - e. The FSD social worker will notify the Family Court promptly when a parent is incarcerated. The social worker should also notify the facility and the parent of any upcoming court hearings and the topics that will be discussed or decisions made, if known.
 - f. The social worker should also notify the parent and facility caseworker of case plan reviews and other meetings pertaining to the child/youth that the parent may participate in by phone.
 - g. The FSD social worker will work with both the assigned facility and community DOC caseworkers to develop a comprehensive re-entry plan for the parent which includes expectations for the parent regarding their children.
2. There is currently a lack of consistent collaboration between FSD and DOC at all levels. Some suggested ways to overcome this communication barrier and increase child safety and stability are:
- a. Implement the strategies identified in the upcoming Summer Study.
 - b. Renewing the work group to create an MOU between FSD and DOC, including adopting the identified Guiding Practice Principles in both agencies. (See **appendix** for the draft MOU and Guiding Practice Principles.)
 - c. The facility in St. Johnsbury has developed local protocols and best practice guidelines regarding FSD staff and contractors entering the facility. An examination of these protocols and the potential to spread them state-wide should be examined.
 - d. FSD staff and DOC staff should continue to seek out opportunities for cross-systems training and collaboration opportunities.

References (still needs work/polishing)

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National Resource Center on Children and Families of the Incarcerated (NRCCFI)

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Ohio Institute on Correctional Best Practices. Best Practices Tool-Kit: Incarcerated Parents and Parenting Programs September 2007

Family Visiting in Out of Home Care, Hess and Proch, CWLA 1988, p 40-41.

Children's Contact With Their Incarcerated Parents: Research Findings and Recommendations (Poehlmann, et al, 2010)

Fatherhood, Community Reintegration, and Successful Outcomes (Visher, et al, 2013)

Brennan Center

SW Primer

DCF/DOC MOU (2008 Draft)

Links to Resources:

CHILDREN OF INCARCERATED PARENTS FACT SHEET (Annie E Casey Foundation):

http://www.aecf.org/~media/Pubs/Topics/Child%20Welfare%20Permanence/Permanence/ChildrenofIncarceratedParentsFactSheet/childrenofincarceratedparents_factsheet.pdf

When a Parent is Incarcerated: A Primer for Social Workers (Annie E Casey Foundation)

<http://www.aecf.org/~media/Pubs/Topics/Special%20Interest%20Areas/Children%20with%20Incarcerated%20Parents/WhenaParentisIncarceratedPrimer/WhenAParentIsIncarceratedPrimer.pdf>

Rebuilding Families, Reclaiming Lives (Brennan Center):

http://www.brennancenter.org/sites/default/files/legacy/d/download_file_37203.pdf

Sometimes Good Intentions Yield Bad Results: ASFA's Effect on Incarcerated Parents and Their Children. Raimon, Lee, Genty

APPENDIX

Guiding Practice Principles -

- Life-Long Connections are critical for children
 - We strive to promote and preserve family and community connections for each child
- Child safety is a collaborative effort
 - We engage families, community members, and state partners to find safe solutions for children
- Engaging relationships with children and families hold the greatest promise for positive change
- We acknowledge that the trauma of separation for parents' whose children are taken into FSD custody or are placed in the custody of another by the Family Court, and/or for parents who become incarcerated is profound.
 - We recognize the importance of providing additional supports and services at the time of separation are crucial.
- We recognize that all families, including families experiencing parental incarceration, have strengths and expertise that can be trusted and valued.
- We believe that families should have a voice in decisions regarding their children.
- We are committed to serving families from diverse backgrounds in a responsive manner.
- We recognize that families and individuals have the capacity to make positive changes in their lives.
- We will engage family members, state, and community partners in the process of case planning and service delivery to maximize the opportunities for success.
- When children must be separated from their families, we will do all we can to help families to safely reunify. This includes three elements that will be addressed collaboratively between FSD and the Department of Corrections;
 - A plan for meaningful parent-child contact that will support the parent-child bond
 - Opportunities for parental self-improvement that are supportive and educational in nature
 - Parent engagement and involvement in planning for the future and well-being of their children
- We agree that whenever possible, pregnant and parenting women should be referred to the LUND Family Center for treatment and reunification.
 - We agree that providing women with gender-responsive assessment and treatment, in a setting where children can safely live with them is an evidence-based best practice and should be the first priority.
- We acknowledge that when a parent whose children are in FSD custody becomes incarcerated, it does not change what s/he can expect from FSD or what is expected of her/him. S/he can continue to expect to:
 - Be treated respectfully by FSD staff.
 - Have his/her, or their Parenting Services Worker's, phone calls returned.
 - Speak to their social worker right away in an emergency or to another employee if their worker is unavailable.
 - Work with their social worker on the case plan for their family.
 - Be kept informed about what they/their child need to do.

