

**FINAL REPORT OF THE  
VIRGINIA COMMISSION ON YOUTH**

# **Children of Incarcerated Parents**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**COMMISSION ON YOUTH DOCUMENT**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2002**



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### **From the Virginia House of Delegates**

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Robert H. Brink  
L. Karen Darner  
Robert F. McDonnell  
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## **I. Authority for Study**

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Section 30-174 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." This section also directs it to "...encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services."

Under § 30-175 of the *Code of Virginia* the Virginia Commission on Youth has the power and duty to "undertake studies and to gather information and data in order to accomplish its purposes as set forth in § 30-174, and to formulate and present its recommendations to the Governor and the General Assembly." In addition, "at the direction or request of the legislature by concurrent resolution or of the Governor, or at the request of any department, board, bureau, commission, authority or other agency created by the Commonwealth or to which the Commonwealth is party, study the operations, management, jurisdiction or powers of any such department, board, bureau, commission, authority or other agency which has responsibility for services to youth."

The Commission on Youth elected to undertake a follow-up study to its 1993 "Study of the Needs of Children Whose Parents are Incarcerated" as one of its legislative initiatives for the 2002 study year.

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## **II. Members**

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Members of the Commission on Youth are:

- Del. Phillip A. Hamilton, Chair, Newport News
- Del. Robert H. Brink, Arlington
- Del. L. Karen Darner, Arlington
- Sen. R. Edward Houck, Spotsylvania
- Del. Robert F. McDonnell, Virginia Beach
- Sen. Yvonne B. Miller, Norfolk
- Del. John S. Reid, Chesterfield
- Sen. D. Nick Rerras, Norfolk
- Del. Robert Tata, Virginia Beach
- Mr. Steve Cannizzarro, Norfolk
- Mr. Gary Close, Vice Chair, Culpeper
- Mr. Marvin H. Wagner, Alexandria

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## **III. Executive Summary**

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Incarceration plays an important role in the public safety arena by holding those persons who commit crimes accountable for their actions and by taking violent offenders off of the street. It serves not only to isolate wrongdoers from

the mainstream of society, but also to enhance the quality of life in communities by providing closure for victims of crime and restoring public confidence in our legal system.

However, policymakers have long recognized that there are many unfortunate consequences to the growing number of individuals incarcerated in the United States. Studies have examined the impact of incarceration on the nation's budget, economy, victims' rights, and cohesiveness of its communities. Yet one of the less recognized effects of the high incarceration rate is the impact that it has on the more vulnerable members of the population: the nation's children.

In 1999, approximately 2.1% of the 72 million minor children in the U.S. had a parent in prison.<sup>1</sup> Overall, 721,500 parents of children under the age of 18 were held in state and federal prisons nationwide.<sup>2</sup> This number has shown significant growth since 1991. From 1991 to 1999, the number of children under the age of 18 with parents in prison rose from 936,000 to 1,498,800, an increase of more than 60%.<sup>3</sup> This correlates directly with the overall growth in the number of individuals incarcerated in state and federal prisons nationwide, which rose by 62% during this period.<sup>4</sup>

Research suggests that the children of incarcerated parents are more likely to exhibit behavioral problems and become involved with the juvenile and criminal justice systems later in life. Consequently, this issue holds great significance for policymakers at the federal, state and local levels. This vicious cycle must be broken in order to save the next generation of children from experiencing the same sense of anger and disenfranchisement that caused their parents to turn to criminal behavior. This outcome is of significant cost not only to these children, but to the entire community.

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## IV. Background

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This report serves as an update to House Document 32 (1993) entitled "The Study of the Needs of Children Whose Parents are Incarcerated" published by the Commission on Youth pursuant to House Joint Resolution 218 (1992).<sup>5</sup> The primary objective of the original study was to determine the number of minor children in Virginia with a parent incarcerated in a prison or jail, particularly those whose primary caretaker was currently imprisoned. The most significant finding was that no mechanism existed in the Commonwealth to collect and analyze

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<sup>1</sup> Mumola, Christopher J. (2000). *Incarcerated Parents and their Children*. Bureau of Justice Statistics Special Report, U.S. Department of Justice. It should be noted that this number does not include those individuals held in local and regional jails.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Report of the Virginia Commission on Youth. 1993. *The Study of the Needs of Children Whose Parents are Incarcerated*. House Document 32.

data of this nature, thus the number and characteristics of these children could not be ascertained. The report attributed this circumstance to the fact that no agency was tasked with the collection of this information. Rather, these children seemed to fall between the gaps of the correctional, child welfare, education, and mental health agencies. The report noted that, because these children are not identified, the impact of parental incarceration on the child and the remaining family unit was not being addressed adequately.

On the basis of these findings, the Commission on Youth recommended designating a state agency to develop a mechanism to gain accurate information regarding the number of inmates in both prison and jail who had minor dependent children. It also recommended that the Commonwealth develop literature to be disseminated to incarcerated parents, alternate caregivers, and children regarding the criminal justice system and the resources available in the community to assist these families. Moreover, the Commission recommended enhanced training for system professionals, improved service delivery, and policy revisions to enhance the efficiency and effectiveness of the programs for these offenders and their children.

