



# CHILDREN OF INCARCERATED PARENTS:

## *How CASA volunteers can better advocate for their children*

**PURPOSE:** *To raise awareness of how parental incarceration affects children and to provide strategies for working with and responding to the needs of children*

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### Objectives

*By the end of this chapter, I will be able to ...*

- ✓ See and understand a statistical profile of incarcerated parents
- ✓ Understand the impact of parental arrest and incarceration on children.
- ✓ Articulate the Children of Incarcerated Parents Bill of Rights.
- ✓ Understand how to support children of the incarcerated.
- ✓ Understand how to navigate some of the institutional impediments for children of the incarcerated.







## UNIT 1: Children of the Incarcerated: Did You Know?

### A. The Facts



As a CASA volunteer, it is highly probable that you will have the opportunity to advocate on behalf of a child with an incarcerated parent.

- According to the Bureau of Justice Statistics, during the last 20 years, the number of individuals incarcerated in prisons and jail in the United States has **quadrupled, reaching 2.2 million by the end of 2002**. By 2003, **one in every 143 U.S. residents was in a prison or jail** (Harrison and Beck, 2003.)
- As of 2008, 1 in 100 adults in America is in jail or prison (Pew Charitable Trust, 2009)
- As of 2008, 1 in 31 adults in America are in jail, prison or on probation (Pew Charitable Trust, 2009) and the United States spent 1 in 15 general fund dollars on corrections. In the past two decades, state general fund spending on corrections increased by more than 300%. Only Medicaid spending has grown faster. (Pew Charitable Trust 2009)
- According to the Bureau of Justice Statistics, two point four million American children have a parent behind bars today and more than 7 million children have a parent under criminal justice supervision—in jail or prison, on probation, or on parole.
- Since 1991, the number of children with parents in prison has increased by more than 50 percent. Most of these children have an incarcerated father, but a growing number—currently 8 percent—have an incarcerated mother.
- Children of incarcerated parents will spend an average of 6 years 8 months separated from them. (Aid to Children of Incarcerated Mothers, Inc.)
- Seven to ten percent of children with incarcerated mothers will be placed in foster care compared to only 2 percent of those with incarcerated fathers, Bureau of Justice Statistics.
- 1 in every 8 children who are reported victims of maltreatment have parents who were recently arrested (i.e. within 6 months of agencies receiving the report of maltreatment). In the vast majority of cases, (90 percent) the child's mother is arrested. For African Americans it is 1 in every 5, for White children it is 1 in 10 and for Latino children it is 1 in 20.





## **B. Why is this Important?**

Since women are usually the primary caregiver at the time of arrest, it is more likely that their children will end up in foster care.

Children of Incarcerated Mothers are:

- More likely to age out of foster care system;
- Less likely to reunify, enter into subsidized guardianship, get adopted or leave foster care through other means;
- And the reunification rate is 21% vs. 40% for all children  
(Vera Institute, 2004)

### **So why is this important to you as a CASA?**

The impact of parental incarceration on a child starts with the parents arrest and continues as the child interacts with each system it may encounter. As CASA practitioners, you voluntarily or by virtue of agency and community connections have opportunities to work with families to ensure that children are safe and provided for from the time of a parent's arrest through incarceration and after their release from jail or prison. Arrest and incarceration moves the family, especially the children, into a state of crisis. It begins a process that is usually long, complicated, misunderstood and very unpredictable. For a child, the process is more often than not, terrifying, confusing, and, traumatic. Mounting cumulative risk factors put these children at risk of drug abuse, criminality, runaway status and homelessness.



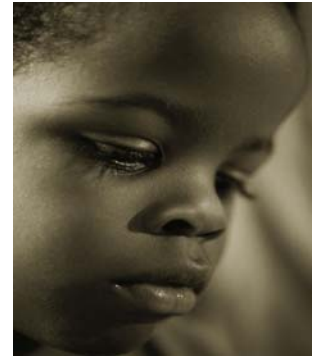


## Activity A: CIP Quiz

Please answer the following questions:

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1. It is good for children to visit their incarcerated parent.  
**True    False**
2. The impact for a child whose father is incarcerated is greater than when the mother is incarcerated.  
**True    False**
3. Children need to know what is going on with their parent while the parent is incarcerated?  
**True    False**
4. The most traumatic phase for children of incarcerated parents is?  
**A. Witnessing the arrest**  
**B. Visiting in an institution**  
**C. Going to school**  
**D. Being placed in foster care**
5. Most children of incarcerated parents end up in foster care.  
**True    False**
6. Most children who lived with their parents prior to parental incarceration will live with them again following release.  
**True    False**
7. Most incarcerated parents want to maintain relationships with their children.  
**True    False**
8. Incarceration leads to permanent severance of family ties in many situations.  
**True    False**
9. Frequent visitation at a correctional institution (jail or prison), when appropriate and there is no risk to the child has been proven to reduce trauma for the child.  
**True    False**
10. Children whose parents are incarcerated are exposed to more risk factors and more likely to have behavioral problems.  
**True    False**



*Answer Key – see Appendix A*





## UNIT 2: Through a Child's Eyes

### Activity B

1. Watch the Film – *The Circle is Round*
2. After the film, answer the following questions:
  1. *I was surprised when...*
  2. *It bothered me when...*
  3. *The person in the film I can relate to the most is \_\_\_\_\_ because...*
  4. \_\_\_\_\_ *in the film reminded of...*
  5. *I agree/do not agree with...*
  6. *This film raised the following issues for me...*
  7. *I did not realize...*





Little is known about what becomes of children when their parents are incarcerated. There is no requirement that the various institutions charged with dealing with those accused of breaking the law—police, courts, jails and prisons, probation departments—inquire about children’s existence, much less concern themselves with children’s care. Conversely, there is no requirement that systems serving children—schools, child welfare, juvenile justice—address parental incarceration.

Children of prisoners have a daunting array of needs. They need a safe place to live and people to care for them in their parents’ absence, as well as everything else a parent might be expected to provide e.g. food, clothing, and medical care.

However, beyond these material requirements, young people themselves identify less tangible, but equally compelling, needs. They need to be told the truth about their parents’ situation. They need someone to listen without judging, so that their parents’ status need not remain a secret. They need the companionship of others who share their experience, so they can know they are not alone. They need contact with their parents—to have that relationship recognized and valued even under adverse circumstances. In addition—rather than being stigmatized for their parents’ actions or status—they need to be treated with respect, offered opportunity, and recognized as having potential.

## **Important FACTS for you as a CASA**

- It is more likely than not, that the child you are advocating for has a parent in custody.
- 2/3rds of incarcerated mothers lived with their child before incarceration.
- 44% of incarcerated fathers lived with the child before incarceration.
- 10% of children with an incarcerated mother are in foster care; 6% of children with an incarcerated father are in foster care.
- Pro-social contact improves Criminal Justice and Child Welfare Outcomes for the child and the parent.
- Family connections are important for family reunification.
- Most children who lived with their parents prior to parental incarceration will live with them again following release.
- Most importantly, these children need their parents and their parents need them. Some look at the parent and see a criminal; the child sees mom and dad.