- In cases where appropriate, to meet the people who are caring for their child such as foster parents and teachers.
- Be informed promptly if their child moves.
- Be informed about their child's progress and problems.
- Be informed about any medical treatment that had to be given without their consent/knowledge.
- And to be expected to continue to;
 - Work with their social worker and Parenting Services Coordinator to develop the case plan for their family.
 - Carry out their part of the plan while incarcerated, and let their social worker know if s/he cannot, and ask for help when s/he needs it.
 - Have their child visit him/her in prison as planned.
 - Talk with their social worker about their child's needs and progress.
 - Tell their social worker about the people who are important to their child, including relatives and friends.
 - Provide information about their child's and family's medical histories so FSD can provide the best care for his/her child.
 - Inform their social worker about any major changes in their life including their incarceration.
 - Have appointments scheduled with their social worker at the prison, by phone or in person.
 - Notify Child Support of their incarceration if the court has ordered him/her to pay child support.
 - Treat their social worker, other members of their team, and court staff respectfully.
- Models of practice should build in shared responsibility and teaming approaches.

APPENDIX E

Family Impact Statements

New York Initiative for Children of Incarcerated Parents a special project of the Osborne Association

FAMILY IMPACT STATEMENTS: Considering the Needs of Children in Criminal Justice Decision-Making about their Parent

In New York State, approximately 650,000 people are arrested annually.¹ On any given day, approximately 56,000 individuals are incarcerated in state prisons² and approximately 30,000 are in jails awaiting trial or sentencing, or serving a sentence of one year or less.³ Most of these people are parents to minor children. In New York City alone (excluding Staten Island), approximately 54,000 minor children were affected by an arrest of a parent or caregiver during a five month period in 2009 – 2010.⁴ About 105,000 children residing in New York currently have an incarcerated parent; all too often these children's needs are overlooked or dismissed as collateral consequences.

WHAT ARE FAMILY IMPACT STATEMENTS?

Incorporating Family Impact Statements safeguards children's rights, as outlined in the *Children of Incarcerated Parent's Bill of Rights*:

"I HAVE THE RIGHT TO BE CONSIDERED WHEN DECISIONS ARE MADE ABOUT MY PARENT."

Decisions made within the justice system, particularly sentencing people convicted of crimes, have ripple effects on other systems and on individuals that we need to consider and integrate into the decision-making process. Environmental impact statements and victim impact statements have long been accepted, recognizing that the decisions they address may have unintended costs or consequences that affect other individuals or communities. Every state allows or requires a victim impact statement to be submitted during sentencing, typically as part of the pre-sentence investigation report (PSI) prepared to guide sentencing determinations, and often reviewed during parole hearings.⁵ Similarly, **Family Impact Statements (FIS) ensure that the children and families of individuals convicted of a crime are considered as part of the sentencing determination, and in connection with other determinations such as prison assignment and release decisions.**

FAMILY IMPACT STATEMENTS CONSIDER THE NEEDS OF CHILDREN

Considering the needs of children at the time of sentencing and beyond does not let a parent "off the hook" for the crime or for the harm done as a result of the crime. FIS are not intended to minimize guilt or reduce the severity of penalties imposed for a crime. Rather, they are intended to safeguard children from suffering additionally and unnecessarily as a result of their parent's actions, while also holding the

parent accountable not only for their crime, but for their responsibilities as a parent to provide for, care for, and financially support their children. It can be very powerful for children when parents can take responsibility for their actions, acknowledge poor choices or mistakes, and attempt to make amends for the harm done. Decisions informed by family impact statements can benefit children, families, and communities, and create potential cost-savings to taxpayers.

