Guide for Families Experiencing the Criminal Justice System

GUIDE FOR INCARCERATION STAGE (Guide 2 of 3)

HTTP://WWW.YOUTH.GOV/COIP



Families and children have unique needs when a parent is incarcerated. When this happens, a family gets involved with the criminal justice system in stages. This guide is the second in a series of three guides that cover a family's journey as the family navigates the justice system when a parent is incarcerated.

- Arrest (Guide 1)
- Jail Time/Detention (Guide 1)
- Hearing/Trial (Guide 1)
- Sentencing (Guide 1)
- Incarceration
- Reentry (Guide 3)

The tips and tools in this guide aim to help families care for the children of incarcerated parents by

- maintaining and strengthening communication,
- managing and strengthening relationships, and
- managing stress and emotions and promoting self-care and care for the children during the incarceration stage.

Many of the concepts and tips are informed by listening sessions with **incarcerated** parents and youth who have or have had an incarcerated parent: <u>https://youth.gov/coip/listening-session</u>.

THREE-WAY LINES OF COMMUNICATION: Facility— Incarcerated Parent—Family

Incarceration involves three key parties: the **facility**, the **incarcerated parent**, and the **family**. Together, these parties contribute to the success



of improving communication, building and maintaining parent-child relationships, and promoting quality self-care and care for the children of the incarcerated parent.

For example, the **family** could send a book to the **parent** at the **facility**, provided the facility allows the parent to receive the book and then permits the parent to read to the children faceto-face, by phone, or by a video chat.

For this guide, the federal Interagency Working Group on Youth Programs draws on the work of the Bureau of Justice Statistics to define **the incarcerated population** as "The population of inmates confined in a prison or a jail. This may also include halfway houses, boot camps, weekend programs, and other facilities in which individuals are locked up overnight."





These tips are suggestions. Not every tip is right for every family. You can decide which ideas you like and which ideas meet the unique needs of your situation. Choose the ideas that are the right fit for the children, the family, *and* the incarcerated parent.

The Facility: What Families Should Know

 Although they may differ by facility, every facility has rules and procedures that visitors must follow when visiting a person in prison. Visiting a parent in prison is no different. Your family can find out about the rules by talking to your case worker, asking the incarcerated parent, reading the information sent home by the facility to family members, or by looking at the facility website or the state corrections agency website.

Extra Resource:

This website from the Bureau of Prisons has helpful general visiting information: <u>https://www.bop.gov/</u> inmates/visiting.jsp

- It is a good idea to find out about the rules before you visit for the first time.
- You cannot control these rules. Instead, accept and follow the rules to make the best of what may be a tough situation.
- Security procedures at a facility are important because they help to ensure the safety of everyone, including the family and children, the incarcerated parent, and staff at the facility.
- Such procedures are written for staff at the facility but may need to be interpreted so that you can better understand them.
- Rules may not allow the incarcerated parent to touch his or her children. For example, the children may not be allowed to sit on the lap of or hug the incarcerated parent.
- The facility may not include family-friendly items, such as toys or books, in visitation rooms.
- The facility may have special visiting areas for incarcerated parents who have completed a special parenting skills class.

Note: See page 9 for helpful questions about visitation.

Tips

The general tips in this guide are important for families with children of any age. These general tips are organized under three topics: **communication**, **relationships**, and **care for self and the children of the incarcerated parent**. Later, the guide offers tips to families of children in specific age groups: **children (0–6 and 7–12 years old)**, **youth (13–18 years old)**, **and young adults (19–25 years old)**. The context of these tips may be better understood or handled by children in the specific age groups. These age groups are only ranges. Families should consider the maturity of their own children when deciding what tips are appropriate for a given situation.

General Tips

Communication

• Discuss with the young person how best to address questions from friends, teachers, neighbors, and other family members about the incarcerated parent. Think about how much of the family





story you want to share.

