KINSHIP CARE WHEN PARENTS ARE INCARCERATED:

WHAT WE KNOW, WHAT WE CAN DO

A review of the research and recommendations for action

A Report Prepared for the Annie E. Casey Foundation

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The Annie E. Casey Foundation

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INTRODUCTION

More than 1.7 million children in the United States have a parent who is incarcerated, and the majority of these children are cared for by relatives while their parents are in prison. Despite the large number of children affected by these circumstances, our understanding of their care arrangements is limited.

When a parent is incarcerated, it affects their children, their extended family and the greater community. Family members who step in to care for the children during the parent's absence face many obstacles. As well as practical considerations, such as domestic arrangements and financial issues, families must also meet the demands of the child welfare and criminal justice systems, and cope with the effects of social, community and institutional stigma. Many families are also dealing with issues such as poverty, and physical and mental illness. There are even greater stressors for the Native American and Latino populations that are over-represented in our prisons. Kinship arrangements made among these populations can be especially problematic, as parents may be incarcerated in prisons located far from reservation lands, isolated further by language barriers and burdened with fears that the Immigration and Naturalization Service (INS) may remove their children from kinship care.

Developing a better understanding of existing forms of kinship care for children of parents who are incarcerated is becoming increasingly central to our ability to address important social issues in the United States. Concerns about intergenerational crime and incarceration, significant increases in the number of women going to prison, and high concentrations of arrests in poor, inner city neighborhoods of color have directed considerable attention to the support and care of prisoners' children.

While there is a lack of consensus among policymakers about how to deal with the effects of drugs, crime and the prison system in this country, there is a growing recognition that a narrow, traditional focus on individuals and criminal activity alone is insufficient. As part of this emerging awareness, Federal initiatives are providing funding for mentoring programs for prisoners' children, parent education and marriage enrichment courses in prison, and other family services. Similarly, corrections departments and government agencies are joining with health and human services organizations and faith-based institutions to develop programs for prisoners who are returning home. They also focus on providing family-oriented services for correctional populations and their families and children.

When a parent is incarcerated, it affects their children, their extended family and the greater community.

This growing awareness is also reflected in current research. A number of national surveys on prison inmates now include data on incarcerated parents and their children, and several State legislatures have commissioned reports on parents in prison.[1] Only rarely conducted in the past, studies of children whose parents are involved in the criminal justice system have now become more common. Although there is no comprehensive research agenda, researchers from diverse disciplines are conducting studies on children's care during parental incarceration, the social and emotional adjustment involved, children's relationships with incarcerated parents, and their involvement in the justice system.

1. California, Oregon and Washington are among the states who have conducted studies.

Kinship Care When Parents are Incarcerated examines the involvement of the child welfare system in children's care and protection when parents are incarcerated, with a focus on kinship care. Kinship care is defined as care in which relatives other than a child's parent assume parenting responsibilities for the child. It is a common care arrangement for children of incarcerated parents. There are three main forms of kinship care. Formal kinship care, also called relative foster care, refers to care provided by relatives when children are under the custody of the child welfare system. Voluntary kinship care typically refers to care provided by relatives when children are involved in the child welfare system, but not under the state custody. Private kinship care refers to private arrangements that families make without child welfare system involvement.

Given the significant role these grandparents and other relative caregivers are playing in the lives of children of incarcerated parents, there is an urgent need to collect and analyze existing research, as well as conduct new research in key areas. There is also a need to share knowledge broadly across disciplines and provide opportunities for ongoing feedback from those directly involved in kinship care relationships, including children, parents and caregivers. *Kinship Care When Parents are Incarcerated* describes what current research tells us, and explores what we need to know and what we can do to develop more effective and compassionate social policies and programs.

The knowledge and experience I have gained from several years of research and consultation on family-oriented correctional programs, as well as communications with prisoners and their family members, provide context for the topics covered and the interpretation of research findings.

Incarcerated parents and their children—a look at the numbers[2]

The number of children who grow up with a parent in prison during some portion of their formative years continues to increase, yet we know relatively little about these children and the care they receive.

We do know:

- The problem disproportionately affects poor families of color
- Many incarcerated parents have not completed high school
- Many parents have serious substance abuse issues
- Many parents will remain in prison while their children reach adulthood.

The incarcerated parents

- **2.25 million** people are incarcerated in federal, state and local prisons[3]
- Average sentence **7.5 years**, average time served **five years**
- **93%** are male and poor
- **40%** are African American
- **62%** of female prisoners and **51%** of male prisoners have children under the age of 18
- **57%** of Hispanic males are fathers
- **54%** of African American males are fathers
- **45%** of Caucasian males are fathers[4]

The children

- **1.7 million** children have a parent in a federal or state prison
- **22%** of these children are under the age of five
- **28%** are five to 10 years old
- **34%** are 10 to 14 years old
- **16%** are 15 to 18 years old

2. Unless otherwise noted, numbers in this section are from Glaze & Maruschak, 2008.
3. Sabol & Couture, June 2008
4. Statistics represent state prison inmates unless otherwise noted.

CHANGING FAMILY ARRANGEMENTS

Parental incarceration impacts children in a number of ways

Most incarcerated parents played a role in their child's upbringing before they were arrested and incarcerated. That role may have been as one half of a traditional, two-parent household, but it is more likely they were involved in a different caregiving arrangement, such as maintaining a single-parent household or even living apart from their children.

Whatever the arrangement, when interrupted by their arrest and imprisonment, it can have a profound effect on their children's domestic situation and the care they receive.

> Most incarcerated parents played a role in their child's upbringing before they were arrested and incarcerated.

Before incarceration

Although some mothers and fathers carried out traditional parenting roles before they were incarcerated, most parents did not live in married, two-parent households. Parents may have had all their children living with them, or some of them, or in some cases, none. Some mothers and fathers have had children with different partners, and children in the same family who come from different adult unions may receive different caregiving arrangements.

A greater proportion of mothers than fathers lived with their children. Among state prisoners, two-thirds of mothers lived with their children, compared to close to one half of fathers.[1] Forty-two percent of incarcerated women headed a single-parent household before their arrest and imprisonment, compared to 17 percent of men.[2] However, it is important to note that because men make up 93 percent of incarcerated parents, there are actually substantially more father-headed single-parent families affected by incarceration. The importance of this fact is routinely overlooked in the current literature on the effects of parental incarceration.

Of the mothers and fathers who did not live in the same household with their children, many appear to have been involved in their children's lives. Although research does not tell us where their children lived or who was responsible for their care, one study found that many men who lived separately from their children reported seeing their children regularly prior to incarceration, and two-thirds said they supported them financially.[3] Interviews with incarcerated mothers reveal that many who lived separately from their adolescent daughters still saw them frequently, and reported that the mother-daughter relationship was very positive.[4]

Regardless of living arrangements, women are three times more likely to provide child care than men prior to incarceration, and women are also much less likely to share child care responsibilities with another adult.

1. Glaze & Maruschak, 2008
2. Ibid
3. Hairston, 1995
4. Lawrence-Wills, 2004

During incarceration

When parents go to prison, it can affect children's lives in a number of ways, and to varying degrees. For instance, children may be able to remain in their own home, or, if the incarcerated parent was the sole caregiver, they may need to move to a different household, a different family or even a different community. These changes in household structure create disruptions and stress for both the children and their new caregivers.

The transition can also pose new challenges for children and caregivers who were not living in the same households. Many non-resident parents are engaged in parenting, too, and changes in their personal situations affect the children for whom they are providing emotional and economic support. Children in the same family may experience the impact of parental incarceration differently, as mothers and fathers with more than one child frequently have different living arrangements for each of their children.[5] This can also be the case for children living in the same family who are from different adult unions.

