

From Research to Practice: The Intersection of Corrections and Child Welfare



Alan Dettlaff, PhD, Assistant Professor, Jane Addams School of Social Work, University of Illinois at Chicago, aland@uic.edu

Yali Lincroft, MBA, Consultant to the Annie E Casey Foundation, yalilincroft@yahoo.com , www.f2f.ca.gov

Overview of Research on Children in Child Welfare with Incarcerated Parents

Alan Dettlaff, PhD, Assistant Professor, Jane Addams College of Social Work, University of Illinois at Chicago, aland@uic.edu

Incarceration Facts & Figures

1 in 100 adults in America is in jail or prison (Pew Charitable Trust, 2008)

1 in 31 adults in America are in jail, prison or on probation (Pew Charitable Trust, 2009)

1 in 15 general fund dollars was spent on corrections. In the past two decades, state general fund spending on corrections increased by more than 300%. Only Medicaid spending has grown faster. (Pew Charitable Trust 2009)

Men vs. Women

Men are incarcerated at a rate 5x that of women
(1 in 18 men vs. 1 in 89 women) (Pew Chritable Trust 2009)

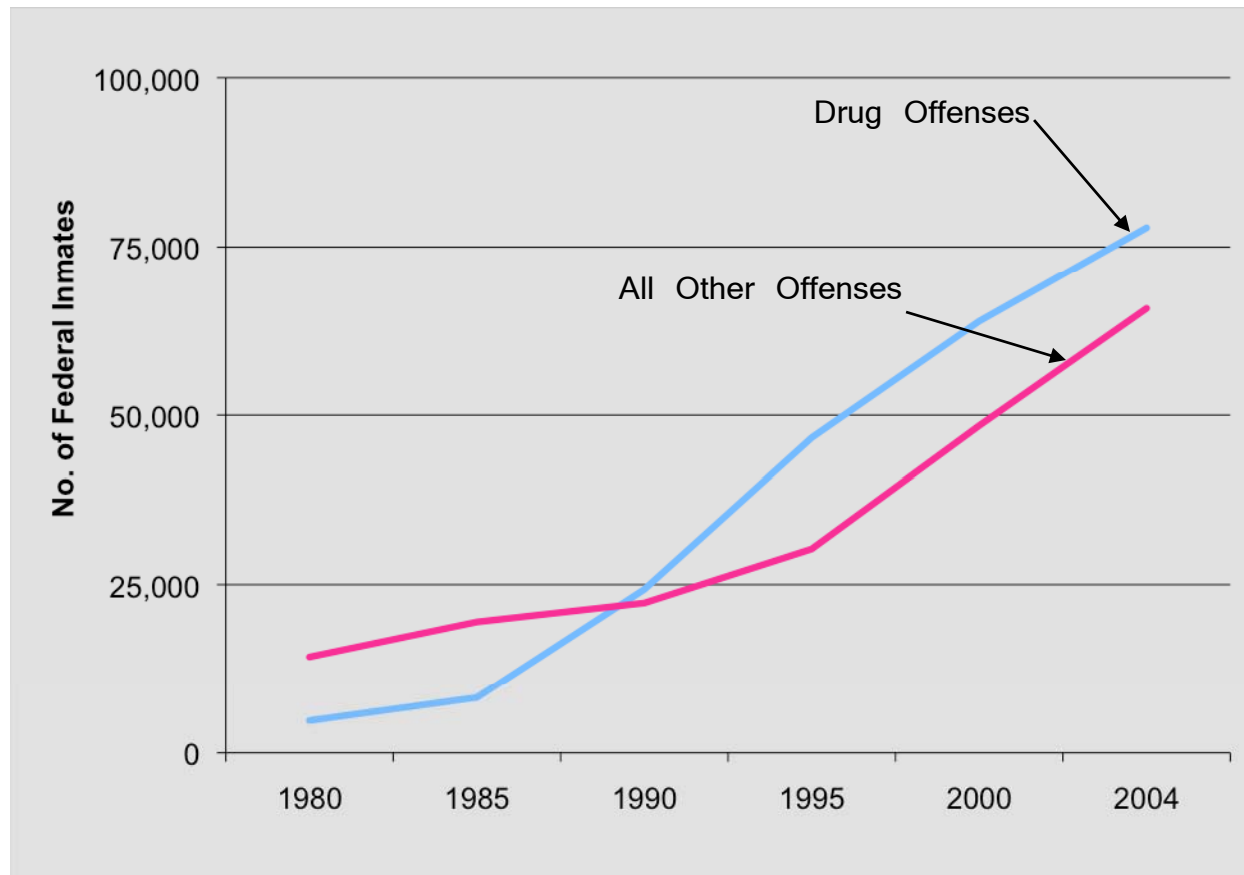
80% increase in the # men in state and federal
prison (from 1990 to 2001) (California Research Bureau 2003)

