
State and Federal Policy Responses

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Some states have responded to the special needs of children and their incarcerated parents, while many other states do not have specific policies or programs in place for this unique population.

The Child Welfare League of America (CWLA) researched state responses to this problem in 1998[1]. Thirty-eight of the fifty states responded to CWLA's survey. Only six states reported that they had specific policies related to children and their imprisoned parents. In addition, ten states' child welfare agencies had special termination of parental rights policies related to incarcerated parents. Twenty-eight states responded to the sections regarding services that were provided to children of incarcerated parents. Table 1 indicates that 27 of the states involve imprisoned parents in the permanency planning of their children. Twelve states assisted parents with post-prison release planning, and four states provided support groups for the children of incarcerated parents.

In 1998, only six states had specific policies related to children and their imprisoned parents.

Table 1: Services Provided to Children with Incarcerated Parents[1]

Services	Number of States
Involves incarcerated parents in permanency planning	27
Involves incarcerated parents in case planning	24
Provides pre-placement prevention services	16
Assists parents with post prison release planning (e.g., housing, transfer of public benefits, etc.)	12
Visitation with incarcerated parent	25
Transportation to visit incarcerated parent	25
Support groups for the children of incarcerated parents	4
Support groups for caregivers of children with incarcerated parents	4
Other	3

27 of the states involved imprisoned parents in the permanency planning of their children.

Fourteen states were able to provide data regarding governmental agencies with specific programs. Table 2 shows that the departments of corrections in twelve states had programs designed for children with incarcerated parents. None of the public school systems, the boards of education or the mental health departments of any state had a specific program targeted to children whose parents are imprisoned.

Two of the states provided special training to agency staff about the needs of children with incarcerated parents.

Eleven states provided information regarding the nature of collaboration between child welfare and governmental agencies. The survey results indicated that four states provided funding for collaboration, five states provided information and/or cross training and seven states provided consultation. Two of the states provided special training to agency staff about the needs of children with incarcerated parents. Twenty-five states provided data regarding direct and indirect resources that their agency provided to children of incarcerated parents.

Table 2: State Governmental Agencies with Specific Programs Targeted to Children with Incarcerated Parents [1]

Agency	Number of States
Board of Education	0
Courts	2
Department of Corrections	12
Department of Labor (employment/job referrals)	0
District Attorneys/Attorney General	1
Juvenile Court	2
Law Enforcement	1
Mental Health Department	0
Public School System	0
Other	2

The Ohio legislature is currently debating a bill that provides for the use of prison nurseries for certain incarcerated women so that the mother and child can reside together in prison.

California law provides for services to incarcerated parents and their children, including paying the cost of telephone calls and assisting with transportation for visits.

What have specific states done to meet the needs of children of incarcerated parents?

- The Ohio legislature is currently debating a bill that provides for the use of prison nurseries. One of the eligibility requirements is that the woman must have a prison sentence of 18 months or less [Ohio HB 661].
- California law provides for services to incarcerated parents and their children, including paying the cost of telephone calls and assisting with transportation for visits. In addition, child welfare agencies must collaborate with parents regarding service plans [2].
- New York policy makes suggestions to social service agencies on how they can service children and their incarcerated parents, including providing transportation and suggesting different forms of treatment [2].
- The Texas Department of Corrections received state assistance in developing the Family Support Program (FSP). The program includes a focus on the offender and the family system, on the children, and on the community service network and emphasizes dynamic predictors of offender reintegration. Evaluations of this program suggest promising results for offending parents in Texas [3].

What has the federal government done to meet the needs of children of incarcerated parents?

On January 17, 2002, the federal government enacted a law entitled “Promoting Safe and Stable Families Amendments of 2001,” PL 107-33. One amendment directs the Secretary of Health and Human Services to award grants to organizations in areas with a significant number of children with incarcerated parents. These grants will support mentoring programs for these children.

What can Michigan policymakers do to meet the needs of children with incarcerated parents?

The state of Michigan has not yet responded to the needs of children with incarcerated parents. Michigan policymakers can review policies and programs in other states and introduce those policies and programs that seem to be working well.