During incarceration, parents primarily rely on their families for the care of their children. In almost 90 percent of cases, fathers report that the children's mother is providing primary care.[6] For incarcerated mothers, grandparents provide primary care in close to half of the cases and fathers in about one-third of the cases, with other relatives providing care in almost one-quarter of the cases.[7] Incarcerated parents seldom indicate that their children are in foster homes or other child welfare system care arrangements. Two percent of parents, 11 percent of mothers and two percent of fathers, report that their children are in the care of the state.[8] However, these figures are problematic, for reasons that will be explored next.

Before incarceration:

64% of mothers and **46%** of fathers
Lived with their children

36% of mothers and **54%** of fathers
Lived separately from their children

18% of mothers and **14%** of fathers
Lived with their children in a two-parent household

42% of mothers and **17%** of fathers
Lived in a single-parent household

70% of mothers and **26%** of fathers
Provided most of the daily care for their children

18% of mothers and **63%** of fathers
Shared responsibility for daily care of their children with another adult

Five times more fathers than mothers
Headed a single-parent household

During incarceration:

88% of fathers
Rely on the children's mother for primary care

37% of mothers
Rely on the children's father for primary care

45% of mothers
Rely on the children's grandparents

23% of mothers
Rely on other relatives

2% of fathers and **11%** of mothers
Rely on foster care[9]

5. Hairston, 2003
6. Glaze & Maruschak, 2008
7. Glaze & Maruschak, 2008.
8. Ibid
9. Glaze & Maruschak, 2008.

UNDERSTANDING THE NUMBERS

Current foster care and child welfare system data require further interpretation

The data provided by national surveys indicate that no more than two percent of the children of incarcerated parents are in foster care or the child welfare system. Given that families involved in the criminal justice system share many of the social and living conditions—for instance, poverty, substance abuse and community violence—that characterize families involved in the child welfare system, this number is surprisingly low.

A number of factors may be obscuring the real numbers. Parents providing the data may not know whether their children are under state custody; fathers are seldom included in child welfare decision-making even when paternal relatives are children's kinship caregivers.[1] Most fathers have limited contact with their children during incarceration; some do not know where their children are. Fathers, as well as mothers, who have been out of touch with their children and families may base their statements about their children's care arrangements on information months or even years old. Or they may not understand that children who are in the custody of the state but living with relatives in formal kinship care arrangements are in foster care.

The research methodology used in studies of parents in prison also contributes to confusion regarding families' involvement in the child welfare system, particularly their involvement in relative foster care. Research questions with preset response categories do not usually allow for the fact that a child may be living with a relative and still in foster care, or involved in the child welfare system but voluntarily placed with relatives. Without additional probing, even open-ended questions such as, "Where or with whom does your child live?" may not elicit responses that allow an accurate assessment of whether or not a child is a ward of the state or living in a formal relative foster care home, or in a voluntary or informal kinship care arrangement.

A number of factors may be obscuring the real numbers.

Another way of determining the number of children with incarcerated parents who are in child welfare system care is by looking at how many children in foster care on a particular date have a parent who is incarcerated. Determining these numbers is difficult. The data is not systematically compiled or collected and there are no national child welfare surveys or reports that provide this information. Various data sets and methods are used to obtain estimates.[2] The Adoption and Foster Care Analysis Reporting System, for example, provides data on whether incarceration is a reason for child welfare placement. National or regional data sets on family life or youth development, ask whether a parent has ever been arrested and whether or not a child is in foster care. Some studies of child welfare populations ask whether a parent is, or has ever been, incarcerated.

Estimates for the number of children in foster care who have an incarcerated parent using these different methods vary widely, with numbers in the different studies ranging from under 10 percent to as much as 70 percent. The AFCARS 2005 data place this number at 6 percent, the very

1. O'Donnell, 1995; Hairston, 1998.

2. See, for example, studies by Phillips, 2008; Johnston, 1995a; Moses, 2006.

low end of the spectrum.[3] A study of children in long term foster care, in contrast, reports that 70 percent of the children had a parent incarcerated at some point during their time in foster care.[4]

These different methods can be useful for different purposes, but they also produce very different and sometimes conflicting results. Some seriously underestimate, while others overestimate the extent and nature of the connection between parental incarceration and foster care. The data tracking a child's reason for placement is specific to the child's custodial parent, which more often than not is the child's mother, and provides incomplete information about the father's status. Parental incarceration is not the reason for placement in many situations involving mothers as a significant number of children are placed or lived with relatives prior to the mother's imprisonment. In addition, some mothers are arrested and incarcerated after their children are placed in foster care. A New York study found that the removal of children from their mothers' homes seemed to lead to a downward spiral which led to incarceration.[5] Finally, incarceration and arrest are not interchangeable variables and have very different implications for children's short- and long-term care and well-being.

Obtaining accurate numbers on children in foster care who are living with relatives is also difficult. Sometimes children who are involved in the child welfare system are placed with relatives in a formal kinship care arrangement. The state has custody of the children and relatives provide care under the same guidelines as other foster parents. In other cases, the child welfare system is involved but relatives provide care for children under voluntary arrangements. In reporting numbers of children under different care arrangements, some child welfare agencies do not distinguish between children who are in relative foster homes and those in non-relative foster homes. Similarly, some studies do not distinguish between formal kinship care and voluntary arrangements, and others treat voluntary kinship care arrangements and informal or private care provided by relatives as the same. Using AFCARS data which bases numbers on reason for placement, Child Trends indicates that 24 percent of the 513,000 children in foster care in 2005 were in relative foster care.[6]

Different methods can be useful for different purposes, but they also produce very different and sometimes conflicting results.

It is clear that caregiving by relatives is a dominant form of care for children whose parents are incarcerated. We do not know, however, or have even best estimates from either correctional surveys or child welfare studies of how many children in foster care have both relative caregivers and parents who are incarcerated.

3. AFCARS 2006
4. Genty, 2008 citing Johnston,1999.
5. Ehrensaft, Khasshu, Ross & Wamsley, 2003.
6. Child Trends, 2006.

ADAPTING TO THE CHANGE

Children can be affected in different ways by the incarceration of a parent

Parental involvement in the criminal justice system disrupts families and creates new family roles and obligations. When parents are unable to take care of their children, others must assume that responsibility. Typically those that do so are relatives, or kin. Sometimes the transition is planned, with children and caregivers fully prepared for the change; sometimes the change can be abrupt and sudden. Frequently, the arrangements for kinship care occur long before parents are incarcerated, and the care itself extends for years. In other cases, a caregiving arrangement is made for a short period of time, after which parents resume the roles they played in the children's lives prior to the incarceration. Regardless of the care arrangements made, families and children must adjust to the changing conditions and circumstances. Research helps us identify some of the risks associated with these new care situations, as well as some of the factors that help improve children's outcomes.

Significant challenges[1]

During the past 10 years, we have learned a lot about children's experiences when parents are incarcerated. We know that children whose parents are involved in the criminal justice system are exposed to many situations and conditions that pose risks to their well being and healthy development. Many parents were poor, used drugs, and were victims of violence prior to going to prison. When these parents are incarcerated, it causes additional stress for families, creates new family obligations, and presents additional risks for children as well. A parent's incarceration and the experience of being uprooted can compound existing challenges, such as poverty and instability, which children may already face.

When parents are incarcerated, it causes additional stress for families, creates new family obligations, and presents additional risks for children.

Complex responses

Parental incarceration affects individual children in different ways; each has a unique response to their parents' absence. Nevertheless, several common responses have been found across numerous studies. Children's reactions to parental incarceration reflect normal responses to crisis and trauma. Some children exhibit externalizing behaviors such as aggression and disobedience; others internalize and are fearful or sad. Some engage in excessive crying or regressive behaviors such as bed-wetting. Among younger children, emotional withdrawal, anxiety, anger and hostility toward caregivers are more pronounced. School difficulties, including high rates of grade failure, suspension and problems with peers are common among school-age children. Some responses and behaviors are short term and are more prevalent when a parent first leaves home. But when children do not receive the support and help they need, social and emotional problems may endure or even escalate.

