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Incarceration and Reentry Implications for Missouri Families

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Incarceration and Reentry Implications for Missouri Families

In fiscal year 2013, Missouri Department of Corrections (“MDOC”) released nearly 19,000 individuals to communities across the state.¹ The effects of incarceration on individuals and families vary, but few are unchanged by the prison experience. Ideally, effective programs that address reentry barriers and offer training programs would be available within each corrections center. However, studies show that this does not happen on a consistent basis in our prisons.² The burden is left largely to the released individuals, their families and the community.

Upon reentry an ex-offender is confronted with unemployment, reestablishing trust and ties to family and friends, and finding adequate resources to address possible substance abuse, chronic medical conditions or mental health disorders. For families who have struggled in their absence, many challenges make it difficult for family members to resume support roles when a formerly incarcerated individual returns home. Relationships have been altered and feelings of resentment and anger can emerge. When a parent is sent to prison, many dimensions of family functioning undergo significant changes. The family structure, financial relationships, income levels, emotional support systems, and living arrangements may be affected.

According to a U.S. Department of Justice Special Report, 52% of incarcerated individuals in state prisons at midyear 2007 were parents of minor children (children under the age of 18).³ The report further cites that the rate of incarcerated parents in state and federal institutions between 1997-2001 grew by 79%, and the number of children with an incarcerated parent grew by 80% during this time. Combining the numbers of children from incarcerated parents and children whose parents were previously involved with the corrections system, “over 8 million minor children (roughly 11% of all children in the United States) may be affected by parental incarceration.”⁴ There are more children with parents in the prison system today than are diagnosed with autism or juvenile diabetes.⁵ In Missouri 35,468 children, or 2.5% of the minor population, have a parent in prison.⁶

This paper will examine difficulties faced by formerly incarcerated individuals and their families. For purposes of this paper, family is defined as the individual(s) comprising the living environment to which the ex-offender returns. This can include two-parent families, single parent living alone, single parent living with partner (heterosexual or same-sex), non-parent or non-family caregivers.

¹ Missouri Department of Corrections, “A Profile of the Institutional and Supervised Offender Population on June 30, 2013,” (2014). Retrieved from <http://doc.mo.gov/Documents/publications/Offender%20Profile%20FY13.pdf>

² Jeremy Travis and Michelle Waul, “The Psychological Impact of Incarceration,” *Prisoners Once Removed* (Washington D.C.: The Urban Institute, 2003), 33-65. Retrieved from <http://www.prisonexp.org/pdf/haney.pdf>

³ Lauren Glaze and Laura Maruchak, “Parents in Prison and Their Minor Children,” *Bureau of Justice Special Report* (2010): 2-3. Retrieved from <http://www.bjs.gov/content/pub/pdf/pptmc.pdf>

⁴ Jean Kjellstrand and Mark Eddy, “Parental Incarceration During Childhood, Family Context, and Youth Problem Behavior Across Adolescence,” *Journal of Offender Rehabilitation* 50 (2011): 18-36. Retrieved from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3060779/>

⁵ Rebecca Schlafer et al. “Children with Incarcerated Parents—Considering Children’s Outcomes in the Context of Complex Family Experiences,” *Children’s Mental Health eReview* (2013): 1-17. Retrieved from <http://www.extension.umn.edu/family/cyfc/our-programs/ereview/docs/June2013ereview.pdf>

⁶ Dana Canning, “Recovery/Re-Entry – Recouping Our Losses,” *Missouri Department of Corrections* (2009). Retrieved from http://www.ndpc-sd.org/documents/NDPCSD-Summit-2009/Recovery-Reentry_%20Dana_Canning_%20MO.pdf

CHALLENGES TO FAMILY REUNIFICATION

Economic

A 2010 report by The Pew Charitable Trusts details the negative effects incarceration has on an ex-offender's "path to prosperity" and the costs to generations of family members and their community.⁷ It further points out "before being incarcerated more than two-thirds of male inmates were employed and more than half were the primary source of financial support for their children. Incarceration carries significant and enduring economic repercussions for the remainder of the person's working years. Former inmates work fewer weeks each year, earn less money and have limited upward mobility." Persons who have been incarcerated are shown to earn 40% less annually in wages than people of similar circumstances having served no time in prison.⁸ Other challenges include:

- While having a job is important after leaving prison, few prisoners have a job after they are released and few received employment-related training in prison
- Employers are often reluctant to hire ex-offenders, or they put them in positions that do not pay a living wage
- Most families cannot replace lost income contributed by a family member going to prison
- Former prisoners face additional expenses with mounting legal fees (including treatment fees, restitution, medication costs, etc.)
- Public programs such as food stamps and financial assistance can be denied to an individual with certain drug or sex-related offenses
- Parents who are subject to formal child support agreements are under additional pressure to find sufficient sources of income to begin paying child support immediately upon release
- Offenders with certain sex-related charges must register with local law enforcement and abide by laws restricting where and with whom they can live

Social and Emotional

Incarceration can have profound emotional consequences for the offenders and their families. Inmates learn to hide their emotional distress and adapt certain survival techniques. The longer one serves time in prison, the more pronounced these behaviors become. Younger inmates are at a higher risk of being influenced by these behaviors because of their lack of maturity and mental ability to process what has happened to them.

