

**PRISONERS AS PARENTS:
THE IMPORTANCE OF STRONG PARENT-CHILD RELATIONSHIPS
DURING PARENTAL INCARCERATION**

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PART ONE:

AN OVERVIEW OF THE ISSUES STEMMING FROM PARENTAL INCARCERATION

“It was easy to forget when you worked at Sing Sing that all the inmates there were, essentially, missing from someplace else. Outside the walls, however, they were still fathers, sons, brothers, and husbands – mainly of poor people from New York City. In being sent to prison, they had no doubt let people down; some that loved them no longer wanted to see them. But many others missed them, and every day of the week these people found their way to prison via bus, car, train, and taxi. They submitted to long waits in order to spend a short time in Sing’s Visit Room” (Austin, Irwin, and Hardyman, 2002) (quoting Conover, 2000).

A parent’s incarceration profoundly impacts both her and her children. This paper will highlight some issues resulting from parental incarceration and suggest a program the California Department of Corrections and Rehabilitation (CDCR) can implement to confront these issues. Parental incarceration affects everyone in California because of the sheer number of families involved and the implications parental incarceration has on the development of the next generation of Californians.

I. Scope of the Problem

The number of incarcerated parents in the United States has increased dramatically. Between 1991 and 2000, the number of parents in prison nearly doubled, from 452,000 to 737,400 (Mumola, 2000). Because more parents are in prison, more children experience the trauma of parental incarceration. Between 1991 and 2000, the number of children with incarcerated mothers increased 98%, and the number of children with incarcerated fathers increased 58% (Smith, Krisman, et. al., 2004). Imprisoned fathers in California have an

average of 2.5 children and imprisoned mothers have an average of 2.9 children (Simmons, 2003).

Of the approximately 155,000 Californians in prison, 79% of female prisoners are mothers, two-thirds of male prisoners are fathers (Simmons, 2003). Based on the percentages of men and women in prison, this means that approximately 96,100 fathers and 10,850 mothers are in prison in California (CDCR, 2005). As a result, roughly 185,000 children in California have a parent in prison on any given day (Simmons, 2003). The impact of parental incarceration disproportionately impacts communities of color. In California, approximately 64,130 black children and 81,820 Latino children currently have a parent in prison (CDCR, 2005). Stated another way, of all the children in California with a parent in prison, 34% are black and 44% are Latino (CDCR, 2005).

These numbers, shocking as they are, do not reflect the true scope of the problem. Most children who have experienced parental incarceration do not currently have a parent in prison right now because the majority of people under correctional supervision are on probation or parole (Gabel and Johnston, 1995). It is therefore difficult to estimate the number of children who have had the experience of parental incarceration at least once in their lives (Gabel and Johnston, 1995).

II. The Impact of Incarceration

The disruption of the parent-child relationship caused by parental incarceration is important both for its effect on the child and on the parent. There is a strong correlation between a parent's incarceration and his child's likelihood of engaging in delinquent behavior. Nationally, 47% of inmates in state prisons and 50% of all juveniles in custody have a mother, father or other close relative who has been incarcerated (Butterfield, 2002). It

is difficult, however, to attribute children's behavioral problems to the parental incarceration *per se* (Parke and Clarke-Stewart, 2001). Incarceration is often preceded by a period of familial instability, poverty, child abuse or neglect, marital discord and conflict or paternal absence (Parke and Clarke-Stewart, 2001). Parental incarceration may also lead to disrupted and multiple living arrangements, financial hardship and decreased quality of care (Petersilia, 2003). All of these factors increase the likelihood of behavioral problems.

Children whose parents have been incarcerated have been shown to experience anger, anxiety, inability to concentrate, depression, preoccupation with their loss, sadness, grief, shame and fear following the incarceration (Simmons, 2003). Children who visit their parents more often and under better visiting conditions exhibit fewer adjustment problems (Petersilia, 2003). These consequences of parental incarceration have the potential to impact the child's educational achievement, psychological development, and likelihood of delinquency.

The strain on familial relationships caused by incarceration is equally damaging to the prisoner's rehabilitative efforts as it is to his child's development. Multiple studies show that prisoners who maintain strong family ties during imprisonment have higher rates of post-release success and lower levels of recidivism than those who do not (Petersilia, 2003). The maintenance of family relationships is important to prisoners and central to the achievement of major social goals, including the prevention of recidivism and delinquency (Hairston, 2002).

III. California Lacks a Policy on Parent-Child Relationships During Incarceration

California lacks a single policy addressing the affect of incarceration on parent-child relationships. The CDCR has no visiting program designed to facilitate parent-child contact and limited parenting programming for prisoners (Woodward, 2005).