114% increase in the # women in state and
federal prison (from 1990 to 2001) (California Research Bureau
2003)

Changes in Criminal Justice Policies / Population

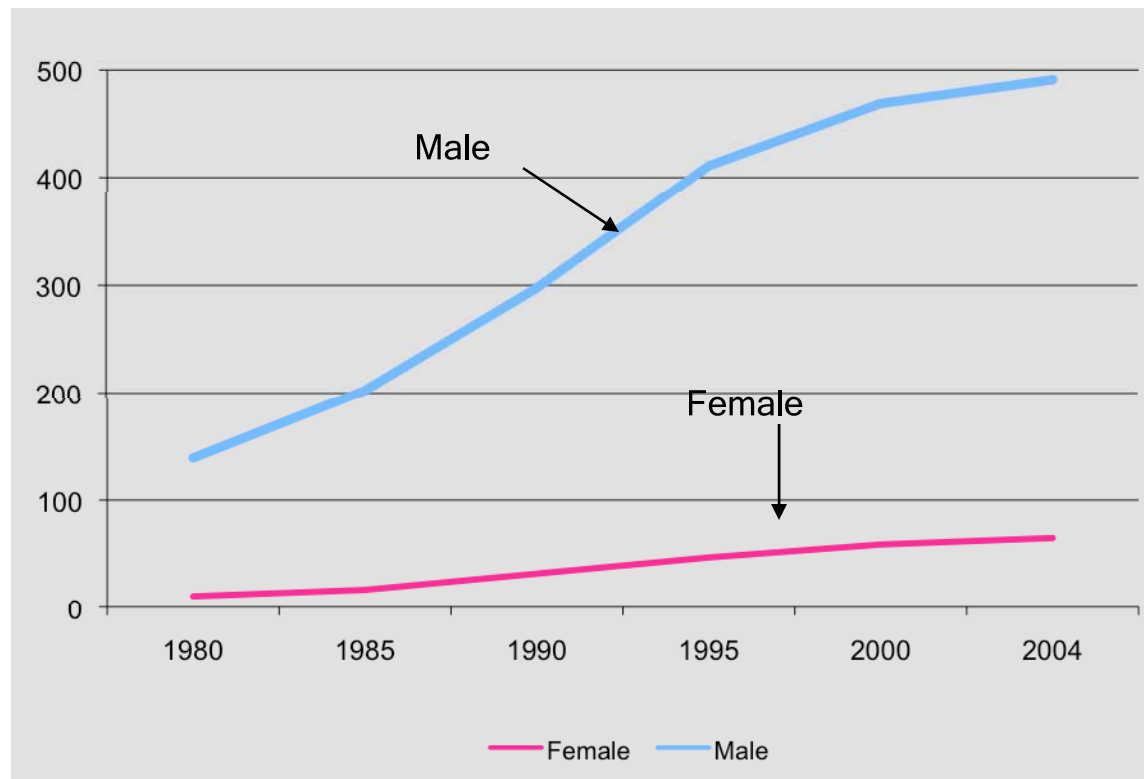
- Over the last two decades, the criminal justice system has grown dramatically as a result of changes in criminal justice policies that made it more likely for people to be sent to prison and increased the amount of time people spend in prison.
 - Turned crimes that were previously misdemeanors into felonies
 - Made more crimes punishable by prison sentences
 - Took away discretion judges once had in considering offenders' family circumstances when passing sentence
 - Increased the amount of time people spend in prison before they are eligible for release

Federal Prison Population by Offense Type 1980–2004



Source: *Source Book of Criminal Justice Statistics 2003*, (Table 6.57) <http://www.albany.edu/sourcebook/pdf/t657.pdf>

Rate (per 100,000) of Sentenced State and Federal Prisoners



Source: *Source Book of Criminal Justice Statistics 2003*, (Table 6.8) <http://www.albany.edu/sourcebook/pdf/t6.8.pdf>