Although strong family contact and personal support is shown to decrease an offender's chance of returning to prison, the distant locations of most prisons make it difficult for families to visit regularly. On average, women are 160 miles away and men are 100 miles away from their families.⁹ Regular visits are further complicated by the strict rules in place by some correctional facilities, and the high cost of collect calls can be an additional burden on the family. Consequently, family members cannot see the changes taking place with their relative while incarcerated. Expectations of what the person will be like

⁷ The Pew Charitable Trusts, "Collateral Costs: Incarceration's Effect on Economic Mobility," *The Pew Center on the States* (2010): 1-40. Retrieved from http://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2010/CollateralCosts1pdf.pdf

⁸ Erin Kincaid and Alison Laurence, "Ex-Offender Employment Opportunities," *National Conference of State Legislatures* (2011): 1-5. Retrieved from <http://www.ncsl.org/documents/cj/pew/exoffenderreport.pdf>

⁹ Jeremy Travis, Cincotta McBride, and Amy L. Solomon, "Families Left Behind: The Hidden Costs of Incarceration and Reentry," *Urban Institute: Justice Policy Center* (2005): 2-12. Retrieved from http://www.urban.org/uploadedpdf/310882_families_left_behind.pdf

after release also cause anxiety and disruption to the family unit. Changes to the individual and family environment may include:

- Dependence on institutional structures and norms that make it difficult for ex-offenders to control personal decision making and behaviors
- Becoming suspicious and distrustful
- Emotional and physical alienation
- Diminished self-worth
- If returning family member is a parent, remaining parent or caregiver can feel resentment at giving up control of family. Power struggles can occur.
- Intimate partners have found new relationships and wish to break away from returning partner
- Returning individual will add to the expenses of family, which can cause resentment and added stress
- Balance of support and structure within the family can be disrupted by returning member
- The caregiver controls the access the children have to their parents. This may be with good intent, but can be detrimental over the long

Children and Parental Rights

Less than half of parents in state prisons reported living with their minor children prior to their incarceration.¹⁰ For parents who reported living with their children before their arrest, only 14% of mothers and 18% of fathers reported that they were living in a two-parent household.¹¹ More than half of the children who lived with their mother went to live with a grandparent when their mother was sent to prison. By contrast, nearly 90% of children who lived with their father continued to live with their mother during their father's incarceration. For incarcerated mothers, 10% have children placed in foster care, compared with only 2% of incarcerated fathers. However, due to the unequal size of the prison population, more children of incarcerated fathers are in foster care than incarcerated mothers.¹² Having an incarcerated parent in prison disproportionately affects racial minorities, with black children eight times more likely than white children and nearly three times more likely than Hispanic children to have a parent in prison.¹³

When looking at the implications to children of having a parent in prison, the prior relationship of the child and parent as well as other living conditions present must be considered. However, children with an incarcerated parent can be subjected to many risk factors that influence their economic and emotional well-being. Such factors include:

- Parent-child relationship hampered by parent's emotional trauma from incarceration and child's feelings of shame, neglect, fear, and distrust
- Children feel stress of strained relationship between parents/caregivers, can manifest in mental health issues (i.e. depression, anxiety, PTSD, aggressive behaviors, etc.)
- Child's home and school may change due to parental incarceration

¹⁰ Glaze et al., "Parents in Prison and Their Minor Children," *Bureau of Justice Special Report* (2010): 2-3. Retrieved from <http://www.bjs.gov/content/pub/pdf/pptmc.pdf>

¹¹ Shlafer et al., *Children with Incarcerated Parents – Considering Children's Outcomes in the Context of Complex Family Experiences*, 1-17.

¹² Travis et al., *Families Left Behind: The Hidden Costs of Incarceration and Reentry*. 2-12.

¹³ Shlafer et al., *Children with Incarcerated Parents – Considering Children's Outcomes in the Context of Complex Family Experiences*, 1-17.

- Child might be placed in non-relative foster care. Custodial parent must prove he/she can adequately care and provide for child
- Child can suffer from the loss of income supplied by incarcerated parent
- Child at risk of victimization due to change in custodial care or loss of parental supervision

Further, the 1997 Adoption and Safe Families Act (ASFA) requires states to begin parental termination rights once a child has been in foster care for 15 of the most recent 22 months. (Exceptions may be made such as whether or not child is in relative care and termination would not be in the best interest of the child.)¹⁴ Longer-term sentencing increases the custodial parent's risk of losing her children completely to the foster care system.

STRATEGIES FOR SUCCESSFUL FAMILY REUNIFICATION

Although there are immense challenges facing both individuals and families during incarceration and post-release, there are multiple strategies to improve the transition and reduce recidivism. By maintaining strong family and inter-personal relationships through the following promising practices, ex-offenders have greater chances of finding economic, emotional and familial stability.