- For example, you may decide to tell the children's guidance counselor and teachers at school. If you do, ask the guidance counselor and teachers to be sensitive to certain activities, such as making cards on Mother's Day, Father's Day, or other holidays.
- As a caregiver, seek information and ask questions at every stage in the justice process. The more you know, the better you will understand the process and anticipate next steps. Having a better understanding will enable you to explain details to the children so that they know what to expect.
- Follow the facility's rules. Ask questions about the rules if you don't understand them or if something isn't clear.
 - If the rules don't seem to support healthy parent-child relationships, then seek help. Talk with your case manager or speak to a family advocate (if the facility offers one). Add comments to the suggestion box in the visitation room, and/or contact leaders at the facility to discuss ways to make the rules more family friendly.
 - Keep in mind that safety and security are the number one priorities of facilities. All rules and regulations stem from these priorities.
- Set the right level of visitation and communication with the incarcerated parent for the children. Consider the children's maturity levels and abilities to understand the situation. Also, think about factors at the facility, such as the visiting area.
 - o Ask the incarcerated parent about his or her wishes for visiting and communicating with the children.
 - Depending on the children's ages and maturity levels, ask the children about their wishes for visiting and communicating.

Extra Resource: This video and

discussion guide are designed for school staff who provide direct supports and services to students: teachers, administrators, and support staff (e.g., school social worker, psychologist, guidance counselor, librarian, art teacher, PE teacher, cafeteria worker, custodian, bus driver). School staff contributed to the planning and content and several are featured in the video: https:// youth.gov/youthtopics/children-ofincarcerated-parents/ federal-toolsresources/tools-<u>school-staff</u>

- Consider the costs of visits and how to budget for them. There may be expenses you had not anticipated, for example, gas for your vehicle, use of public transportation, and meals on the road. Also, think about the mode of and costs for communication, for example, phone calls, video chats, and stamps for mailing letters.
- Visit and communicate with the incarcerated parent as often as possible, but stay within the facility's rules and what fits your family.
- When the children are around, try to keep your comments positive or neutral, even if there are things about the facility, staff, or rules that upset you.

Relationships

- Strive to maintain or improve relationships among the family and children, the incarcerated parent, and staff at the facility.
- Encourage the incarcerated parent to create short- and long-term goals for reentry. Planning for reentry begins during incarceration. Focus on plans for education, employment, finances, housing, parenting, and strengthening relationships.







- If classes or programs are available to improve parenting skills and plan for life ahead, encourage the incarcerated parent to take part in the classes or programs. Such programs promote stronger parent– child relationships. They may also help to increase visitation rights and may improve parole and reentry outcomes. Ideas include the following:
 - o Parenting classes
 - Communication skill programs (for example, what to say, how to say it, and how to better connect with children at their developmental levels)
 - o Financial planning courses

Visitation Privileges May Include:

- Extra time for visitation,
- More frequent visits, and
- Access to a special room or area for more relaxed and meaningful visits (for example, comfortable chairs, toys, games, books, etc.).
- Job skill and education programs (for example, high school or GED [general equivalency diploma], college, career and technical education, or certification that may lead to job placement upon release or at the facility)
- Set aside time and materials for the children to create artwork or poems to send or take to the incarcerated parent (if allowed by the facility).
- Ask staff at the facility and the incarcerated parent about upcoming, facility-sponsored family events. Then, if possible, make plans for the children to attend. This is especially important for events designed to improve and encourage the children's relationships with their incarcerated parent. Two examples are activity days and picnics. Arrange ways to take the children to and from such events.
- Share with the incarcerated parent things that have changed at home during his or her absence. The following are examples of such changes:
 - The children have grown and gotten older. The children's needs may now differ from the time when the parent started incarceration. For example, the children may now be old enough to make key decisions in their own lives.
 - Roles and responsibilities in the home may have changed since the parent's incarceration. For example, the older child has been caring for younger siblings and getting them to afterschool activities; the caregiver has been in charge of bedtime; and the caregiver and older child have been in charge of household decision making.
 - o The co-parent or partner of the incarcerated parent may now have a relationship with another person.

Self-Care and Care for the Children of an Incarcerated Parent

- Care for both yourself and that of family members and children are very important during this difficult time.
- Consider seeking out support and services, such as advocacy and transportation, from churches and faith- and community-based organizations.
- Remind the children often that they are not destined to be incarcerated like the parent. Don't support negative stereotypes and outcomes. For example, nobody should tell the children that they will turn out just like the parent.

