




# STRONGER



# TOGETHER

Volume II:  
Maintaining and  
Strengthening  
Family Ties for  
Children of  
Incarcerated Parents

The Osborne Association   
Transforming Lives, Communities,  
and the Criminal Justice System

# **STRONGER TOGETHER**

## Volume II: Maintaining and Strengthening Family Ties for Children of Incarcerated Parents

### **ABOUT THE OSBORNE ASSOCIATION**

Founded in 1931, the Osborne Association works in partnership with individuals, families and communities to create opportunities for people affected by the criminal justice system to further develop their strengths and lead lives of responsibility and contribution. We design, implement, and advocate for solutions that prevent and reduce the damage caused by crime and incarceration.

### **ABOUT THE NEW YORK INITIATIVE FOR CHILDREN OF INCARCERATED PARENTS**

The New York Initiative for Children of Incarcerated Parents was launched by the Osborne Association in 2006, following the creation of the *Children of Incarcerated Parents' Bill of Rights* by the San Francisco Children of Incarcerated Parents Partnership. The Initiative works with government, community, and faith-based partners to advocate for policies and practices that meet the needs and respect the rights of children whose parents are involved in the criminal justice system. The Initiative also serves as a tri-chair to the statewide Children of Incarcerated Parents Coordinating Council launched in October 2011.

## **ACKNOWLEDGMENTS**

The *Stronger Together* handbooks owe their existence to the wisdom, insight, vision, and deep commitment of their original authors who in 1993 issued *How Can I Help?*, a series of three handbooks published by The Osborne Association. Written by Margaret Brooks (Volume I), Elizabeth Gaynes (Volume II), and Jane Schreiber and Elizabeth Gaynes (Volume III) and reviewed by an interdisciplinary advisory committee, much of what they wrote 20 years ago (for better or worse) holds true today. We also extend a heartfelt thank you to the children, youth, caregivers, and parents who shared their personal experiences and courage with us to enrich the updated handbooks.

The revised handbooks were updated by Elizabeth Gaynes, Tanya Krupat, Dana Lemaster-Schipani, and Joan Hunt. Volume III was developed by Gerard Wallace, and written by Gerard Wallace, Rachel Glaser, Michelle Rafael, Lynn Baniak, Tanya Krupat, Dana Lemaster-Schipani, and Elizabeth Gaynes. Virginia Lowery and Kasey Currier provided skillful copyediting.

We are grateful to Jedd Flanscha for his design, patience and persistence.

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## ABOUT THE HANDBOOKS

In 1993, The Osborne Association published a three-volume handbook series entitled *How Can I Help? Working with Children of Incarcerated Parents*. Almost twenty years later, the handbooks have been revised and are republished here under the new title, *Stronger Together*. This reflects our view that we must come together to address the needs of children with incarcerated parents, including overcoming the isolation that comes from the stigma and shame associated with incarceration. The goal of the original handbooks and of those reissued in 2012 is to champion and support the hundreds of thousands of children in New York State (and the millions of children nationally) whose lives are disrupted by the arrest and/or incarceration of a parent.

While the handbooks have changed since 1993, much of the content of the first series is still relevant and forms the core of the republished Volumes I and II. ***Volume I: Experiences of Children of Incarcerated Parents*** focuses on children's feelings, experiences, and responses. ***Volume II: Maintaining and Strengthening Family Ties for Children of Incarcerated Parents*** discusses why and how to maintain parent-child relationships. ***Volume III: Information for Non-Parent Caregivers of Children with Incarcerated Parents***—an entirely new handbook—provides needed information for and addresses the most common concerns of caregivers. Please note that the original 1993 Volume III was a handbook of general resources, which is now out of print, and is available as a PDF file (as are the new handbooks) on the Osborne Association website at [www.osborneny.org](http://www.osborneny.org).

All of the *Stronger Together* handbooks include information, tools, and resources, as well as vignettes and quotes to illustrate real-life examples. They are written for a diverse and broad audience who significantly touch and influence children's lives, including caregivers of all kinds, professionals, volunteers, family members, and other caring adults. While the handbooks focus on children and the criminal justice system in New York State, they are designed to be helpful for those in other states as well.

## **CAVEATS ABOUT THE STRONGER TOGETHER SERIES:**

First, *the handbooks focus on the majority of situations in which parents are incarcerated for non-child-related crimes*. They do not address situations where a parent harmed a child directly or indirectly, such as when a violent act was committed against the other parent, a sibling, or family member. These are complex cases and require careful and ongoing assessment, professional advice, and therapeutic support.

Secondly, while some of the information in the handbooks may apply to children whose parents are being held within immigration detention facilities or facing possible deportation, there are substantial differences in their experiences and the resources available to them. It was beyond the scope of this series to address these issues, though we offer resources online.

Lastly, we have tried to address as wide a range of experiences and circumstances as possible, but do not pretend to have covered all possible scenarios.

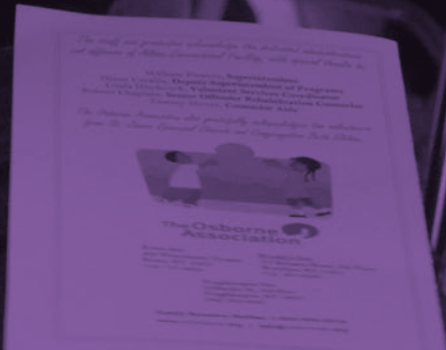
We are committed to empowering you to proactively reach out to children with incarcerated parents and their families to assist them in navigating this challenging and often painful experience. No matter which volume you pick up first, **we strongly recommend that you read Volume I in its entirety**. It will strengthen your own understanding of children's feelings and responses, which will strengthen your ability to effectively respond to children's needs and in turn create supportive and understanding communities for children and families to live in—and for parents to return to.



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# SECTION 1: WHY MAINTAIN RELATIONSHIPS?





As discussed in detail in **Volume I**, the incarceration of a parent creates many well-documented challenges for children and families. Families may be forced to seek a new residence, a child's custody and school arrangements may change, and financial resources may decrease. A whole range of powerful emotions can be triggered, including fear and anxiety, sadness and isolation, anger, guilt and shame. While there is no one solution to these challenges, there is nothing more powerful to support a child in crisis than communication: listening and speaking. This includes communication between children and their (custodial) parent or caregivers, between children and their incarcerated parents, and between children and the various adults and professionals with whom they come into contact. (Communication between children and their peers is also critical although it is not the focus here.)

Because many people question whether communication between a child and his/her incarcerated parent is in the child's best interests, this Volume explores this question in detail. As mentioned earlier, our focus is on the majority of situations in which a parent is serving a sentence for a crime *not* related to a child, including his or her own child. This volume does not address situations where the parent has harmed the child directly or indirectly (for example, as with violence against the other parent, a sibling or another family member). These are complex cases and require careful and ongoing assessment, professional advice, and therapeutic support.

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## A NOTE ABOUT CAREGIVERS

Throughout this volume we refer to caregivers, and it is important to clarify that for the sake of simplicity this will refer to all of the following people with whom children live and in whose custody they are: the child's other/custodial parent (which is the majority of cases when a father is incarcerated), and non-parent caregivers including relative caregivers, people who assume primary caregiving responsibilities, and foster parents. **Volume III** focuses specifically on non-parent caregivers.

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An important role for the child's family in the community, as well as caregivers, teachers, counselors and others is listening to the child non-judgmentally and providing supportive, honest, and developmentally appropriate responses. It is equally important for these influential and important adults to facilitate the relationship between the child and her incarcerated parent. In most cases, mending, maintaining or building a connection provides the context for recovery from the loss that occurs when a parent goes to jail or prison. Even in cases where contact or communication may not be in the child's best interest at the present time, it should not be ruled out for the future. People, circumstances, and needs change over time and many older or adult children find themselves seeking out or longing for some kind of communication with their parents even if it is only for closure, knowledge of self, or for their own children.

For children, it is virtually impossible to communicate with an incarcerated parent without adult assistance. Yet sometimes the adults closest to the child are unable to help because of their own emotional, physical, or financial challenges. There are other adults who can assist children and their parents to stay connected, and many reasons for them to do so. Children's caregivers, relatives, foster parents, caseworkers, guidance counselors, teachers, doctors, concerned neighbors or friends may be able to provide critical assistance in maintaining ties between children and their incarcerated parents.

## DOES CONTACT WITH INCARCERATED PARENTS BENEFIT CHILDREN?

Outside the context of the criminal justice system, the importance of maintaining parent-child relationships seems obvious. There is no more important relationship to a child than with a parent. In the context of divorce, parental hospitalization, military deployment, or work-related separations, significant efforts are made to minimize the trauma of parental separation for children by maintaining contact and communication through the period of separation. Yet when it comes to parents who are incarcerated, the assumption tends to be that the separation will benefit the child. In fact, the very purpose of prisons and jails is to separate people from society—including their children—and to control or limit communication. Therefore, before discussing what kind of communication best supports children with incarcerated parents and how to make this happen, it is important to address *why* it is important (in

## 11 WHY MAINTAIN RELATIONSHIPS?

nearly all cases) for children to communicate with their parents, in spite of and during a period of incarceration.

Although research shows that children may benefit from maintaining healthy and positive relationships with their incarcerated parents by experiencing less emotional distress and fewer problematic behaviors,<sup>1</sup> many assume that removal of the “criminal parent” with no further contact is what children need. The incarceration of a parent has often been the result of longstanding causes of discord or upset in the family (such as addiction or assaultive behavior). Some families feel it is best to act as if the incarcerated parent has died or permanently abandoned the family and just get on with life. Families sometimes worry that the prison environment will scare children while also undermining children’s respect for their incarcerated parents, whom they see in prison “greens”<sup>2</sup> and constrained from acting in the parental role. For example, incarcerated parents are not allowed to handle money, access vending machines, or heat up food in the microwave. Other families feel that children may think incarceration “doesn’t seem that bad” and as a result, will lead children to engage in negative behaviors free of the fear of consequences.

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**Children can benefit from visits to parents who are incarcerated in several ways. A child’s imagination of the incarcerated parent’s condition and circumstances is likely to be much worse and more frightening than the reality.**

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Incarcerated parents themselves often question whether it is good for their children to maintain contact with them. They may be reluctant for their children to see their imperfect qualities. They may feel ashamed of the pain they have caused, and/or they don’t know what to say or how to answer certain questions their children may have, primarily, “Why are you here?” and “When are you coming home?” Many incarcerated parents tell their families not to visit or not to bring the children on visits because they do not want them to go through the stress and frustration that can come with visiting. These concerns raise fair questions: Is prison visiting a good thing for children? Does it promote positive outcomes for children, parents and families?