- Missouri's reentry process model promotes state and local collaboration to prepare offenders for a successful transition back into the community. While incarcerated, offenders are to have access to programs such as adult education, mental health/medical services, employment opportunities and cognitive skills development. Under supervision in the community, ex-offenders and their families should utilize programs offered through Probation & Parole that help enhance effective communication between family members, and offer resources to address mental health, substance abuse and housing.
- Some prisons are starting new programs to support incarcerated parents, including Child Visitation Units that let children spend entire weekends with their mother or live video recordings to connect with their family in the community.¹⁵
- Multiple states now have prison nursery programs that let infants and young children stay with the mother throughout her incarceration.¹⁶
- During incarceration, when appropriate, parents should be encouraged to increase their chances of preserving their parental rights by demonstrating the following actions: writing letters at least twice a month, communicating with the family services representative, have children visit, send gifts/celebrate milestones, participate in parenting programs in prison, contribute financially if possible, arrange permanent living plan for children¹⁷
- Family mediation or counseling
- Access to restorative community programs that offer employment training and placement, substance abuse treatment, mental health
- Practitioners and supervising officers utilize motivational interviewing – an evidence-based approach that helps individuals overcome ambivalence to making changes in their lives

¹⁴ "Adoption and Safe Families Act," last modified December 1997, <http://www.naswdc.org/archives/advocacy/updates/1997/safeadop.htm>

¹⁵ Travis et al., *Families Left Behind: The Hidden Costs of Incarceration and Reentry*, 2-12.

¹⁶ Shlafer et al., *Children with Incarcerated Parents – Considering Children's Outcomes in the Context of Complex Family Experiences*, 1-17.

¹⁷ "Missouri Department of Social Services: Children Division E-Forms," *Notice to Incarcerated Parents* (2010). Retrieved from <http://dss.mo.gov/cd/info/forms/>

- Access to other emotional support systems such as mentors, faith-based organizations, sponsors, and schools
- Access to public assistance programs like Temporary Assistance to Needy Families (TANF) and Electronic Benefit Transfers (EBT) can help ease the reunification process
- Missouri does not have a state statute that explicitly defines and protects parental rights as fundamental rights¹⁸. Practitioners and policy makers could advocate for more appropriate measures to protect parental rights.

LOCAL RESOURCES

ACOPP (Assisting Children of Prison Parents), (314) 265-6414, <http://acopp4change.org>.

ACOPP works with children and their incarcerated parents to strengthen family ties.

Ava's Grace Scholarship Foundation, (314) 485-2937, www.avasgrace.org

Ava's Grace provides scholarships to young adults entering college who have a parent incarcerated in a Federal correctional institution.

Big Brothers/Big Sisters of Eastern Missouri, (314) 361-5900, <http://www.bbbsemo.org>

Through its Amachi program, Big Brothers/Big Sisters provides mentoring to children of incarcerated parents.

Center for Women in Transition, (314) 771-5207, www.cwitstl.org.

The Center assists women in the criminal justice system in making a successful transition to their families and communities through practicing and promoting restorative justice.

Criminal Justice Ministry, (314) 652-8062, <http://cjmstlouis.org>.

Criminal Justice Ministry improves the safety and well-being of individuals affected by crime and the criminal justice system, their families and their communities in the Greater St. Louis area through person-to-person assistance rooted in Jesus Christ's message of love, reconciliation and hope.

Employment Connection, (314) 333-5627, www.employmentstl.org.

Employment Connection assists individuals with limited opportunities to self-sufficiency, including the homeless, ex-offenders, U.S. veterans, high school dropouts, women on welfare, and at-risk youth.

Father's Support Center, St. Louis, (314) 333-4170, www.fatherssupportcenter.org.

Committed to creating positive outcomes for children and families by helping fathers become responsible parents

Humanitri, (314) 772-7720, www.humanitri.org.

Humanitri seeks to move families and individuals from crisis and uncertainty to stability and self-sufficiency.

Let's Start, Inc., (314) 241-2324, <http://letsstart.org/>

¹⁸ "Missouri Department of Social Services: Children Division E-Forms," *Notice to Incarcerated Parents* (2010). Retrieved from <http://dss.mo.gov/cd/info/forms/>

Let's Start aims to break the cycle of incarceration in families by working with formerly incarcerated women and their children to support recovery and reentry, mitigate the impact of parental imprisonment, educate the public and inform policy.

Mission Gate Prison Ministry, (636) 391-8560, www.missiongateministry.org.

Mission Gate administers programs that feed, clothe, shelter and spiritually counsel Christians and others in need, with the emphasis on assisting the homeless, inmates of correctional institutions, and the families of inmates of correctional institutions.

North County Community Development Corporation, (314) 477-1246, www.northcountycdc.org.

NCCD Corporation is committed to helping at-risk individuals and families become self sufficient and independent by providing essential supportive and educational services necessary to become productive citizens of St. Louis County.

Project Cope, (314) 389-4804, <http://projectcopestl.org/>.

Project COPE provides transitional housing, case management services, programming, and mentoring to men and women returning from incarceration.

St. Patrick Center, (314) 802-0700, www.stpatrickcenter.org.

St. Patrick Center provides housing, employment and mental health opportunities for people who are homeless or at risk of becoming homeless.