There are a number of barriers to sustaining family relationships during incarceration. Most prisons are located in rural areas far from the urban homes of most prisoners' families. Women are housed in prisons an average of 160 miles from their children, while men are incarcerated an average of 100 miles away (Travis, Cincotta and Solomon, 2003). Because many prisoners' families are poor, lack private transportation, and cannot afford public transportation, the physical distance significantly impairs their ability to visit (Parke and Clarke-Stewart, 2002). In addition, rules about who is eligible to visit, the number of visitors allowed at one time, appropriate behavior during the visit, lack of privacy, harsh treatment of visitors by correctional staff, and the physical layout of the visiting room often deter family members and caregivers from visiting (Parke and Clarke-Stewart, 2002).

Fewer than half of the incarcerated parents in state prisons ever see their children in person (Genty, 2003). Of those who do see their children, only about twenty percent have visits at least once a month (Genty, 2003).

Contact by other means is also restricted. Corrections policies typically limit the number of calls or letters allowed per prisoner (Travis, Cincotta and Solomon, 2003). Additionally, telephone calls from prison are exceedingly expensive (Gabel and Johnston, 1995). In California, for example, a 15-minute collect call from prison costs the party at the receiving end about \$90 (Sims, 2005). Of the parents who make any phone contact at all, only about 50% of the mothers and 40% of the fathers speak to their child on the phone at least once a month (Genty, 2003). It is common for phone lines in the homes of caregivers to be disconnected because they cannot pay the high cost of collect calls from prison (Gabel and Johnston, 1995). Furthermore, communicating through letters may be impeded by the limited literacy skills of the parents, children, and caregivers (Smith, Krisman, et. al., 2004).

Some states are working to create a collaborative approach to maintaining family relationships during incarceration. Virginia offers three primary forms of programming: correction-based programs, community-based programs, and programs funded through the Virginia Juvenile Community Crime Control Act (Virginia Commission on Youth, 2002). The corrections-based programming provides parenting education and activities that enhance parent-child communication and interaction (Virginia Commission on Youth, 2002). All of the female institutions and approximately 10% of the male institutions have such programming. Community-based programming offer services such as facilitating child and parent contact through telephone calls and visitation, family counseling, liaison services, tutorial and mentor services for the children, support groups for the children and caregivers, and custody advice for inmate parents (Virginia Commission on Youth, 2002). Finally, the Virginia Juvenile Community Crime Control Act provided \$123,545 to fund parenting programs in prisons.

Corrections-based programming in California is limited and varies from prison to prison (Woodward, 2005). Some California prisons offer Family Reunification Services to help incarcerated parents remain in contact with their children through collect phone calls, transportation services, and visitation rights (Berry, 2001). Numerous exceptions, however, may bar a prisoner's participation in Family Reunification Services such as, a history of substance abuse, reported physical or sexual abuse of the child, or conviction of a violent felony. In a national survey of prison programming conducted by the U.S. Census Bureau, researchers found that only 4% of women and 1% of men reported participation in parenting counseling (Eddy and Reid, 2001). Because the California prison population comprises such

a large portion of the national prison population, it is reasonable to assume that the national figures are representative of California, as well.

California relies primarily on community-based programs. Some of the community-based organizations available to prisoners and their children are: The Center for Children of Incarcerated Parents, Legal Services for Prisoners With Children, Friends Outside, The Child Welfare League of America, Family and Corrections Network, and Girl Scouts Behind Bars.

More programs designed to sustain family relationships during incarceration are sorely needed. Parents who have been incarcerated may have problems reconnecting emotionally with their children, re-establishing custody rights or gaining visitation privileges, and providing financial support. Possible family services may include: family therapy, anger management, parenting classes, family bridge building and child reunification (Rossman, 2001).

California keeps no statistics about whether its prisoners have children. The lack of concrete data impedes the design and implementation of a comprehensive policy to help maintain parent-child relationships during incarceration.

IV. Structure of the Paper

A necessary incident to incarceration is that the incarcerated parent is separated from his or her children. Part Two of this paper will look at how this separation affects the parent's rehabilitative efforts, focusing on each sex separately. Next it will analyze how the incarceration of one's parent affects a child's educational achievement, psychological development and likelihood of future delinquency. Part Three will present an overview of other states' responses to this issue and will use these programs to create a recommended program for California to implement.

PART TWO:

THE FACTS & FIGURES

Most states' formal visitation policies serve to discourage visitation (Wong, 2002). The times set aside for family visits are rigidly set to accommodate prison operations rather than the schedules of family members. In California, regular visits are allowed only on Saturday and Sunday (CDCR, 2005). Many prisoners and their loved ones feel that policies surrounding inmate and visitor conduct have steadily become more restrictive over the past decade (Wong, 2002).