#### **A. Creation of a New Data Collection System**

The primary recommendation of the study—the creation of a mechanism for data collection regarding these children—remains unfulfilled. Senate Joint Resolution 204 (1993) tasked the Department of Criminal Justice Services (DCJS) with coordinating the efforts of state agencies to improve data collection for this population of children. In response, the DCJS conducted an analysis of current data collection mechanisms to determine the best method for gathering the information. This report stated two primary conclusions. First, the study found that the most effective method for collecting information regarding children of offenders under the custody of the Virginia Department of Corrections was to create additional fields in the Pre/Post Sentence Investigation Report (PSI). A PSI report is completed for each inmate who receives a disposition that places him/her under the custody of the Department of Corrections. The report asks only for "dependents," without requesting any specification regarding the nature of the relationship, the age of the dependent, and whether the dependent resided with the offender at the time of arrest. The DCJS report suggested modifications to this reporting system that would reflect this information.

Second, the report named several possible mechanisms for collecting information regarding children of offenders confined in local and regional jails. All of the mechanisms named had drawbacks, and no definitive conclusion was reached as to which method should be pursued.

To date, none of the recommended modifications submitted by DCJS have been made to the PSI report or the local/regional jail data collection methods. Thus, information regarding these children is limited to the incomplete data provided in the PSI report.

## **B. Literature Dissemination**

As a result of the Commission on Youth's recommendations, two publications were developed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) to provide assistance to children of incarcerated parents and their caregivers. The first, which is designed for distribution to children, is entitled "When Are You Coming Home?". The second, entitled "Caring for Children of Incarcerated Parents", is distributed to caregivers. They were produced using the federal Substance Abuse Prevention and Treatment Block Grant funds administered by the DMHMRSAS. While the current quantity is limited, they are still requested and are disseminated by the Prevention Services division of the Office of Substance Abuse Services, which falls under the DMHMRSAS.

In addition, the Department of Corrections is currently in the process of creating a brochure for families of incarcerated offenders. This brochure is intended to explain the criminal justice process and provide information about community resources.

## **C. Enhanced Training for Service Providers**

In 1993 the DMRMHSAS contracted with the Center for Children of Incarcerated Parents in Pasadena, California to create a training manual for employees and service providers. This manual, entitled "Working with Children of Incarcerated Parents", provides a broad overview of the demographics and special needs of incarcerated parents, their children, and the alternate caregivers. It also provides research and suggestions regarding the types of programs and strategies that are most effective in meeting the needs of these populations. However, the manual has not been updated since its creation in 1993.

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## **V. Findings**

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### **A. Parents and Children Affected by Incarceration in Virginia**

Due to the lack of Virginia-specific information available, the previous study completed by the Commission on Youth used data obtained from national studies to extrapolate the number of minor children affected by parental incarceration in the Commonwealth. The study found that, in 1992, approximately 69% of incarcerated females and 54% of Virginia's incarcerated males were parents of minor children.<sup>6</sup> Moreover, data indicated that there were approximately 13,704 minor children with incarcerated parents in Virginia, 59% of which were between the ages of 7 and 12.

These figures appear to be comparable to current national statistics, suggesting that those numbers and percentages may still be somewhat indicative of the number of families in Virginia affected by incarceration today. A study

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<sup>6</sup> Report of the Virginia Commission on Youth.

published in 2000 by the United States Bureau of Justice Statistics found that the majority of both state (55%) and federal (63%) prisoners reported having a child under the age of 18, and 32% reported having multiple minor children.<sup>7</sup> The majority (58%) of these children were found to be under the age of ten. The average age of these children was eight years; 22% were under the age of five.

## **B. Characteristics of Incarcerated Parents**

The Bureau of Justice Statistics and the Commission on Youth found that there are several characteristics that are prevalent in the population of incarcerated parents.

### **Gender**

The majority of incarcerated parents are males (93%) held in state prisons (89%).<sup>8</sup> These statistics are not surprising due to the fact that males constitute the greatest percentage of the prison population and state prisons hold the majority of offenders nationwide.

However, it is important to note that the number of incarcerated mothers is growing disproportionately when compared to the number of incarcerated fathers. Since 1991, the number of children with a mother in prison grew 98%, while the number of children with incarcerated fathers increased by 58%.<sup>9</sup> This discrepancy is attributable to the fact that, since 1990, the number of female prisoners has grown faster (106%) than that of male prisoners (75%).<sup>10</sup>

### **Race and Age**

African Americans constitute the largest racial group (44%) among parents in both state and federal prisons.<sup>11</sup> In 1999, 49% of the parents in state prisons were African American, 29% were white, and 19% were Hispanic.<sup>12</sup> The average age of parents in state prison was 32 years, and parents in state prison were likely to be under the age of 24 (16%).<sup>13</sup>

The demographics of incarcerated parents in Virginia are similar to those nationally. In 1994, the Prison Visitation Project conducted a study of a sample of 184 parents incarcerated in state and local prisons across Virginia.<sup>14</sup> This study found that 82% of these incarcerated parents were African American, 16% were white, and 2% reported other ethnic categories.<sup>15</sup> In addition, the mean age of

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<sup>7</sup> Mumola.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Prison Visitation Project. (1994). *Needs Assessment of Children Whose Parents are Incarcerated*. Report contracted for by the Department of Mental Health, Mental Retardation, and Substance Abuse Services.