## UNIT 3: Children of Incarcerated Bill of Rights

In 2003 the San Francisco Children of Incarcerated Parents Partnership (SFCIPP) published the Children of Incarcerated Parents Bill of Rights. The purpose of the publication was to create a framework for working with these children from a children’s perspective. In 2005, a Right to Realities initiative was launched with the long-term goal of ensuring that children with arrested, incarcerated and justice-involved parents would be guaranteed the following rights:

### 1. To be kept safe and informed at the time of my parent’s arrest;

*“At age nine, Dave was left alone with his baby brother after their mother was arrested. Dave—who was 19 at the time of this interview – went on to foster care and ten college. He never learned why his mother had been arrested, and saw her only once after the day of her arrest.” (Bernstein, 2005) All Alone in the World: Children of the Incarcerated.*



## 20 Common Questions a Child Might Ask About the Criminal Justice Process

Adapted from Montana Guide for Caregivers (<http://www.cor.mt.gov/content/Victims/FamilyMembersBehindBars.pdf>)

The arrest of a family member is an immediate crisis like a house fire, car accident, serious illness, or death in the family. Children will probably react to the immediate event with fear, panic, and shock. This situation will be worse if police arrive with their guns drawn and handcuff the family member. Adults also will be in crisis and possibly unavailable as support for the children. Depending on family dynamics, the children might be overlooked entirely. The arrest of one or both parents robs children of their sense of security. Police or social workers may take them from the home and place them in foster care. If the parents produced methamphetamines in the home, the children may be stripped, bathed, dressed in unfamiliar clothes, and assessed by medical experts who are strangers to them. Children need physical safety, reassurance, information, an introduction to new routines, support, kindness, and adult encouragement to ask questions. Caregivers must not expect children to hold the family together or postpone their grief.

If the children or other family members are victims (domestic abuse or incest, for example), the children will have mixed emotions. They might feel relief that the assaults will stop. They might feel guilty for reporting the crime or for not being able to stop the assaults. The family member might blame them for the arrest. They may be confused and sad. Children often love their parents even if







those parents abuse them. Depending on what they have learned at home, children might see the police as the bad guys.

Below are a few of the common questions a child may ask after a parent has been arrested and is in jail, prison or a community corrections placement such as a drug/alcohol treatment program or prerelease center. The answers below are intended to be a guide to help you tailor a response to fit your specific circumstance. Age appropriateness is important.

### **1. What happened?**

- “Someone thinks your family member broke an important rule (or law).” “Your family member was arrested. That means the police took him to jail so they can talk about this more and figure out what really happened.”

### **2. Why did the police tie my family member up (handcuff)?**

- “When people are arrested, they might become angry and frightened. Sometimes they try to run away, even if it means hurting someone. The police put on handcuffs to make sure that your family member does not run away or hurt anyone. They will take off the handcuffs when they get to jail.”

### **3. What did my family member do?**

Explaining any crime to a child can be difficult. Keep it simple for now. Provide no more information than the child can understand.

- “They think he stole something.”
- “They think he broke a window and went into someone else’s house without asking.”

If the family member is accused of murder, assault, or rape, simplify it for the time being. If (s)he goes to trial or is convicted, you can provide the child with more details.

- “They think (s)he hurt someone else.”

If the arrest involves manufacture and/or sale of dangerous drugs, the child could have been in imminent danger.

- “Your parents are not able to keep you safe right now, so you are going to stay here for awhile.”

### **4. Will I ever see my family member again?**

This is another tough question. Although the child will probably be reunited with the arrested family member, this is an uncertain and dangerous time for everyone.

- “You will see your family member again, but it might not be very soon. We will have to wait and see.”

### **5. Is my family member safe?**

If the family member left home in handcuffs, the child may be very anxious about safety. Also, they might have seen violence on TV associated with arrest and jail. If you know that the child trusts the police, explain that police officers (usually it is the sheriffs deputies) run the jail. Otherwise, try telling the child that people who run the jail have been to school to learn how to keep people safe.

- “The people who are in charge of the jail try very hard to keep everyone safe.”





## **6. Is it my fault my family member was arrested?**

Especially if the arrest followed violence at home, children might think it is their fault. What they really want to know is whether anyone blames them for the arrest.

- “It is not your fault. The police arrested your family member because (s)he might have broken an important rule called a law. Arrest can be a consequence for adults who don’t follow laws.”

## **7. Where is my family member?**

Adults often sugarcoat information about family members who have committed crimes because they want to protect children from the painful truth. Lying to a child seldom is a good idea. The truth has a way of coming out. A lie revealed by someone else may cause the child to doubt the caregiver whom (s)he desperately needs to trust. Telling a child that the family member works in another city, state, or country, is away at college, overseas in the military, or in the hospital will increase their anxiety. Why doesn’t (s)he ever come to see me? Will (s)he die? Is (s)he already dead? The child will see that other children whose parents are away see them once in awhile. Without accurate information, a child might believe matters are worse than they are.

## **8. Why is (s)he there?**

- “Your family member is there because (s)he committed a crime and has consequences.”

## **9. When will (s)he be coming home?**

Release dates are seldom certain. It’s probably best not to give the child a firm date on which a loved one will come home. There are too many variables. For example, a family member who is eligible for a parole hearing might tell the caregiver that (s)he is getting out of prison soon, but the parole board might not grant parole. Here are some possible responses:

- “We don’t know for sure but we do know that (s)he will not be home this Christmas.”
- “The judge will decide today if your family member can come home.”
- This is appropriate in cases where the family member received a prison sentence with a parole eligibility restriction: “(S)he will not be coming home until you are all grown up, but you can visit.”

## **10. When can I see my family member?**

In most cases, family members can visit in jail, prison or other correctional facilities. Some Department of Corrections (DOC) support the connection between children and their parents if contact is safe and appropriate for the child. The best answer is one that gives the child a specific time to look forward to, but only if you are sure.

## **11. What will happen to me?**

- “We will make sure you are safe.”
- “Your grandparents will take care of you and your brothers until your family member comes home.”

If a child must be separated from siblings, tell him/her that they will be with adults who will try to keep them safe too. Some siblings separated during a parent’s incarceration are never reunited. Perhaps a caregiver is able to care for an infant but not school-age children.





## **12. Is my family member okay?**

A child who watches TV might have a distorted view of jail, court, and prison as dangerous, noisy places where people are sometimes hurt or even killed. They will experience fear, anxiety, sadness, and perhaps guilt or shame about their loved one behind bars. Usually these stereotypes about the criminal justice system are not true, but injury or death of a family member is possible.

- “Your family member has food and water, a warm place to sleep, and comfortable clothes. The people who work in the jail/ prison/treatment center work hard to make sure that everyone is safe.”

## **13. What will (s)he do there?**

“Your family member will have rules to follow. (S)he might go to school to learn how to obey laws, be less angry, stop using alcohol or illegal drugs, and be a better parent. (S)he will eat, sleep, exercise, and talk with other people.”

## **14. Does (s)he blame me? Is it my fault?**

“It is not your fault that your family member committed a crime. (S)he is paying the consequences now.” In domestic violence situations, the child might have called the police, or been the reason an adult called the police. “You did the right thing by calling the police because your family member might have hurt you or someone else.”

## **15. Does (s)he still love me?**

Most parents love their children regardless of their current circumstances.

- “Your family member will always love you. (S)he might be angry right now, but (s)he still loves you.”

If you do not believe this is true in your situation, your answer will need to be more creative.

- “Sometimes people who commit crimes are very mixed up and they don’t know how they feel about anyone.”

## **16. I feel confused, scared, sad, or angry.....**

- “All feelings are okay. Sometimes it helps to talk to other people like a friend or trusted adult about your feelings.”