- FIS can assist the court in making informed decisions about the issues likely to have a substantial impact on children. Research clearly indicates separation from a parent is traumatic and may lead to negative outcomes for children, many of which are also costly in terms of health care, child welfare, and special education, yet decisions about the parent rarely take this into account.
- **FIS discuss the impact of various sentencing options on the defendant's family and minor children.** Options such as probation or an alternative to incarceration program (ATI), such as outpatient drug treatment, can help children maintain positive connections with their parents by keeping parents in the community with their children, when appropriate and possible. ATI programs, with costs ranging from \$1,400 to \$13,000 per person annually, are as effective in reducing recidivism and more cost-effective than incarceration, which costs approximately \$60,000 per person in prison annually.⁶
- When incarceration does occur, FIS can impact decision-making about where a parent serves his or her sentence, potentially being placed in a prison close to their children, and can also be considered in parole release decisions and setting conditions of parole.

¹ New York State Unified Court System. *Report of the Chief Administrator of the Courts Annual Report 2010*. New York: New York State Unified Court System. <http://www.courts.state.ny.us/reports/annual/pdfs/UCSAnnualReport2010.pdf>, accessed May 11, 2012. Derived from the number of criminal filings in 2010, with 373,724 arrest cases in NYC alone. ² New York State Department of Corrections and Community Supervision. *DOCCS Fact Sheet*. March 15, 2012. Average daily population in December 2011 was 55,980. ³ New York State Division of Criminal Justice Services. *Jail Population Outside New York City by Month*. May 8, 2012 and; City of New York Department of Corrections website. http://www.nyc.gov/html/doc/html/stats/doc_stats.shtml, accessed May 11, 2012. ⁴ Statistics obtained from New York City Criminal Justice Agency. Based on the following bail assessment questions: "Do you support children?"; "What are their ages?"; and "Do they live with you?" ⁵ National Center for Victims of Crime. <http://www.ncvc.org/ncvc/main.aspx?dbName=DocumentViewer&DocumentID=32515>, accessed May 21, 2012. ⁶ Women Prison Association. *Alternative to Incarceration Programs: Cut crime, cut costs, and help people and communities*. http://www.wpaonline.org/pdf/WPA_ATI.pdf, accessed May 18, 2012. Report states per NYC DOC, the average annual cost per person in a NYC jail is \$62,595 and; Vera Institute of Justice. *The Price of Prison/New York: What Incarceration Costs Taxpayers*. January 2012. New York: Vera Institute of Justice.

HOW DOES A FAMILY IMPACT STATEMENT WORK?

Family Impact Statements can be developed by the probation officer conducting the pre-sentence investigation and then integrated into the pre-sentence investigation report (PSI) – which includes information about an individual's past and current social circumstances, including their family, criminal history, and victim impact statement when applicable – submitted to the court, along with other information, to guide sentencing decisions. Similarly, a FIS can be incorporated into pre-plead reports, also developed by a probation officer. A defender-based advocate or defense attorney can supplement a FIS by including information about family impact into pre-sentence or pre-plead reports submitted to the court on a defendant's behalf. Integrating FIS into these reports ensures that information about the defendant's parental responsibilities, and the impact of various sentencing options on the defendant's children and family members is available to Judges, defense attorneys, prosecutors, and – should incarceration occur – to corrections and parole officials.

CONSIDER ASKING THE FOLLOWING QUESTIONS TO DEVELOP A FIS

1. Does the person before the court have children? If so, how many and what are their ages? Where are they currently living? Where were they living prior to this parent's arrest?
2. Is the person before the court the primary caretaker of any minor children? If yes, who will care for the children in the parent's absence? If no, what are the parent's current responsibilities in relationship to his/her children?
3. What is the relationship between the proposed caregiver and the child, and between the proposed caregiver and the parent?
4. How will the defendant's sentence influence the family's ability to provide economic support and stability?

(including housing, medical, and educational needs) for the child?
5. How will the child maintain a relationship if separated? Are there barriers to visiting? What is recommended to minimize separation resulting from incarceration? How will classification and placement decisions impact the child?
6. Will the separation affect parental rights regarding the education, medical/health, stability and supervision of their children?
7. Is there Child Protective Services involvement with this family? Is there any Family Court Involvement, and if so why? How will future reunification be impacted?
8. Are other family members dependent on this individual for financial or other support (e.g. aging parent, developmentally challenged adult child, children of the defendant's partner who live with defendant, etc.)?
9. Is there an alternative to incarceration program or probation sentencing option that could impact the family less or minimize separation of the parent and child?
Analysis: What is the expected impact of sentencing options, including incarceration, on defendant's minor children and family? Consider options most beneficial/least harmful to children, e.g. treatment, alternatives to incarceration.