1. The research on children is summarized in Hairston, October 2007.

Protective factors

Researchers have identified several factors that make a difference in children's well-being when their parents are incarcerated. One factor is the quality of the child's home environment. Another is the influence of the child's caregiver. Children also generally fare better when they communicate with their parents. Studies show that children's contact with their parents in prison predicts parent-child attachment and parents' involvement with their children when parents are released from prison. Children's contact with their incarcerated parents, in turn, is influenced by the relationship between children's parents and their caregivers. A positive relationship between parents and caregivers, a stable home life and a supportive caregiver can make all the difference in how the child fares during childhood and into adulthood.

Outcomes

Although children whose parents are involved in the criminal justice system endure challenging experiences, research indicates that most are not poorly adjusted and do not end up in the criminal justice system themselves. Most children of incarcerated parents score within normal ranges when tested for mental illness, cognitive development, health status, and social behavior. Teenagers whose parents are incarcerated do not show widespread participation in delinquency or socially deviant behavior, though their rates of participation may be higher than those found among the general youth population. When prisoners' children are compared with their peers, such as classmates or children living in the same neighborhood or under similar conditions, the results do not conclusively indicate differences in behavior or performance. Although some studies show higher rates of depression, disruptive behavior in schools, and conduct disorders among children with incarcerated parents, others show no differences, or even lower rates, or indicate that differences disappear when socio-economic status and other variables, such as parenting styles, are controlled.

Areas for further study

Although research in this area is starting to accumulate, we still do not know very much about the complex ways in which children behave when a parent is incarcerated. Applying existing child development, bonding and attachment theories suggests that the impact of short- and long-term parent-child separations will be quite different depending on whether the separation occurs during infancy or adolescence. It's also reasonable to assume that the stability of children's home environments and family connections help to ensure successful adjustments. But there are many topics that require further study: for instance, what are the effects of maternal versus paternal incarceration on children? Are there differences in behaviors and outcomes for children who lived with their parents prior to the incarceration compared to those who did not? When a parent is incarcerated, how do children's behaviors change over the long term? What kind of relationships do children establish with their incarcerated parents once they are released from prison, and how do parents adjust to the new family dynamics that have evolved during their absence? Gathering this information will give us a deeper understanding of the complex issues affecting children's outcomes.

Although children whose parents are involved in the criminal justice system endure challenging experiences, research indicates that most are not poorly adjusted.

REWARDS AND CHALLENGES

Kinship care is often provided under difficult conditions

Research on kinship caregivers and the conditions of care has been extensive. Most of these studies focus on formal kinship care and examine kinship caregiver characteristics, the potential for improvements to the home environment, and the need for related services to support home care.

The Urban Institute's research, based on the 1997 National Survey of Families and Children, is a major source of information on kinship care.[1] According to this study, one in five children in kinship care faces three or more simultaneous risks to their healthy development; levels of risk do not differ significantly among children in formal, voluntary, or private kinship care arrangements. These children are often exposed to poverty and a lack of social supports. Forty-one percent of children in kinship care live in families with incomes less than 100 percent of the federal poverty level; 55 percent live with a caregiver who does not have a spouse and 19 percent live in households with more than four children. Despite being eligible to receive services such as foster care payments, Temporary Assistance for Needy Families, food stamps and Medicaid, relatively few children in kinship care live in families that actually receive those benefits.

When the Urban Institute researchers compared children living in kin and non-kin foster care, they found higher risks for children in kinship care.[2] Seventy percent of children in voluntary kinship care lived with caregivers over the age of 50, compared with 42 percent in relative foster care and 26 percent in non-kin foster care. More children in voluntary care (23 percent) and children in relative foster care (19 percent) than children in non-kin foster care (9 percent) lived with relatives in poor mental health. A fifth to a quarter of children in kinship and non-kinship care lived in homes where the caregiver was highly aggravated; for instance, the caregiver found the child hard to care for, or found it difficult to control their temper with the child.

> There are important benefits from kinship care that outweigh the environmental adversities.

Studies of kinship care using more recent data report results similar to those found in the Urban Institute studies. A study of grandparent caregivers' mental health needs is illustrative.[3] Two-thirds of the 39 grandmothers participating in the study had incomes under $30,000. Thirty percent were 60 years of age or over; 90 percent were 50 or older. About one quarter were still employed, but 26 percent had stopped working when they assumed care of their grand children. Eighty percent had one or more health problems, typically arthritis, diabetes, or high blood pressure. One half said they needed or participated in mental health services and two-thirds said the grandchildren

1. Ehrle, Geen, & Clark, 2001; Main, Macomber, & Geen, 2006.
2. Ehrle & Geen, 2002.
3. Smithgall, Mason, Michels, LiCalsi, & George, 2006

under their care had emotional or behavioral problems. One half of the grandmothers were caring for children involved in the child welfare system. Children and grandparents were not receiving the services recommended by caseworkers because they were not available in their area.

A University of Illinois at Chicago study of 207 informal kinship caregivers[4] (89 percent African American and 96 percent female) found that 71 percent had incomes under $20,000 per year. Fifty-nine percent had not completed high school. Their ages ranged from 22 to 72 with a mean age of 48. Only 25 percent were married, though 65 percent reported that another adult also lived in the home. Twenty-eight percent of the children cared for by these relatives had a mental or physical disability. Fifty percent of the participants had legal custody of the children under their care at the time of the study's first interview. This number increased to 65 percent at the 18 month follow up interview.

Rewards of caregiving

Despite these environmental concerns and children's problems, several child welfare experts support placing children whose parents are unable or unwilling to care for them in the homes of relatives, rather than in the homes of unrelated foster parents. They cite research that suggests there are important benefits from kinship care that outweigh the environmental adversities prevalent in kinship care arrangements. Among these are fewer placement disruptions and more regular contact with their parents and siblings.[5] A study that controlled for demographic and placement characteristics found that children placed in kinship care also have fewer allegations of institutional abuse and are less likely than children in traditional foster care to be involved in the juvenile justice system.[6] Other research indicates that when compared with children in foster care, children in kinship care have fewer behavior, developmental, running away and school attendance problems, and closer attachments with their caregivers.[7, 8]

Kinship caregivers

- Primarily female
- Predominantly poor and African American
- Mostly unemployed
- Often burdened with health issues (arthritis, diabetes or high blood pressure)
- Likely to have mental health issues
- Have usually not completed high school

Children in kinship care

20% face three or more developmental risk factors

28% have a mental or physical disability

41% live below the poverty level

55% live with a caregiver who doesn't have a spouse

19% live in households with more than four children

70% live with a caregiver over the age of 50

4. Gleeson, Hsieh, Anderson, Seryak, Wesley, Choi, Ellis, Washington, Talley, & Robinson, 2008.
5. Gleeson, 2007; Cuddeback, 2004.
6. Winokur, Crawford, Longobardi, & Valentine, Valentine,
7. Chapman, Wall, & Barth, 2004; Benedict, Zuravin, & Stallings, 1996.
8. Cuddeback's 2004 review of several studies indicate that findings about children's behavior are inconclusive.

UNDERSTANDING THE EXPERIENCE

There are rewards and frustrations for children and their caregivers

Studies of the day-to-day experiences and concerns of kinship caregivers and the children they care for indicate that the quality of home environments and care provided are far more complex than statistics suggest. Relatives who are caregivers must also deal with legal issues related to child custody, relationships with children's parents, their own health problems and social stresses that occur when elderly persons raise young children and teenagers. When relatives assume the primary responsibility for other relatives' children, their social lives, marital and romantic relationships and employment are also affected.

The supportive role of extended families seems to be a significant factor in the health and well-being of both children and kinship caregivers.

Grandmothers in one study[1] talked about how raising their grandchildren negatively affected their marriages and lifestyles. The assumption of care for grandchildren created additional stresses for relationships that were already troubled, and some marriages ended. Other marital relationships were strained; grandmothers said they felt they were caught in the middle between their grandchildren and their spouses or mates. New financial obligations related to children's care, as well as the loss of freedom, prevented some families from taking part in recreational activities they had previously enjoyed, such as socializing or going to the beauty parlor. Some grandmothers were caring for children without having legal custody, thereby creating other difficulties.