## **17. Is it okay if I still love my family member?**

Children who have undergone the worst physical, sexual, or emotional abuse imaginable often still love the family member. Resist the temptation to tell the child that the family member is a bad person who does not deserve love. This can create more confusion and trauma.

- “Yes, it is okay that you love your family member.”

## **18. Is it okay if I don’t love my family member anymore?**

- “Yes it is, and it is also okay for you to have different feelings about this later.”

## **19. What can I do to help my family member?**

- “Everyone in the family needs to love and support each other by helping with chores at home and trying hard to be a good brother or sister.”

## **20. What if I do something wrong? Will I go to jail too?**





- “If you do something wrong you might have a consequence like a time-out or not riding your bike for three days.”
- “When you get older you could go to jail if you commit a crime. Teachers and other trusted adults can explain right and wrong to you, and how laws work, so you won’t commit a crime.”

## 2. To be heard when decisions are made about me;

***“When my mother’s parental rights were terminated, I wasn’t even allowed to be by her in the courtroom. But I just knew from her expression, her tears, begging the judge, what had happened. I was reaching out to her , begging, trying to have that last hug. They picked me up and just took me away. Me screaming and yelling, ‘Mommy, I won’t be bad again.’ What would have helped me most is compassion for my mom.”***

Sometimes adults don’t talk about the incarcerated parent because they are afraid it will upset the child. However, when the child is upset or hurt or confused, it is better to express those feelings to others than to let the emotions stew inside. Children are likely to worry and believe things are worse than they really are if a parent “disappears” and no one talks about it or lets them talk about it.

Interactions with children who are impacted by incarceration present both risks and opportunities. If young people feel blamed or unheard, if their feelings remain hidden and their needs go unexpressed the burden of parental incarceration grows heavier. You as a CASA can make the effort to listen without judgment and learn from the child’s experiences. Doing so provides an opportunity for you to comfort and encourage the child.

Be a good listener and don’t be afraid to talk about it. Help them to feel better about their situation. It may help reassure them if they know:

- “2 of every 100 children have had a parent in jail or prison.”
- “You didn’t do anything wrong. People should not try to make you feel guilty or ashamed.”
- “Sometimes, it is easier not to talk about a parent who is incarcerated, but you may never learn that there are plenty of other kids in the same situation. Talking about it with people you trust may help.”
- “It’s okay to love your Mom or Dad who is in jail or prison, even if some people don’t think you should.”

## 3. To be considered when decisions are made about my parent;

***“When I was 16, the police came. They kicked the door in and took my mom to jail. They told me, ‘Call somebody to come watch you.’ They were so busy trying to take her out they didn’t care about me. I had to take care of myself for almost six months while she was in jail.”***

Children deserve to have their needs taken into consideration when individual sentences are handed down. The capacity of judges to consider children should be expanded, and they should be encouraged to use the discretion they already have to protect the children’s interest. If questions about the needs and status of dependent children became a priority at each phase of the criminal





justice system and efforts were made to connect the parent and their children with services and supports, the criminal justice system could play a role in family strengthening and preservation. Parole and probation officers are sometimes required to prepare pre-sentence or pre-release investigation reports to help judges understand the defendant and their potential for rehabilitation. Some jurisdictions require that a family impact statement be prepared to assess the potential effect of a given sentence or release on children and families along with recommendations aimed at providing services and supports to children during a parent's absence.

When a parent is involved in the Criminal Justice system, CASA's should inquire whether a Family Impact Statement exists and make the dependency court aware of the report's existence. Below is an example of the San Francisco, California's Family Impact Statement included in the pre-sentencing investigation report. This information is provided to the sentencing judge in Criminal Court.

#### SOCIAL HISTORY - FAMILY IMPACT:

...Number of Children:

...Number of Minor Children:

...Children's Current Living Situation:

...Identify Caretaker and Residence Where Children Live:

...Is the Defendant a Primary Caretaker? Yes \_\_\_ No \_\_\_

...Does the Defendant financially support the children? Yes \_\_\_ No \_\_\_

...Is there an active child support case? Yes \_\_\_ No \_\_\_

...If Yes, what county? \_\_\_\_\_

...Analysis and Plan (In all cases, please discuss considerations of alternatives to incarceration as warranted)

...Family Impact: Please discuss the impact on the family, specifically the defendant's minor children, if any. Include parental contact and guidance as well as financial support should be defendant be incarcerated.

#### **4. To be well-cared for in my parent's absence;**

*“When I was four years old, my mother started doing drugs. She used to be in and out of jail, and then she started going to prison when I was seven years old. That's when we first got taken from her. My grandmother took me to Social Services, dropped me off, left me there because it was too hard for her to take care of me.”*

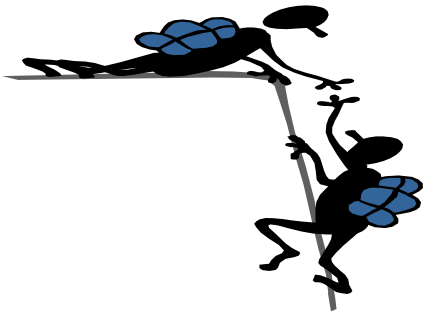
### **Caregiver Burden**

As a CASA, you will be dealing with those who care for children of the incarcerated. People caring for Children of the Incarcerated have a unique set of stressors which sometimes causes them to disengage. Many caregivers for children of the incarcerated are grandparents or other relatives although not always. In many cases, relative caregivers receive less financial support than do non-related foster care providers do or no support at all. When a caregiver is an impoverished grandparent, it can prove particularly difficult to meet the family's needs alone. Caregiver burden is an all-encompassing term used to describe the physical, emotional and financial toll of providing care. CASA's stand in a unique position of being able to assist the child(ren) by helping to support





their caregivers by pointing the caregiver to resources, including respite, providing or giving support and making sure the court knows and understands the burden the caregiver is under.



### *Emotional Issues for Caregivers*

When a grandparent, other relative, or other caregiver begins parenting a child of an incarcerated parent, loss of the parent is the primary emotional hurdle the child faces. Whether the loss of the parent is due to incarceration, substance abuse, or child abuse or neglect, the child will grieve deeply. He or she may very likely exhibit anger, depression, and the regression in development that accompanies children's grief. When the separation from the parent is involuntary, visitation stress and the child's divided loyalties make the care arrangement a potential powder keg of conflict and emotional turmoil.

### *Practical Issues for Relative and other Caregivers*

Many relative caregivers of incarcerated children face financial strain when bringing a child or children into the family. Financial support for kinship care varies widely and often families receive no financial assistance at all. They may face difficulties in meeting the educational and health needs of the child. Often, older family caregivers have their own health and age-related issues that make parenting difficult.

The most important thing that grandparents and other kinship caregivers can do to successfully parent their relative child is to build a support system and not try to do it all alone. CASA's may be able to help by pointing out these hardships to the court and by pointing the caregiver to resources in the community. Furthermore, as a CASA you may be able to share valuable information about Children of the Incarcerated with the caregiver such as how to talk to children of the incarcerated.

When children spend time with their CASA's it can open up free time for caregivers or parents. For busy caregivers with work commitments, CASA's provide peace of mind: knowing their child is with another trusted adult. CASA's have the opportunity to help caregivers in managing behavioral problems by being there for the child and by providing information about resources that may benefit them.