Prior to 1994, for example, California law dictated that the state could only deprive prisoners of rights "necessary to provide for the reasonable security of the institution and for the reasonable protection of the public" (Wong, 2002). Since that time, however, the standard for evaluating new restrictions on inmates was broadened to include those related to "legitimate penological interests" (Wong 2002). Prisoners serving life sentences without parole dates lost the ability to have overnight family visits (Wong, 2002). In 1996, a statute proclaimed that personal visits were no longer a right of inmates as they had been since 1975, but rather a privilege, one that could be denied for a variety of reasons. (Wong, 2002)

In 2002, a number of measures were proposed to restrict prisoners' rights during visits. The proposed policy changes included the following: Male inmates would no longer be allowed to hold children over the age of 6 on their laps; kissing and/or embracing between visitors and inmates (which may occur only at the beginning and end of a visit) shall not exceed five seconds in duration; inmates convicted for the sale, possession to sell, or manufacture of drugs shall be barred from contact visits for the first 12 months of their

incarceration (Wong, 2002). These modifications were tempered somewhat and the current rules for visitation are:

Each visitor and inmate is responsible for his or her own conduct while visiting. Violation of the rules and regulations may result in termination, restriction, suspension, or denial of visits. Additionally, disciplinary action may be taken against the inmate. An inmate and his/her visitor(s) are allowed to briefly embrace and kiss at the beginning and end of their visit. An inmate may hold his or her minor children. Inmates may also hold minor children accompanied by an adult. Children are to remain under the direct supervision and control of the visiting parent or guardian at all times. Holding hands on top of the table in plain view is permitted, with no other physical contact. Excessive contact, (kissing, massaging, stroking, and sitting with legs intertwined or sitting on laps) could result in termination of the visit. Nursing mothers shall be discreet and covered when breast-feeding their baby in the visiting area. Failure to do so may result in termination of visiting for that day. Inmates cannot receive any items, gifts, money, jewelry, or documents during a visit. However, the adult visitor may ask for a pencil and notebook paper as needed. Smoking is not allowed in the visiting rooms or outside patios in the institutions at any time. (CDCR, 2005)

I. Parents

Researchers have overwhelmingly reported that family contact is critical to improving inmate behavior and the likelihood of post-incarceration success (Smith, Krisman, et. al., 2004). There is evidence that maintaining strong family bonds during incarceration reduces chemical dependency, improves inmate behavior, increases post-prison success, enhances parents' and children's mental health, lessens violent behavior and facilitates family reunification (Smith, Krisman, et. al., 2004).

A. Effect of Incarceration on Mothers

The relationship between an incarcerated mother and her child is often complicated:

When a woman goes to prison, her relationship to her children is a central emotional focus: she is torn by guilt, anxiety and a sense of failure, yet, at the same time, her child continues to be a source of hope, a connection to a part of herself, a motivation for her to change. This crisis is potentially an opportunity for enormous growth (Smith, Krisman, et. al., 2004) (citing Boudin, 1998).

The quality of family relationships is the strongest predictor of female offenders' success and has a significant influence on relapse prevention among female parolees (Hairston, 2001). Separation from and concern about the well-being of their children is one of the most damaging aspects of imprisonment for women (Gabel and Johnston, 1995; Bloom and Steinhart, 1993).

About two-thirds of imprisoned mothers lived with their children prior to arrest (Simmons, 2003). Because mothers are often the primary caregivers, securing adequate care for their children once arrested is a major concern (Gabel and Johnston, 1995). Women prisoners are often hesitant to surrender their children to foster care because they may distrust state services generally or fear that their parental rights will be terminated, that the state will not place their children in foster families of the same cultural background, or that their children will feel that their family has failed or abandoned them (Gabel and Johnston, 1995). As a result, incarcerated mothers are often forced to ask relatives or friends, who themselves might be inadequate caregivers, to look after their children while they are incarcerated (Gabel and Johnston, 1995).

Historical trends indicate that reduced contact with their children negatively impacts recidivism rates for female offenders. In the 1960s, although women served time in prisons farther away from home and had longer prison sentences, mother-child contact was more

frequent than it is today (Gabel and Johnston, 1995). In 1964, 80% of California's female prisoners were serving their first prison term compared with only 28% of women in 1991. Female recidivism has increased as contact and visitation between incarcerated mothers and their children have decreased and terminations of parental rights have become more prevalent (Gabel and Johnston, 1995).

Contact between imprisoned mothers and their children is limited. Only 8% of incarcerated mothers see their children as often as once a week, 18% see them once a month and 20% see them less than once a month (Parke and Clarke-Stewart, 2002). Approximately half of incarcerated parents do not see their children at all while incarcerated (Parke and Clarke-Stewart, 2002).