Although this study focused on problems, grandmothers, even those with significant challenges, also spoke spontaneously of good moments and positive aspects of caring for their grandchildren. The positive aspects of providing care for children who are kin but not "your own" are found throughout the literature on grandparents raising grandchildren. Positive experiences include feeling young again, having a sense of pride in seeing children's accomplishments, and getting a second chance to parent again. Maintaining the family and keeping children out of foster care are also mentioned frequently.[2]

Supportive care

Myriad factors influence relative caregivers' quality of life and home environments, and the quality of care they provide for the children they parent. The quality of that care, in turn, influences children's well-being and how they view their lives. The supportive role of extended families seems to be a significant factor in the health and well-being of both children and kinship caregivers. Children who were interviewed as part of a study on kinship foster care[3] described the many ways their grandparents and other extended family members helped keep them feeling loved and happy. According to these

1. Smithgall, et.al., 2006.
2. Brown, Cohon, Wheeler, 2002; Gibson, 2002.
3. Altshuler, 1996.

children, their well-being was based, in part, on three factors: the love and care their caregivers provided; their involvement in the extended family system; and the opportunities they were given to participate in decisions made about their lives. Children in informal kinship care arrangements who were interviewed in focus groups[4] also defined their families broadly and expressed positive views about being part of an extended family network. They did not view living with a relative as stigmatizing,

When examining kinship care, it is important to look not only at risks, but at factors that sustain and support children during periods of adversity.

although some children were disappointed in, and angry with, the incarcerated parent, particularly when it was their mother. Children expressed the hope that their parents would change and be able to live with them in the future. A third study on children's outcomes and experiences found that children who were more resilient lived in kinship homes where there was structure and clear boundaries between children's caregivers and their parents. The caregivers of resilient children, in contrast to caregivers of non-resilient children, had a clear understanding and acceptance of their new parenting responsibilities and also had more supportive extended families. These studies suggest that when examining kinship care, it is important to look not only at risks, but at factors that sustain and support children during periods of adversity.

4. Messing, 2006

COPING WITH INCARCERATION

Having a parent in prison can create additional stress for families in kinship care[1]

Kinship care research is an important resource for understanding the challenges and rewards that come with assuming responsibility for the care of children when a parent who is a relative is unable or unwilling to do so. But when that parent is incarcerated, it presents challenges beyond those normally encountered in other forms of relative caregiving.

Social stigma

Being a convicted felon carries a stigma that extends to prisoners' children, parents, siblings and other family members. Prisoners, former prisoners and their families are denied certain benefits, such as housing, insurance and employment through legal as well as discriminatory practices. Felons are also excluded from social and civic activities, including voting in many states. Prisoners' children may be teased or ostracized by other children, sometimes with the approval or encouragement of adults. Some family members react to shame by being secretive and guarded about the incarcerated parent, and may encourage children to be secretive or even prohibit them from discussing their parents' situation.

Uncertainty and insecurity

Confusion and uncertainty is a part of the day-to-day reality for prisoners' families and children. Some families do not know why the parent is incarcerated or the particulars of the criminal case. Even if they know the length of the parent's sentence, they may not know when or under what conditions the parent will be released. Caregivers may quickly lose track of the incarcerated parent's location, as prisoners are moved from one facility to another during a typical prison stay. Incarcerated parents do not control their connection with their children. The ability to communicate with them depends on prison lockdowns, disciplinary "writeups," work assignments, and other prison rules, none of which are at the discretion of an individual prisoner. This lack of knowledge and control affects children's involvement with their parents and caregivers' management of the caregiving experience. In some ways, all family members must "serve time," since their ability to function as a family is determined to some extent by ever-changing correctional policies and practices.

When a parent is incarcerated, it presents challenges beyond those normally encountered in other forms of relative caregiving.

Expense

Maintaining communication with a person in a correctional institution, and supporting communication between incarcerated parents and their children is costly. Phone calls from prisons and jails are very expensive and must usually be made collect to the caregiver's home. Family visits to prisons in remote locations, seldom served by public transportation, are a financial, as well as an emotional and physical drain. For example, children living in Chicago must travel four hours or more each way to visit their mothers at the women's prison in Decatur, Illinois. The

1. Descriptions of family/prison matters are found in Braman, 2004; Hairston & Oliver, 2007.

price of maintaining family connections escalates when families must also take on the cost of providing money to prisoners for items such as stamps, health care, snacks and personal items.

Parent/caregiver conflicts

If children's relationships with their incarcerated parents are maintained, the care and well-being of children involves co-parenting between the parent in prison and the relative in whose home the child resides. It is not unusual for relationships between caregivers and parents to be stressful and tenuous. In some instances, relationships were troubled before the parent went to prison. An incarcerated parent's substance use and criminal lifestyle may have caused distress and even harm to their children and other family members. To protect themselves and the children they care for, some grandparents control children's access to their parents. They refuse collect phone calls, ignore letters, and don't make arrangements for children to visit. In other instances, co-parents respect one another and maintain positive relationships, but disagree on child-rearing in general, and in particular, on how much the parent who is physically absent can or should be involved in making decisions about their children. When one party is confined to prison, it is even more difficult for the two parties to confer and work through these important matters in a timely or meaningful way.

Lack of trust

Imprisonment presents an opportunity for incarcerated parents to reflect on the poor choices they have made and problems they have caused for their children. This process can inspire incarcerated parents to make promises to change their behavior and their lives for the better—promises that are difficult or even impossible to keep. Whether these promises are made by habitually or newly incarcerated parents, the gesture can lead to false hopes and disillusion. If the parent lives in the community, their daily behavior can be observed and evaluated; prisoners' relatives have few ways, if any, to assess an incarcerated parent's sincerity or trustworthiness.

Caregivers must adhere to the demands of the child welfare system and the regulations of the criminal justice system as well.

Legal/personal conflicts

When children in formal kinship care arrangements have parents in prison, caregivers must adhere to the demands of the child welfare system and the regulations of the criminal justice system as well. The requirements of one or both systems may present personal conflicts and create compliance problems. Prisoners' mothers and other family members are not only children's caregivers but also prisoners' most important sources of support during incarceration and a primary support when they are released as well. It is very difficult for families to deny help to their children, despite potential legal conflicts. A child welfare regulation that prohibits a caregiver's daughter from living in the grandparent's home when she is released from prison may present a moral struggle and a practical problem. Knowing that a daughter has few housing options that a parole officer will approve, a grandmother may consider letting her daughter secretly live in the home "for a few days" when she is released from prison.

MANAGING THE CAREGIVER/PARENT RELATIONSHIP

Sharing the care of a child with the incarcerated parent can be challenging

Three studies of relatives caring for children of incarcerated parents help to illustrate some of the dynamics involved in co-parenting under conditions of incarceration. Although the studies do not specify whether the participating families are involved in the child welfare system, they offer insights into some of the challenges that caring for children with incarcerated parents can present.

> We have more work to do before we can identify the best ways to support the well-being of everyone involved in the kinship care experience.

The first, a study of women in jail and grandmother caregivers, examined solidarity in co-parenting relationships.[1] Three types of co-parenting relationships were identified: in one, the grandmother had primary power and control; in another, the mother, though in jail, had the power to control caregiving decisions; in the third, the grandmother and mother shared power equally. Achieving solidarity in the parenting relationship helped co-parents to be accepting of their role, whether they held the majority of the control or not. Situations that jeopardized this solidarity included those in which mothers felt disconnected from parenting, in which mothers had substance abuse issues, and in which mothers and grandmothers were affected by sadness, remorse and fear about the future.

The researchers observed that both mothers and grandmothers in this incarceration study faced formidable stresses far beyond those experienced by families in other co-parenting studies.