- 1 Nickel, J. (2009). *Children of Incarcerated Parents: An Action Plan for Federal Policymakers*. New York: Council of State Governments Justice Center.
- 2 Green is the color of prison uniforms in New York State.

As depressing as a visiting room might seem to be, it is often much better than what children imagine. Visiting with the incarcerated parent can also help dispel any frightening images or fears the child may have that the incarceration was somehow their fault.<sup>3</sup> Additionally, children's sense of isolation and stigma can be reduced by seeing other children visiting and other families in similar situations.

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*"I didn't visit my mom at all during the 6 years she was incarcerated. She returned a stranger to me. She didn't even know my favorite color. And then she started telling me what I could and couldn't do, and I couldn't understand how she thought she could do that. I mean, maybe if we had seen each other and stayed close that would have been okay, but she didn't even know me."*

*—Johanna, age 17*

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Communication between children and their incarcerated parents—and visits specifically—can also benefit children by:

- **Healing grief and loss:** The grief and loss of separation can be overwhelming for children; maintaining the parent-child relationship can be critical to children's adjustment and healing.
- **Providing opportunities to talk:** Parents in prison can talk with their children about the wrong decisions they made and life behind bars in ways that can decrease children's guilt and feelings of responsibility. Parents in prison can help their children feel cared for and loveable.
- **Maintaining parent-child relationship:** Communication is essential to maintaining a meaningful relationship and helping to reassure the child that her parent has not abandoned her. Ongoing contact—and visiting specifically—creates continuity. In addition, for children in foster care, child welfare agencies and courts may be less inclined to terminate the rights of a parent

3 These and other feelings children have about their parent's incarceration are discussed in detail in **Volume I's** section on "Common Feelings and Emotions."

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who, while incarcerated, made active efforts during visits (and in other ways) to provide parental support.<sup>4</sup>

- **Preparing for release:** Maintaining contact—especially through visits—better prepares the child and parent for their relationship upon release. Without contact, the child may see the parent as a stranger and vice versa; or each party may be romanticizing the other, having unrealistic expectations. Without a relationship during incarceration, the child may experience the parent’s return as an intrusion. The child may be confused when the newly released parent brings a change in parenting style and rules to an established routine in the family. This can be true whether or not the parent will live with the child.

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“At first I didn’t want the children to have contact with their father. I was mad at him, hurt and ashamed, but over time I saw they needed this, and that whatever the outcome was going to be when he got out, communicating now was going to help us all.”

—*Mother of 3 children*

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While there is no one right answer for every family or every child within a family, the case can be made that the majority of children benefit from maintaining a relationship with their incarcerated parents, and families benefit from maintaining ties through crises. Incarcerated parents can contribute positively to a child’s upbringing. Incarceration can be an opportunity for a person to become a better parent, more caring and concerned and more knowledgeable about his child. While prison may not be the best place to improve one’s parenting, it has been done.<sup>5</sup> Parents whose children visit them in prison are more likely to be motivated to improve parenting skills, and can actually provide “quality time” if they focus significant attention on their children during visits.

- 4 In June 2010, New York State passed an amendment to the Adoption and Safe Families Act (ASFA) which specifies that foster care agencies do not have to file for termination of parental rights if a parent’s incarceration or placement in a residential drug treatment facility is a significant contributing factor to the child’s remaining in foster care more than 15 of the last 22 months and there is a meaningful relationship between the parent and the child, and the parent is planning for the child’s return. (Social Services Law 384-b (3)(l)(i) See also 11-OCFS-ADM-7).
- 5 The Osborne Association’s parenting program, *Family Works*, includes a basic parenting course that has been completed by hundreds of parents in New York State prisons and Rikers Island since 1986. Participants and their families report a significant increase in knowledge of issues related to children and parenting, and an enhancement of the parent-child relationship during and after incarceration.

## DOES CONTACT WITH CHILDREN BENEFIT INCARCERATED PARENTS?

The family is probably this country's most valuable resource for reducing crime. There is simply no question that incarcerated people who receive visitors are better able to maintain family ties, and that those who are released to a stable home environment are much more likely to succeed in leading productive, crime-free lives upon reentry. Families can provide the incentive for incarcerated individuals to grow, learn, and change. Children, in particular, provide a powerful incentive for an incarcerated parent's transformation. Families and children can enable incarcerated parents to stay in touch with what's going on in the world, to ease their transition back to a fast-paced and ever-changing society.

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*"If being separated from your children and seeing the harm you're causing them doesn't change you, nothing will."* —*Incarcerated mom*

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## DOES CONTACT WITH INCARCERATED PARENTS BENEFIT FAMILIES?

For the most part, families do benefit from bridging the gap between jails/prisons and the community. Families are complex systems, and the absence of a part of the system has a powerful impact on its functioning. Individuals who are incarcerated can continue to be a vibrant part of their families if communication is maintained. While incarceration diminishes the kinds of activities that the individual can perform, she/he can still fulfill many aspects of the roles (mother/father, spouse/partner, and sibling) that the incarcerated person plays in family life.

However, active membership in a family requires communication. Communication—whether through in-person visits, phone calls, or letters—between families and incarcerated parents provides the most concrete and visible strategy that families use to manage the separation and maintain family ties.<sup>6</sup> Through these contacts, parents are able to share family experiences and participate in family rituals (such as birthdays and religious observances), and remain emotionally attached. Maintaining some form of contact assures incarcerated parents that their children have not forgotten them, and reassures children that their parents love, care about, and support them. Contact visits allow incarcerated individuals to see themselves—and to function—in socially acceptable roles rather than as prison numbers and institutionalized dependents.

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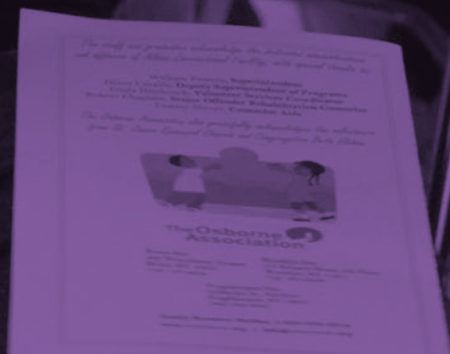
**Maintaining strong family ties—especially via in-person contact or other modes of communication—is associated with successful reintegration,<sup>7</sup> lower recidivism rates, improved institutional behavior (including fewer infractions), and higher rates of family reunification upon release.<sup>8</sup>**

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There are many reasons why maintaining communication during a parent's incarceration is beneficial. There are also many reasons why doing so is difficult and complicated. The following sections are intended to make communication a little easier.

- 6 Bales, W. D., & Mears, D. P. (2008). Inmate social ties and the transition to society: Does visitation reduce recidivism? *Journal of Research in Crime & Delinquency*, 45, 287-321; Laughlin, J. S., Arrigo, B. A., Blevins, K., & Coston, C. (2008).
- 7 Hairston, C.F. (2002). *Prisoners and Families: Parenting Issues During Incarceration*. Paper prepared for the "From Prison to Home: The Effect of Incarceration and Reentry on Children, Families, and Communities" conference, Jan. 30–31.
- 8 Newell, D.A. & DeLair, E. (2011). *Visiting and how to get there: A survey of program models offering transportation for prison visiting*. The National Resource Center for Children and Families of the Incarcerated.

# SECTION 2: SUPPORTING POSITIVE VISITING EXPERIENCES FOR CHILDREN





The decision of whether or not to take children to visit parents in jail or prison can be a difficult one. Each family and situation is different, and the many factors to be weighed in making this decision can include the child's desire and needs, the caregiver's relationship with the incarcerated parent, visiting policies and travel distance, transportation, finances, and the incarcerated parent's desire/motivation/level of focus on the child's needs. Studies do show that most children manage the crisis of parental incarceration better when they visit their parents and that they want and need to see their parents.<sup>9</sup> Usually, it takes time for children to cope with the feelings and emotions that visits bring up, including the pain of having to leave their parents behind. While not visiting is sometimes easier in the short term, "out of sight is not out of mind."<sup>10</sup> Separation due to incarceration can leave a lot of confusion, questions, imagined dangers, and fears for children to deal with. These emotions may show up in behavioral problems in school, at home or both, and can be harmful to children over time.

## PREPARING CHILDREN<sup>11</sup>

It is important to prepare for a visit by learning as much as possible about what the visit will be like (see **Section 4**), and to share this information with children to prepare them for the visit. Information about what to expect will reduce a child's anxiety significantly. Children often have mixed emotions about visiting: excitement, fear, worry, concern. Depending on how long it has been since they last saw their parent, children may worry about recognizing the parent, how he or she may have changed, and whether the parent still loves them and will be the parent they know. The next pages discuss four important aspects to consider when preparing children.

- 9 Hairston, C.F. (2007). *Focus on Children with Incarcerated Parents: An Overview of the Research Literature*. Annie E. Casey Foundation.
- 10 Adalist-Estrin, A. (1989). "Visiting Mom or Dad: The Child's Perspective." 2nd Edition. *Children of Prisoners Library. Facts and Issues: CPL 205*. Available at <http://www.f2f.ca.gov/res/pdf/VisitingMomAndDad.pdf>.
- 11 Part of this section adapted from materials in the Colorado Department of Human Services Child Welfare Policy Manual (Volume 7) and *Colorado Welfare Practice Handbook*, available at <http://www.colorado.gov/apps/cdhs/rral/rulesRegs.jsf>.

## TELLING THE TRUTH ABOUT WHERE YOU ARE GOING:

Some caregivers and incarcerated parents think they are protecting children by making up stories or avoiding questions about where the parent is (see **Volume I**, p. 20). While not always easy, it is important to be honest with children in an age-appropriate way. They do not need to know all the details of what happened, but telling them age-appropriate information that maintains their trust in you is very important (see p. 29 and **Volume I** p. 20). If you are a professional working with the family, it is important to find out what is being said and to work together to obtain consensus about telling the truth. The child exists within a family system that should be respected so that the intervention does not cause more harm than good.