Maintaining child-parent contact during incarceration has been shown to be a significant factor in reducing recidivism once mothers are released. One model program compared 203 women who completed a parent education curriculum based on the Systematic Training for Effective Parenting program (Dinkmeyer and McKay, 1983) with 275 women who were being released without taking the classes (Parke and Clarke-Stewart, 2002). The curriculum involved 15 hours of instruction over a 10-week period and focused on such topics as "understanding yourself and your child, understanding beliefs and feelings, encouraging your child and yourself, listening and talking to your child, helping children learn to cooperate, discipline that makes sense, [and] choosing your approach" (Dinkmeyer and McKay, 1983). Participants in the program had a recidivism rate of 1% compared with 19% recidivism for participants in the control group (Parke and Clarke-Stewart, 2002).

B. Effect of Incarceration on Fathers

Strong connections between a man and his family during all stages of his involvement with the criminal justice system will help reduce his likelihood of recidivism. Fathers who lived with their children prior to incarceration are more likely to visit or correspond with their children during incarceration (Gabel and Johnston, 1995). However, only 44% of fathers in California lived with their children immediately prior to incarceration (Simmons, 2003). During prison, male prisoners who maintain strong family ties have higher rates of post-release success than those who do not. Upon release, men who assume responsible husband and parenting roles upon release have higher rates of success (Hairston, 2001).

Men continue to feel responsible for and concerned about their children while serving time in prison. A study of 126 men in two prisons in the southeastern United States showed that the men had numerous concerns about their parent-child relationships and the well-being of their children. Forty-two percent of respondents worried that their children lacked guidance and/or supervision, 29% worried that their children might get in trouble, and 12% were concerned that their children might not have a proper home (Gabel and Johnston, 1995). Other concerns revolved around the status of the parent-child relationship: 26% worried that their children might forget them, 20% worried that their children might replace them with someone else, such as a stepfather, and 18% worried that their children might not respect them anymore (Gabel and Johnston, 1995). Only 11% of the fathers said that they had no concerns as a parent (Gabel and Johnston, 1995).

Many children in California have fathers who are absent during significant stages of their growth as a result of incarceration (Gabel and Johnston, 1995). The average age of an inmate's child is eight years old (Mumola, 2002) and the average sentence for a prisoner in

California is 47.7 months, or roughly four years (CDCR, 2005). This means, for example, that a father who enters prison when his child is in the third grade will remain in prison until his child is almost ready to enter high school. Without frequent contact, the father misses out on crucial stages of the child's development, and the child must grow up without a father.

II. Children¹

Children are profoundly affected when one of their parents is arrested and subsequently incarcerated. Children feel strong attachments to their parents even if their parents are drug addicts or otherwise not “good” parents (Gabel and Johnston, 1995). As a result, the separation that results from incarceration is always traumatic (Gabel and Johnston, 1995).

A. Psychological Development

Seventy percent of young children with incarcerated mothers have emotional or psychological problems (Parke and Clarke-Stewart, 2002). Parental crime, arrest, and incarceration interfere with the ability of children to successfully master developmental tasks and to overcome the effects of enduring trauma, parent-child separation and an inadequate quality of care (Gabel and Johnston, 1995).

Even in households that were disrupted by parental crime, children who have an incarcerated father miss his affection (92%) and feel lonely (59%) as a result of his absence (Gabel and Johnston, 1995). A parent's incarceration is scary for children, they frequently worry about their parent's safety and well-being (Smith, Krisman, et. al., 2004). Children

¹ This section will focus on the effect of parental incarceration on children from middle childhood (7-10 years) to late adolescence (15-18 years). It will therefore exclude the many issues surrounding prenatal care and infants born to mothers in prisons.

may also worry that their parents have abandoned or rejected them (Smith, Krisman, et. al., 2004).

Visiting can help allay some of these fears. However, about half of incarcerated parents never receive any visits from their children (Parke and Clarke-Stewart, 2002).

A major consequence of parental incarceration is a change in family structure. Families are more likely to be disrupted by women's incarceration than by men's because, in most cases, the mothers are the primary caregivers (Gabel and Johnston, 1995). When a father goes to prison, the children's mother usually continues to care for his children, although stepfathers, boyfriends and grandparents may play a role in parenting as well (Eddy and Reid, 2001). When a mother goes to prison, however, the father cares for the child only 25% of the time (Eddy and Reid, 2001). Alternatively, the child may live with a grandparent (51%), another relative (20%), a family friend (4%) or in a foster home (11%) (Eddy and Reid, 2001). One study found that less than 10% of prisoners' children had lived continuously with one primary caregiver since birth (Gabel and Johnston, 1995).

Frequently changing living situations is a form of enduring (multiple or recurrent) trauma. Typical emotional responses to childhood trauma include anger, sadness or grief and anxiety (Gabel and Johnston, 1995). Children with poor coping skills and children whose families are so stressed that they cannot offer support, are more likely to be unable to overcome the emotional effects of trauma (Gabel and Johnston). This is particularly true of children who have enduring exposure to traumatic events (Gabel and Johnston, 1995).