## *Most Caregivers Need*

- Support and understanding from friends, family, clergy, and the community
- Emotional support, such as counseling or group activities
- Information about children of incarcerated parents as well as about services in the Community
- Guidance about what is generally best for children and how to answer their questions
- Rules, boundaries, and space in the home: for the children, for the family and for the Caregiver
- Opportunities for respite care and relief from the duties of care giving
- Help with managing the needs and services that are all too often fragmented, unavailable, or costly

### **5. To speak with, see, and touch my parent;**

*“One day when I was six I woke up and she was gone. My mom had went to prison and it was 3 years before I saw her again. No one talked about it. Grandma and I took a long ride one day, it seemed like forever and after we got into this big scary building with wires around it, there was my mom. I was so excited I wet my pants and the guard lady started screaming at me. I didn’t care, I saw my mom. We didn’t see each other again for another year but we wrote each other.”*

Visiting an incarcerated parent can be difficult and confusing for children, but research suggests that contact between prisoners and their children benefits both, reducing the chance of parents returning to prison and improving the emotional life of children.

First is important to understand the difference between jails and prison. Think short-term and long-term. Jails are most often run by sheriffs and/or local governments and are designed to hold individuals awaiting trial or serving short sentences usually under a year. Prisons are operated by state governments and the Federal Bureau of Prisons (BOP) and are designed to hold individuals convicted of crimes, which are classified as felonies and carry a sentence of more than a year.

Visits between children in foster care or the dependency system and their parents maintain important family relationships, give social workers a chance to assess and document birth family progress, and are strongly tied to successful family reunification. Visiting a jail or prison is challenging for a child but much can be done to reduce fear and anxiety and improve the quality of the visits. Here are some guidelines that may help:

- Window visits, where the visitors are separated from prisoners by glass and converse by telephone, are not appropriate for small children contact visits should be arranged by the social worker unless there are security concerns or the nature of the offense precludes them. For most jails in the country contact visits are not allowed. Prisons generally have contact visits.
- Children in the child welfare system have a particularly hard time gaining access to their parents. Social service departments have a legal mandate to make “reasonable efforts” to help families reunify and regular contact is a pre-requisite for reunification. If the case in a Family





Reunification case visits must happen and what it looks like is up to the court. As a CASA you can make sure that the child visits by recommending that the court make specific orders for structured visitation which include how many times a month, who will transport etc... Avoid the pitfalls of the Social Services department shifting the responsibility to CASA's and Caregivers for transportation. It is the Agencies responsibility.

- Cases in permanency planning do not carry such a mandate. Should you decide to help the child visit be sure to:
  - 1) Talk to the case worker about the parent;
  - 2) Learn the visitation regulations in the jail or prison you will be visiting. Find out if there will be face-to-face contact, or if the child will have to view her parent with glass separating them and talk on phones; find out if there will be metal detectors or body searches and if the child is allowed to bring any mail or gifts.
  - 3) Visit the prison or jail on your own before you bring the child. It will help you to deal with reactions which you may not want to display in front of the child who is already afraid and anxious about the experience of visiting mom or dad in jail.
  - 4) Tell the child what to expect at the visit in age appropriate ways. Let them know that there may be only one hug, that they may not be able to bring anything to the parent, or that may long lines and time limits on the visit.
  - 5) Some jails and prisons have special family rooms and accommodate children in special ways. Make the appointment ahead of time with the prison to find out about any special accommodations which are made for children.
  - 6) Some jails and prisons allow inmates to videotape reading children's books and gave the videos and copies of the books to the child's family. The child could read the books at home along with the CASA or caregiver while they watched the parent reading the books on video tape.
  - 7) Some children want to see their parents and some will have a difficult time dealing with their parents' incarceration. However, most studies indicate that it is important for children to maintain as much contact as possible, and that reunification is more likely to be successful if that contact has been maintained.

## 6. To support as I face my parent's incarceration;

*“Sometimes when my mom was arrested my brothers and sisters and I would be on our own. Eventually the lights, phone and water would be turned off. I know it was not the teacher's or neighbor's responsibility but I wish someone would have come by to see how we were living. One day my brother told someone and then we were all split up in different houses. There should be a program to help kids cope with the fact that their mom is arrested. Therapy to see how the child is feeling and what is going on.”*







## **Developmental Effects on Children**

A number of studies suggest that the effects of parental arrest and incarceration on a child's development are profound. The children may suffer from multiple psychological problems and negative behavioral manifestations including:

- Trauma
- Anxiety
- Shame
- Guilt
- Sadness
- Withdrawal
- Low self-esteem
- Decline in school performance
- Truancy
- Use of drugs or alcohol
- Aggression
- Depression
- Difficulty in sleeping
- Concentration problems





## Possible Developmental Effects on Children of Parental Crime, Arrest and Incarceration

Developmental Stage	Developmental Characteristics	Developmental Tasks	Influencing Factors	Effects
Infancy (0-2 years)	Total dependency	Attachment and trust	Parent-child separation	Impaired parent-child bonding
Early Childhood (2-6 years)	Increased perception and mobility; incomplete individuation from parent	Sense of autonomy, independence and initiative	Parent-child separation; trauma	Anxiety, developmental regression, acute traumatic stress, survivor guilt
Middle Childhood (7-10 years)	Increased independence, ability to reason, importance of peers	Sense of industry, ability to work productively	Parent-child separation; enduring trauma	Acute traumatic stress and reactive behavior, trauma-reactive behaviors
Early Adolescence (11-14 years)	Increasing abstract thinking, future-oriented behavior, aggression, puberty	Ability to work productively with others, control of emotions	Parent-child separation; enduring trauma	Rejection of limits on behavior, trauma reactive behaviors
Late Adolescence (15-18 years)	Emotional crisis and confusion, adult sexual development, abstract thinking, independence	Achieves identity, engages in adult work and relationships, resolves conflicts with family and society	Parent-child separation; enduring trauma	Premature termination of parent-child relationship; intergenerational crime and incarceration

(Dr. Denise Johnston, "Effects of Parental Incarceration," in Gabel and Johnstone, p. 68.)

CASA's dealing with children impacted by parental incarceration must be sensitive to the needs of these children in order to support them. Many of them need counseling to deal with issues of grief, repeated loss of a parent, heightened fear of authority, discomfort in institutional settings, and difficulty in forming trusting relationships. Children need access to therapists or other supportive adults who have the experience and training to surmount these barriers.

### WORDS THAT CAN HELP A GRIEVING CHILD

Offering support to a grieving child can begin with a simple statement or open-ended question. Here are some conversation starters:

- I'm sorry about your mom/dad/s.
- Tell me about your\_\_\_\_\_.
- What's his/her favorite food?
- What do you miss the most?





- What is the hardest part for you?
- What is the hardest time of day for you?
- I cannot know how you feel, but I remember how I felt when \_\_\_\_\_ .
- I care about you.
- I care about how you are feeling.
- Is there anything I can do to help?
- Is there anything you would like to change to feel more comfortable?
- Would you like to talk about it?
- I'm available at this time, if you would like to come by to talk.
- Whenever you want to talk about it, I'm here for you.
- I'm thinking about you especially today because I'm aware that today is your ( mother's birthday, your birthday, etc).
- I'm here to listen if you want to talk, or just spend time together if you don't want to talk.
- When is your recital (game, rehearsal, etc.)? Would it be okay if I stop by?