Depending on the age of the child, a family member, the parent, or a professional with permission can explain that the parent made a bad decision or did something he was not supposed to do and now has to be away for some time as a result (like a “big time out”). In explaining this to children, be sure to include:

- that the child has done nothing wrong;
- that he and his parent are good people;
- that his parent loves him;
- additional detail about the amount of time the parent is expected to be incarcerated (so that the child is not expecting the parent home next week if he will be away for years).<sup>12</sup>

## APPEARANCE AND BEHAVIOR OF PARENT:

It is possible that the appearance of the parent has changed since the child last saw her parent. A parent who was using drugs prior to his incarceration may look cleaner and better fed than before. Sometimes hair has been grown or cut, beards shaved or other physical changes have occurred. Additionally, parents may have to wear ill-fitting jump-suits or uniforms to the visit. Some parents may be nervous and uncomfortable, which can seem scary to a child. It is also possible that parents look just as their children remember them, but it is best to prepare a child for the possibility that mom or dad may look different. **If it is**

12 A child who is visiting a parent who has harmed his other parent, a sibling, or another child will likely need more or different information; as stated at the beginning of the handbooks, we do not address these complex situations which often benefit from therapeutic support and advice/ guidance.

**possible to communicate in advance with the parent, inquire as to any changes in their appearance since the child last saw him/her so that you can share with the child in advance.**

More important than appearance, however, is the parent's behavior during the visit. If speaking with the parent in advance is not possible, it is best to write to them and ask about their hopes/goals for the visit, share any updates or concerns about the child, and offer suggestions for how the parent might use the visit to alleviate concerns the child may have. This allows you to assess the parent's ability or willingness to focus on the child and have the visit be a positive experience. If the visit is being planned soon after the arrest, the parent may be in a state of shock which can make it difficult to focus on the child's needs. Outside support can be very helpful for an incarcerated parent as well as his or her loved ones at this time. **If after speaking with the parent and offering respectful suggestions based on your knowledge of the child's needs, it seems that the child will leave the visit more anxious, scared, and upset than before the visit, the visit should be postponed until another time.**

### **LIMITATIONS ON PARENTAL ROLE:**

Children should be prepared that during the visit their parents will not be able to handle money, take them to the restroom, or warm up their food in the microwave. All of these normal parental responsibilities are not allowed when a parent is incarcerated. This can also be upsetting for a parent who may try to reclaim his parental authority by coming down hard in other areas, such as disciplining or giving advice. Depending on a child's age, preparation for this can be helpful as well.

### **CHILDREN'S FEELINGS:**

As children visit more than once, their feelings about visiting may change. It is important to both listen to and observe a child's feelings before, during, and after the visit. Many children do not talk about their feelings for hours, days, weeks, or months. Whether the child is expressing grief, anger, or nothing at all, it is important to help him process the pain associated with having an incarcerated parent. This can involve professional help and counsel, connecting with other children in similar situations, accessing programs and support services, finding supportive adults, and assisting the child in figuring out how to handle telling friends, schoolmates, teachers, and others about her situation.

If a child does not want to share his feelings about the visit, the accompanying adult can share her own feelings about the experience, opening up the space for discussion. A child's interest in planning and preparing for the next visit can indicate a positive visiting experience.

## CAREGIVER PREPARATION<sup>13</sup>

Whether the caregiver is the other parent, a grandparent, family friend, or foster parent, and whether she is escorting the children to and from the visit or greeting them when they come home, it is important to have information in advance about what the visit will be like. The following are important points for caregivers:

- **Prepare for possible reactions the child may have after a visit.** Even the most positive visit ends with a separation. Children will have thoughts, feelings, and reactions to the parent's incarceration and to the visit, and these may be expressed behaviorally. Caregivers will ultimately be the ones responding to these feelings and behaviors, so it is important to know that feelings of anger, sadness, withdrawal, or clinginess to the parent or caregiver at home are all possible and normal reactions to a visit. Many of these feelings and behaviors will subside over time with frequent and/or predictable visits (see p. 24 for more information about supporting children after the visit).
- **Consider the possible need for or benefits of outside support, counseling, or therapy for the child.** Caregivers and families usually have their own feelings about outside support, counseling and therapy. Cultural and generational beliefs, as well as past experiences, can influence a caregiver's openness to the suggestion that a child receive additional support or services. It may be helpful at some point for the caregiver to be involved with the child in therapy so the caregiver(s) can better provide the positive family environment the child needs, and can process their own feelings about the situation.

13 Part of this section is adapted from materials in the *Colorado Department of Human Services Child Welfare Policy Manual (Volume 7)* and *Colorado Welfare Practice Handbook*, available at <http://www.colorado.gov/apps/cdhs/rral/rulesRegs.jsf>.

- **Separate your own feelings.**

If the children are being cared for at home by the other parent or a caregiver who is in an intimate relationship with the incarcerated parent, it can be hard to allow for child-only time during the visit. Children may feel they have to compete with mom for visiting time with dad, or hear inappropriate conversations if their parents discuss personal topics during the visit. If the caregiving parent is no longer “with” (romantically) the incarcerated parent, this can also be awkward or cause the caregiving parent not to want to take the children. If the children are with the grandmother or family members, there may also be strong feelings among the various adults. For a child to have a positive visiting experience, it is best if the adults can put their issues “in their pockets” for the duration of the visit so that the parent can focus on the child’s needs.<sup>14</sup>

## A CHILD’S FIRST VISIT

It is extremely important that a child’s first visit be focused on the child. If the first visit goes smoothly, it can set a foundation for continued positive and meaningful visits.

Although it can be important to bring a child to see his parent as soon after an arrest as possible, visiting a jail can be a stressful experience (for adults as well as children).

Here are some points to consider as you prepare for a child’s first visit:

- **Share as much information as possible with the child(ren) about what the visit will be like.**

It is a good idea, if possible, to visit the jail in advance without the child. If this is not possible, call the facility in advance and ask detailed questions related to what children will experience: Are they allowed to touch their parent? Sit on their lap? Can they move about during the visit? How long is the visit? Is food available in the visiting room? How long does visitor processing take on average? Can you bring in a toy, bottle, diaper, a children’s book? Are photos available during the visit so the child can leave with a picture of the parent?

14 See [www.martybeyer.com](http://www.martybeyer.com) for more visit coaching techniques by Dr. Marty Beyer, such as this idea of “putting adult issues in your pocket” during the visit.

- **Allow and encourage children to ask questions.**  
 Children’s fears, concerns, or misinformation are often communicated through asking questions. Acknowledge and address these questions in an open and honest manner; if you don’t know the answer, try to find out. *Make sure the child is aware that her parent cannot leave with her when the visit is over.*
- **Write the parent in advance and inquire about any change in appearance or other changes that you should know about or prepare a child for.**  
 You can also suggest that the parent reassure the child at the beginning of the visit by doing any special ritual or habit he may have done with the child previously: a funny handshake, nickname, game, or song that they share. Making this part of the beginning of the visit can reassure a child that his parent is still the parent he knows and loves.
- **Make all the calls necessary to verify that the parent is there the day of the visit, that you can visit on the day you have planned, that you have the required ID for you and the children, and that you know which items are permitted in.**
- **Arrive early and bring as little as possible.**  
 Be sure you have nothing that is considered contraband (see p. 46) on you or the child(ren); check all pockets before going in.
- **Feed children and yourself before the visit.**  
 In most facilities, you can bring money in and will have access to vending machines for food. However, especially for children, it may be a long wait, and food inside visiting areas can be unpredictable. Hungry children are more stressed, less patient, and more emotional.
- **Reduce or put aside any adult stress or tension that can take away from the focus on a positive visiting experience for the child(ren).**  
 Cooperate with any requests by correctional staff even if they seem unreasonable or disrespectful. You can complain *after the visit*, but the most important thing is to make sure that the child sees her parent.
- **Since many visiting areas have little or nothing to amuse children, think in advance of imaginative ways you can engage the child while you are waiting for his parent, and have some interactive suggestions for parent and child in case those are needed.**

- **Allow the child time to feel her feelings after the visit.**  
It can be tempting for adults to try and make it all better immediately, but it is important to support children in feeling sad, mad, upset, in pain, or numb. Acknowledge that this is hard, and not their fault, and follow their lead as to whether they want to talk or not.

## AT THE END OF ALL VISITS

Although visiting can become easier over time, the end of a visit can be sad, painful, and difficult, but can also include feelings of relief and joy. Here are some overall tips that may help make the goodbye easier:

- **Let children know when the visit is coming to an end.**  
Start about 15 minutes before the end. This way they have time to start getting ready to say goodbye and are not shocked when they have to leave the parent.
- **Have some kind of goodbye habit or “ritual.”**  
This can be something that the parent and child can do together at the end of each visit, like a song they sing, a game they play, a special handshake, or a rhyme they say. Some parents suggest something that the parent and child can do “together-apart,” such as looking at the moon or stars at the same time every night. This can help children transition, and the routines can be reassuring.
- **Photos can help children say goodbye.**  
Many prisons offer an opportunity for families to pose for instant photos in the visiting room. Though an added cost, a photo of the child and her parent can be an important keepsake and help with saying goodbye.
- **Let children leave the visit before the parent returns to his unit or cell.**  
It is usually easier to leave than to be left, if permitted.
- **Don’t criticize the incarcerated parent.**  
Even if you are frustrated or angry with the incarcerated parent, it will hurt or upset the child to hear anything negative about her parent.

## DEBRIEFING AND POST-VISIT SUPPORT<sup>15</sup>

Though you may want to make the child feel immediately happy and go for an ice cream or buy them a gift afterwards, often the best thing to do is ask children how they are feeling and give them space to talk about this. You can help them name their feelings and allow them to feel these feelings. Often—when given the space and support to feel sad and talk about their parent—children are able to “bounce back,” but will feel that their connection to their parent is supported.

**Connect caregivers to community programs and services** geared specifically toward children with parents who are incarcerated. If no specialized services are available, encourage other service providers to understand and meet the child’s special needs and circumstances so they may support or work with the child more effectively.

Provide information to caregivers about how to minimize post-visit behaviors, support children, and incorporate a presence of the parent into the household, as appropriate. Maintaining attachment to a physically absent parent is easier when there are photos of the parent around the house. Include the parent in conversations with the children. Encourage writing and other means of communication with the incarcerated parent.