The most typical reaction to trauma seen in children of offenders is aggression (Gabel and Johnston, 1995). Other common behaviors include hyper-vigilance, attention and concentration problems, and withdrawal (Gabel and Johnston, 1995). Older children whose

parents are incarcerated tend to transform these behaviors into illegal activity like gang involvement, assault, and substance abuse (Gabel and Johnston, 1995).

Parental incarceration is particularly difficult for older children. Older children are more aware of their surroundings so they may question their parent's fitness as a parent and reject limits their parents impose on them (Gabel and Johnston, 1995). This can lead to a general distrust of limits and authority; 67% of children who witness their parent's arrest distrust the police (Gabel and Johnston, 1995). Only 33% of older teenagers of women offenders would call the police for assistance, even in situations of danger, compared to 83% of children under the age of 14 (Gabel and Johnston, 1995).

B. Educational Achievement

Numerous studies have documented the effect of parental incarceration on children's school performance. Children of prisoners exhibit typical reactions to trauma such as aggression and attention and concentration difficulties that lead to academic and disciplinary problems at school (Gabel and Johnston, 1995). Seventy percent of school aged children of incarcerated mothers showed poor academic performance and 5% exhibited classroom behavior problems (Parke and Clarke-Stewart, 2002). As children reach adolescence, children of incarcerated parents have higher suspension and dropout rates (Parke and Clarke-Stewart, 2002). Changing caregivers might also require a child to change schools or even school districts, disrupting the child's studies.

The impact of parental incarceration on educational achievement is difficult to pinpoint because parental incarceration is so heavily associated with other stressors in the child's life. But it is possible to say that the triad of parental crime, arrest, and incarceration

likely impair the development of children's abilities to work and to get along with others, including the control of emotions and academic achievement (Gabel and Johnston, 1995).

Poor academic performance among a distinct population, i.e. children of incarcerated parents, is a point of concern for several reasons. First, these children are not learning basic skills, like reading and math. Second, because these kids are entering the workforce with sub par skills they will be relegated to lower-paying jobs, thus perpetuating a cycle of poverty. Finally, failure at school may prompt the children to find "success" in other arenas, namely crime.

C. Future Criminality

There is no clear evidence of a link between parental incarceration *per se* and adolescent delinquency (Eddy and Reid, 2001). Most children with incarcerated parents experience other factors that create a high risk for delinquent behavior, such as poverty and frequently shifting housing and school situations (Eddy and Reid, 2001). Research and theory support the contention that incarcerated parents' involvement with, and attachment to, their children can prevent intergenerational crime, although the effectiveness of existing programs in achieving that goal has not been soundly demonstrated (Hairston, 2001). Studies of delinquency consistently find that family relationships and parenting practices are important factors in determining a child's likelihood of delinquency (Hairston, 2001). Parental involvement, attachment and rejection also play major roles (Hairston, 2001).

Children of offenders are likely to enter the criminal justice system (Gabel and Johnston, 1995). The typical female offender comes from a broken or single-parent home in which other family members have been incarcerated (Gabel and Johnston, 1995). Twenty-nine percent of the 11-14 year olds in the Children of Offenders Study had been arrested and

or incarcerated (Gabel and Johnston,1995). The Jailed Mothers Study found that 11.4% of children of participating women had been arrested and 10% had been incarcerated (Gabel and Johnston,1995).

In a longitudinal study of 206 fourth grade boys in “at risk” neighborhoods, 78% of boys whose mothers had been arrested and 50% of boys whose fathers had been arrested, were themselves arrested two or more times prior to age 18 (Eddy and Reid, 2001).

Having an “antisocial” parent is one of the strongest predictors of violent or serious delinquency in adolescence and young adulthood (Eddy and Reid, 2001). The researchers define “antisocial” as “a cluster of related behaviors, including disobedience, aggression, temper tantrums, lying, stealing, and violence” (Eddy and Reid, 2001). Some inmates, particularly violent offenders, would be classified as highly antisocial under this system. A child of the most antisocial parent is 3 to 6 times more likely to exhibit violent or serious delinquency than a child of the least antisocial parent (Eddy and Reid, 2001).

Childhood delinquency has both short term and long term significance. Childhood delinquency is a significant predictor for adult criminal behavior. Between 40% and 75% of youths who are arrested for delinquent acts and/or who meet psychiatric criteria for a “conduct” disorder are arrested in adulthood (Eddy and Reid, 2001). Youth who become involved in criminal behavior during late childhood and early adolescence appear to be at an especially high risk for continuing such behavior during adulthood (Eddy and Reid, 2001).

A parent’s incarceration is a significant and traumatic event for a family. Its potential damage can be mitigated by maintaining strong family connections through frequent communication between the parent and child. It is in California’s interest for its prisoners to maintain their parent-child relationships because strong family connections lead to more

successful reentry into the community upon release and lead to healthier psychological and emotional development for children, reducing their likelihood for delinquency.