### **WORDS THAT CAN HURT A GRIEVING CHILD**

The following are a few of the potentially harmful comments that are often offered to children grieving the loss of a parent:

- I know just how you feel.
- Lick your wounds and move on.
- You'll get over it.
- It will be okay.
- Don't think about it.
- You are better off without him.
- Don't cry.
- It's your fault.
- If only you had \_\_\_\_\_.
- Tears won't bring her back.
- Be strong.
- Forget about it.
- You are the man/woman of the house now.
- You **should feel**....(proud, relieved, happy, sad, etc.)





## 7. To not be judged, blamed or labeled because my parent is incarcerated;

***“It’s hard to find a sense of value if everybody tells you you’re not worth anything. No matter what your mom does, she’s still a person. After a while, you realize that people screw up. You realize that your mom’s not the only person that screws up and that you don’t have to be like her.”***

Separation due to death or similar causes disrupt the family, yet these happen to provide a “focal concern around which the remaining members can rally and mitigate the impact of their loss”; quite to the contrary, separation due to imprisonment rarely elicits any such response because of the stigma associated with it. A child faced with the social stigma of parental incarceration will often also encounter embarrassment and shame, which may in turn further inhibit the ability of the child to adequately adjust to the anxieties resulting from the separation through incarceration. The effects on child behavior, are that prolonged periods of shame and embarrassment may promote depression or behavior typical of withdrawal, such as an unwillingness to engage in social interactions.

The shame young people experience when a parent is incarcerated is enhanced when they harbor the misperception that they are alone in their experience. The company of other children of prisoners—whether in support groups or informal activities such as recreation programs or summer camps—can allow young people to unburden themselves of a painful secret, learn that they are not to blame for their family’s troubles, and perceive themselves as having potential.

## 8. To have a lifelong relationship with my parent.

***“My mother was abusive to herself, not to me. I ate. I had clothes. I had love. But the system associated her abuse of herself with abuse of me. Were they right to do that? I don’t think so. No. What would have helped me most is compassion for my mom.”***

Research consistently indicates that the strongest predictor of successful prisoner re-entry into society is abiding family bonds. Supporting these bonds (unless there is evidence that to do so would endanger the child), and reducing the obstacles to maintaining them, is not only of paramount importance to children; it may also be the best anti-recidivism approach around.

But changes in child welfare law—specifically, accelerated timetables for termination of parental rights—have greatly increased the odds that even a relatively short sentence will lead to the permanent severance of family bonds. When this happens, children are forced to forfeit the most fundamental right of all—the right to remain part of their families.

Under the 1997 Adoption and Safe Families Act (ASFA), states must begin proceedings to terminate parental rights if a child has been in foster care for 15 of the past 22 months—six months if the child is under three. Over seventy percent of women in state prisons nationwide are serving sentences of 35 months or longer. These clashing timetables mean increasing numbers of women prisoners risk losing their parental rights if their children are in foster care. Under ASFA, exceptions to the timelines for termination are permissible under two circumstances: when a court determines that “reasonable efforts” have not been made to support reunification or that termination is not in a child’s best interests. Given the minimal efforts that are generally made to maintain contact and plan for reunification between incarcerated parents and their children—and the obstacles even the most





energetic social workers face when they do try to support reunification—terminations in these cases ought receive automatic scrutiny under the “reasonable efforts” clause. When children enter foster care simply because of parental arrest, rather than evidence of abuse or neglect, these cases deserve careful consideration under the “best interests” clause.

The stories above were adapted from the Children of Incarcerated Parents Bill of Rights Published by the San Francisco Children of Incarcerated Parents Partnership, which can be found at [sfciipp.org](http://sfciipp.org).

### **Activity 3 - Your Agenda for Action**

When young Malia was nine, her father was arrested for killing her mother and sentenced to a minimum of 20 years in prison. As her father was escorted from the courtroom, young Malia became another silent victim – a child with an incarcerated parent.

**You are Malia’s CASA how would you go about securing these rights for her assume she is now 15 years old:**

**To be kept safe and informed at the time of my parent’s arrest**

**To be heard when decisions are made about me**

**To be considered when decisions are made about my parent**

**To be well-cared for in my parent’s absence**

**To speak with, see, and touch my parent (assume she wants to)**

**To support as I face my parent’s incarceration**

**To not be judged, blamed or labeled because my parent is incarcerated**

**To have a lifelong relationship with my parent**





## UNIT 4: Common Stress Points for Children

*(The following is adapted from www.fcnetwork.org Children of Prisoners Library CPL 303: Common Stress Points)*

A parent's involvement in the criminal justice system often results in a series of crises for children: arrest, trial, incarceration, and re-entry. Each *stress point* presents new obstacles for children and families as they experience unexpected emotions that challenge established coping strategies.

### ***The Arrest: Fear, Confusion and Panic***

The trauma experienced by children who have a parent taken from them is extraordinary, probably more so if the child witnesses the arrest of the parent. The image of the person you love and respect being chained and dragged away is devastating. Even for children who do not witness the arrest, this image is terrifying. Fueled by negative media images, children imagine the worst about their parent's condition. Families and children rarely have any information about the arrest, arraignment and detention process. They have no idea how, when and if they will ever see the arrested person again.

### ***Pre-trial and During Trial: Anxiety and Frustration***

The arrested parent may be detained in jail to await trial or may be released on bail. In either case, this is a period of great uncertainty. No plans can be made. Children whose worlds have been disrupted are often unable to get answers to their questions. They do not know what is expected of them or when outside forces will tear the family apart.

### ***Sentencing: Hopelessness and Helplessness***

For the child or other family members, the sentence usually comes as a shock. To many outside the family, this can seem odd. But the sentence makes the fears of separation a reality for the incarcerated parent as well as the children and other family members. No matter how hopeless a case looks, most families continue to hope for a miracle until the very last minute. The sentencing is the very last minute, the time when hope dies.

### ***Initial incarceration: Abandonment, Stigma and Resentment***

For the child and other family members, the set of emotions experienced are often compared to the loss of a family member through death. This metaphor does not take into consideration how shame and humiliation about prison life affects the child along with economic or other calamities. Children are well aware of the gravity of the situation and likely to conjure up horrible visions of what life in prison is like for their parents. Further complicating problems include the reluctance of many caregivers to allow children to visit a prison or jail.

### ***Pre- and Post Release: Ambivalence***

Interestingly, the times just before and after release are often the most traumatic for children and families. Problems, which were central to a family's culture before incarceration, have rarely been handled during the prison term. Children have changed during the parent's incarceration. They are older and at different stages of development. They have different needs and expectations. Yet imprisoned parents may not have seen the growth. Released prisoners often treat their children as if they were still at the age of initial incarceration. There may be considerable tension about how the relationship between the child and the released parent is to go forward. Incarceration changed the





newly released parent as well. In prison, he or she suffered a loss of identity and respect and made few decisions. The environment was filled with anger and hostility, kindness was interpreted as weakness, and there was no privacy. Release to freedom carries with it the danger that needs and emotions kept in check will come boiling up or explode. This period is filled with expectations of a new life and mended ways. Children and adults alike will feel an array of emotions including the ambivalence that comes with such radical changes and adjustments. Behavioral reactions will vary with each child and the environment. The troublesome behaviors children exhibit can also be transient – appearing shortly after arrest or after the parent leaves and subsiding temporarily only to reappear at a later point. Some children react immediately to stress, challenging the adults to protect them and prove that they are competent caregivers. Other children seem to sense that the adults are vulnerable and may not be able to manage the distress. These children often act out their feelings at school or with a “protective” adult or they will hold it together until the adult seems O.K. Then, they will fall apart. There are children who can even wait until the incarcerated parent is released to really express their rage and others who will not deal with their feelings until years after the parent’s release. While there are many variations in how children and families manage each stage of involvement in the criminal justice system, the emotional impact will always cause some degree of stress and trauma.