## WHEN CHILDREN DON’T WANT TO VISIT OR VISITS ARE DEEMED NOT IN THEIR BEST INTEREST

There are days, ages, and circumstances when children may not want to visit. There is no simple answer as to what should be done. A child who does not want to visit should not be forced. In many cases, however, it can be important for children to make initial visits to incarcerated parents to have questions answered, address emotional needs, and assure themselves of their parent’s wellbeing. Given the varied relationships children may have had with their parents prior to incarceration and the difficult conditions that prevail in traveling to and conducting visits, it is not surprising that children sometimes resist or simply do not want to go.

15 Part of this section is adapted from materials in the *Colorado Department of Human Services Child Welfare Policy Manual* (Volume 7) and *Colorado Welfare Practice Handbook*, available at <http://www.colorado.gov/apps/cdhs/rral/rulesRegs.jsf>.



It is important to observe whether the child is also resisting phone conversations with the parent (suggesting that there is a problem in the relationship) or if he is only seeking to avoid actual visits (suggesting the time or conditions of visiting are the source of protest). At some ages children have very busy lives, and at those times they have little time for their parents (incarcerated or not). Sometimes children don't like to visit because they feel they are ignored and bored during the visit or they feel they are lectured to and criticized.

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**“When I was younger I liked to visit my dad, but as I got older the whole process started to bother me. I don't like the way the guards treat you, and I have a life of my own now. I'm busy! I talk to my dad on the phone and I definitely still visit him, but much less. I know he doesn't like that but he's adjusting.”** —*Shawn, age 17*

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Relatives, volunteers, and professionals must carefully assess the possibility that a child who strongly resists visiting has been abused or neglected by the parent, or has some other kind of fear or concern related to the parent that should be addressed or treated in a professional setting. More often, children are angry and hurt in more general terms, and still need help in expressing their thoughts and feelings. In both cases, their wishes not to visit should be respected.

It should also be noted that many people in prison have histories of addiction, mental illness, or domestic violence, each of which may have caused harm to their children, sometimes with lifelong consequences. These children may be relieved that their parents are now cut off from drugs or unable to harm the family physically. For some children, incarceration means that their parent and/or their family is safer due to the incarceration.

**A child's wishes not to visit should be respected, examined, and reassessed over time.**

“I once worked with a 12-year-old girl whose father had harmed her younger sister. She was in therapy and started to say that she wanted to see her dad. We spoke with the therapist and were going to take her on a visit, supporting her and ending it if she got upset. We prepped with her father as well. The day before the visit, she changed her mind and said she didn’t want to see him. I think it was empowering for her to have made the decision herself. She seemed to gain some confidence in the fact that we would support her decisions, whatever those were, while ensuring she was safe within them. That taught me a lot about listening to children.”

—*Foster Care Caseworker*

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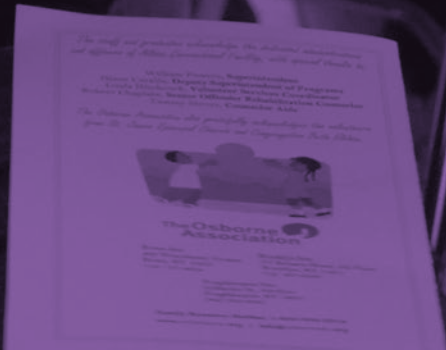
It is important to remember that most children will be visiting their parent accompanied by their other parent or a relative who also has a relationship with the incarcerated parent. That relationship may be loving or tenuous, and it may be difficult for the adults to give adequate time and attention to the children. Nonetheless they should be encouraged to focus on the children for a significant portion of the visit.

Counselors, social workers, caregivers, and friends of incarcerated parents should support the child and parent through this difficult time. Many parents do not want to be reminded of the hurt they have caused, and the anger of their children speaks volumes about the harm done. In order for parents to establish or maintain positive relationships with their children, considerable support from their peers or professionals may be needed.

## FACILITATING POSITIVE VISITS: 10 TIPS FOR PROFESSIONALS

- 1 Work in partnership with caregivers**, sharing information about the importance of visits for children's attachment and for relieving their worries and possible self-blame, while also offering support for caregivers and acknowledging their stress.
- 2 Facilitate frequent or regular visits.** When there is a pattern or schedule of visits, visits become less stressful for children and the goodbye a little easier.
- 3 Provide tips for caregivers on how to prepare children for visits, and support and debrief with them afterwards.** Visits can cause separation anxiety and pain for children who do not want to leave their parents behind.
- 4 Help the parent prepare for the visit and use it productively.** Talk with the parent before the visit (via a correctional staff person or a letter) to help her focus on the children and their needs.
- 5 Confirm that the incarcerated parent is located in the facility the morning of the visit.**
- 6 Prepare to make the travel comfortable for the child.** Bring food and age-appropriate activities (remembering that you can bring very little into the actual visit with you).
- 7 Arrive early with the proper identification** for yourself and the children you are escorting, and check your and their pockets before you enter.
- 8 Do your best to cooperate with the directions given by correctional facility staff.** Remain professional at all times and model for the child how to handle what can feel like disrespectful behavior and harassment.
- 9 Think of creative ways to keep children engaged before the visit.** An escort's job is to deliver a supported child who is prepared and as happy as possible.
- 10 Be nonjudgmental and open-minded,** yet attentive to the needs of the child at all times.

# SECTION 3: THE POWER OF CONVERSATION



When a parent is incarcerated, children have many questions which are not always asked or not always heard. While it is most powerful if these questions are answered by the parent who is incarcerated, other adults working with or caring for the children can find or provide answers and create an environment in which children can express their feelings and fears without judgment.

## QUESTIONS CHILDREN ASK

Many of the questions children have are versions of four main questions:

- **Where are you?**
- **Why are you there?**
- **When are you coming home?**
- **Are you okay?**

The two additional questions many children have but don't ask are:

- **Is this my fault? Do you blame me?**
- **Do you love me?**

Incarcerated parents, their children's caregivers, and other interested adults should be prepared to answer these questions. Sometimes parents don't want to answer; more often, they don't know how. Here are some suggestions:

### WHERE ARE YOU?

Children's caregivers and even incarcerated parents often think they are protecting children by answering with some version of a story that the parent is in school, working, in the military, or in the hospital (see **Volume I**, p. 20). All of these explanations come with their own anxieties and confusion, and in most cases, the truth comes out another way that leaves the child feeling lied to and betrayed, and distrustful of the adults he thought he could (and now needs to) depend on. Children often overhear conversations or put together inconsistent facts, and they are smarter than adults give them credit for. The damage that can be done from lying to a child—particularly at a vulnerable time—is usually far greater than any the truth would have caused.

An age-appropriate truth is the one that is most helpful for children, and this truth can be built on as children get older, want to know more, and can handle more complex explanations.

### **WHY ARE YOU HERE?**

When children ask this question they are not looking for all the details. They are trying to make sense of what has happened. A simple explanation such as, "I took something that did not belong to me and it was wrong; now I'm being punished," makes sense to a child. Explaining in an age-appropriate way what has happened also provides important opportunities for the parent and other adults to model taking responsibility and distinguishing between "bad" actions and "bad" people. The parent did something wrong, but she is not bad; just as the child may have at times done something wrong, but he is not bad. This is also an opportunity for the parent to apologize to the child for the harm and separation caused, and to ask for forgiveness and partnership in rebuilding relationships and family.

It is not helpful for children to hear that the parent does not know why he is incarcerated, or that it is due to racism or unjust laws. Though all of this may be true, it is not helpful for a child. Children often become particularly attached to their remaining caregivers, and explanations such as this can make them fearful of losing this parent/caregiver as well.

Because these conversations are not easy to have, it is helpful if caregivers and other adults support the parent-child relationship so that the parent can feel supported in having these courageous conversations, which reveal serious mistakes or poor decision-making. There are situations when not all parties agree about what children should be told, and these are not always easy to resolve. Incarcerated parents and others can be reminded that children are likely to find out the truth (particularly when this information is available online/via the Internet), and it is best for them to hear the truth from the adults they are closest to.

### **WHEN ARE YOU COMING HOME?**

For those who have been arrested or are awaiting trial, there is a terrible uncertainty about the length of time they may spend in pretrial detention or what sentence they are facing. Even when a sentence is known, it can be tempting to minimize or distort the length of time in

order to reassure a child or offer the child some relief from the stress of waiting such a long time. Sometimes parents respond that they will be home “soon” thinking that this is helpful. For several reasons, it is generally not helpful:

- Children have a different sense of time than adults;
- Children remember what you have told them about when “soon” is;
- The disappointment that comes for a child who is impatiently waiting for the day she thinks “soon” refers to is devastating.

The fact that many parents do not have definite release dates at the time of arrest or sentencing makes all of this even more complicated. It is hard to suggest the “right” way to talk with children about the “coming home” question. To the degree possible, it can be helpful for parents to let the child know when they *won't* be home (for example, the parent won't be home by Christmas or won't be home for another two birthdays). While this can be painful and disappointing to the child (and difficult for parents to do), this hurt is much less than that of a child waiting for a parent who does not show up.

Additionally, part of the “coming home” question—particularly as release nears—is to explore what the child thinks this will be like. Does she think the parent will be living with her, but this is not the case? Is he worried that the parent will or won't live with him? **It is important to correct as many reentry fantasies (on all sides) as possible prior to the parent's release.**

### ARE YOU OKAY?

Children worry about their parents and often seek or need reassurance that their parent is safe, secure, and able to manage within these difficult circumstances. While a parent cannot guarantee his own safety within a correctional facility, a child does not need to know about the daily stresses and risks of living within this environment. Parents often do not feel “okay” and the separation from children and family is very painful. However, in order not to burden children with this, and since the children did not cause nor can they control this situation, it is best to let children know that while their parent is not in a good place (he is being punished), he can handle it and will be okay.

### DO YOU BLAME ME? DO YOU LOVE ME?

These last questions may not be ones that children ask directly; they may ask them consciously or subconsciously, and their sense of themselves may be negatively affected by the answers they give themselves. Children often blame themselves (see **Volume I**, p. 16) even when their own explanations make no sense in any logical way. Parents may see no connection between their criminal activity and their love for their children, but children often interpret the parent's behavior in this way. Children often feel that if the parent really loved them or if they were really loveable, their parent would not have committed a crime or risked an arrest.