The second, a study in which the author is currently involved, was designed to explore and develop a co-parenting intervention for mothers in jail and relatives taking care of their children. The research team has discovered that strains and tensions between parents and caregivers pose unexpected difficulties around recruitment and retention for the study. Some caregivers agree to participate in interviews about parenting issues, but are very reluctant to be part of interviews or services that involve the mother while she is in jail. One participant believed that joint interviews with the incarcerated mother would create more problems. Others had no contact with the mother and did not want any. Most caregivers had not visited the jail and did not want to go because they had heard negative things about visiting conditions, or because they were disappointed by the behavior of the mother. One grandmother took her grandchild to the jail for regular visits, although she had deep concerns about the visiting routines. She endured these conditions and made financial sacrifices of $300 a month, for phone bills to maintain family connections with her daughter, who was in jail for a drug-related charge and had a substance abuse problem. The grandmother believed that her daughter was very different from the other jail inmates, whom she perceived to be violent criminals. She said she had high hopes for her daughter's release and resumption of a parenting role. At the same time,

1. Strozier & Armstrong, 2008.

she indicated that she would probably not allow her granddaughter to return to the mother's home.

The third study interviewed incarcerated parents who were addicted to drugs and whose children were cared for by relatives.[2] The participants were grateful to their relatives for taking care of their children, but sometimes their appreciation was mixed with feelings of anger, jealousy and criticism of the caregivers. Most had not been living with their children at the time of their arrest. Many of the parents reported they had been using drugs for many years and their children had continuously lived with relatives for long periods of time. Almost three-quarters of participants had not seen their children since they were incarcerated. Despite being separated from their children and not having been their children's primary caregiver for many years, they felt connected to their children. The majority had dreams of rebuilding a family when they were released.

Areas for further study

We know a lot about the challenges families face in managing kinship care and dealing with corrections institutions. We know much less about how they manage a co-parenting role or how extended family support makes a difference for different family members, including children. We also have more work to do before we can identify the best ways to support the well-being of everyone involved in the kinship care experience. For instance, we have not determined the different ways in which children are affected when kinship caregivers have provided care for years before the parental incarceration, compared to situations in which parental incarceration triggers the children's placement in kinship care. As Hanlon, Carswell & Rose[3] suggest, these differences may indeed account for some of the findings related to behavioral outcomes for children. They reason that low levels of dysfunction found among children whose parents are addicted and incarcerated may be due to their having been in protective, safe and nurturing environments with kin long before their parents' arrest and incarceration. Further study and a deeper understanding in this area is needed to allow social service providers to make decisions that are in the best interests of the children in kinship care situations during parental incarceration.

Co-parenting challenges

Studies suggest that co-parenting during an incarceration creates greater stress for those involved than other co-parenting situations. Stressors include:

- Family/financial pressures caused by incarceration
- Incarcerated parents' history of substance abuse
- Caregivers' distrust of/disappointment in the incarcerated parent
- Parent not accessible to caregiver or child

2. Smith, Krisman, Strozier & Marley, 2004.
3. Hanlon, Carswell, Rose, 2007

CHILD WELFARE OUTCOMES

Systemic factors reduce the likelihood of parent-child reunification

Just as we know little about the numbers of children of prisoners who are in formal kinship care, we know little about the child welfare system outcomes for this service population. We do know that permanency is an important child welfare goal and that parent-child reunification is a preferred option when appropriate. However, research that addresses reunification of a previously incarcerated parent and children who have been in the child welfare system is rare; for those situations specifically involving kinship foster care, the research is practically nonexistent. The role of caseworkers in facilitating the reunification process also merits further study.

Reunification data

One of the few published studies examining relative foster care, incarceration and reunification analyzed Adoption and Foster Care Analysis Reporting System (AFCARS) data.[1] The study found that there was no difference in reunification rates for children of incarcerated parents and other children in foster care. However, children of incarcerated parents who were in relative foster care were less likely than children in other types of care to reunify. These findings are consistent with those for children in foster care who do not have a parent in prison.

Another study suggests that children in foster care who have a parent in prison are less likely to reunify with that parent than are children with parents who are not incarcerated. An Illinois study that compared state corrections and jail data with child welfare data over a 10-year period to identify children in foster care whose mothers were incarcerated found that these children were half as likely as other children in care to reunify with their parents.[2] Although Illinois had large numbers of children in kinship foster care that might have accounted for reunification findings, the study did not compare children in kinship care with other children in foster care or other care arrangements.

A study using Minnesota child welfare data also provides reunification information.[3] The study examined Minnesota child welfare discharge data from January 2000 to June 2007 and identified 4,800 cases where children were placed in another home because of parental incarceration. In 72 percent of the cases where parental incarceration was the primary reason for placement, children were discharged from placement care because of reunification with a parent. In 13 percent of the cases, however, children were discharged from placement to live with relatives. This did not include adoptions, guardianship or permanent transfers of legal custody, although these latter categories may have also involved placing children in relatives' care. Unfortunately, the study did not provide information on children who were placed in another home for reasons other than parental incarceration, which means we cannot compare the outcomes for children of incarcerated parents with other children in the Minnesota child welfare system.

Caseworkers—a critical role

Caseworkers play a central role in the child welfare delivery system, influence the processing of cases, and shape outcomes for children and families. Caseworkers also provide services children and families need and sometimes serve as children's advocates. At the same time, some parents

1. Hayward & DePanfilis, 2007.
2. Moses, June 2008.
3. Larson & Swanson, 2008.

and caregivers do not think their child welfare caseworkers are very helpful. They report that caseworkers have limited or no contact with parents in prison and do little to help relative caregivers maintain contact between parents and children during parental incarceration.

In the early 1990s, a study of incarcerated mothers with children in foster care found that almost half of the women had no correspondence from their children's caseworkers and almost two thirds had not received a copy of their reunification plan.[4] Another study found high numbers of women who had not received appropriate reunification services, including communication from caseworkers, notification of custody hearings and opportunities to participate in case planning.[5] Numerous articles and reports detail instances in which incarcerated mothers whose children are in foster care receive little or no information about their children, don't know where their children are or how they are doing, and don't receive the legal help or social services they need to prevent termination of parental rights.[6]

Some advocacy groups, noting the general scarcity of services for children whose parents are incarcerated and the inadequate attention given to their needs, are promoting a bill of rights for children of incarcerated parents.[7] Among the areas covered by the bill of rights are a child's right to have contact with his or her parents, the right to a relationship with the parent, and the right to be well cared for during the parent's absence. Although these rights are not that different from the basic principles that guide child welfare practice, they are not routinely considered by child welfare or social service agencies that interact with families involved in the criminal justice system.

Navigating the system

Working with families involved in the criminal justice system is challenging and involves complex individual and systemic factors. Caseworkers' personal concerns about prison visits, views about parents who are criminals, and lack of knowledge about prison regulations are all factors that affect service delivery. The lack of standardization in casework approaches for cases involving parental incarceration also makes the work more challenging. Each caseworker interprets criminal histories and agency policies on background checks differently, resulting in inconsistent evaluations of children's incarcerated parents and caregiving relatives. In addition, service agencies do not systematically make efforts to improve service standards. There is limited training available to help caseworkers better service families involved in the criminal justice system.

We do not know the extent to which various individual and systemic factors influence services or outcomes for families involved in both the child welfare system and the criminal justice system. We have very little information on the progress and outcomes of children who entered relative foster care because of a parental incarceration, or on those children who entered care for other reasons and whose parents were subsequently incarcerated. But we do know that child welfare caseworkers play a critical role in those outcomes, and that improvements in current approaches are needed. Further research in this area is important to our understanding of the work that they do and in identifying ways to support and improve on this work to ensure the best outcomes for the children and families involved.