CASA’s can find more about helping children of prisoners and their families at the Children of Prisoners Library (CPL), [www.fcnetwork.org](http://www.fcnetwork.org).





## UNIT 5: Visitation

When a child's parent is incarcerated it can be difficult to arrange for the necessary transportation. Often, the facility is far away and there can be strict clearance procedures, long lines, and no money in the Social Service Department's budget for transportation.

However, I want to encourage you to nourish the thoughts you already have...namely that *it does not matter* how difficult something is to attain. The *only thing that matters is whether it is best for the child*. After talking with the child, the child's attorney, and the social worker, if you feel that it is best for the child to visit his or her parent then that should be your recommendation to the court.

### *Family Reunification*

When a case is still in the family reunification stage, then visits *must* happen unless the court finds that it is detrimental to the child. It is important to look at a child's visitation with a parent as a right (subject to any detriment finding) and the transportation as a service. If the court has ordered that the Agency is to provide child welfare services to a parent, then the Agency should arrange for visits. If the caregiver is unwilling or unable to transport the child, then the Agency must arrange for alternative transportation.

It is within the court's authority to make "any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the child." Welf. & Inst. Code § 362) Ordering that the Agency *provide* transportation is certainly reasonable.

### *After Family Reunification*

Even after a case moves out of Family Reunification (and services are terminated to the parents) transportation services for visits can be ordered as services to the minor.

### *CASA volunteers driving children*

As a CASA volunteer, you are uniquely positioned to advocate for the best interests of the child. Further, you are in a position to fill the cracks. If your CASA program allows you to transport children, you can take them to visit their parent in custody. See Cal. Rule of Court 5.655(c)(3).

However, you should not forget that first and foremost, it is the Social Services Agency's role to provide for transportation. So, if it makes sense to do so, advocate for the service that meets the child's needs.

### *Practice Tips*

- Don't be content with an order that the Agency "look into the matter." If visits should happen, then ask that the court make an order for a specific number of visits i.e. twice a week, three times a month, etc.
- Early on, if the caregiver, CASA, or someone else is willing to provide transportation, then it is fine to take a "wait and see approach." However, if it becomes clear that visits are not happening ask that the court specifically order that the Agency "arrange for **and provide**" transportation as necessary."
- Look into alternatives, like televised visitation, letter writing, phone calls, etc. The goal is to ensure that when it is best for the child to maintain contact, that they do so in a meaningful way.







## UNIT 6: Immigration Enforcement and the Unintended Consequences

(Source: Caught Between Systems: The Intersection of Immigration and Child Welfare Policies. Washington DC: First Focus. Cervantes, W., Lincroft, Y. (Scheduled publication - April 2010)

If you have a child who is undocumented, or, whose parents have been detained or deported there are several issues you may want to think about:

... Ask the parent if they are comfortable with contacting their consulate who can help advocate for the parent or children in the state court process (even if the children are US citizens). The parent has the right to contact their consulate free from detention whenever they want to.

... Immigration legal counsel - while a parent and child in the dependency system has the right to a court appointed attorney, their attorney is unlikely to know immigration law and you may be able to assist the family in finding immigration legal counsel. Detention Watch Network has a national list of pro bono immigration attorneys.

... Family Finding – services to help young people connect and reconnect with their families through an extensive search and discovery process to identify and engage family members.

... The child may be traumatized or experiencing grief and loss and may need counseling services.

... Parents or family members may want to keep children in care in the United States or may want to bring them back with them to their native country. It is important that the parents gather all relevant paperwork prior to departure such as school and medical records, birth certificate, passport and other information since it is often more difficult to obtain these records once the parents are deported.

... Immigration detention is very different from criminal detention and detained parents often have difficulties physically being present at their dependency court hearing. If they are not able to present in person, the parent can request to present telephonically (by phone) in their preferred language.

... Records, i.e. birth certificates, SSN's, and other documents may be difficult or impossible to find.

... If the child is not getting what they need, be sure to ask the court to order it.

**IMPORTANT NOTE:** Only people who have immigration status in the US are allowed to go into an immigration detention facility. Those without status who show up at the facility can risk being detained and put into removal proceedings. Those who have legal status but who have a criminal record should check with an immigration attorney before attempting to visit someone in immigration detention, because sometimes criminal charges can make someone deportable, even if the charges are really old or are misdemeanors.





## UNIT 7: The Language of the Criminal Justice System

### GLOSSARY OF CRIMINAL JUSTICE TERMS

As with most things, the criminal justice system has its own language. Here is a glossary of terms to help you become more familiar with the system.

**Accused** a person or persons formally charged but not yet tried for committing a crime.

**Acquittal** a legal judgment, based on the decision of either a jury or a judge, that an accused is not guilty of the crime for which he has been charged or tried.

**Admissible evidence** evidence that is relevant and proper for consideration in reaching a decision.

**Affidavit** a written, sworn statement in which the writer swears that the information stated therein is true.

**Appeal** a request by either the defense or the prosecution parties to a case that the results of a decision on certain motions or of a completed trial be reviewed by a higher court for error.

**Arraignment** generally means an accused person's appearance in a court at which the court may inform him of the charges against him, advise him of his rights, appoint a lawyer for him, and/or hear his plea.

**Bail** money or property promised or given to the court as security when an accused person is released before and during his trial with the agreement that the defendant will return to court when ordered to do so. Bail is forfeited if the defendant fails to return to the court.

**Bench** where the judge sits during court proceedings; the term is often used for referring to the judge.

**Bench trial** a trial in which the judge hears the case without a jury and decides whether the accused is guilty.

**Bench warrant** a court order which directs that an accused person who has been released before trial and fails to return when ordered to do so be brought to court.

**Beyond a reasonable doubt** the degree of proof needed for a jury or judge to convict an accused person of a crime.

**Case law** the law as formed by past court decisions, opinions, interpretations, or traditions.





**Change of venue** transfer of a pending case in one county or district to another county or district; often sought because of claimed prejudicial publicity in the original county or district.

**Charge** a formal accusation filed by the prosecutor's office that a specific person has committed a specific crime, also referred to as pressing charges.

**Civil law** the law of private, not criminal, matters in which one party sues another for remedy of an alleged wrong.

**Complainant** a formal written statement filed in court by any person, often a prosecutor or a victim, which accuses a specific person of committing a specific crime.

**Concurrent or consecutive sentences** concurrent sentences are sentences for different offenses running together or served at the same time; consecutive sentences are successive sentences served one after another.

**Confidentiality** requirement that certain facts about a proceeding or nature of a proceeding be withheld from public discussion or scrutiny ostensibly to serve the interests of justice.

**Continuance** a delay or postponement of a court hearing; the case is said to be "continued" when it has been delayed or postponed.

**Conviction** a judgment of the court, based either on the decision of a jury or a judge or on the guilty plea of the accused, that the defendant is guilty of the crime for which he has been tried.

**Corroborating witness** a person who is able to give information that supports the statements made by either the victim or the accused.

**Count** each separate offense listed in a complaint, information or indictment accusing a person of committing a crime.

**Criminal** a person who has been convicted by a court of committing a crime.

**Criminal justice system** the entire network of government agencies charged with law enforcement, prosecution, trial, and the punishment and supervision of those arrested and/or convicted of having violated the criminal law.