Racial Disparities

- The percentage of African Americans sent to prison in the 1980s and 1990s increased at substantially higher rates than those of whites.
- As of 2000, the percentages of incarcerated African Americans were higher than their representations in every state's general population and were 13 times higher than the percentage of incarcerated whites. (Human Rights Watch, 2000)
- Racial disparities in the rate of incarceration: (Bureau of Justice Statistics, 2006)
 - 1 in 11 black adults (9.2 percent)
 - 1 in 27 Hispanic adults (3.7 percent)
 - 1 in 45 white adults (2.2 percent)

Children of Incarcerated Parents

More than half of adult inmates have at least one child (52% of state inmates; 63% of federal inmates). (Bureau of Justice Statistics, 2008)

75% of incarcerated women are mothers. (Bureau of Justice Statistics, 2009)

Two-thirds of the incarcerated parents population is non-white. (The Sentencing Project, 2009)

There are great parental racial incarceration disparities: (Bureau of Justice Statistics, 2008)

- Black children (1 in 15)
- Hispanic children (1 in 41)
- White children (1 in 110)

Children of Incarcerated Parents

Child's Current Caregivers: Fathers in State Prison (Bureau of Justice Statistics, 2008)

- 88% with child's mother
- 13% with child's grandparent
- 5% other relatives
- 2% foster home or agency

Child's Current Caregivers: Mothers in State Prison

- 37% with child's father
- 45% with child's grandparent
- 23% other relatives
- 11% foster home or agency

Child Welfare Outcomes

Children of Incarcerated Mothers (Vera Institute 2004)

- More likely to age out of the foster care system
- Less likely to reunify, enter into subsidized guardianship, get adopted or leave foster care through other means
- Reunification rate is 21% vs. 40% for all children

Disruption to Children's Lives

- 1 out of 5 children whose parents were arrested were present at the time of arrest
(California Research Bureau 2005)
- Depending on the age of the child, children feel fear, worry, confusion, sadness, guilt, embarrassment, isolation, and anger at the parental arrest.

Potential Implications of Criminal Justice Involvement

- Arresting and incarcerating parents may result in placement into foster care
- Stability of children's living situations (i.e., disruptions to informal kinship arrangements due to financial hardship that may result in child welfare involvement)
- Potential for termination of parental rights due to inability to obtain services

Limitations of Current Body of Research

- Narrow focus on incarceration
 - Other forms of criminal justice involvement (e.g., arrest, probation, parole) have not been considered
- Narrow focus on *mothers* who have been incarcerated
 - Children have other family members who may have criminal justice involvement that can affect their involvement in the child welfare system

Review of TX Case Records

- Pilot study to explore the ways in which the criminal justice system involvement of parents and other members of children's families affect decision-making
- Cases records were randomly selected from among cases of alleged child maltreatment that that were investigated between May 2006 and April 2007 and which resulted in CPS removing children from their homes (N=452)
- A random sample of 113 cases was selected by beginning with the first case and selecting every 4th case thereafter
- Sampled and non-sampled cases were the same with respect to the age, race, and gender of the children involved, their parents' ages, household incomes, and types of confirmed maltreatment

Categories of Criminal Justice Involvement in Child Welfare Cases

1. Interconnections between law enforcement and CPS involvement
2. Consideration of parents' criminal histories in decisions to remove children from their care
3. Consideration of family members' (including non-resident fathers') criminal convictions in making placement decisions
4. CPS becomes involved with children while their parents are incarcerated

Interconnections Between Law Enforcement and CPS Involvement

- Law enforcement involvement is initiated by CPS
 - Arrests for acts of child maltreatment
 - Law enforcement learns about other crimes in the course of the maltreatment investigation
 - Arrests for outstanding warrants
- CPS involvement is initiated by law enforcement
 - CPS is contacted when parents are arrested and no one is immediately available to care for children
 - CPS is contacted because of concerns about the well-being of children

Consideration of Parents' Criminal Histories in Decisions to Remove Children

- Criminal histories are considered an indicator of problems that could pose a current threat to children's safety
- Criminal histories, in and of themselves, are regarded as a threat to children's current safety

Consideration of Family Members' Criminal Convictions in Placement Decisions

- Relatives' criminal histories impede placement
- Some crimes are indicative of problems that would impede placement even if the relative had not been arrested
- In some cases, exceptions are made

CPS Becomes Involved with Children While Their Parents Are Incarcerated

- Children born while their mothers are incarcerated
- CPS is contacted because of caregiver's substance abuse or other maltreatment
- Caregivers are unable or unwilling to continue caring for children