<sup>15</sup> Ibid.

the parents included in the study was 32 years, which matches the current national average.

### **Living Arrangements Prior to Incarceration**

Fewer than half of the incarcerated parents in the national Bureau of Justice Statistics study (46%) lived with any of their minor children at the time of arrest.<sup>16</sup> The percentage was higher among parents in federal prison (57%) than among those in state prisons (45%).<sup>17</sup> Mothers were also more likely than fathers to report living with their children prior to incarceration. Approximately 64% of mothers in state prison and 84% of those in federal prison reported living with their children immediately prior to arrest.<sup>18</sup>

This same trend was observed in Virginia at the time of the initial Commission on Youth study. Data extrapolated from national research indicated that approximately 50% of the female inmates and 25% of male inmates in Virginia who were parents of minor children actually lived with the children prior to incarceration.

However, data from the Prison Visitation Project study told a different story. Findings indicated that 78% of the children in the study resided with their parent prior to the time of arrest. Of these children, 61% resided with their fathers and 39% lived with their mothers. However, it should be noted that only a sample of the incarcerated parents in Virginia were included in the study, and it may be difficult to generalize about the results.

### **Caregiver Situation**

Mothers and fathers also differ in the alternate caregivers reported for their children. In the Bureau of Justice Statistics study, incarcerated fathers most often reported that their children were currently living with the mother (82.6%), while only 28% of mothers reported that their children were living with the father.<sup>19</sup> Mothers were more likely to report that their children were currently living with a grandparent during the incarceration (52.9%).

The Commission on Youth's House Document 32 (1993) reported a similar finding. The majority of the children of incarcerated fathers in the Commonwealth remained living with their mothers, while slightly over one-third of the children of inmate mothers lived with their grandparents.<sup>20</sup>

Data also indicate that children of incarcerated parents often are placed in foster care. The 1993 Commission on Youth study reported that approximately 7% of the children of incarcerated parents were placed in foster care, with more

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<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Mumola.

<sup>20</sup> Report of the Virginia Commission on Youth.

than a fourth of these children placed specifically due to the incarceration of their parents.<sup>21</sup> This trend remained true at the national level in 1997, particularly for the children of incarcerated mothers. According to the Bureau of Justice Statistics study, 9.6% of children of incarcerated mothers were currently in foster care, compared to 1.8% of the children of incarcerated fathers.<sup>22</sup>

**Table 1**  
**Caregivers for Children of Incarcerated Parents**  
**in U.S. State Prisons**  
**1997**

	MALES	FEMALES
<b>Parents who reported living with children prior to admission</b>	<b>43.8%</b>	<b>64.3%</b>
<b>Current Caregiver while Parent is Incarcerated</b>		
Child's other parent	<b>89.6</b>	<b>28.0</b>
Child's grandparent	<b>13.3</b>	<b>52.9</b>
Other relative	<b>04.9</b>	<b>25.7</b>
Foster home/agency	<b>01.8</b>	<b>09.6</b>
Friends/other	<b>04.9</b>	<b>10.4</b>

Source: Christopher J. Mumola, *Incarcerated Parents and their Children*, Bureau of Justice Statistics Special Report, August 2000.

### **Drug Use**

It is also important to note that many of these parents displayed other problematic symptoms prior to incarceration that may have prevented appropriate care of their children and could have potentially created the need for foster care. For example, 60% of parents in the Bureau of Justice Statistics study reported using drugs in the month prior to the offense.<sup>23</sup> Mothers in state prison were more likely to report this behavior (65%) than fathers (58%). This was particularly true with respect to the use of cocaine or crack: 45% of mothers reported using these substances, compared to 26% of fathers.<sup>24</sup> Furthermore, one in three mothers (32.2%) in state prison reported having committed their crimes to get money for drugs, compared to only 19% of fathers.<sup>25</sup>

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<sup>21</sup> Ibid.

<sup>22</sup> Mumola.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

### **Alcohol Use**

Parents in state prisons were more likely to report a history of alcohol abuse (37%) than illegal drug abuse (34%).<sup>26</sup> Twenty-five percent of these parents reported experiences that were consistent with a history of alcohol dependence, according to the CAGE diagnostic instrument.<sup>27</sup> While, however, the percentages of mothers and fathers in state prison who presented symptoms of prior alcohol dependence were similar, fathers demonstrated more alcohol-related problems. For example, more fathers than mothers reported having committed their offense while drinking (37% and 29%, respectively). Moreover, fathers in state prison were more likely to report having driven drunk (49% of fathers compared to 36% of mothers), and having participated in fights while drinking (40% of fathers compared to 31% of mothers).