**PART THREE:
A VIRTUAL VISITATION PROGRAM CAN HELP PRESERVE
VALUABLE PARENT-CHILD RELATIONSHIPS**

I. Goals

This section will recommend that California adopt a “virtual visitation” program enabling prisoners to communicate with their children more frequently. Here “virtual visitation” refers to a real-time audio and video conversation between two people at different locations. Virtual visitation provides a way for California to help parents maintain their relationships with their children during incarceration.

Research suggests that to maintain family relationships during incarceration, prisoners must adopt new family roles. Incarcerated parents are unable to make significant financial contributions to their family nor are they able to physically take care of or protect their children (Hairston, 2001). Therefore, programming should be designed to encourage active participation in their other parenting capacities, such as demonstrating caring and concern for children and participating in decision-making about select family issues (Hairston, 2001). Both of these objectives may be met by incarcerated parents visiting virtually with their children. A parent can more easily convey her affection for her children through the simultaneous visual and oral communication of a virtual visit than through letters or phone calls. Furthermore, virtual visitation allows more frequent contact so a parent is more involved in her child’s day-to-day life and can take part in family decision-making.

Incarcerated parents say that the single most important step to help maintain the parent-child relationship during incarceration is facilitation of children's visits (Gabel and Johnston, 1995). Prisoners generally want better visiting hours and conditions, more frequent visiting and informal, relaxed family outings and family-oriented activities such as attending religious services in the prison chapel (Gabel and Johnston, 1995). These are good ideas and should be part of a long-term plan to encourage in-person visitation. However, all of these changes require substantial expenditure to redesign visiting rooms and to restructure employee contracts to provide sufficient security for additional visiting hours or family outings. Virtual visitation is a cost-efficient, quicker way to help support parent-child relationships for parents who are incarcerated right now.

The current alternatives to in-person visits are insufficient to maintain significant parent-child relationships. The primary alternatives are letters and telephone calls. Communication by letter relies on literacy skills. This is problematic when dealing with a largely uneducated population. In state prisons 39.8% of incarcerated parents have neither a high school diploma nor a GED (Mumola, 2000). More than one out of every nine incarcerated parents has not completed school beyond the eighth grade (Mumola, 2000). Furthermore, the majority (58%) of children of incarcerated parents are under 10 years old, indicating limited literacy skills on their part, as well. As discussed above, collect phone calls from prison are often prohibitively expensive to provide a reliable means of communications. Virtual visitation gets around these problems by providing a low-cost or free means of oral and visual communication.

II. Other State Programs

A. Pennsylvania

Pennsylvania adopted Family Virtual Visitation in 2001 with a federal grant of \$134,000 (McKay, 2001). The Pennsylvania Department of Corrections partnered with the Prison Society, a non-profit organization, to provide inmates at eight state prisons the opportunity to virtually visit with their families in Philadelphia via high-tech videoconferencing. Family Virtual Visitation's stated goal is to help inmates incarcerated far from home stay connected to their families. The Pennsylvania Department of Corrections' rationale is that creating stronger links between families is important for the stability of the inmate's family and her successful reentry into the community (Prison Society).

Pennsylvania's program allows families to visit in "real time" with their incarcerated loved one. Families can schedule a 55 minute visit once a month in a Philadelphia office with two family friendly rooms. Each visit has a \$15 family co-pay.²

No research has yet been done to analyze the efficacy of Family Virtual Visitation. Anecdotes suggest that the program is a success: "Inmates, family members, prison staff and Prison Society staff have expressed their support and appreciation of this program. Prison correctional officers have reported that many inmates are better adjusted and seem happier after visits. Visitors express how important and meaningful the program is to the health of their families" (Prison Society).

² Because it is in the process of applying to recontract with the Pennsylvania Department of Corrections, The Prison Society declined to answer specific questions regarding start up and maintenance costs of the program, annual prisoner participation rates, operational details, and security measures in place. However, it offered to provide this information to the California state legislature, with the permission from the Pennsylvania Department of Corrections, upon request. Please contact: Ebonee Allen, Virtual Visitation Coordinator, 215-564-4775 ext. 103, ecallen@prisonsociety.org, 245 N. Board Street, Suite 300, Philadelphia, PA 19107.

B. Florida

In a similar, though more focused program, the Florida Department of Corrections offers “Reading and Family Ties – Face to Face” that allows incarcerated mothers and their children to transmit live video recordings via the internet. Each virtual visit takes place weekly over the course of an hour, and is available at no cost to the families (Travis, Cincotta and Solomon, 2003). State Representative Allen Trovillion, chairman of the House Corrections Committee, said the program would ease the transition of female offenders back into society: “This program will enhance family unity by allowing mothers to return to a more stable environment upon their release,” he said. “It will also increase inmate literacy and reduce recidivism” (Florida Department of Corrections).