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Both the incarcerated parent and the adults in the child's life should be unwavering in their assurances that the child is loved unconditionally and that nothing she did caused the separation.

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## CONVERSATIONS BETWEEN PARENTS AND CHILDREN

The questions discussed above usually arise immediately or shortly after a parent is incarcerated. Over the months or years of incarceration, and even after a parent is released, these conversations may be revisited. Ongoing relationships between children and their incarcerated parents will require and thrive on many other kinds of conversations and modes of communication. Caregivers in the community (including foster parents, social workers, teachers, counselors, relatives, and others) who keep the incarcerated parent informed about the child can provide important clues for the parent to pursue as he maintains and enhances his relationship with the child. By helping the child and the incarcerated parent stay connected, caring adults can empower a relationship which has lifelong positive consequences for all involved.

### CONVERSATIONS THROUGH THE MAIL

Incarcerated parents often discount the power of their letters. They may also become discouraged if children do not write them back. Yet—even when children are not responding—they are often treasuring these letters.



Incarcerated parents can often benefit from updates about the child's current interests, so they can ask about these in their letters, but parents should not worry about length and perfection. Just as most young children would rather have five pennies than one nickel, younger kids would rather receive frequent mail than occasional long letters. Incarcerated parents can clip and send cartoons and photos from newspapers and magazines. Letters can be written in large block letters making them easy for the child to read. If the parent has some artistic talent she can draw pictures of where she lives, works, eats, and exercises to help children understand her daily life. Some parents send line drawings or tracings of familiar television or cartoon characters for their children to color and send back. Older children may not need block letters or cartoons, but they do need to know they are in their parent's thoughts. Notes and cards of all kinds are appreciated, particularly for birthdays and other celebrations or accomplishments. Adults in the community can help by reminding incarcerated parents of their children's birthdays and other special occasions and accomplishments in time for a card to be sent.

Children may need to be encouraged to write to their parents.<sup>16</sup> Some occasions lend themselves more easily to such prompting, such as school events, the parent's birthday, and holidays. For older children, letters written and received can provide an incredibly valuable opportunity to share feelings without fear of being interrupted or shamed. Some children are better able to articulate their anger and hurt in writing and drawing, which can help to clear the way for a closer relationship in the future. Some incarcerated parents can better express their affection and remorse in a letter without the embarrassment they may feel in a personal conversation. Saving the letters that come out of an ongoing and regular correspondence can be like keeping a journal, and re-reading a parent's letters over time can give a child a tangible experience of the growing relationship.

In general, children of all ages enjoy finding a letter addressed to them in the mailbox, and with some creative and individualized assistance, they also may enjoy responding with a letter. Younger children can mail drawings or scribbles to their parents, which will be received with much joy.

16 In this current age of technology it becomes particularly challenging for children to take the time to write a letter. Social networks, like Facebook and Twitter, e-mail and other forms of instant communication are what children are now accustomed to, so waiting days or weeks for a response can be discouraging and frustrating.

Here are some tips the other parent, caregiver, or a professional working with the child can use:

- Sometimes children do not know what to write or are intimidated by the process. You can help them write anything—what they are doing now, did yesterday, a movie they saw, a book they read, or something that happened in school. Any of these will make the parent happy; it is the fact of receiving news from the child that is important, not what they write, how long the letter is, or whether it is perfectly written.
- Younger children usually do not write letters without a supportive adult, so it may be a good idea for the caregiver or provider to help the child write a letter or draw a drawing.
- If written communication between the parent and child needs to be supervised for some reason, letters can be sent to the child's caseworker or a professional working with the family, and read in advance of sharing them with the child.
- Consider sending the parent the child's report card and involve them in educational decision-making.

## JAHNAY'S TIPS FOR WRITING YOUR MOM OR DAD\*

- 1 Ask him/her how they are doing.** [Let them know someone still cares.]
- 2 Tell him/her positive things about how the family is doing.** [They still have the right to know about their loved ones.]
- 3 You should let them know how you are doing in school.** [They'd like to know their child is growing into an intelligent young adult; if you're having problems in school it's okay to let them know about this, too. Maybe they have suggestions or went through something like this when they were young, too.]
- 4 Let them know positive things about what you are doing right at the moment.** [Make them feel as if they are actually there.]
- 5 Talk about any significant events that have recently occurred.** [Keep them posted with current events. Let them know what you did last weekend or yesterday—even little things can make them feel closer to you.]
- 6 If they have hobbies or you have hobbies, start a conversation about it.** [They'll be glad you seem interested in the same things as they are or they might learn something new from you.]
- 7 If they play sports or you play sports, talk to them about it.** [Try to encourage them to continue playing sports to stay occupied. Let them know how you are doing if you play.]
- 8 If you have absolutely nothing to write about, start a tic-tac-toe game or a riddle.** [This should be fun and it should keep the letter going.]
- 9 Send a drawing just to let them know you're thinking of them.** [This should cheer them up.]
- 10 If they enjoy music or writing you can send them a poem or a piece that you wrote, or send them lyrics to a song you like.** [They'll like to see that you are being a positive young adult.]

*\*Jahnay was 15 and her dad was incarcerated when she wrote these tips.*

## CONVERSATIONS OVER THE PHONE/IN THE VISITING ROOM

Parents and children often have difficulty communicating even when there is no such interference as arrest, incarceration, and separation. Finding things to talk about is no less challenging for incarcerated parents, but opportunities for talking are limited, and so sometimes the parent feels pressure to make the conversations count and to make the communication meaningful.

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*“I try to remember what I see and hear, so I can tell my mom about it. Mommy told me that I’m her eyes and ears for now, and all that she knows of the world she knows through me. I watch the moon, because it’s the same moon she sees, so it’s almost like being together.”*

*—Sonny, age 9*

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Although many people think that the measure of successful communication is when they speak and others act in response to their speaking, what really counts and what is meaningful in these conversations is **when the parent listens to what the child is saying**. The subject matter is not as important. There are plenty of subjects that interest children of different ages. Whether the conversation is in the visiting room or on the telephone, parents can show interest in their children’s lives and ask detailed questions about their interests. Younger children may be interested in animals, nature, television, school, games, and friends. Older children are often interested in sports, music, dance, movies, television, clothes and fashion. Most children like to hear about what their parents were like and what they did when they were younger.

While incarcerated parents and their children can’t do many things together, they can do a lot of things “together apart.” For example, they can plan to read the same book or watch the same television show, and talk about what they thought of it.

Sometimes it's hard to sustain a conversation for the length of the visit. Depending on the age of the child, games can be created. Most jails and prisons allow writing paper and pencils, enabling word games, tic-tac-toe, guessing games, and math games. Writing and drawing can consume time and stimulate the child's intellectual abilities, while at the same time holding the parent's anxiety down by keeping her/him occupied and engaged in an activity along with the child.

As tempting as it is for incarcerated parents to try to guide or "correct" their children's behavior, this can be a very poor use of the limited time children have access to the parent. Sometimes the child is brought to the visit by a caregiver explicitly for this purpose, as when the custodial parent or grandparent brings the child and asks the incarcerated parent to discipline the child. Outside adults should avoid using the visit as an opportunity to complain and recite a list of "sins" committed by the child, as this may deter the child from wanting to visit again and places the parent in an awkward position.

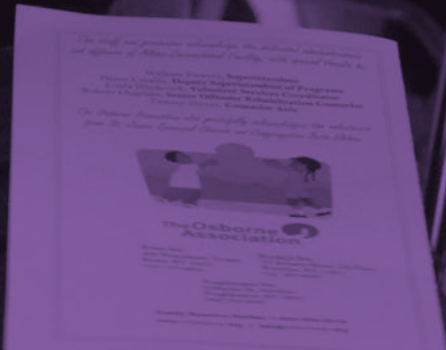
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**"It felt good to tell my mom about what it is like for me in foster care. I feel angry because I feel like I'm growing up too fast. I was able to tell her how I feel and she really listened. She didn't have all the answers but I felt like she understood...and that felt good." —Faye, age 15**

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Sometimes parents turn the conversation towards talking about what it will be like when they come home, making promises which are difficult to keep and which shift the relationship from the present to an uncertain future. Children need support in coping with the reality before them and in strengthening their relationships with their parents in the here and now. Conversations generated from focused listening—rather than talking—on the part of the incarcerated parent can mean so much to children, and offer opportunities for in-depth communication that children may not get to have with their busy caregivers on the "outside."

# SECTION 4: FACILITATING COMMUNICATION BETWEEN CHILDREN AND THEIR INCARCERATED PARENTS



The previous sections illustrate why maintaining communication between children and an incarcerated parent can be so important for children’s happiness, wellbeing and healthy growth. Despite this fact, it is neither easy nor obvious; it requires a strong information base about the criminal justice system and about rules governing contact. This information can feel hard to come by. This section aims to provide much needed information about the three main forms of communication available to children and their incarcerated parents—phone calls, letter writing, and visiting—in order to help you support the relationship between a child and her incarcerated parent. A fourth mode of communication—televisiting—is currently being explored and expanded, and is discussed briefly on p. 53.<sup>17</sup>

While many families communicate with their incarcerated loved ones only through letters and phone calls, visiting provides the most intimate possibility for communication and a particularly important one for the parent-child relationship, particularly for younger children who need physical closeness and touch to build attachment. For children of all ages, visiting (when in the child’s best interest) provides a very important form of communication, for it allows for face-to-face contact which promotes the expression of feelings and strengthens relationships. Visiting is also the only form of communication with a parent who is incarcerated that allows for nonverbal communication and the strengthening of relationships through being and doing things together. New York has especially humane visiting policies, with contact visits being the standard form of visiting in all prisons and many jails. At the same time, state prisons are typically located in rural areas, distant from major population centers and difficult and expensive to reach by public transportation. And a dizzying array of rules and regulations governing visiting and other forms of contact can add stress, frustration, and insecurity.<sup>18</sup>

17 Updates to this handbook on changes in visiting policies and the availability of televisiting will be available online at [www.osborneny.org](http://www.osborneny.org).

18 Up to date information about visiting policies for New York State prisons can be found at [www.doccs.ny.gov](http://www.doccs.ny.gov) including a *Family Guide* updated in 2012.

## THE DIFFERENCE BETWEEN JAIL AND PRISON

It is important to understand the difference between a jail and prison, as rules governing communication differ accordingly.