Extra Resource:

youth.gov has some information about budgeting and finances that may be helpful: <u>https://youth.gov/</u> <u>youth-topics/financial-</u> <u>capability-literacy</u>



- Think about finding professional counseling for yourself and family members and children. Your doctor or the children's pediatrician may be able to give you names of licensed counselors in your area.
- Pay attention to the family's budget needs from the loss of the incarcerated parent's income. Seek out advice for making ends meet with reduced income.
- Consider becoming an advocate for youth who have or have had an incarcerated parent.
 - Seek out youth-focused advocacy and support groups that are friendly to children whose parents are incarcerated. If it's a good fit, get youth involved in approved organizationsponsored activities with other young people with incarcerated parents so that they know they are not alone.
 - Try to establish support groups for youth with incarcerated parents. Ask others to join or affiliate with the group.

Age-Specific Tips

Children 0-6 Years Old

- Plan and prepare for the children's visit with an incarcerated parent. The children will likely have questions, including details about arriving at and leaving the facility.
 - Tell the children what will happen when they get to the facility and go through security, for example, tell them about walking through metal detectors and not being able to bring a toy into the visiting area and about corrections officers wanding visitors and inspecting toys and books.
 - Prepare the children if the facility does not allow the parent to touch the children, for example, hugging, holding hands, and sitting on the parent's lap.
 - Have the children bring a book for the parent to read to them in the visiting area, if allowed by the facility.
 - Send a book to the incarcerated parent to read to the children over the phone or by video chat, if allowed by the facility.
 - Bring along facility-approved materials (for example, check if the facility allows you to bring a coloring book and crayons or a small toy) to keep the children busy during the visit.
- Talk to the children after each visit and communication (for example, phone call,

video chat) with the incarcerated parent. Be prepared to answer questions such as the following: "Why can't I stay with Mommy?" "Why are we leaving Daddy here?" "Why can't I call Mom when I get home from school today?"

- Set aside time and materials for the children to create artwork or poems to send or take to the incarcerated parent (if allowed by the facility).
- As reentry approaches, discuss with the children the parent's return home. Share how things may change and what may happen daily between the parent and the children in the home. For example, "Daddy will be living here again. He will be home and can play ball and color with you." (Fill in the appropriate time frame based on the children's abilities to understand time, such as home in time for the children's birthdays or a specific holiday).

Children up to 6 years of age are typically supervised closely by adults in the home, daycare, or preschool and kindergarten. Children at this age may see that adults in the home are upset but may not know why. They may ask general questions about their parent's absence, such as, "Why isn't Mommy here to tuck me in?" or "When is Daddy coming home?"



Children 7-12 Years Old

- Work with the children to help them understand that the parent may not be a bad person but made a bad decision. As such, the parent is incarcerated for not following the rules or law.
- Remind the children often that they are young and don't need to grow up quickly just because a parent is incarcerated. The children don't need to take the place of the parent as the adult in the house. For example, a child shouldn't be expected to provide frequent or unreasonable child care to younger siblings.
- Share the visiting schedule with the children so that they know of the next visit and the time between visits. For example, "We will be able to visit Mommy right after Thanksgiving, before you go back to school." Show the children the dates on a calendar.
- Help the children prepare for the next visit or communication with the incarcerated parent. This will improve the likelihood of a good visit or communication. For example, help the children think of conversation starters. Ask the children, "What do you want to talk to your dad about?" Possible topics may include school, afterschool activities, sports, friends, and so forth.
- Talk to the children and ask them questions after each visit or communication with the incarcerated parent. Be prepared to explain

Youth 13-18 Years Old

- Let the youth know that they aren't the only ones with an incarcerated parent. Share with the youth statistics on the number of young people who have or have had an incarcerated parent. This information will prove that they are not alone.
- Remind the youth often that they are young and don't need to grow up quickly just because a parent is incarcerated. The youth don't need to take the place of the parent as the adult in the house. For example, the youth

procedures at the facility and ask other questions based on the children's responses.