Implications

- Some concerns of advocates are validated
 - On occasion, parental arrest leads to children becoming involved with child welfare
 - Placements are disrupted because of inadequate support for kinship caregivers
- However, the consequences of criminal justice involvement for families in the child welfare system are less direct, further reaching, and more enduring than advocates have suggested

Practice Issues: A Toolkit for Social Workers

Yali Lincroft, MBA, Consultant to the Annie E Casey Foundation,
yalilincroft@yahoo.com , www.f2f.ca.gov

Coming soon! Toolkit for Social Workers

www.f2f.ca.gov/Children.htm

Toolkit includes:

... Research Fact Sheet, Time of Arrest/Police Protocols, Child Support, Tips for Working with Jails and Prisons, Support Services for Incarcerated Parents, Legislation, Glossary of Terms

Five Areas of Promising Practices

1. Time of Parental Arrest

- Decreasing trauma at the time of parental arrest
- Decreasing Child Protective Center or stranger placements when parents are arrested

2. Parent/Child Visitation

- Increasing and improving contact visits between children and parents who are in jail or prison

3. Support for Parents, Children and Caregivers

- Three populations with distinct needs (1) incarcerated parent/parent in re-entry; (2) children (at risk or in the child welfare system); (3) caregivers (including relatives, foster parents, other parent)

4. Knowledge Management and Information Sharing

- Improving internal and external data collection
- Increasing awareness about the special needs of this population.

1-Time of Parental Arrest Issues

- Most police departments do not have policies that direct officers to deal with children of dependent persons at the time of arrest unless the arrest is because of child abuse, domestic violence, or drug endangered children.
- Few police dept have policy governing care of child whose sole caretaker was arrested

Time of Arrest Issues

California Statutes

- Chapter 635, Statutes of 2005 (AB760, Nava) –This law provides that when, during booking, an arrested person is determined to be a custodial parent of a minor child or children, the person is entitled to make two (2) telephone calls at no expense, for the purpose of arranging for the care of the minor child or children.
- Chapter 729, Statutes of 2006 (AB 1942, Nava) - This law expresses the intent of the Legislature to encourage law enforcement and county child welfare agencies to develop protocols in collaboration with other local entities regarding how to best cooperate in their response to the arrest of a caretaker parent or guardian of a minor child, to ensure the child's safety and well-being.

Summary of Santa Clara County Joint Response Protocol for all Parental Arrests (Adopted 5/3/03)

- Requirements that police officers check a box on the police report, responding either “Yes, kids were present at the scene” or “No, no kids were present.” If the officers check “Yes,” they must then check whether they called Dept of Family and Children’s Services (DFCS) assistance or not.
- A requirement, with some exceptions, that DFCS staff respond to a request to go to the scene of an arrest WITHIN 30 MINUTES of receiving the call from law enforcement officers.
- A requirement, with some exceptions, that police officers consult with DFCS staff before transporting any child to the Children’s Shelter. Children’s Shelter staff must then document who brought the child and if appropriate consultation with DFCS staff occurred.
- Once the hand-over has occurred between child welfare and enforcement, usually in the field, it is now child welfare’s responsibility to secure an adequate immediate placement and continue with the child welfare dependency investigation.
- As a result of the adoption of the joint protocol, there was 50% reduction in the number of children transported to the Children’s Shelter who were instead diverted to family or other appropriate caregivers. Approximately 40% of the children were taken to the Children’s Shelters by social workers instead of police officers, a substantial savings in both time and resources for law enforcement and less traumatic for the children.

San Francisco Police/Child Welfare Partnership

- “Roll-call” training at two SF Police Departments
- Use of Police Officer Standards Training (POST) DVD - this 2-hour training DVD will be distributed to all CA law enforcement agencies
- Procedure developed with CPS/police department regarding time of arrest issues, including conversations with Sheriff’s Dept, reduction wait till for police, internal worker handbook
- Development for Time of Arrest pocket cards for Police Department

Sample Form

- **IMMEDIATE RESPONSE REFERRAL**
- **FRIENDS OUTSIDE INCARCERATED PARENT PROGRAM**
- **Contact Information:**

The intent of this immediate service is to avert out-of-family placements at the time of child removals. The Friends Outside Case Manager is to interview the parent regarding all adult relatives on the incarcerated parent's side of the family, and the other parents' side(s) of the family, as well as close family friends who know the child. The parent will be told that full criminal and child abuse histories will be acquired on all persons in the identified potential caretaker's home. The home of the person will be inspected for appropriateness regarding space and safety. All relatives anywhere in the world are to be listed.