### JAIL

Jails are county facilities operated by sheriffs and/or local corrections departments, and are designed to hold in custody individuals awaiting trial, who cannot afford bail or for whom bail has not been set, or who are being held on probation or parole violations. Jails may also hold people who are under prison sentence but have been brought to the local jurisdiction for a court appearance. Jails (and county penitentiaries) may also hold individuals who have been convicted and sentenced to one year or less, usually for misdemeanors. There are approximately 3,600 jails in the United States.

In general, since jails are within the county where the individual was arrested and often near the person's home, distance is not a barrier to visiting. However, jails are designed for short stays. They do not tend to be visitor-friendly, so visiting is not necessarily easier, and may offer only non-contact visits (through glass).

In New York, Rikers Island generally houses between 11,000 and 18,000 people in the largest jail complex in New York and the second largest jail system in the country.<sup>19</sup> Rikers Island and the New York City borough jails are operated by the City of New York Department of Correction (DOC). Although sentenced individuals will serve less than a year, people awaiting trial or sentencing may be detained for more than one year.

County jails are subject to state law and minimum standards, but the rules and regulations about communication vary from county to county. **It is important to call the jail before visiting or sending packages.** Phone numbers for these are available on the Internet and in the online resource guide available at [www.osborneny.org](http://www.osborneny.org).

Information about Rikers Island or other New York City jails is available on the New York City Department of Correction's website at [www.nyc.gov/html/doc/html/home/home.shtml](http://www.nyc.gov/html/doc/html/home/home.shtml).

<sup>19</sup> There is one women's jail and two jails which hold adolescents on Rikers. See City of New York Department of Correction (2011). *DOC Statistics Average Daily Inmate Population*.



## PRISON

Prisons are operated by the state or by the federal government (the Federal Bureau of Prisons) and are designed to hold individuals convicted of felonies (more serious crimes that can be punished by sentences longer than a year). In 2011, there were 60 prisons in New York State overseen by the Department of Corrections and Community Supervision (DOCCS), including 5 women's prisons.<sup>20</sup> There are also designated drug treatment and "shock incarceration" facilities (those sent to a "shock" facility are generally serving a sentence of six months in an intensive boot-camp program).<sup>21</sup> As of January 1, 2011, New York State prisons held 56,315 people in custody.

Prisons may have differing security classifications: maximum, medium and minimum security. Depending on criminal history, crime, length of sentence and other factors, individuals must serve time in the designated security level, although they may be moved between prisons numerous times during their incarceration. Often, people are transferred to lower classification prisons and brought closer to home as they near their release.

**Information about all New York State prisons including the location, address, and phone numbers are available at [www.doccs.ny.gov](http://www.doccs.ny.gov).**

- 20 The New York State Department of Correctional Services (DOCS) was renamed in 2011 to reflect the merging of State Corrections and Parole; the Department then became the Department of Corrections and Community Supervision (DOCCS).
- 21 Shock Incarceration Program is a six-month program for young, nonviolent incarcerated people for early parole release consideration. The Program provides a schedule of rigorous physical activity, intensive regimentation, discipline, and drug rehabilitation.

## PHONE CALLS

Phone calls are a common means of communication between incarcerated parents and their children. In general, phone calls from jail can be made with fewer restrictions than in prisons. All phone calls are subject to monitoring and/or recording.

New York operates a telephone system in state prisons that allow collect calls. Before a person can accept a collect call, a recording plays that says, "This call is from a New York State correctional facility." These calls are more expensive than community collect calls and are monitored. The "call home" program allows incarcerated persons to call a pre-approved list of up to fifteen phone numbers that can be self-dialed at telephones in housing units in most facilities. Calls to mobile phones, and forwarded or third-party calls are prohibited.

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**"My mom calls every night at 10pm, so I'm always home then. We sometimes argue over who gets to speak with her first, but my sister, brother and I look forward to her call. I can't imagine not getting to speak with her, especially because we can't visit her; she's so far away."**

*—Diarra, age 17*

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### CHALLENGES

- Calls from prisons can quickly become expensive. Some families choose to place a "block" on their phones so they cannot accept collect calls; others run up very expensive phone bills or lose their service because of unpaid phone bills.
- Children who are able to speak with their parents via phone are sometimes frustrated by a recording that interrupts calls as well as timed cut-offs of calls.

For most children, these frustrations do not outweigh the benefits of being able to speak with their parents, hear their voices and update them on their days and experiences.

## TIPS/RECOMMENDATIONS

- Social workers, guidance counselors and others can assist a child in speaking with her parent by accepting collect calls, having their office number on the parent’s “approved” phone list, and scheduling a designated call time, or working with prison staff to schedule a time for the parent to call the child.
- Professionals can also arrange phone contact between themselves and the incarcerated parent to facilitate important communication and decision-making about the child. For example, schools can include incarcerated parents in their child’s Individualized Education Plan (IEP) conference or parent-teacher conferences, and foster care agencies can teleconference service plan reviews.

## LETTER WRITING, PACKAGES, & OTHER MAILED COMMUNICATION

### LETTER WRITING

While letter writing may seem outdated in this age of Internet, social media, and instant messaging, it is one of the most effective ways to communicate with an incarcerated parent. The rules governing written communication are generally the same regardless of where a parent is incarcerated. In most cases, anyone can write to an incarcerated person and if the envelope is correctly addressed (name, identification number, facility address) it generally reaches its destination. County jails provide one ID number to incarcerated people,<sup>22</sup> but if they go into the state prison system, they will receive what is called a Department Identification Number or DIN.<sup>23</sup>

When writing to an incarcerated parent, be sure to clearly identify the name of the sender and return address, as well as the incarcerated parent’s name, identification number, and the correctional facility address. All incoming mail must have clearly identifiable information or it may be considered contraband and will not be delivered.

22 To locate an incarcerated person in a jail, go to the local county jail’s website for an “inmate lookup” search engine.

23 A DIN is assigned to each person admitted to DOCCS and is used throughout the person’s term of incarceration no matter in which prison he or she may be housed.

In certain professional fields—child welfare and education, for example—there are mandates (laws and regulations) requiring certain kinds of communication and correspondence with a parent who is incarcerated. It is important to be clear about what these are, as well as to set your standard at the level of best practices (what is best for children), not only what is required.

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To find the prison identification number (DIN) for an individual in a New York State prison, use the “Inmate Lookup” system on the Department of Corrections and Community Supervision’s (DOCCS) website or call DOCCS for assistance at (518) 457-5000. Due to the large volume of requests, callers may experience slight delays when they call. Additionally, people arrested in New York State are assigned a New York State ID number (NYSID),<sup>24</sup> which will follow them from local to state prison, and for the rest of their lives, but for the purposes of addressing a letter, the DIN should be used if they are in the state prison system.

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Some prisons offer special programs where a parent can read a story book on tape or CD and mail this recording home along with the book the parent read so that the child can read along while hearing the parent’s voice.

24 NYSID numbers are intended for criminal justice agencies only since they are more commonly used for record-keeping.

### SOME OTHER CHALLENGES TO LETTER WRITING:

- There can be times when stamps are not available within the correctional facility, making it impossible for parents to mail their letters.
- The mail review process can delay the sending and receiving time; all incoming and outgoing letters can be opened by the facility and read.
- Some children are discouraged by the amount of time it takes to send and receive letters. Many would prefer to e-mail, which currently is not an option in New York State. They may view letter writing as a chore or extension of their homework.
- Letters that come from incarcerated parents may be stamped that they are from a correctional facility, and the child or caregiver may find this embarrassing.
- The literacy level of the parent or child may hinder letter writing. Parents can draw pictures for pre-verbal children, and the fact that they wrote while the child was young will mean something to the child as he gets older.
- Some parents become discouraged when/if they do not receive letters back from their children, not realizing that their letters may be cherished by children, even when children do not respond (for various reasons).

See pp. 34-35 for tips on letter-writing.

### PACKAGES AND MONEY

The policies governing mail and acceptable items to send (including packages and money) vary from facility to facility (each jail and every prison may have different rules). So **it is very important to check with the specific facility in advance**. Guidelines for allowable items can be requested when visiting an incarcerated parent, can be mailed by the facility, or can be requested by calling the specific facility directly or checking the DOCCS website.

These rules can be frustrating for children, who may want to send their parents a variety of gifts. It is very disappointing (and makes no sense to a child) that the beautiful clay pot, key chain, or birdhouse he made in school and want to show his parent cannot be mailed to him. For their parents'

birthdays and holidays (such as Mother's Day and Father's Day), children may want to send clothing or other gifts, often things that will only be returned or destroyed because they are not permitted in a jail or prison.

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Contraband is the word used within correctional systems to mean any banned item. Some items being defined as "contraband" (dangerous and forbidden) are obvious, such as weapons and drugs; other items, such as lip balm, gum, and crayons, are less obvious.

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## VISITING A PARENT IN JAIL OR PRISON

Visiting is perhaps one of the most important ways to maintain, build or enhance a positive parent-child relationship when a parent is incarcerated. Though challenging, visiting a parent in jail or prison can be a positive experience that can dispel fears, support attachment, promote healing, and provide the opportunity for improving familial relationships. Supporting children's positive visiting experiences is the subject of Section 2, pp. 16-27.

Before heading off with children for a visit, it is crucial to verify that the parent is in fact there, and what the visiting hours and rules are. You can do this by calling the facility (phone numbers for all state prisons are available on the DOCCS website). For county jails there may be a website (information about visiting Rikers Island is on the New York City DOC website), or a local phone number to call. Before calling, make sure you have the correct spelling of the parent's name, his/her date of birth and identification number.

Thankfully, in all of New York State prisons and on Rikers Island the standard for visiting is contact visits. Non-contact visits generally involve sitting on opposite sides of glass which can be very upsetting, confusing and scary for children. Some county jails do only allow for non-contact visits, and in certain situations Rikers Island or state prisons may designate a non-contact visit as a result of an "infraction" committed by the incarcerated person (meaning they broke the facility rules and are being punished). It is very important to call in advance of a visit to find

out about the visit conditions. If there are restrictions, it may be best to postpone the visit until they are lifted.

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While jails are generally closer to home than prisons, they tend to be less child-friendly. Visits will vary from county to county, so call the jail in advance to learn about their visiting hours, procedures, and conditions. If a jail has non-contact visits, contact the jail and inquire if contact visits may be arranged when children are visiting (non-contact visits are very upsetting, even traumatizing, to some children).