4. Beckerman, 1994; Beckerman, 1998.
5. Johnston, 1995
6. See Margolies & Kraft-Stolar, February 2006; Allard & Lu, 2006
7. Newell, 2008

THE EFFECTS OF POLICIES AND ADMINISTRATIVE REGULATIONS

Current laws and correctional policies can alienate incarcerated parents from their children

Most mothers and fathers in prison want to maintain relationships with their children, and hope to reunite with them upon their release from prison. Research tells us that regular, ongoing communication between parents and children is essential for maintaining parent-child attachments, and important in reunifying households following separation. Children who have limited contact with their parents may begin to view their parents as strangers or even forget who they are. And parents who have little contact with their children and their children's caregivers have few opportunities to fulfill parental roles, responsibilities, and commitments and play a significant role in their children's upbringing. This leads to frustration and hopelessness, causing some parents to give up a role in their children's lives long before they might be legally enjoined to do so.

> Communication between incarcerated parents and their children is not under parents' control and revolves instead around administrative regulations.

In some cases, imprisonment leads directly to the permanent, legal severance of family ties. Parental incarceration is reason for termination of parental rights in several states, although in others—notably Colorado, South Carolina, and Pennsylvania—incarceration of the parent is insufficient reason for termination of parental rights. In other cases, incarcerated parents' failure to demonstrate that they engaged in ongoing communication with their children under state custody can also be used in establishing grounds for termination of parental rights. Yet we know that many parents in prison do not see their children on a regular basis. During imprisonment, almost 60 percent of mothers and fathers in state prisons have never had a personal visit with any of their children; fewer than 20 percent have visits at least monthly. Forty-seven percent of fathers and 41 percent of mothers have not talked with their children on the phone.[1]

Communication between incarcerated parents and their children is not under parents' control and revolves instead around public policies, administrative regulations, and staff practices. Policies demonstrate the value that states place on parent-child relationships, relative caregivers and family relationships, and they safeguard the protection and well-being of children when parents are incarcerated. They guide the allocation of resources for parent-child visiting and parental and caregiver involvement in the decisions made about the child's welfare. And they shape caseworkers' practice with incarcerated parents, their children and their families.

Visiting

The problematic nature of prison visitation policies has been documented extensively over a long period of time.[2] These policies are not consistent between states, and can even vary between correctional

1. Glaze & Maruschak, 2008
2. Hairston & Hess, 1989; Hairston, 2003; Comfort, 2003; Margolies &Kraft-Stolar, 2006.

institutions within a single state. Some corrections departments, such as those in Tennessee, require that the individual submit their social security number, pictures and other identifying information for processing and prior approval to be placed on a prisoner's visiting list. Despite the risk of identity theft posed by this policy, they offer no assurance that the information will be secured. Other corrections departments require visitors to bring children's birth certificates when visiting. Some require that an adult accompanying a child on a visit bring written approval from a non-incarcerated parent, or proof that the caregiver escorting a child on a visit is the legal guardian.

Some prisons do not permit contact visits between parents and children.

Children's ability to spend time with their parents is further hampered by restrictive visiting schedules and conditions. Most state corrections departments post visiting policies on their websites, but it is not unusual for each correctional facility in a state system to have its own set of rules—rules which change frequently and often without notice. Most prisons permit contact visits; however, parents and children at many jails are separated by a glass partition and must speak to each other using telephones. Conservative dress codes, frisk-and-search procedures, crowded visiting rooms and long waits for processing are the norm. Visiting rules and practices are subject to widely different interpretation by the staff who enforce them and often seem arbitrary.

There are no consistent policies in place for special visiting procedures and accommodations for child welfare caseworkers, kinship caregivers, or foster parents accompanying children on visits. Some institutions do make special arrangements for children who are participating in parent-child projects or visitation programs endorsed by the institution. Some women's prisons also have special visiting areas or programs (parent education, support groups, overnight stay) for parents and their children. The children's visiting center at New York's Sing Sing Prison is particularly unusual, providing toys and games in an informal, relaxed setting where incarcerated fathers can interact with their children.[3] Also unusual is the fact that this center has existed for many years, run by a not-for-profit organization and funded with state monies.

Making calls

Parent-child communication by phone, while not as physically arduous and emotionally exhausting as prison visits, is very expensive and has become more so since phone company deregulation. The costs for calls from incarcerated parents to their children are borne by relative caregivers. Almost all phone calls from correctional institutions must be made collect (or prepaid by debit card) to a residential phone. Charges are exorbitant and generate lucrative profits for corrections departments and the telephone companies with whom they contract services. Kinship caregivers and other family members may want children to talk with their parents in prison, but be prevented by the high costs involved.

Parent-child communication by phone is very expensive and has become more so since phone company deregulation.

3. Jeffries, Menghraj, & Hairston, 2001.

> Few correctional departments enact policies that promote and support the maintenance of parent-child and co-parenting relationships.

Six states (Nebraska, Michigan, Missouri, Maryland, New York, and Oklahoma) have established policies that eliminate the state's phone commissions and make phone calls more affordable for prisoners' families and friends.[4] In contrast to states that charge as much as $30 for a 30-minute phone call, the phone rate for prisoners in the Montgomery, Maryland jail, is less than $1 for a 20-minute collect phone call to anywhere in the country.[5]

Sending letters

Contact by ground mail, though not a significant financial cost to families or prisoners, carries a tremendous social burden. Letters from correctional institutions typically carry a large stamped disclaimer noting that the letter is from an inmate at a correctional institution and has not been reviewed by prison authorities. This stamp and the resulting stigma discourages families who are trying to maintain privacy or secrecy about a relative's imprisonment. The long period of time required to mail a letter and wait for a reply makes this a less and less acceptable form of communication in this era of text messages and e-mail. However, for security reasons, e-mail and text messaging between prisoners and families is prohibited in correctional institutions.

Family communication policies have undergone significant reform in some correctional systems, but the changes have not been universal, nor have they been widely adopted. Although most correctional departments have statements that indicate inmates' family ties are important in achieving correctional goals, few enact policies that promote and support the maintenance of parent-child and co-parenting relationships.

Child welfare policy

We know little about how child welfare policies affect families involved in the criminal justice system; studies that document their experiences have been limited. Analyses of major child welfare policies indicate, however, that some features of legislation and administrative policies surrounding the child welfare system do not support these families, and may actually be harmful to them. Maintaining parent-child relationships during imprisonment is difficult for families, especially when children are in the child welfare system and in the care of relatives. Policies are explicit about the need for parents to have regular contact with their children and take part in plans for their children's futures. But these policies do not explicitly allocate funds for visits and calls between incarcerated parents and their children, or facilitate incarcerated parents' presence at hearings involving their children.

> Children's relative caregivers may not be acknowledged in any meaningful decision-making role.

Generally, established protocols, practice guidelines, or agency administrative units do not exist to ensure that incarcerated parents receive timely information about custody issues or are able to participate in case planning. Children's relative caregivers may not be acknowledged in any meaningful decision-making role either, even when they have acted as the children's "parents" throughout the children's lives.

4. CURE, 2008.
5. Ibid.

The Adoption and Safe Families Act of 1997 (AFSA) has been of particular concern to advocates who work on behalf of women in prison and their children.[6] ASFA requires that termination of parental rights proceedings be filed whenever a child has been in foster care 15 of the past 22 months—a period that is significantly shorter than the expected average prison term. ASFA strongly favors adoption of the child and does not adequately respect the relationship between the child and the incarcerated parent or the kinship care arrangement that most incarcerated mothers choose for their children. The law does contain a provision allowing states to use kinship care to avoid adoption and also includes three broad exceptions to the time limits. These exceptions accommodate cases in which parents are expected to be incarcerated past the timelines but are likely to be released in a reasonable amount of time. However, the child welfare system does not always support families involved in the criminal justice system in taking advantage of these opportunities, placing these children at risk of permanent separation from their parents and extended family members.

In the 10 years since enactment of this major legislation, fewer children are in foster care nationally and adoptions by relatives have increased in some states. Some reports, based on incomplete records and limited data analysis also show increasing numbers of incarcerated mothers whose parental rights have been terminated.[7] Although researchers have examined states' termination of parental rights statutes as they apply to incarcerated parents, comprehensive assessments of the impact of ASFA on children in relative care with an incarcerated parent have not been published. Our understanding of ASFA's effect on these families is, therefore, quite limited.