### **Mental Illness**

Of additional concern is the fact that one in seven parents in state prison (14%) reported symptoms of mental illness.<sup>28</sup> Mothers in state prisons were more likely than fathers to report difficulties of this type (23% compared to 13%).<sup>29</sup>

### **Economic Instability**

Incarcerated parents also reported a lack of economic stability. For example, in the Bureau of Justice Statistics study, half of the mothers in state prison (50.1%) and a more than a quarter (27.4%) of fathers were unemployed at the time of arrest.<sup>30</sup> Moreover, 18% of mothers and 8% of fathers in state prisons reported being homeless at some point in the year before they were arrested. Some of this economic instability may be attributed to the low level of formal education received by many of these parents. A majority of the parents in both state (70%) and federal (55%) prisons reported that they did not have a high school diploma.

### **Prior Convictions**

It is also important to note that more than three-quarters (77%) of the parents held in state prisons reported having a prior conviction and 56% were previously incarcerated, with most having served multiple prior sentences (60%).<sup>31</sup> Almost half of these parents had previously committed a violent offense (47%).

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<sup>26</sup> Ibid.

<sup>27</sup> Ibid. The CAGE questionnaire is a diagnostic instrument for detecting a person's history of alcohol abuse or dependence. For more information regarding the predictive value of the instrument, see *Screening for Alcohol Abuse Using the CAGE Questionnaire*, The American Journal of Medicine, 231-35 (Feb. 1997).

<sup>28</sup> Ibid. Inmates were considered to suffer from a mental illness if they reported a current mental or emotional condition or a stay in a mental hospital or treatment program.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

### C. Impact of Parental Incarceration on Children and Families

The parents in both the 1993 Commission on Youth analysis and the 2000 Bureau of Justice Statistics study reported infrequent visitation with their children upon incarceration. The national data included in the Commission report found that slightly more than one fourth of the children in foster care visited their parents once incarcerated, and the majority of these visits were arranged by the foster parents and foster care workers.<sup>32</sup> Furthermore, the Bureau of Justice Statistics study found that a majority of both fathers (57%) and mothers (54%) in state prisons nationwide reported never having a personal visit with their children since admission.<sup>33</sup> However, it is important to note that 40% of fathers and 60% of mothers reported some form of weekly contact with their children, typically by phone or mail.<sup>34</sup>

Virginia-based research also found subtle differences in visitation patterns based on the gender of the incarcerated parent.<sup>35</sup> A study by the Prison Visitation Project found that incarcerated fathers were slightly more likely to receive visits at least monthly (45%) than incarcerated mothers (44%). However, incarcerated fathers were more likely to report having received no visits (28%) than mothers (18%).

*Table 2*

#### **Child Visitation by Gender of Parent Prison Visitation Project Study, 1994**

<b>Contact Frequency</b>	<b>Father (n=124)</b>	<b>Mother (n=105)</b>
<b>Daily or Almost Daily</b>	<b>2%</b> (n=2)	<b>3%</b> (n=3)
<b>At Least Once a Week</b>	<b>9%</b> (n=11)	<b>17%</b> (n=18)
<b>At Least Once a Month</b>	<b>34%</b> (n=42)	<b>24%</b> (n=25)
<b>Less Than Once a Month</b>	<b>27%</b> (n=34)	<b>38%</b> (n=40)
<b>Never</b>	<b>28%</b> (n=35)	<b>18%</b> (n=19)

Source: Prison Visitation Project. *Needs Assessment of Children Whose Parents are Incarcerated*. (1994).

There are many factors that may prevent visits by children. First, the geographical location of many prisons often prohibits frequent visitation by family members. For example, 60% of the parents in the Bureau of Justice Statistics study who were incarcerated in state prisons reported being held over 100 miles from their last place of residence.<sup>36</sup> This is particularly true for incarcerated mothers because there are fewer numbers of correctional facilities for women,

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<sup>32</sup> Ibid.

<sup>33</sup> Mumola.

<sup>34</sup> Ibid.

<sup>35</sup> Prison Visitation Project.

<sup>36</sup> Mumola.

and those that do exist are in remote areas, making transportation a barrier to frequent visits.<sup>37</sup>

This factor also proves true in Virginia. Not only was this difficulty specifically mentioned in the 1993 Commission report, but it was also described as a significant factor preventing continued family ties in a report published in 1993 by the Virginia State Crime Commission. This report, entitled "Improving Family and Community Ties of Incarcerated Persons," confirmed that large numbers of persons with family members incarcerated in Virginia state correctional facilities were unable to visit because they lacked the means for transportation to travel the long distances to such facilities.<sup>38</sup>

Furthermore, these facilities may not have visiting areas that are hospitable to children, making parents and current caregivers reluctant to bring children into the environment.<sup>39</sup> Moreover, waiting times for visitors are often lengthy in state and local correctional facilities, and visits in many cases are cut short as a result of extended processing times and crowded visiting facilities.<sup>40</sup> Other factors prohibiting visitation may include the unwillingness of caregivers to facilitate visits to the prison and parental reluctance to have contact.