**Criminal law** the law whose violation is considered an offense against the state that is punishable upon conviction by imprisonment, fine, or other penalties.

**Cross examination** the questioning of a witness by an opposing party.





**Defendant** a person who has been formally charged with committing a crime.

**Defense Attorney** the lawyer who represents the defendant in a legal proceeding.

**Detention** the act of holding a person in custody.

**Dismissal** a decision by a judicial officer to end a case for legal or other reasons.

**Disposition** the final judicial decision which ends a criminal proceeding by judgment of acquittal or dismissal or which sets the sentence if the defendant is convicted.

**Docket** the formal record maintained in brief of the court proceedings; “trial docket” sometimes refers to the list of cases to be tried on any given day or in a given period of time.

**Due process** all legal statements concerning procedural and substantive due process standards which must be applied in a disciplinary hearing or trial, including those raised primarily as defenses.

**Evidence** testimony and objects used to prove or corroborate the statements made by the victim, the accused, or other witnesses.

**Eye witness** a person who sees a crime taking place.

**Felony** a serious crime for which the punishment is imprisonment, usually for one year or more.

**Grand jury hearing** a legal process in which citizens selected by law and sworn to investigate criminal activity and the conduct of public officials and to hear the evidence against accused persons sit as a jury to decide if enough evidence exists to bring an accused to trial; grand jury hearings are generally closed to the public and their proceedings are kept secret by law. This hearing is held in lieu of a preliminary hearing.

**Guilty** a verdict of a judge or jury that a person accused of committing a crime did commit it.

**Guilty plea** a formal response by a person accused of committing a specific crime admitting that the charges are true.

**Hearing** a legal proceeding in which arguments, witnesses, and/or evidence are heard by a judicial officer or an administrative body.

**Hung jury** a jury whose members cannot agree whether the accused is guilty or innocent.

**Indictment** a formal written accusation, made by a grand jury and filed in court, alleging that a specific person has committed a specific crime.





**Information** a criminal complaint.

**Innocent** not guilty.

**Investigation** the gathering of evidence by law enforcement officials and in some cases prosecutors, for presentation to a grand jury or in court, to prove the facts of the case.

**Jury** a group of citizens selected by law and sworn to determine certain facts by listening to testimony in order to decide whether the accused is guilty or not.

**Jury selection** the process by which the judge, the prosecutor, and the defense attorney screen citizens who have been called to jury duty to determine if they will give a fair hearing in a particular trial.

**Juvenile** a person accused of an offense who is too young at the time of the alleged offense to be subject to criminal court proceedings and is handled in the juvenile justice system. The age limit for juveniles in most states is eighteen.

**Misdemeanor** a crime that is less serious than a felony and for which the punishment can include imprisonment for up to one year, usually in a jail or other local facility.

**Mistrial** a trial which is invalid because of some fundamental error in procedure or other wrongdoing.

**Motion** a verbal or written request made by the prosecutor or the defense attorney before, during, or after a trial that the court issues a rule or an order.

**Negligence** the failure to do something which an ordinary, reasonable, and prudent person under like circumstances would do, or the doing of something which an ordinary, reasonable and prudent person under like circumstances would not do.

**Nolo contendere or No contest** a defendant's formal answer in court to the charges in which the defendant states that he or she does not contest the charges. The nolo contendere plea is not an admission of guilt but carries the same legal consequences as a guilty plea.

**Not guilty** a verdict by a judge or jury that a person accused of a crime did not commit it or that not enough evidence exists to prove beyond a reasonable doubt that the accused committed the crime.

**Not guilty plea** a formal response by a person accused of committing a specific crime in which he says that the charges are untrue.





**Notice** a written order to appear in court at a certain time and place.

**Objection** a protest or argument made concerning the activity of the other party in court.

**Parole** the conditional release of a convicted offender from a jail or prison before the end of his sentence based upon requirements for the offender's behavior set and supervised by a parole agency.

**Parole revocation hearing** normally a two-step process. The first step consists of a preliminary hearing. At the hearing the parolee may present letters, documents and individuals as evidence of his good behavior during the time of his release. If probable cause is not found, the parolee is released. If probable cause is found, a final revocation hearing is held to evaluate all the facts and to determine if parole should be revoked. Sometimes called probation revocation hearing.

**Plea** a defendant's formal answer in court to the charge that he committed a crime.

**Plea bargain** an agreement between the prosecutor and the defense attorney that the defendant will plead guilty to a crime in exchange for some concession from the state, usually a lesser charge, the dismissal of other pending charges, or a recommendation by the prosecutor for a reduced sentence.

**Preliminary hearing** a legal proceeding before a judicial officer in which arguments, witnesses, and/or evidence are presented to determine if there is sufficient cause to hold the accused for trial. Sometimes called a probable cause hearing or a pretrial hearing.

**Pre-sentence report** a document which details the past behavior, family circumstances, and personality of a convicted adult offender and gives information about the crime he or she committed. It is prepared by a probation agency or other authority in order to assist the court in determining the most appropriate sentence.

**Pre-trial conference** a meeting between the judge and all attorneys to establish the issues and guidelines of a trial, or to attempt to conclude the matter before a trial.

**Probable cause** the degree of proof needed to arrest and begin prosecution against a person suspected of committing a crime; the evidence must be such that a reasonable person would believe that this specific crime was committed and that it is probable that the person being accused committed it.

**Probable cause hearing** see preliminary hearing.

**Probation** conditional freedom granted to an offender by the court after conviction or a guilty plea with requirements for the offender's behavior set and supervised by the court.





**Probation revocation hearing** see parole revocation hearing.

**Prosecutor** an attorney for the community employed by a government agency to represent the interests of the general public, including crime victims, in court proceedings against people accused of committing crimes. Some jurisdictions use other terms for the prosecutor, such as U.S. Attorney (a federal prosecutor), district attorney, or state’s attorney.

**Public defender** an attorney employed by a government agency to represent defendants who cannot afford to hire private counsel.

**Statute** any law passed by a local, state, or federal legislative body.

**Stipulation** an agreement between the parties or their attorneys, generally relating to evidence at trial.

**Subpoena** a court order requiring a witness to attend and give testimony; it may also order him or her to bring books or records with them.

**Summons** the document by which a defendant is notified to appear in court, and answer charges or claims against him.

**Testimony** evidence given by competent witness, under oath; as distinguished from evidence derived from writings and other sources.

**Transcript** the official record of proceedings of a trial or hearing.

**Trial** a proceeding, either civil or criminal, in court, where the law and evidence are reviewed, and the guilt, liability, or other issues are determined by jury or judge.

**Venue** the county in which a prosecution or an action is brought to trial.

**Waiver** voluntary surrender of a right, claim or privilege.

**With prejudice** the term, as applied to judgment of dismissal, is as conclusive of rights of parties as if action had been prosecuted to final adjudication adverse to the plaintiff.