- "Do you have any questions about what you saw or heard today while visiting your mom?"
- "What was your favorite part about the visit? What was your least favorite part?"
- As reentry approaches, discuss with the children the parent's return home. Talk about how things have changed at home since the parent has been incarcerated. Discuss how daily interactions between the children and the parent may be different after the parent returns home. For example, "Mom will be home and can help you with homework. She can also go to parent-teacher conferences and school events. (Fill in the appropriate time frame, such as next month, based on the children's abilities to understand time.)
- Consider having the children visit a counselor so that they can speak with a caring and objective adult outside the home.

Children 7–12 years old typically are in elementary and middle school grades. They are aware of the unsettled nature in the home and know when adults are upset. They realize that a parent is away for an extended time. They may ask specific questions about their absent parent, such as, "When will I see my dad?" and "Why doesn't Mom live with us?"

Extra Resource: This tip sheet was written BY youth who have or have had incarcerated parents FOR youth who have incarcerated parents: <u>https://youth.gov/youth-topics/</u> <u>children-of-incarcerated-parents/listening-</u> <u>sessions/tip-sheet-for-youth-coip</u>

can help with chores and with the care of younger siblings. But they shouldn't provide total care for the younger siblings, especially at the expense of their education or activities with friends.





- Share the visiting schedule with the youth so that they know of the next visit and the time between visits.
- Help the youth prepare for the next visit or communication with the incarcerated parent. This will improve the likelihood of a good visit or communication. Time may be limited. Help the youth think of conversation starters and topics. For example, talk about school, clubs or sports at school and in the community, neighborhood events and changes, something fun they did, something they are looking forward to, or a struggle they are facing.
- Work with the youth on expressing their feelings about missing the parent.
- Talk to the youth and ask them questions after each visit or communication with the incarcerated parent. Be prepared to explain procedures at the facility and ask other questions based on the youth's responses.
 - "Do you have any questions about what you saw or heard today while visiting Mom?"
 - "Do you have any questions about the visiting process and procedures, for example, being wanded, searches, putting belongings through X-ray?"

- "What was your favorite part about the visit? What was your least favorite part?"
- Share the youth's school schedule with the incarcerated parent to let the parent know what classes the youth are taking.
- Remind the youth that security staff at the facility may open and read mail and e-mail and may monitor phone and video chats.
- As reentry approaches, discuss with the youth the parent's return home. Talk about how things may be different between the parent and the youth when the parent is back home. For example, talk about how roles and responsibilities in the home may change, such as discipline, tasks, chores, the way the family operates, and so forth.

Youth 13–18 years old typically understand what is going on in their lives and in their family. As a result, they may need to learn coping skills (such as anger management) to help resolve their feelings, internal conflicts, and external pressures. Youth at this age typically are in middle and secondary school grades. They are seeking independence, developing their identities, and learning how to work through tough situations.

Young Adults 19-25 Years Old

- Encourage the young adults to research statistics on the number of young people with an incarcerated parent. This information will prove that they are not alone. Ask the young adults to consider sharing these numbers with family members.
- Share the visiting schedule with the young adults so that they know of the next visit and the time between visits. Knowing this information, the young adults can plan for visits around work and school schedules.
- Support the young adults as they reflect on and express their feelings about the missing

parent and the impact that the parent's incarceration is having on them.

- Encourage continued communication and relationship building between the young adults and the incarcerated parent. Communication and relationship buildings can occur through visits, phone calls, e-mails, video chats, letters, and so forth.
- Remind the young adults that security staff at the facility may open and read mail and e-mail and may monitor phone and video chats.
- Inquire about the young adults' most recent visit or communication with the incarcerated





parent The following are examples of questions to ask:

- o "Is there anything troubling you?"
- "Do you have any questions that I can try to answer?"
- "Is there something you wanted to tell your parent but didn't?"
- "Do you have any questions about the legal or justice system?"
- As reentry approaches, discuss with the young adults the parent's return home. Help them recognize how roles will have changed. Such change depends on the maturity levels of the young adults and the length of time the parent was incarcerated. Consider asking the facility if the young adults can be members of the transition-planning team (if the young adults and parent agree).
- Consider asking the young adults if they would like to visit a counselor (if not done so in the past) so that they can speak with a caring and objective adult outside the home. The counselor can help the young adults work through lingering feelings and concerns.