6. Genty, 1998; Genty, 2008; Lee, Genty, & Laver, 2005; Allard & Lu, 2006
7. Lee, Genty & Laver, 2006.

Subsidized guardianship of children in the welfare system offers an option that does not involve the termination of parental rights and provides relatives with legal and financial assistance needed to keep children during a parent's prison term. These plans typically come into effect only after a child has been in foster care for a designated period, though some states, including Kansas, Kentucky, New Jersey, Nevada, Ohio and the District of Columbia, offer preventive subsidized guardianship programs. These programs aim to prevent children from entering the foster care system by providing support, in the form of a modest monthly subsidy and sometimes other services, to kinship caregivers.

Subsidized guardianship programs aim to prevent children from entering the foster care system.

A few child welfare departments have made, or are in the process of making, important policy shifts that respond to the unique needs of families and children affected by incarceration. The New York City Administration for Children's Services, for example, issued a memorandum detailing the agency's legal obligation to arrange visits between children in foster care and their incarcerated parents. In collaboration with the Women's Prison Association, the agency also produced a guide to New York's criminal justice system for child welfare workers. The agency's Division on Permanency established a program for children with incarcerated parents that provides dedicated staff who deliver services and supports to the whole family. This support includes transportation for children visiting their incarcerated mothers, parent education courses, and technical assistance for caseworkers working with parents in prison. While applauding these and other system changes, critics note that

Although most children are in informal kinship care arrangements, child welfare policies seldom include prevention or intervention services for those children.

the program's resources are not adequate to meet the need created by New York's large correctional and foster care populations and that, in the absence of systems of accountability, many caseworkers ignore rules regarding their responsibilities towards incarcerated parents.[8] The program itself must also remain accountable; rigorous evaluation must be applied to both process and outcomes.

Accessing aid

We know that although most children are in informal kinship care arrangements, child welfare policies seldom include prevention or intervention services for those children. We also know that many grandparent caregivers, though needing services, prefer not to have child welfare workers intruding in their lives. Some fear losing the children they are parenting, and others are concerned about becoming entangled in a bureaucratic maze that may produce more harm than help. Children in informal kinship care may be at risk of going into custody if their situations change or if they do not receive appropriate assistance. The kinship care arrangement can be disrupted by such issues as a caregiver's chronic illness and lack of appropriate health care, the loss of a job or other income source, or a child's behavior problems or health condition.

Even when informal caregivers do receive services and financial assistance, such as child-only Temporary Assistance for Needy Families (TANF) payments, food stamps and referrals to social services, this support is far less robust than that provided for children in formal foster care arrangements.[9] To receive the level of care that children in foster care receive, informal caregivers may have to wrongfully allege that the parents of the children under their care have abused or neglected them. By making these allegations, they are able to access the benefits available through the child welfare system, although they may also lose their right to care for the child by doing so. They may still receive less support as kinship foster parents than that provided for non-related foster homes. Several studies have found that children in relative foster homes receive fewer services than those in non-related foster care.[10]

Accessing information

Aside from concrete aid and benefits, providers of informal kinship care generally do not receive information and services to assist them with basic issues such as parent-child visiting, boundary-setting with parents, and parent-child reunification. These issues are crucial ones for relatives who co-parent with parents who are incarcerated or are being released from incarceration, and represent core areas of child welfare practice. If child welfare workers were able to share their knowledge and expertise in these areas with families who are not formally involved in the child welfare system, it would be of great benefit and might possibly prevent some children from entering the system.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 addresses key kinship care issues and establishes significant, new policy directions for child welfare.[11] Under the Act, kin must be notified when children are brought into care and preference is given

8. Margolies & Kraft-Stolar, 2006, Child Welfare Watch, Winter 2008

9. Main, Macomber & Geen, 2006; Ehrle, Geen & Clark, 2001
10. Ibid
11. Stoltzfus, October 2008 summarizes the major provisions of the Fostering Connections Act.

to relatives for placement. Supports that make subsidized guardianship a more viable option for relative caregivers are also provided, and navigator programs that provide support for informal kinship caregivers are also part of the legislation.

Though outcome evaluations are few, several states had subsidized guardianship and navigator programs for families involved in the child welfare system prior to passage of the Act. They can build on those experiences to expand and further develop their programs. Most child welfare systems are just beginning, however, to develop plans to implement this recently enacted legislation. Since the Act does not address parental incarceration specifically, it is not likely, based on past history, that the specific needs of relatives providing care for children with incarcerated parents will be a priority. Nonetheless, it is very important for us to know and understand how this legislation, other major child welfare laws, and administrative regulations support or undermine children, families and kinship networks affected by the criminal justice system. More work must be done in the future to build this knowledge base.

Putting families first

Maintenance of family relationships and relatives' protection and care of children are extremely challenging when parents are incarcerated and children are under the custody of child welfare departments. In these situations, parents and relative caregivers alike must comply with the demands and requirements of both the child welfare and criminal justice system. Sometimes these requirements are onerous and conflicting. Families must adhere not only to prison rules but also to child welfare agency regulations and stipulations. They often do not receive the organizational support they need to meet various mandates and sometimes live in fear of divulging information or making mistakes that would put children's permanent relationships with parents or caregivers in jeopardy.

Parents who are prisoners must comply with corrections policies, procedures, and the nuances of correctional staff practices, but compliance often affects their ability to meet child welfare department regulations and kinship caregivers' expectations. No matter how much they may want to spend time with their children, attend an administrative hearing, or participate in a self-help program as required by a child welfare case plan, their ability to participate depends on institutional rules and correctional staff decisions.

> If child welfare workers were able to share their knowledge and expertise, it might prevent some children from entering the system.

WHAT WE CAN DO

The time is right to make positive changes system-wide

Historically, the placement and care of children of incarcerated parents has not been a priority for child welfare departments, but there is a great need to address this issue now. The growing prison population, changing public policies, and greater reliance on kinship caregivers as a child welfare option are creating an immediate need to explore new approaches that ensure the well-being of these vulnerable children.

There is much we can do to address the issues, create effective and compassionate public policies and programs, and ensure a better future for families.

Develop a research agenda

There is much we can do to address the issues, create effective and compassionate public policies and programs, and ensure a better future for families involved in kinship care and the criminal justice system. The development of a comprehensive knowledge base that is shaped by empirical study as well as theoretical understanding is critical in advancing new directions. A broad, inclusive research program that focuses on kinship care as a formal child welfare approach when parents are incarcerated is needed to address gaps in our knowledge, enhance our understanding and shape future program and policy directions.

Studies of incarcerated parents, kinship care, and child welfare system processing, as well as informed analyses of policy statements provide a useful reference point. Studies that examine the circumstances unique to families that are simultaneously involved in two different systems of social control and that analyze outcomes the systems generate for children and their families must also be a part of this broader research agenda. We must move beyond relying on small, ad hoc studies, inadequate data, and speculation as the basis for decision making.

Improve data collection

We can improve ways in which we collect child welfare data to enhance our specific knowledge of children with incarcerated parents in the system. When children are in the custody of the child welfare system, their case records should indicate where their parents are residing and whether they are incarcerated. Because parents' status can change over time, information on fathers and mothers should be collected when children enter care, at case review and upon discharge. The data should be systematically collected and

We can make children in kinship care whose parents are incarcerated a more visible and central part of national agendas.

maintained in a manner that allows identification and dissemination of group data for individual child welfare departments, and for the Adoption and Foster Care Analysis Reporting System (AFCARS). The data that AFCARS currently collects on the numbers of children who are placed in care as a result of parental incarceration provides a base on which to build a more detailed picture, although there is still a need for additional research to complement this basic information.