**Without prejudice** a dismissal “without prejudice” allows a new suit to be brought on the same cause of action.





## Activity D: Search-A-Word: Criminal Justice Terms

Find the terms in the word jumble below:

C X Y Y I Z S W B B A D L M G Z Q G X F R K P R U  
 P O Q B Q G G U E E E Q E G V I Q E P O Q C R T A  
 D P N S X G F N B T L K G F X I A O T V G M O R D  
 S H B F W V C B E O P G K N E T Z U M P V D B H Q  
 N Y L Z I H N S B C Y Z T C Z N C U K E W X A T A  
 A U M A T D T L K H T W N Q M E D B Z J C Z B A E  
 F B O R F I E J H D L B J U S N J A F Y B F L Q J  
 Z X I G M Q C N G P I T N O S A G B N D Y I E L J  
 M A J O Y N B L T K U I R O O G L O R T X Q C S F  
 L N N P T R S J H I G P E C N E D I V E P S A Y Y  
 E Y H O C B E T I A A M J J U U V R T J A X U H S  
 M A V L S E J Z Y F W L W C H A R G E M R I S R B  
 E Q V P V S H C E X O D I B U W V N F K O Y E T Y  
 E G R F F B E S C A J W O T Y P V S L M L Z R J M  
 L Z T K T D N C K Y H V O R Y R F Q Q B E I R U P  
 B Z N J H A J C O F W E Z B G O V E A G A Z W K J  
 V L H A R D O E K R R C L Q E B U O L L A L I A B  
 N O I T C I V N O C P A A A V A A A D O K U K T E  
 X C Z B P C C S D I E E W N D T Y Z J K N V B F A  
 T H V L T N O I H P O U U X E I A L E W Z Y C S U  
 Z F J H H C T A P J G I L D S O F W J Z P O U S W  
 O Q W Q A I U A A O U H C C U N P B W K A X S Z J  
 A I K L E B D T S F K Z L C C T H B O R L B X A T  
 N M N Q Z A C Q U I T T A L C I V N U A I R P E S  
 B E U K S D Y V Z D Y Y L O A V O J U S C S C F B

ACCUSED  
 BAIL  
 CONFIDENTIALITY  
 DUE PROCESS  
 GUILTY PLEA  
 PROBABLE CAUSE  
 SUBPOENA

ACQUITTAL  
 BENCH TRIAL  
 CONVICTION  
 EVIDENCE  
 JURY  
 PROBATION  
 TESTIMONY

APPEAL  
 CHARGE  
 DEFENDANT  
 FELONY  
 PAROLE  
 PROSECUTOR  
 TRIAL







## UNIT 8: How CASA Can Help Children of the Incarcerated

- 1) Familiarize yourself with the rules of local jails and state prisons and their visiting rules and terminology so that you can share this with the young person under your charge and help them navigate these systems.
- 2) Help advocate for visits when the child expresses the desire to visit.
- 3) Help make the visit happen.
- 4) Help criminal justice and child welfare people understand and address the importance of child-friendly visits for children of incarcerated parents, including the issue of contact vs. no contact and child-friendly visiting areas.
- 5) Federal child welfare law requires states to make reasonable efforts to reunify families when children have been removed. This includes families with incarcerated parents. In light of the unique barriers to reunification that families with incarcerated parents face, “reasonable” reunification efforts must include not only services tailored to the physical and emotional needs of parents and children separated by prison walls, but also a reasonable time in which to draw meaningful and lasting benefits from such services both during and after parental incarceration. As a CASA you should be aware that this rarely happens and is an area ripe for advocacy.
- 6) Understand and acknowledge your own feelings about incarcerated parents and substance abusers.
- 7) Understand that the child may be grieving.
- 8) Alleviate the child’s uncertainty.
- 9) Reassure the child that it is not their fault.
- 10) Honor and preserve the child’s connection to the parent.
- 11) Point the child to support groups or other counseling resources.
- 12) If a child is not getting what they need, remember the court can order it and you can ask for this court order more than once if necessary.
- 13) Work with the caregiver to educate and bolster support for the child.
- 14) Check out more information at your local CASA office.





## Appendix A: Answers to Activity A

### Activity 1 CIP Quiz

Please answer the following questions:

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1. It is good for children to visit their incarcerated parent.  
 True  False
2. The impact for a child whose father is incarcerated is greater than when the mother is incarcerated.  
 True  False
3. Children need to know what is going on with their parent while the parent is incarcerated.  
 True  False
4. The most traumatic phase for children of incarcerated parents is?  
 A. Witnessing the arrest  
 B. Visiting in an institution  
 C. Going to school  
 D. Being placed in foster care
5. Most children of incarcerated parents end up in foster care.  
 True  False
6. Most children who lived with their parents prior to parental incarceration will live with them again following release.  
 True  False
7. Most incarcerated parents want to maintain relationships with their children.  
 True  False
8. Incarceration leads to permanent severance of family ties in many situations.  
 True  False
9. Frequent visitation at a correctional institution (jail or prison), when appropriate and there is no risk to the child has been proven to reduce trauma for the child.  
 True  False
10. Children whose parents are incarcerated are exposed to more risk factors and more likely to have behavioral problems.  
 True  False





## Appendix B: References and Resources

In some communities, there are groups of kids who have a parent in jail or prison, and they meet to talk about such issues. In the California Bay Area, that group is known as Project W.H.A.T. It can be very helpful to have peers to share feelings and coping strategies. Familiarize yourself with these support group resources so that you can pass them on to the children of an incarcerated parent. County community corrections and social service agencies should be able to help you find one.

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### Resource Guides for Clients:

- The Center for Children of Incarcerated Parents (CA), <http://www.ccip.org>
- Family and Corrections Network (PA), <http://www.fcnetwork.org>
- Friends Outside (CA), <http://www.friendsoutside.org>
- Legal Services for Prisoners with Children, <http://www.prisonerswithchildren.org>
- Women’s Prison Association (NY), <http://www.wpoonline.org>
- The San Francisco Children of Incarcerated Parents Partnership (CA), <http://www.sfcipp.org>
- “Resource Guide for Teens with a Parent in Prison or Jail” by ProjectWHAT/Community Works(2008)  
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Questions and More Information Available at:

San Francisco Children of Incarcerated Parents ([www.sfcipp.org](http://www.sfcipp.org))

Family to Family – an Annie E Casey Foundation child welfare reform initiative  
([www.f2f.ca.gov](http://www.f2f.ca.gov))







## Appendix C: Tools

### 1. Video: The Circle is Round: Girl Scouts Beyond Bars

Available from Girl Scouts – Columbia River Council  
P.O. Box 2427  
Lake Oswego, Oregon  
503-620-4567  
1-800-338-5248  
[www.girlscoutscrc.org](http://www.girlscoutscrc.org)

also available at:

Northwest Film Center  
1219 SW Park Avenue  
Portland, Oregon 97205  
503-221-1156  
[www.nwfilm.org](http://www.nwfilm.org)

### 2. Video: A Sentence Apart

Available from Community Works  
1605 Bonita Avenue  
Berkeley, CA 94709-2021  
(510) 486-2340  
[www.community-works-ca.org](http://www.community-works-ca.org)

### 3. Children of Incarcerated Parents: A Bill of Rights

Downloadable pdf available from [www.sfcipp.org](http://www.sfcipp.org)

### 4. How to explain...Jails and prisons to children a Caregiver's Guide.

Available from Friends Outside  
[www.friendsoutside.org](http://www.friendsoutside.org)  
phone:; 209-955-0701

### 5. Children of Prisoners Library CPL 303: Common Stress Points - [www.fcnetwork.org](http://www.fcnetwork.org)

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Washington DC: First Focus. Cervantes, W., Lincroft, Y. (Scheduled publication - April 2010)

available at:

Northwest Film Center  
1219 SW Park Avenue  
Portland, Oregon 97205  
503-221-1156  
[www.nwfilm.org](http://www.nwfilm.org)