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Although each jail and prison has different visiting rules and arrangements, the following are factors to consider wherever you are visiting:

### **TRANSPORTATION**

New York City jails can be reached by public transportation; information about travel to particular jails is available on the New York City Department of Correction (DOC) website as well as by calling 311 (available only for the New York City area).

New York State prisons are generally more difficult, and some are impossible to access via public transportation. The few facilities located within the five boroughs are reachable by public transportation. Some within 100 miles of New York City are accessible via Metro North railroad. Many of the 60 prisons located in other parts of the state are only accessible via car. At the writing of these handbooks, DOCCS has eliminated the free visiting bus program that they provided since 1973 to provide monthly transportation to all of their prisons. There are privately operated bus lines that provide transportation to many state prisons. Seats must be reserved in advance. For up to date information, please call 1-800-344-3314.

Despite the importance of visiting for children, distance (and the associated costs) is probably the number one barrier to visiting frequently and sometimes, at all.

## WHO CAN VISIT

In the county/city jail system, virtually anyone can visit if he/she has proper identification (a state-issued photo ID). In all jail and prison visits, identification is very important, and a photo ID for every visitor—except minor children who will need their birth certificates—is required. For children being accompanied by an adult who is not their parent or legal guardian, a letter from the parent or guardian along with the birth certificate is necessary. When a child is escorted by a social worker or agency official, the escort should have a valid driver's license as well as agency identification. There are often limits on the number of visitors (no more than three, for example), so calling in advance to find out the specifics of visiting rules is very important.

In the state prison system, visitors must first be placed on an approved Visitor Record (with some exceptions). Children who are visiting their parents may visit on their own once they turn 16; other children may visit on their own once they are 18.

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To speed up your visitor processing and make it less stressful, bring as little as possible with you. Make sure to check all your pockets thoroughly to make sure there is nothing in there that you have forgotten about. Leave any questionable items in the locker provided or in your car. Under no circumstances should you attempt to bring drugs or weapons or any contraband items into the facility.

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## VISITOR PROCESSING:

### WHAT (NOT) TO WEAR AND WHAT (NOT) TO BRING

Correctional facilities are charged with maintaining security, so many of their rules are designed to reduce the amount of contraband (items not permitted inside a facility, see p. 46) that comes inside. Corrections officials are always concerned with keeping drugs and weapons out of their facility. They consider visitors to be a prime source of both drugs and



weapons, so visitors are always searched via a metal detector, generally after removing shoes, belts and other items similar to the searches in airports. Searches may also include a wand, dogs, ion scanners, or more invasive body searches if it is believed to be warranted. People bringing children on visits who attempt to introduce contraband will be arrested and their minor children may be turned over to local child welfare authorities. Visitors are arrested frequently, subjecting children to terrible and traumatic situations. **Do not bring contraband into the facility.** Incarcerated parents who ask for drugs, weapons, or other banned items are knowingly placing their loved ones at unacceptable risk of arrest, trauma, loss of visiting privileges, and foster care.

At some prisons, an underwire bra will set off the metal detector, and a woman will be asked to go to the bathroom, remove her bra, place it in a paper bag, hand the bag to an officer, and walk through the metal detector again. In order to avoid this whole process, **it is best to wear a sports bra or a bra without a metal underwire.** Even children are subject to strict dress codes which usually include no tank tops or sleeveless shirts or dresses (even in the summer), no short shirts showing midriffs (including when the arms are lifted—so test out your shirt by lifting your arms up), no short skirts above the knees, and more.

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“The worst visit I ever had—or never had—was when my caseworker wore these jeans that the officer said were not allowed because they were tight and had a bunch of metal designs on them. I was too young to visit by myself, so we traveled all this way and I didn’t get to see my dad. I was so mad and sad, and... I was only 8 so I couldn’t even understand all the upset feelings I had. It just wasn’t fair.”

—Jeffrey, age 14

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To speed up your visitor processing and make it less stressful, do not wear clothing or hairstyles with metal, or outfits that will be disturbed by having to remove hats, scarves, outer layers (such as cardigans, open button-down shirts, or sweatshirts). Travel as lightly as possible. If you travel by car, leave all items except your car keys, money and ID in your car and make sure to check all your pockets thoroughly to make

sure there is nothing in there that you have forgotten about. Leave any questionable items in the locker provided or in your car. Under no circumstances should you attempt to bring drugs or weapons or any contraband items into the facility.

## FAMILIES WITH SPECIAL NEEDS

Procedures for acquiring reasonable accommodations for individuals with special needs are available at each New York State prison.

## VISITING TIME

Visiting only occurs during approved visiting hours, so it is important to find out exactly when these are and to arrive early! At some facilities, lines form several hours before the facility is open to the public. In jails, there are different visiting hours and rules for pretrial detainees (those awaiting disposition or sentencing) and sentenced individuals (serving one year or less).

**New York State maximum security prisons offer visiting seven days a week. Most other prisons and many jails offer weekend and holiday visits.** Sometimes the visiting days go by the incarcerated person's last name (with last names beginning with A-L visiting one day, and M-Z visiting another day). Some jails and prisons will make separate visiting times available for children in foster care visiting with their case-workers; this usually has to be arranged in advance with the facility.

Most maximum security prisons and some medium security prisons offer a **Family Reunion Program (FRP)** which allows for overnight visits providing an extended and more normalized time together.<sup>25</sup> The incarcerated person applies for the FRP and has to meet certain criteria to be granted an FRP; approval also depends on who the visitors will be. Calling the particular prison to inquire about their specific rules for FRPs is a good idea.

**There are many variations on when visits can happen, so it is very important to call in advance to find out specifically when the hours are for the parent you want to visit.**

25 State of New York Department of Corrections and Community Supervision. (2011) *Family Reunion Program*, Directive #4500, describes in detail the application, eligibility, and participation regulations.

If possible, it is a good idea to write the incarcerated parent in advance and let him know when you plan on visiting. If the parent is expecting the visit, he can be ready when he is notified that he has a visit, which can reduce the child's waiting time. This also allows the parent to prepare emotionally for the visit, to think about what his children need from him, and to prepare any questions he has for the visit escort. If you cannot make the scheduled visit time, it is important to try very hard to get word to the parent and reschedule as soon as possible. Parents may worry that something terrible has happened to their child. This is also why it is very important to make a visit happen on the scheduled date.

### VISITING AREAS

Most correctional visiting areas in New York State are large rooms somewhat resembling school cafeterias. There may be as few as 20 or as many as 100 small tables with chairs around them. Some visiting rooms have long tables with bench seats where visitors sit on one side and those they are visiting on the other. The size of the room may not correspond with the number of people incarcerated or the number of visitors, so the room can be overcrowded, particularly on weekends and holidays. There is often little ability for private conversations, and many jails and prisons offer little for children to do.

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**"I grew up in the visiting room with my mom—she's been incarcerated since I was 4. I'm grateful for the Children's Center so we could touch and hug and play together. These are my childhood memories with her."**

*—Tonya, age 17*

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All of the women's prisons in New York State do offer some kind of children's area and many men's prisons do as well. Most prison visiting rooms do minimally offer playing cards; some also have crayons and paper. Some facilities offer outside visiting spaces and most prisons also schedule a number of special events throughout the year, including family days.

About half of all of New York's state prisons offer Hospitality Centers (HCs) which are open on weekends and are operated by community or

faith-based organizations. The HCs offer a welcoming place for visitors to stop prior to their visit, to gain practical information, and to receive support, as needed. This can be particularly helpful for visitors who have traveled long distances and may be in need of assistance.

## DURING THE VISIT:

### ACTIVITY, FOOD, AND PHOTOS

**The “Count”:** Several times a day, virtually all movement stops within correctional facilities while incarcerated persons are counted. In many facilities, there is a “count” around 11 a.m., so it is best to arrive before 10 a.m. or after 12 p.m. as no visitors will be allowed in until the count has “cleared,” and no incarcerated people will be brought to the visiting room during this time. The count can take from 30 minutes to 2 hours to “clear.” If you are visiting with someone during count, you may find that all incarcerated people are required to stand or assemble in a line, and all visitors to sit while those incarcerated are counted. This overall experience can be confusing for children as it interrupts their visit and also reminds them that their parents are prisoners.

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Many waiting or visiting rooms in both jails and prisons have vending machines for food and beverages, but it is a good idea to eat before your visits and especially to feed children beforehand in case the vending machine food is not available for some reason. Some jails may not offer vending machines within the visiting room since visits may only be 45 minutes long; prison visits usually last longer.

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**Food:** Most jails and prisons do not allow visitors to bring any food into the visiting room. There are usually vending machines in the visiting room of prisons, but don’t count on it! If you are traveling with children, it is best to eat something before you visit; vending machines are

expensive, run out of food, and are sometimes broken. If possible, bring a lot of change and do not assume that the cost or quality or availability of food is similar to what children may eat in other settings.

**Photos:** Many prisons and a few jails offer a photo program, “Click Click,” where visitors can get instant photos of the person they are visiting. These are generally a few dollars each and—while expensive—are so important for children and parents. Photos can also serve as transitional objects helping children say goodbye and allowing them to leave with a representation of the parent. Children of all ages often treasure these photos, and they also create memories and can be put in a family album.

## TELEVISITING WITH A PARENT IN JAIL OR PRISON

Televisiting is a promising additional means of communication between children and their incarcerated parents. It is a live and interactive virtual visit using videoconferencing technology (similar to “Skype”). It is currently offered in only a few prisons and jails, though this may expand in the future. Televisiting can be effective in maintaining and strengthening the parent-child relationship, and is an effective supplement to face-to-face visits (not a replacement). Ideally, there are trained staff at both ends (someone with the incarcerated parent at the jail or prison and someone with the children). To find out which DOCCS prisons offer televisiting, contact their central office at 518-457-5000. To find out if a county jail offers this, call the county jail directly.

## FOSTER CARE VISITS

There are strict statewide regulations governing visits and contact for children in foster care, though there may be county variations to how these are carried out. The New York City Administration for Children’s Services (ACS) has published a handbook entitled, *Out of Sight, NOT Out of Mind: Important Information for Incarcerated Parents with Children in Foster Care*.<sup>26</sup> This handbook details the rights and responsibilities of incarcerated parents with children in foster care and is helpful for case-workers and foster parents as well.