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- 1). Incarcerated Parents name _____
-
- Other important, clarifying data needed by Case Manager:
- Booking # _____ PSW: _____
- County Jail # _____ Phone# _____
- S.F. # _____ Fax # _____
- (provide if available) Pager # _____
- Cell Phone # _____
-
- 2). Child(ren)'s name(s)
- 3). Other parent(s) name(s)
- _____ >>>> _____
- _____ >>>> _____
- _____ >>>> _____
- _____ >>>> _____
-
-
- Family friend/relative of which parent _____
-
- Name _____ Relationship: _____
- Address _____ Relative/Friend of which parent:
- Phone # _____
-

2- Parent/Child Visitation Issues

- What every social workers should know about the jail setting (i.e. locating parents, visitation rules, etc.)
- Transportation and other barriers facing relatives, caregivers and foster parents
- A social worker's role in facilitating communication with both mothers and fathers
- Providing best practice (i.e. court notification, TPR, good bye meetings)

Strategies to Improve Parent/Child Visitation

Improve practices through

- Streamlined referral packets
- Handbook language to include incarcerated parents in the visitation section
- Information about incarcerated parents in all visitation training
- Ongoing contract with Friends Outside to provide visits
- Expansion of visitation program at jail through Community Works

Results from SF Jail Model

- Since it's inception, the goal of One Family is to develop an unified team effort between deputized and program staff. The program has allowed for a cultural shift in terms:
 - ... increase quality and duration of child/parent visits
 - ... improved inmate behavior (less lock up and removal of visiting privileges)
 - ... improved parent-driven curriculum (approved by the court)
 - ... improved relationships between caregivers, child and parent

One Family Program Schedule (Sept 2009)

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
8:20 – 10:40 Parenting Inside Out Charter School	8:20 – 10:40 Parenting Inside Out Charter School	8:20-10:40 Parenting Inside Out Charter School One Family volunteer on site	8:20 – 10:40 Parenting Inside Out Charter School 8:45 – 10:45 Parenting Inside Out D POD	8:20 – 10:40 Parenting Inside Out Charter School	9:30 – 11:30 Parent Child Visit
11:40 – 2:00 Parenting Inside Out Charter School	11:40 – 2:00 Parenting Inside Out Charter School	11:40 – 2:00 Parenting Inside Out Charter School	11:40 – 2:00 Parenting Inside Out Charter School	11:40 – 2:00 Parenting Inside Out Charter School	12:30 – 2:30 Parenting Inside Out D Pod
CIIS Therapist Intern on site			4:30 – 6:30 Parent Child Visit JPS Therapist on site	4:30 – 6:30 Parent Child Visit JPS Therapist on site	CIIS Therapist Intern On Site

3- Support for Caregivers

- The importance of social worker having a non-judgmental, holistic viewpoint regarding the parent/child relationship
- Quality Matters – jail programs which provide quality services (i.e. One Family, Parenting Inside Out, Charter School)
- Using the “Crisis Opportunity” for quality parent/child interaction and wrapping services both inside/outside jail setting
- Re-entry issues (reduction of child support arrears before release, waivers to participate in housing support)

4-Knowledge Management and Information Sharing

Improving practices and spreading knowledge by

- Monthly data run of incarcerated parents in CWS/CMS
- Friends Outside Monthly reports
- Creation of quick guide to data entry
- Individual emails to workers following up on incarcerated parent visitation compliance
- Ongoing presentations and trainings at Division Meetings, Unit meetings, Supervisor meetings, Management meetings
- Presenting information to the court and attorneys
- Participation in visitation working group and permanency working group
- Drafting handbook policy on arrested parents
- Collecting and comparing data from Sherriff's Department
- Collecting information via SF Adult Probation regarding "Family impact statement"