The mothers use teleconferencing monitors to read storybooks to their children, who follow along in the same book at a location in Miami (Florida Department of Corrections). The non-profit group Alliance for Media Arts in Miami provide two offices for the children to use during the one-hour reading sessions. The program specifically targets the children of indigent inmate families who cannot afford to travel long distances to prisons to visit their mothers.

The program was partially funded by a \$300,000 federal grant from the U.S. Department of Commerce Telecommunications and Information Infrastructure Assistance Program (Florida Department of Corrections). Additionally, the nonprofit groups Families with Loved Ones in Prison (FLIP) and the Florida Prison Network help transport children to the reading sites, publicize the program, and along with the Florida Department of Corrections donated \$385,734 of matching funds (Florida Department of Corrections). The program

started with 200 participants from two different women’s prisons (Florida Department of Corrections).

C. Federal Prisons

Members of the U.S. House of Representatives suggested that federal prisons employ virtual visitation between incarcerated parents and their children as a way to support parent-child relationships and thus, encourage the successful reentry of incarcerated people into the community after release. In September, 2004, Representatives Conyers (D-MI), Scott (D-VA), and Rangel (D-NY) introduced the Re-Entry Enhancement Act: “To encourage successful re-entry of incarcerated persons into the community after release, and for other purposes.”³ The last major action was taken in November, 2004 when the bill was referred to the House Subcommittee on Crime, Terrorism, and Homeland Security (Library of Congress). Although the bill never made it to the Senate, it is important to note that Congress recognizes both the importance of maintaining family connections during incarceration and that new technologies such as video conferencing can facilitate that goal.

III. Recommendation: Virtual Visitation

This paper recommends that the California Department of Corrections and Rehabilitation implement a virtual visitation program. Virtual visitation helps preserve the

³ “To encourage successful re-entry of incarcerated persons into the community after release, and for other purposes Mr. CONYERS (for himself, Mr. SCOTT of Virginia, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Education and the Workforce, Financial Services, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned ... (17) developing programs and activities that support parent-child relationships, such as--(A) using telephone conferencing to permit incarcerated parents to participate in parent-teacher conferences; (B) using videoconferencing to allow virtual visitation when incarcerated persons are more than 100 miles from their families; (C) the development of books on tape programs, through which incarcerated parents read a book into a tape to be sent to their children; (D) the establishment of family days, which provide for longer visitation hours or family activities; or (E) the creation of children's areas in visitation rooms with parent-child activities.” Re-Entry Enhancement Act, H. R. 5075, 108th CONGRESS §101(a)(17) (2004).

parent-child relationship during incarceration by enabling more frequent contact between parents and their children.

A. Location

The program needs “virtual visiting rooms” for the families and for the inmates. Because nearly a third of the California state prison population is from Los Angeles County (32%; CDCR, 2005), the family virtual visiting rooms should be located in Los Angeles in order to reach the most people. Both Pennsylvania’s Family Virtual Visitation and Florida’s Reading and Family Ties programs serve only the urban centers of Philadelphia and Miami, respectively.

Within Los Angeles the CDCR should seek to enlist the support of a non-profit organization that could offer its office space as the actual virtual visiting room. Pennsylvania and Florida established such partnerships with, respectively, the Prison Society and the Alliance for the Media Arts. There are numerous prisoner and prisoner family advocacy groups in California who would likely be eager to help.⁴ If no suitable space is available through a non-profit organization, the CDCR may also look to public schools, churches or police stations as possibilities.

⁴ A few non-profit organizations the CDCR might contact as potential partners are:
California Coalition for Women Prisoners. www.womenprisoners.org. 1540 Market St., Suite 490, San Francisco, CA 94102. Phone: 415-255-7036 ext. 4. Fax: 415-552-3150. E-mail: info@womenprisoners.org.
California Prison Focus. www.prisoners.org. 2940 16th Street #B-5, San Francisco, CA 94103. Phone: 415-252-9211. Fax: 415-252-9311. E-mail: info@prisoners.org.
The Center for Children of Incarcerated Parents. www.e-ccip.org. P.O. Box 41-286, Eagle Rock, California 90041. Phone: 626-449-2470. E-mail: ccip@earthlink.net.
Family & Corrections Network. www.fcnetwork.org. 32 Oak Grove Road, Palmyra, VA 22963. Phone: 434-589-3036. Fax: 434-589-6520. E-mail: fcn@fcnetwork.org.
Legal Services for Prisoners with Children. www.prisonerswithchildren.org. 100 McAllister Street, San Francisco, CA 94102. Phone: 415-255-7036. Fax: 415-552-3150. E-mail: lspc@igc.apc.org.

The program should be piloted in Calipatria State Prison and the California Institute for Women. Piloting the program with both male and female prisoners offers greater research opportunities and lets more children stay in touch with their parents.