The establishment of a child welfare data collection and reporting system that accurately identifies the number of children in state care whose parents are incarcerated and are being cared for by relatives should be a core component of a child welfare research program. It is, furthermore, a prerequisite for effective policy development and program planning. In the absence of this basic information, it is difficult to determine how many children are affected, to trace trends and patterns, and to assess the financial and service implications of specific or general policies for kinship care, parental incarceration, or more general child welfare issues.

Identify and document promising practices

We can conduct national reviews of the policies and programs that different state legislatures, departments of corrections and child welfare systems have established to help parents and children separated by incarceration and children's kinship caregivers. These state-of-the-field reviews would identify best practices, or at least promising ones, outline the conceptual frameworks underlying different programs, describe implementation issues, and assess results and outcomes. This effort could prevent groups from wasting limited resources on "reinventing the wheel," and help agencies with similar needs and objectives to identify potential partners and establish learning collectives. It could also help shape a relevant research agenda to guide future work. There are numerous models for conducting, funding and disseminating the results of these types of reviews to academic audiences, policymakers, and service providers.[1] The Children's Bureau, National Institute of Corrections, Annie E. Casey Foundation, Jane Addams Center for Social Policy and Research, Child Welfare League of America and Council of State Governments are among the organizations that have provided leadership for this type work in the past.

We can take action now to remove some of the barriers to the maintenance of family ties during imprisonment.

1. See Gleeson & Craig, 1994; Jeffries, Menghraj, & Hairston, 2001; Lee, Genty &/Laver, 2005 for examples of state of the field reviews.

Affordable telephone communication and child-friendly visiting environments should be the norm.

Consider the impact of federal and state policies on children whose parents are incarcerated and their kincare providers

We can make children in kinship care whose parents are incarcerated a more visible and central part of national agendas. It is important for federal and state agencies to assess the current and potential impact of the Fostering Connections Act on these populations and to systematically monitor the development and implementation of new rules that apply to them. The next White House Conference on Children must not overlook the plight of prisoners' children and the unique challenges—over and above poverty, parental substance abuse, and parental absence—that they must cope with. The racial makeup of the prison and child welfare populations indicates that the issue of prisoners' children should be included in the discussions of groups concerned about race matters, health disparities, and disproportionality. There is likewise a place for this issue on the agenda of organizations that advance the causes of grandparents raising their grandchildren. Grandparents caring for children with incarcerated parents may not, for reasons of shame or embarrassment, be a vocal group, but they may be among the most vulnerable and most in need of being heard.

Engage in cross-system collaboration

We can take action now to establish collaborations between child welfare agencies and departments of corrections, and remove some of the barriers to the maintenance of family ties during imprisonment. It has been more than 10 years since a national institute on incarcerated parents convened child welfare and criminal justice professionals to discuss family needs and system reforms. Since that time, there has been little movement in establishing standards of practice, formal channels of contact between the two systems, or coordination of services. Yet the need for change and the numbers of children affected is that much greater, and the resources that could be used to facilitate collaborative work more readily accessible. For instance, newer technologies allow parents in prison to participate in case conferences and hearings without being physically present, and online resources and digital communications make the transmission of information between caseworkers and prison counselors much swifter.

Improve parent/child access

It's also time for corrections departments to drop exorbitant and excessive phone charges. After extensive analysis and review, some states have lowered excessive rates, indicating that the prevailing rates charged by most corrections facilities are not justified on the basis of cost-recovery for service installation and maintenance. There is also evidence that visiting policies, practices, and facilities that allow for child- and family-friendly visits can be established without compromising

security measures or adding significant cost. Affordable telephone communication and child-friendly visiting environments should be the norm rather than the exception.

Build infrastructure

Agency infrastructure, including policies, resources, and training are needed to support the many individuals in both child welfare and the criminal justice system who work diligently to support children and kinship caregivers. A fundamental shift in thinking and leadership is needed for meaningful change to occur. Governmental agencies that set policy, organizations that provide funding to mount and sustain system reform, and accreditation bodies such as the American Correctional Association need to be involved in establishing fundamental principles and specific goals. When crafting solutions to the issues, it will also be important to include the incarcerated parents, caregivers, children and caseworkers who have direct and valuable experience of the child welfare system. Additionally, more effective, more standardized caseworker practice protocols during initial intervention are critical. Many of the key decisions for kinship caregivers (and key opportunities for intervention and support) happen right after a parent is first arrested or incarcerated. This is a critical juncture that deserves a careful look and more thorough approach by most child welfare agencies; it is the best chance for a primary intervention with the caregivers and a point at which key information about services and supports can be relayed.

A fundamental shift in thinking and leadership is needed.

Convene a second national institute on incarcerated parents

A follow-up to the first national institute on incarcerated parents is long overdue. A second institute on incarcerated parents and their children and families could be instrumental in consolidating our knowledge of the child welfare and criminal justice administrative system, and in finding strategies to ensure key objectives are achieved. The Administration on Children and Families, in partnership with departments and organizations that have a demonstrated track record in addressing human service and justice matters, could undertake this much needed initiative.

CONCLUSION

Close to two million children are growing up with a parent in federal or state prisons, and many more will join their ranks in the coming years. The challenges these children face are significant. Often, they are already living in poverty, and the incarcerated parent will have had a substance abuse issue. The incarceration process itself can create additional strain, including domestic disruption and instability, stigma and additional economic hardship. How do we ensure that these children are adequately protected and cared for? How do we help their families to cope with the incarceration and resulting kinship care responsibilities? How can we facilitate the relationship between parents and their children during the incarceration period, and ensure that after the sentence is served, families are reunited wherever possible?

Existing research points us in the direction of the answers, but a deeper understanding is still needed. We know that when children with incarcerated parents are placed in kinship care, a family with already stretched financial and emotional resources must learn to navigate the conflicting, confusing and sometimes humiliating requirements of the criminal justice system and the child welfare system. We know that many families are overwhelmed by the experience, and that the infrastructural supports that could help them cope are often not available or not accessible. We know that caseworkers, who play a pivotal role in helping families through this process, are also not given the resources and training they need. And we know that state and federal policies can undermine a family's ability to stay in contact with the incarcerated parent, and reunite upon that parent's release.

But we also know that there are things we can do to make the experience of kinship care more positive for the incarcerated parents, the caregivers and the children who are placed in their care. And we know that there are ways to improve both childrens' individual outcomes and the chances that families will reunify when the parents are released from prison.

We can help caseworkers to become better-informed and more active in maintaining contact between relative caregivers, incarcerated parents and their children. Changes to visiting and communications policies can be made to make contact between parents and their children easier to maintain during the incarceration period. The child welfare system can be reviewed to ensure that it supports families with parents involved in the criminal justice system. And we can do a better job of helping these families to access financial aid, services and information that can help them manage the challenges of raising children while the parents are incarcerated.

> Further research is needed to help bring the experiences of these families to light.

We can also improve the information-gathering processes. By doing a better job of collecting data on families and their experiences, we can trace important trends and assess the financial and systemic effects of the various policies that affect them.

This report offers a stepping-off point for further exploration of a complex topic. Further research is needed to help bring the experiences of these families to light, and to better understand the factors that increase children's chances of thriving under difficult circumstances. This research must be

complemented with timely action, such as ensuring relevant policies and programs are thoroughly reviewed and their effects monitored, making these children's issues a central part of national agendas.

The numbers of children and families affected by the incarceration of a parent and the co-ordination of kinship care arrangements continues to grow. Their plight cannot continue to be ignored. We know what steps to take towards developing a better understanding of these families and providing a better support framework for them. We must make this issue a priority and facilitate change through research and action.

Note:

An earlier version of this report appears as a chapter entitled Kinship Care When Parents are Incarcerated in Gleeson, J. & Hairston, C.F. (Editors). Kinship Care Improving Practice Through Research. Washington, D.C.: CWLA Press, 1999. This report updates research findings and expands the central ideas presented there. Some passages have been taken directly from the chapter as the general ideas and knowledge remain the same.

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