Young adults 19–25 years old typically understand what is going on in their life and in their family. There may be some overlap with youth (13–18 years old), but young adults often have more insight, and their roles and responsibilities within and outside the family likely differ. They may have greater independence and less interaction with a caregiver. They may not need as much adult direction or guidance as younger youth. They are thinking about or engaged in higher education or career skill development, or are employed, and may be living independently and starting their own families.

Questions to Ask

Rules and policies vary by state, community, and facility. The following are some helpful questions you may want to ask (or be prepared to ask) of the facility. Blank lines are provided for you to write answers and notes.

Communication Rules

- 1. What are the phone numbers and contact information for critical staff at the facility (for example, social worker, case manager)? (Fill out the contact information worksheet and the last page.)
- 2. Letters:
 - a. Can the parent receive mail?
 - b. What is the address to send mail?
 - c. Will mail be opened by staff at the facility?

 - e. Notes from conversation with staff member:





- 3. E-mail:
 - a. Does the parent have access to e-mail? If not, how does the parent get access?
 - b. Will e-mail be read by staff at the facility?
 - c. What hours can the parent access and reply to e-mail?
- 4. Other Communication:
 - a. Does the facility allow other forms of communication? If so, what forms?
 - b. Can I live video chat with the parent (through Skype or FaceTime or other similar program)?
 - c. Can I send a video to or receive a video from the parent (for example, a video of the parent reading a book to the children or the children talking to the parent)?
 - d. What is the cost for different types of communication?
- 5. Parent-Teacher Conferences:
 - a. First, ask the children's school if it's possible to do conferences with the incarcerated parent by phone or video chat. If yes, see Steps b, c, and d for questions to ask the facility.
 - b. Can the parent participate in parent-teacher conferences by phone or video chat?
 - c. Are there restrictions on timing?
 - d. Will the conference be monitored by staff?
- 6. Fill in any additional questions you have here: ____
- 7. Fill in any additional questions you have here: ____

Visitation Rules

- 1. On what days can I visit?
- 2. At what times can I visit?
- 3. Does the facility offer family fun days or other family-focused events?
- 4. How long are the visits?
- 5. How many people are allowed to visit at one time? Does this include babies?
- 6. What are the clothing restrictions?
- 7. Will I be wanded or go through metal detectors?
- 8. What can I bring to the visit? What am I not allowed to bring to the visit?
- 9. Can I bring food to the visit?
- 10. Does the facility have lockers for me to keep my belongings in? Do the lockers cost money?
- 11. Does the facility offer vending machines? If so, how much do the items in the vending machines cost?
- 12. Does the facility have a family-friendly visitation room?
- 13. Can the children sit on the incarcerated parent's lap or hold the parent's hand?
- 14. Can I bring in a book for the incarcerated parent to read to the children during the visit? If so, how do I get the book approved?
- 15. Fill in any additional questions you have here: _____
- 16. Fill in any additional questions you have here: ____



Resources for Caregivers: Talking to Children

- Advice for caregivers: <u>http://nrccfi.camden.rutgers.edu/files/cipl202-questionsfromcaregivers.pdf</u> <u>https://nrccfi.camden.rutgers.edu/files/CIPL-204.pdf</u>
- Age-specific guidance: http://nrccfi.camden.rutgers.edu/files/cipl201-caringforcip.pdf
- Materials from the National Resource Center on Children and Families of the Incarcerated: <u>http://nrccfi.</u> <u>camden.rutgers.edu/resources/library/ children-of-prisoners-library/</u>
- Materials from the New Jersey Department of Corrections, "When a parent goes to prison: A guide to discussing your incarceration with your children": <u>http://www.state.nj.us/corrections/pdf/OTS/</u> <u>InmateFamilyResources/WhatAboutMe.pdf</u>
- Materials from youth.gov on Tools, Guides, and Resources for Parents and Caregivers: <u>https://youth.gov/youth-topics/children-of-incarcerated-parents/tools-guides-resources</u>
- Sesame Street's "Little Children, Big Challenges: Incarceration": <u>http://www.sesamestreet.org/parents/</u> topicsandactivities/toolkits/incarceration





Important Contact Information

Name	Position	Phone Number	E-Mail Address	Notes
	Case worker			
	Parole officer			
	Family liaison			
	Warden			
	In case of emergency			