FAMILY IMPACT STATEMENTS ARE RECOGNIZED AS VALUABLE

- San Francisco's Probation Department adopted FIS into their Pre-Sentencing Investigation reports in 2009. California Senate Concurrent Resolution 20 was adopted in 2009 and encourages county-level adoption of family impact statements.⁷
- Arkansas Voices for the Children Left Behind submits FIS for review in sentencing hearings in a limited number of cases.⁸
- Oklahoma state law requires judges to ask if a convicted and sentenced individual is a single custodial parent and to inquire about child care arrangements.⁹
- Family Impact Statements are used to a limited extent in Tennessee.¹⁰
- At least two departments of probation in New York are considering integrating FIS into their pre-sentence investigation reports.

7 Senator Carol Liu SCR 20 Fact sheet, 2009. SCR20 can be accessed at http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0001-0050/scr_20_bill_20090901_chaptered.pdf. 8 Dee Ann Newell, Executive Director at Arkansas Voices for Children Left Behind. Personal communication on April 11, 2012. 9 Oklahoma Statute Title §22-20. Incarceration of single custodial parents - Child placement. <http://statutes.laws.com/oklahoma/Title22> accessed April 18, 2012. 10 Christian, S. (2009). *Children of Incarcerated Parents*. Washington D.C.: Conference of State Legislatures, March 2009.

San Francisco's Family Impact Statement:

Number of minor children?
 Children's current living situation?
 Caretaker and living arrangement?
 Is the defendant a primary caretaker?
 Does defendant provide financial support?
 Is there an active child support case?

Discuss the impact on the family and minor children. Include parental contact and guidance, as well as financial support should the defendant be incarcerated

New York Initiative for Children of Incarcerated Parents July 2012

To learn more or to get involved, email us at NYInitiative@osborneny.org, call us at 718-637-6560, or visit www.osborneny.org. For Family Support, call our Hotline: 1-800-344-3314 This Project and the New York Initiative are supported by the Robert Wood Johnson Foundation, the Open Society Foundation, and the DeCamp Foundation.

APPENDIX F

CRCF Flip Book

Where Mom Is

(The places you don't get to see but you might have some questions about)!



Chittenden Regional Correctional Facility

Provided by and in partnership with

Kids-A-Part A program of



Kids apart from a parent & a part of our communities A program for children of parents in prison & their families

This book was created from material originally made by the Kids-A-Part Program in collaboration with Ellen Ducharme & Patricia Clogston.

Many thanks for their insight.

Appreciation must be given to the Department of Corrections staff who assisted with the planning and creation of this booklet and who support efforts at maintaining connections between parents who are inmates and their children.

This book is dedicated to the children left behind...

To the children who shoulder tremendous amounts of unnecessary shame and stigma associated with having a parent in prison.

We hope this book answers some of your questions about having a mom in prison.

You are not alone.

You may get to see this room which is the visiting room. This is where moms get to visit with their kids and the other people who visit them while they are in prison.



When visits are not happening there are groups and meetings in here, too





This is what the prison looks like from the parking lot. It is located in South Burlington, Vermont.



South Burlington is in red. Do you know where you live in relation to South Burlington?

This is where moms go to school. Some of the classes moms take are science, math, English, computers and life skills.



They can work on the computers, read, or take books to their room to read.



Moms live in a group of rooms with other women.

These are called “units.”

This is what a unit looks like.

They have common, shared spaces where they can play games, cards, talk or have meetings.



These are the bedrooms where moms sleep and keep their personal things. They can hang pictures, cards and letters so they can be reminded of the people they love.



Moms think about and miss their kids lots of the time.



This is the cafeteria where moms eat meals. For breakfast they have pancakes, waffles, yogurt, cereal, oatmeal, eggs, toast, English muffins, or bagels. For lunch they have wraps, pizza, hotdogs, hamburgers, tuna fish, egg salad, grilled cheese, or soup. For dinner they have chicken nuggets, spaghetti and meatballs, macaroni and cheese, or roast beef and gravy.



There is a huge kitchen where women make all the meals.



This is the gym. Moms can play basketball and other games.



There is exercise equipment too.



This is the recreational yard where moms can run, walk or play.



This is the visiting room where moms play with their kids. When you come for a visit with your mom this room has lots of toys and games you can choose from!