<p>San Francisco Human Services Agency Family and Children's Services Handbook <u>Effective Date:</u> <u>Revised Date: 10/1/08</u></p>	<p>Community Concerns Section 57-8 Arrested and Incarcerated Parents</p>
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<p>HSA/FCS Policy Statement Date of Approval Debby Jeter Deputy Director, FCS</p>	<p>The following protocol is for Protective Services Workers (PSWs) communicating with and providing services to parents who are arrested and incarcerated. This policy is designed to provide Protective Services Workers with guidelines and procedures for providing appropriate services to arrested and incarcerated parents.</p> <p>An arrest of a parent in itself is not grounds for an allegation of child abuse or neglect. Incarceration of a parent may be an additional risk factor and, in all cases, decisions regarding an incarcerated parent should follow laws and Child Welfare regulations.</p> <p>The Human Services Agency (HSA), Family and Children's Services (FCS) has contracted with a national organizational, Friends Outside, local chapter to provide services to incarcerated parents.</p>
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<p>Considerations for visits with Incarcerated parents</p>	<p>Visitation must be provided to an incarcerated parent</p>
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QUICK GUIDE TO DOCUMENT INCARCERATION OF A PARENT IN CWS/CMS

CLIENT NOTEBOOK

1. In the *CLIENT MANAGEMENT* Section (a), click on Open Existing Client Notebook (b); select parent notebook and click OK.
2. Click on the Address Page Tab.
3. If there is an existing address, you need to end date it.
4. Click on the Plus in the Address Grid
5. Select Penal Institution in the Address Type.
6. Complete all the fields thoroughly.
7. Enter a Start Date.
8. Enter a Booking /Inmate Number.

* Arrest information can be entered on the Demographic Page in the Arrests Grid.

Demog.

Client has been Arrested for:

+	Arrests
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The screenshot shows the 'Address' page in the software. At the top, there are two sets of icons: '1a' points to the 'Open Existing Client Notebook' icon, and '1b' points to the 'OK' icon. Below this is a tabbed interface with 'Address' selected. A table shows an existing address with '1' in the first column, 'Residence' in the second, '2222' in the third, and '1st Street' in the fourth. Below the table are fields for 'Start Date' (08/02/2005), 'End Date', and 'Comment'. Callout '2' points to the 'Address' tab. Callout '3' points to the 'End Date' field. Below this is another 'Address' section with a table showing a new entry with '2' in the first column, 'Residence' in the second, '2222' in the third, and '1st Street' in the fourth. Callout '4' points to the '+' icon in the table. Below the table are fields for 'Address Type' (Penal Institution), 'City', 'State' (California), 'Start Date', 'End Date', and 'Booking/Inmate Number'. Callout '5' points to the 'Address Type' dropdown, callout '6' points to the 'State' dropdown, callout '7' points to the 'Start Date' field, and callout '8' points to the 'Booking/Inmate Number' field.

CASE PLAN NOTEBOOK

1. Click on the CASE MANAGEMENT SECTION (a) and create or update the Case Plan Notebook (b).
2. In the Case Management Services Page Tab(a), under the Staff/Parent Contact (b) enter the Contact/Visitation waiver: **Parent Incarcerated** (c).

The screenshot shows the 'Case Mgmt Svcs' page. At the top, there are two sets of icons: '1a' points to the 'Open Existing Case Plan Notebook' icon, and '1b' points to the 'OK' icon. Below this is a 'Case Mgmt Svcs' tabbed interface with 'Staff/Parent Contact' selected. A dropdown menu shows 'Staff Person/Parent-Guardian' selected. Below this is a 'Schedule for Service' section with fields for 'Start Date' (09/04/2007), 'End Date' (03/04/2008), 'Occurrences' (1), 'Frequency' (Monthly), and 'Contact/Visitation Waivers' (Parent Incarcerated/Lives Out of C). Callout '2a' points to the 'Case Mgmt Svcs' tab, callout '2b' points to the 'Staff/Parent Contact' dropdown, and callout '2c' points to the 'Contact/Visitation Waivers' dropdown.

SF Adult Probation Department

Effective September 2009, SF Probation Department has revised the social evaluation section of their pre-sentencing report to include a “Family Impact Statement” which will ask whether the client has children, where the children are residing, and what will be the impact of the sentencing on the children. SFCIPP is currently working on developing joint training with Adult Probation regarding time of arrest protocols, similar to the police officer standardized training.

Legislation

- **SCR 20 (Liu, 2009) Bill of Rights for Children with Incarcerated Parents** which makes a series of statements that will help improve outcomes for children with a parent in jail or prison by providing a decision-making framework for delivery of service.
- **SB118 (Liu, 2009) Mandated Reporting of Children with Incarcerated Parents.** Ensures that social workers record whether or not a child has a parent in jail or prison in a consistent data entry field in the child welfare database.
- **AB2070 (Bass, 2009) Keeping Families Whole.** This bill increased the time limit for reunification services from 24 months to up to 36 months for an incarcerated parents.