This extended separation has significant psychological and emotional consequences for both the incarcerated parents and the children left behind. Incarcerated parents report increased feelings of seclusion and difficulties reintegrating into the family upon release.<sup>41</sup> This is particularly true for incarcerated mothers, who report great distress in the separation from their minor children.<sup>42</sup>

In addition, the child can suffer severe disturbance from the separation. The extent to which a child will be affected has been found to depend on a number of variables, including the age at which the separation occurs, the length of the separation, the child's familiarity with the new caregiver, and the strength of the parent-child relationship.<sup>43</sup> Other factors that may impact child reactions include periods of prior separation, the nature of the parent's crime, the availability of family or community support, and the degree of stigma that the community associates with incarceration.<sup>44</sup>

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<sup>37</sup> Report of the Virginia Commission on Youth.

<sup>38</sup> Report of the Virginia State Crime Commission. 1993. *Improving Family and Community Ties of Incarcerated Persons*. House Document 26.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Report of the Virginia Commission on Youth.

<sup>42</sup> Report of the Virginia State Crime Commission.

<sup>43</sup> Gaudin, J. N. & Sutpen, R. (1993). *Foster care vs. extended family care for children of incarcerated mothers*. Journal of Offender Rehabilitation, 19, 129-147.

<sup>44</sup> Ibid.

Research has found that the incarceration of a parent can impact a child's development and mental and emotional stability in a number of ways. Children may suffer from negative self-image and exhibit symptoms of emotional distress such as fear, anxiety, anger, sadness, and resentment.<sup>45</sup> As a result, they may withdraw from friends and family and begin to show signs of mental illness such as depression, eating and sleeping disorders, anxiety and hyperarousal, attention disorders, and developmental regression.<sup>46</sup> The child may also suffer from post-traumatic stress disorder, particularly if he/she was directly exposed to the parent's criminal behavior or the subsequent arrest.<sup>47</sup>

Difficulties are also likely to be manifested in the form of educational and behavioral problems.<sup>48</sup> These children may suffer from diminished academic performance, classroom behavior difficulties, and truancy. Moreover, they are more likely to exhibit physical aggression and disruptive behavior in all of the environments in which they interact.

The 1994 Prison Visitation Project study specifically documented these behavior patterns in a sample of children of incarcerated parents in Virginia. The study found that 38% of the children between the ages of 5 and 12 years were beginning to exhibit behavior problems in school and 18% showed diminished academic performance during the previous year.<sup>49</sup> Moreover, these difficulties were found to increase with the age of the child. Forty-one percent of the children between the ages of 12 and 18 years had been suspended from school and 38% had their grades drop in the previous year.

These behavioral difficulties may contribute to this population's increased involvement with the juvenile and criminal justice systems.<sup>50</sup> The Prison Visitation Project report stated that 31% of the children between the ages of 12 and 18 years had been involved with the police.<sup>51</sup> Furthermore, data from the Virginia Department of Juvenile Justice indicates that approximately 38% of the juveniles committed in both FY 2001 and FY 2002 reported having a parent<sup>52</sup> who was once incarcerated.<sup>53</sup>

Thus, it appears that the incarceration of a parent can be linked to a complex cycle of alienation, dysfunctional behavior, and criminal activity. The potential

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<sup>45</sup> Child Welfare League of America. Federal Resource Center for Children of Prisoners. *Effects on Children of Parental Separation and Incarceration*. [Online]. Available: [http://www.cwla.org/programs/incarcerated/cop\\_03.htm](http://www.cwla.org/programs/incarcerated/cop_03.htm) [October 2002].

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> Prison Visitation Project.

<sup>50</sup> Johnston, D. (1995). *Effects of Parental Incarceration*, in K. Gabel & D. Johnston (Eds.), *Children of Incarcerated Parents*, 59-88. New York: Lexington Books.

<sup>51</sup> Prison Visitation Project.

<sup>52</sup> Note: "Parents" includes biological parents and other parental figures.

<sup>53</sup> Virginia Department of Juvenile Justice, Juvenile Data Tracking System. (2002).

causes of this progression are too numerous to discuss. However, actions must be taken to prevent this cycle from continuing and another group of children from becoming lost.

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## **VI. Programming for Children of Incarcerated Parents, Caregivers and Parents**

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Communities and policymakers have attempted to meet the needs of these children by implementing various programs that offer education, transportation, and financial and emotional assistance to parents, children, and caregivers. There are three primary forms of programming that currently exist here in the Commonwealth: correction-based programs, community-based programs, and programs funded through the Virginia Juvenile Community Crime Control Act (VJCCCA).

### **A. Correction-Based Programs**

Correction-based programming typically provides parenting education and activities that enhance parent-child communication and interaction. All of the female institutions in Virginia have programming of this nature: the Fluvanna Correctional Center for Women, the Virginia Correctional Center for Women, the Brunswick Work Center, and the Pocahontas Correctional Unit. In addition, five of the male institutions offer this type of programming: Botetourt Correctional Unit, Powhatan Correctional Center, Tazewell Correctional Unit, Brunswick Correctional Center, and Indian Creek Correctional Center.