Children in foster care with incarcerated parents experience a double separation and a double sense of abandonment. Their attachment and developmental needs may get overlooked, and, in general, training about working with incarcerated parents is not part of the general caseworker training. Additionally, high caseworker turnover combined with the distance of most prisons can make visiting infrequent. On the other hand, many prisons and jails will make special visiting arrangements for children in foster care. To inquire about foster care visits at a particular facility, a call should be made to the superintendent (prison) or warden (jail), and this should be followed by a letter including the following information:

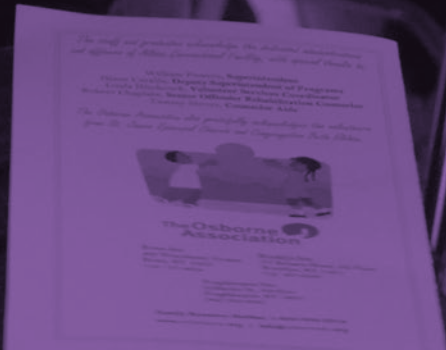
- The name of the incarcerated individual;
- The Department Identification Number (DIN#) or equivalent for jails;
- The name of the social worker and the agency being represented; and
- The children's names and dates of birth.

Instead of visiting during the general visiting times, a gate clearance may be generated allowing the visit to take place at additional times, when general visiting is not in effect. These visits may also include shorter waiting times and extended visiting time for the parent and child.

**Volume III** covers additional information about children in foster care, including kinship foster care (see pp. 36-42, and pp. 50-52).

26 To order a free copy, contact the Children of Incarcerated Parents Program (CHIPP) at the New York City Administration for Children's Services, Office of Family Visiting/CHIPP, 150 William Street, 8th Floor, New York, NY 10038.

# CONCLUSION



Communication is the source and strength of relationships. As a professional or caregiver working with and/or caring for children of incarcerated parents, you have an important opportunity to foster and support these relationships by supporting a child's communication with her incarcerated parent. While the opportunities for communication are carefully defined and rigorously controlled, the possibilities are endless. For many children, the prison visit may be the first time their parents have really taken the time to talk to them, to share their thoughts and feelings, to listen to them, and to spend time with them. Even children whose contact is limited to letters and phone calls can be greatly sustained by this special relationship, in which their parents can provide encouragement, support, and a listening ear on a consistent basis.



In addition to facilitating the communication between the child and his parent, you can provide a valuable forum for communication by listening to the child. Listening is not a passive act; listening to children provides them with new possibilities, new opportunities, new hope, and possibly a more confident sense of self. By facilitating, empowering, and supporting a child's efforts to write to, speak with, and see his incarcerated parent, and by assisting the incarcerated parent in remaining connected to his children, you are fostering the possibility that the child will be listened to and that a critical relationship will be nurtured.

While you may not be able to change the fact that a child's parent is incarcerated, you can change how the child experiences the incarceration, and what messages about life and himself he takes away from this experience. You can stand for a child's right to be kept safe and informed, to be considered, not to be judged and stigmatized, to have access to her parent, and to have a lifelong relationship with her parent.<sup>27</sup> You can do this whether you are the child's parent, caregiver, counselor, grandparent, social worker, coach, foster parent, teacher, relative, or friend.

You can do this. You can make the difference in a child's life. **You.**

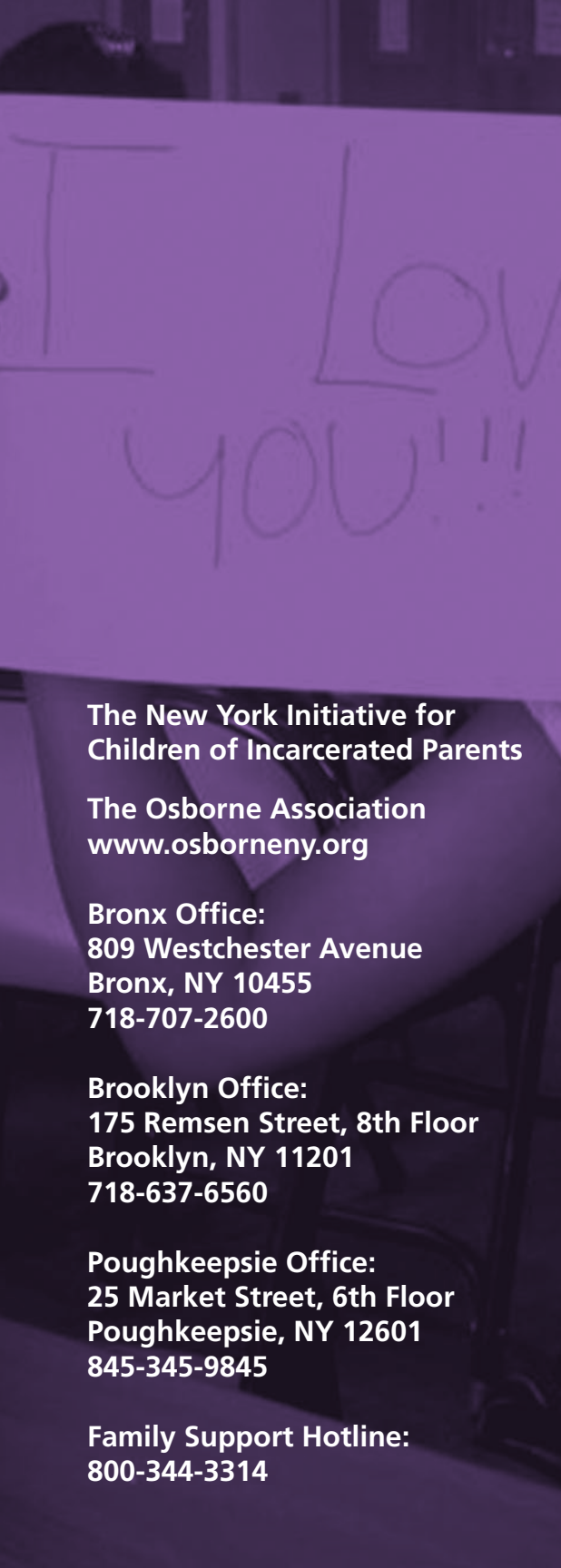
27 See *Children of Incarcerated Parents: A Bill of Rights* (2005) on the inside cover of this handbook.



## **CHILDREN OF INCARCERATED PARENTS:**

# **A BILL OF RIGHTS**

- 1 I have the right TO BE KEPT SAFE AND INFORMED AT THE TIME OF MY PARENT'S ARREST.**
- 2 I have the right TO BE HEARD WHEN DECISIONS ARE MADE ABOUT ME.**
- 3 I have the right TO BE CONSIDERED WHEN DECISIONS ARE MADE ABOUT MY PARENT.**
- 4 I have the right TO BE WELL CARED FOR IN MY PARENT'S ABSENCE.**
- 5 I have the right TO SPEAK WITH, SEE AND TOUCH MY PARENT.**
- 6 I have the right TO SUPPORT AS I STRUGGLE WITH MY PARENT'S INCARCERATION.**
- 7 I have the right NOT TO BE JUDGED, BLAMED OR LABELED BECAUSE OF MY PARENT'S INCARCERATION.**
- 8 I have the right TO A LIFELONG RELATIONSHIP WITH MY PARENT.**



**The New York Initiative for  
Children of Incarcerated Parents**

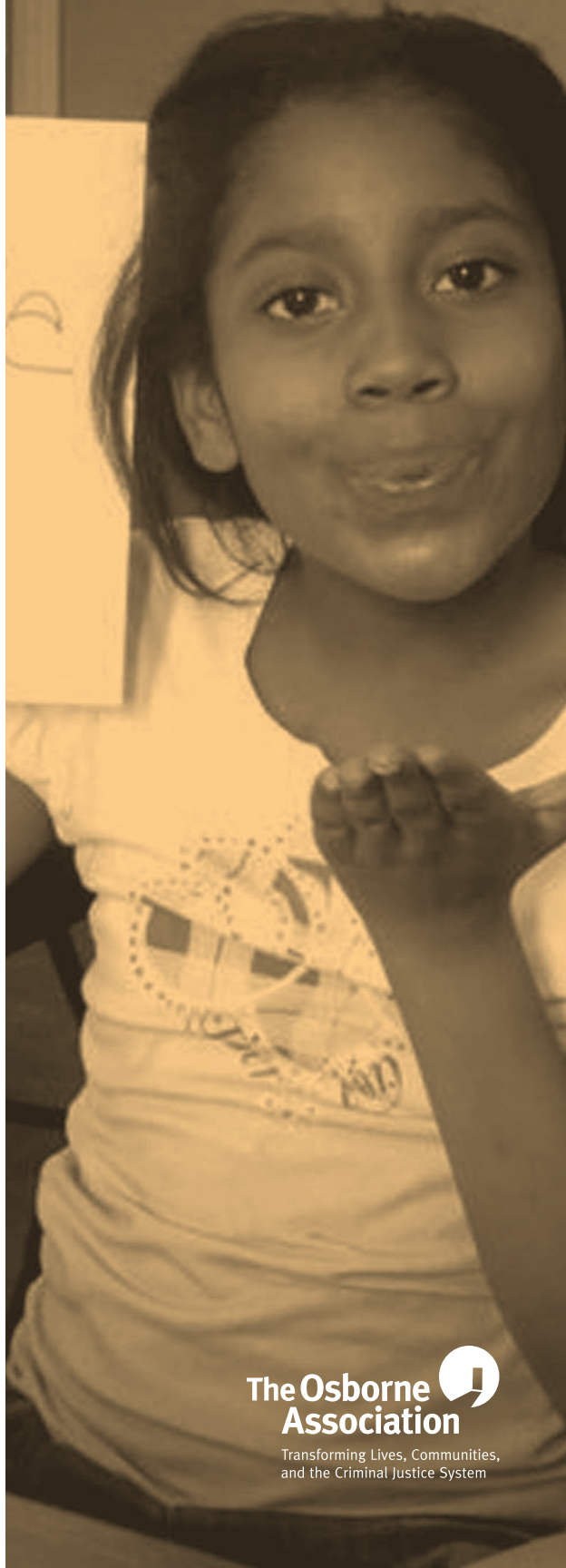
**The Osborne Association  
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**Family Support Hotline:  
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