Calipatria is home to over 4,000 male inmates. It is located in a remote region near the Mexican border. Due to its geographical isolation, it is an especially difficult prison to visit. Therefore, it would be an ideal prison to pilot virtual visitation in California because it includes the families and inmates who could benefit most from this service.

The California Institute for Women in Corona houses over 1,500 inmates (CDCR, 2005). Although only 37 miles east of Los Angeles (CDCR, 2005), a family traveling by bus from Los Angeles to the CIW must set aside five hours for travel time (Prisoner Action Coalition, 2000). The long travel time makes visiting the CIW an arduous process and the children of the inmates housed there could also greatly benefit from the opportunity to visit virtually with their mothers.

Within the prisons, the inmates can use a sectioned off portion of the prison library to participate in the program. The prisons will not need to build a new space.

B. Cost

To start this program, CDCR should apply for federal grant money.⁵ The programs in Pennsylvania and Virginia both received federal grants, as did the Ohio Department of Rehabilitation and Corrections which uses video conferencing technology for routine doctors' visits (McKay, 2001). This, in addition to the fact that Congress proposed a similar program indicates that the federal government is amenable to the idea of virtual visitation

⁵ A database containing numerous available federal grants may be found at: <http://www.grants.gov>.

programs for inmates. Both Pennsylvania and Virginia also used matching funds from non-profit organizations and/or their own budgets.

Family Virtual Visitation in Pennsylvania, the more similar program, started with approximately \$150,000. Reading and Family Ties in Florida started with a higher budget, approximately \$685,000, but it also offers more services, such as literacy programs for the mothers and weekly visits, all at no cost to the families. A reasonable starting budget for the proposed program in California is \$200,000.

The main costs are space, equipment and security measures. The cost of space will be minimal if the CDCR can partner with a non-profit organization as suggested in the above section. The cost of equipment should also be relatively small.

In a law review article advocating virtual visitation as an option in divorce cases, Kimberly Shefts describes the equipment needed:

Each party must have a Web cam, microphone, speakers and a sound card installed or plugged into their computers. Both sound and video are carried over the Internet to the other participants and the images are displayed in a window on a portion of the computer screen. Software to run the system varies widely in cost, from free to hundreds of dollars. If a computer has the operating system Windows 2000, then video conferencing software called NetMeeting comes preloaded. Additionally, the NetMeeting software may be downloaded directly from the Internet for no cost for Windows 95, Windows 98, Windows ME, and Windows NT 4.0 operating systems.

The computer system requirements vary depending on the software used, but for illustrative purposes, the Windows NetMeeting software requires the following: (1) a Pentium 133 processor with 16 MB RAM, (Pentium 90 and 133 processors are now outdated in new computers; Pentium III or IV processors are superior to the 133 model); (2) 4 MB of free hard disk space (an additional 10 MB is needed during installation only so that the initial setup files may be accommodated); (3)

56,000 bps or faster modem, ISDN, or LAN connection (the faster the connection, the better the quality of sight and sound); (4) sound card with microphone and speakers (standard with new computer purchases); and (5) video capture card or camera (Shefts, 2002).

California is home to many of the major computer companies, such as Apple (Cupertino), Hewlett-Packard (Palo Alto), Google (Mountain View), Yahoo (Sunnyvale), and Sun Microsystems (Mountain View). The CDCR could ask these companies for charitable contributions of computers and equipment. Many companies are willing to donate to programs that support children, especially at-risk youth such as the children of incarcerated parents.

C. Security

Within the prison, the security procedures for virtual visitation should be similar to those of in-person visits, minus the post-visit searches. One significant security benefit of virtual visits is that it prevents visitors from supplying contraband to inmates (McKay, 2001). In terms of the content of the prisoners' conversations, the prison can employ the same level of observation and monitoring that it would with in-person visits.

There are two main security concerns at the virtual visiting rooms outside of prison: violence at the virtual visiting room and use of the program as a way to pass messages to the outside.

To reduce the risk of violence at the virtual visiting room a police officer should be on duty during the visits. Volunteers who pass background checks can provide additional supervision as well as help younger children use the equipment.

The risk of passing messages through virtual visits is no greater than it is during any form of contact between inmates and non-inmates. If an inmate is caught misusing the virtual visits he can be barred from the program.

D. Research

If CDCR chooses to implement this program, it should simultaneously perform a controlled study to analyze the efficacy of the program. Concrete evidence that the program works will help fund raising as well as provide valuable information for the design of future programs.

California should pay attention to the effect parental incarceration is having on families. Taking small steps toward preserving parent-child relationships can play a big roll in reducing recidivism and keeping kids on the right path. Virtual visitation is an easy, cost-effective way to keep children connected to their incarcerated parents. Children, their incarcerated parents, and the communities the parents will be re-entering upon release will all benefit by the implementation of a virtual visitation program in California state prisons.

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