### **B. Community-Based Programming**

There are generally three major focuses of community programming for incarcerated parents and their families: meeting immediate shelter concerns, preventing delinquency, and/or supporting reunification efforts. Often the most pressing mission is to facilitate child and parent contact through telephone conversations and/or visitation. Additional services may include family counseling, liaison services, tutorial and mentor services for the children, and custody advice for inmate parents. These agencies also frequently provide support groups for children and caregivers. The community-based programs in Virginia include groups and facilities such as:<sup>54</sup>

- All God's Children Camp (serves Virginia)
- Assisting Families of Inmates, Inc. (serves Richmond)
- Hope Aglow Ministries, Inc. (serves Central Virginia)
- Navigators (serves Virginia Beach)
- Memorial Child Guidance Clinic (serves Richmond)
- OAR of Fairfax Co., Inc. (serves Fairfax County)
- Prevent Child Abuse Virginia (serves Virginia)
- Prison Fellowship Ministries (serves Virginia)

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<sup>54</sup> This list of agencies was obtained from the Family and Corrections Network website, located at [www.fcnetwork.org](http://www.fcnetwork.org). It is not intended to be exhaustive.

- Virginia Cares Transition Program (serves Alexandria)
- Virginia CURE (serves Virginia)

### **C. Programming Funded by the Virginia Juvenile Community Crime Control Act (VJCCCA)**

In FY 2001, \$123,545 (0.3% of total VJCCCA expenditures) went to parenting programs.<sup>55</sup> These programs were primarily intended to serve one of two purposes: (1) to improve the parenting skills of youth who were before the court on petitions or (2) to be utilized at intake on complaints alleging that a child is delinquent, is a Child in Need of Services (CHINS), or is a Child in Need of Supervision (CHINSup).

The following localities included a parenting program in their VJCCCA plan for Fiscal Year 2003:

- Alexandria
- Colonial Heights
- Dinwiddie
- Frederick, Clark, Winchester (combined plan)
- Fredericksburg
- Hanover
- Henrico
- Mecklenburg
- Nottoway
- Page
- Powhatan/Amelia (combined plan)
- Shenandoah

While these programs were not specifically targeted toward incarcerated parents and their families, they may provide services to some of the children of incarcerated parents and their current caregivers. They also may serve as a form of prevention for families and youth who are at significant risk of dysfunctional or criminal behavior.

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## **VII. Policy Issues**

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The impact of incarceration on individuals and their families raises numerous policy issues. However, there are four that have been recognized both nationally and locally as particularly significant to this population: prenatal and medical care for incarcerated expectant mothers, termination of parental rights, caregiver awareness of community resources, and the lack of systematic data collection regarding these children and their families.

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<sup>55</sup> Virginia Department of Juvenile Justice.

## **A. Prenatal Care for Pregnant Incarcerated Females**

A survey of prison inmates conducted by the Bureau of Justice Statistics in 1991 found that approximately 6% of the female offenders nationwide were pregnant at the time they entered prison.<sup>56</sup> While this number is relatively small, these females have special needs and require prenatal examinations and birthing facilities. The Virginia Department of Corrections provides this care by transporting pregnant females to state teaching hospitals to receive the necessary medical attention. In addition, a plan is prepared prior to the birth in coordination with the Department of Social Services for subsequent care of the newborn infant. The infants are not allowed to return to prison with the mother.

It is also important to note that between two and five pregnant females fall under the custody of the Virginia Department of Juvenile Justice in any given year.<sup>57</sup> The High Risk Pregnancy Clinic operated by the Medical College of Virginia (MCV) manages these pregnancies during the period of confinement. In addition, volunteers from MCV provide additional counseling, education, and support to expectant mothers.

## **B. Termination of Parental Rights**

Since the passage of the federal Adoption and Safe Families Act of 1997, there is an increased potential for shortened permanency planning timeframes to result in more frequent terminations of parental rights for incarcerated parents.<sup>58</sup> However, survey data suggest that the rights of these parents are not terminated more frequently than in other foster care situations.<sup>59</sup> Moreover, the federal courts have ruled that incarceration cannot be the sole reason for the termination of parental rights. Thus, it would appear that these parents have limited legal protection.

However, there are many considerations that must be weighed by the incarcerated parent regarding custody of minor children. For example, incarceration impacts the parent's ability to participate actively in reunification plans. Moreover, a parent's rights can be terminated if they refuse to participate in services that are required under the foster care plan and are available in the prison system. Thus, parents need to be made aware of the necessary actions that they must take to retain or designate custody of their children. It is crucial that they make informed decisions to prevent the child from remaining in legal limbo with unclear custody arrangements.

One of the recommendations arising from the 1993 Commission on Youth study was the creation of an informational packet for inmates that explains state

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<sup>56</sup> Snell, Tracy L. (1994). *Women in Prison: A Survey of Prison Inmates, 1991*. Bureau of Justice Statistics Special Report, March 1994.

<sup>57</sup> Virginia Department of Juvenile Justice.

<sup>58</sup> Child Welfare League of America. (1998). *Children with Parents in Prison: Child Welfare Policy, Program and Practice Issues, in Child Welfare Journal of Policy, Practice, and Program*, September/October 1998.

<sup>59</sup> Report of the Virginia Commission on Youth.

custody laws and the foster care system. However, no packets of this type have been created and the information given to inmates by the Department of Corrections is currently limited to informal counseling on parental rights.

### **C. Caregiver Awareness of Available Community Resources**

The 1994 report by the Prison Visitation Project indicated that the majority of caregivers included in the study from across Virginia reported no knowledge of parenting skills training (70%) or stress management assistance (69%) in their communities.<sup>60</sup> Furthermore, approximately half did not know what resources to turn to for emergency financial aid and housing assistance (53% and 47%, respectively).<sup>61</sup> Moreover, 47% were unaware of who to contact if the child was having difficulties in school.<sup>62</sup> Thus, it is important that caregivers systematically be provided with information that describes how to access the services available in their communities.

This is particularly important considering that the standard of living for many of these caregivers is relatively low. The Prison Visitation Project reported that 49% of the sample of caregivers reported a household yearly income of \$10,000 or less and 70% reported receiving some type of public assistance.<sup>63</sup> Moreover, the average number of people living in the homes of these caregivers for all income groups was four.<sup>64</sup> These findings suggest that there is a significant need to ensure that caregivers are aware of all of forms of economic and emotional assistance available to them, as the stressors of these difficult conditions may prove financially and psychologically debilitating on the entire household.

### **D. Lack of Systematically Collected Data**

Research on the children of incarcerated parents is limited at both the national and state levels.<sup>65</sup> There are few longitudinal studies that assess the impact of incarceration on these children and families over time.<sup>66</sup> Instead, much of the research that has been conducted relies on the one-time self-reporting of incarcerated parents or caregivers, with almost none conducted through direct contact with the children.

The data regarding these families in the Commonwealth is particularly limited. The Virginia Department of Corrections does not keep automated records of the number of adult inmates who have children or how many children they have, and no other state agency researches or records this information systematically. The only potential source of information is the Pre/Post Sentence Investigation Report, which includes the number of dependents reported by each inmate but does not distinguish between children and other dependents.

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<sup>60</sup> Prison Visitation Project.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

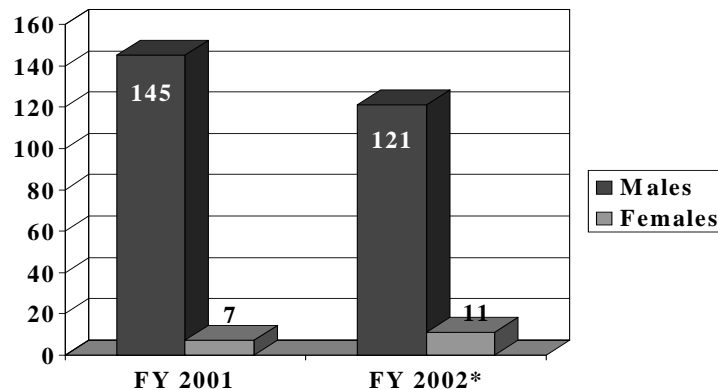
<sup>65</sup> Child Welfare League of America.

<sup>66</sup> Ibid.

The Department of Juvenile Justice does, however, collect this information for confined juveniles. In FY 2002, approximately 11% of the juveniles committed were parents.<sup>67</sup> However, the weight of these statistics is somewhat limited due to the fact that a large percentage of juveniles did not report this information. For example, in FY 2002 this data was missing for 22% of the juveniles.

**Table 3**

**Number of Confined Juveniles in Virginia Who Reported Having Children  
FY 2001 and 2002**



Source: Virginia Department of Juvenile Justice. Juvenile Data Tracking System.

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## **VIII. Conclusion**

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Due to the limitations of the current reporting systems in the Commonwealth, there is no way to provide an accurate count of the number of minor children affected by parental incarceration in Virginia. Moreover, because these children are not systematically identified, the impact of parental incarceration on the child and the remaining family unit cannot be addressed adequately.

Furthermore, with the incarcerated population growing at a rate of 5.7% annually, the number of children affected by the confinement of a parent will likely continue to increase. Thus, it is important that the Commonwealth recommit itself to this issue. As stated in the 1993 report of the Commission on Youth, "[i]n attempting to respond to the needs of the children whose parents are incarcerated, the Commonwealth must reaffirm its belief that children should be served and judged on their own merits and not by the actions of their parents." Virginia must therefore respond to the needs of these children before the issues and difficulties raised by the circumstances in which they live become more than they can handle—physically, socially, and emotionally.

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<sup>67</sup> Virginia Department of Juvenile Justice. Juvenile Data Tracking System (2002).

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## **IX. Acknowledgments**

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Hope Merrick, MSW, Prevention Services Manager, Office of Substance Abuse Services

*Virginia Department of Social Services*

Forrest Mercer, Family Preservation Unit, Division of Family Services

## **Organizations Serving Virginia's Children of Incarcerated Parents, Caregivers, and Parents**

### **All God's Children Camp**

(804) 359-9451

United Methodist Building, P.O. Box 11367

Richmond, VA 23230

allgodschildrencamp@mail.com

www.vaumc.org

Contact: Ann Davis, Director

Agency Head: Carole Vaughan, Director of Discipleship and Children's Ministries

Area Served: Virginia

Parent Organization: United Methodist Church-Virginia

Established: 1999

Provides mentoring, camping, gifts for children, and religious ministry.

### **Assisting Families of Inmates, Inc. (formerly Prison Family Support)**

(804) 643-2401

1 North Fifth Street, Suite 400

Richmond, VA 23219

staff@pfss.org, www.pfss.com

Contact: Fran Bolin, Director

Agency Head: Fran Bolin, Director

Area Served: Richmond

Established: 1978

Provides transportation to 21 prisons, trained volunteers to chaperone children visiting their mothers, school-based counseling program for children, parent education, information, referrals, and family reunification support.

### **Family and Corrections Network**

(434) 589-3036

32 Oak Grove Road

Palmyra, VA 22963

fcn@fcnnetwork.org, www.fcnetwork.org

Contact: Jim Mustin, Executive Director

Agency Head: Ed Hostetter, Board Chair

Area Served: USA

Established: 1983

Provides information, technical assistance and training on families of offenders, children of prisoners, parenting programs for prisoners, prison visiting, and the impact of the justice system on families. FCN's web site has over 100 articles, an e-mail list, a directory of programs and links to offender family web sites.

Publication: FCN REPORT. Available by subscription.

**Hope Aglow Ministries, Inc.**

(804) 258-2248

P.O. Box 10157

Lynchburg, VA 24506

Contact: Garry Sims, Director

Agency Head: Garry Sims, Director

Area Served: Central Virginia

Provides religious ministry and family reunification support.

**Memorial Child Guidance Clinic**

(804) 282-5993

5001 West Broad Street, Suite 140

Richmond, VA 23230

Contact: Karen Sweeney, Prevention Services Supervisor

Agency Head: Sharon Veatch, Prevention Services Director

Area Served: Richmond

Parent Organization: CAPS

Established: 1996

Provides parent education to incarcerated mothers.

**Navigators**

(757) 437-5754

297 Independence Boulevard, #129

Virginia Beach, VA 23462

dkade@city.virginia-beach.va.us

Contact: Debbie Kade, LCSW, Prevention Specialist

Agency Head: Dr. Terry Jenkins, Executive Director, CSB

Area Served: Virginia Beach

Parent Organization: Virginia Beach Community Services Board Substance Abuse

Prevention

Established: 2000

Provides school-based program for children with an incarcerated family member and their families. Services include information, referrals, family reunification support, public education, and advocacy.

**OAR of Fairfax Co., Inc.**

(703) 246-3033

10640 Page Avenue, Suite 250

Fairfax, VA 22030-4000

oarfx@erols.com

Contact: Jill Clark, Family Counselor/Senior Case Manager

Agency Head: Carla Taylor, Executive Director

Area Served: Fairfax County

Established: 1971

Provides self-help support group, information, referrals, financial assistance, employment assistance, case management, mentoring, gifts for children, and family reunification support.

Publication: Handling the Crisis.

**Prevent Child Abuse Virginia**

(804) 359-6166

4901 Fitzhugh Avenue, Suite 200

Richmond, VA 23230

mail@pcav.org, www.preventchildabuseva.org

Contact: Cynthia A. Gricus, Public Relations Director

Agency Head: Stephen Jurentkuff, Executive Director

Area Served: Virginia

Parent Organization: Prevent Child Abuse America

Provides parent education, self-help support group, information, referrals, public education, and advocacy.

**Prison Fellowship Ministries**

(877) 478-0100 (toll-free customer service)

(800) 578-4196

correspondence@pfm.org, www.pfm.org

P.O. Box 5484

Baltimore, MD 21285

Contact : Karen Beauford

Agency Head: Mark Earley, President

Area Served: United States

Leads Bible studies and in-prison seminars, assists crime victims, impacts criminal justice legislation, mentors at-risk youth and ex-prisoners, and purchases and deliver gifts to children of prisoners at Christmas.

**Virginia Cares Transition Program**

(703) 838-0919

2525 Mt. Vernon Avenue, Unit - 9

Alexandria, VA 22301

jeg510@northern.dss.state.va.us

Contact: James E. Green, Sr., Community Services Specialist

Agency Head: Nelson Smith, Director

Area Served: Alexandria

Parent Organization: Virginia Cares Inc.

Established: 1979

Provides transportation, self-help support group, gifts for children, public education, and advocacy.

**Virginia CURE (Hampton Roads)**

(757) 483-1621

P.O. Box 9033

Chesapeake, VA 23321

macj@juno.com

Contact: Myrna Carlson, Facilitator for Hampton Roads

Agency Head: Jean Auldridge, Director, Virginia CURE

Area Served: Hampton Roads, Tidewater

Parent Organization: CURE

Established: 2001

Provides self-help support group, information, referrals, religious ministry, marriage preparation and support, family reunification support, public education, and advocacy.