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Parental Involvement with the Criminal Justice System and the Effects on Their Children: A Collaborative Model for Researching Vulnerable Families

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Abstract

Despite the existing body of research examining the effects of imprisonment on incarcerated adults, as of yet, there is no solid empirical evidence for understanding the effects of parental involvement with the criminal justice system involvement (CJSI) on children and families. Accordingly, Columbia University-New York State's Child Psychiatric Epidemiology Group (CPEG), supported by a strong collaboration with The Bronx Defenders, a holistic public defender providing free legal representation, is conducting a longitudinal study examining the effects of parental involvement with the criminal justice system on this population. The study aims to understand, over time, the impact of parental CJSI on their children's mental health, including the effects of the collateral legal damage of CJSI (such as eviction and deportation), substance use, the development of risky behaviors leading to the child's potential involvement with the criminal justice system, as well as protective factors and identification of potential intervention points, which has the ability to inform public policy.

Background

The United States incarcerates more people per capita than any other country in the world (Cohen, 2006; Harrison & Beck, 2005). Over the last 30 years, the United States has seen an unprecedented rise in incarceration rates of over 500% (Bernstein, 2005; Cohen, 2006). In 2007, the prison population increased more rapidly than the United States resident population (West & Sabol, 2008). In the same year, estimates of the total incarcerated population were over 2.4 million adults, with another 4.2 million on parole or probation (West & Sabol, 2008). Each year, another 14 million adults are arrested and held for hours or days in city or county jails (USDOJ, 2009; Drucker, 2005). Recidivism is the norm, with 60% of people released from prison reincarcerated within 36 months (Langan & Levin, 2002).

In 2007, individuals held in United States prisons reported having an estimated 1,706,600 minor children, accounting for 2.3% of the United States resident population under age 18 (Glaze & Maruschak, 2008). Between 1991 and 2007, the number of children with a parent in prison grew by 79% (Ibid). Nineteen percent of the children of incarcerated parents were

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age 4 or younger, and 52% were age nine or younger (Ibid). One in four Black children born in 1990 had a parent who was imprisoned by the time the child reached the age of 14, whereas only one in 25 White children were in the same situation (Wildeman, 2009). By the age of 14, more than 50% of Black children born in 1990 to parents who never completed high school had a father who was imprisoned (Ibid). Throughout the United States, more than a third of minor children will reach age 18 while their parent is incarcerated (Glaze & Maraschak, 2008).

The growth of arrests and incarceration in the United States disproportionately affects the nation's urban poor minority communities (Travis, 2000; Vigne, Davies, & Brazzell, 2008). While they comprise only 25% of the United States population, Blacks and Hispanics constitute 80% of individuals who are incarcerated (Drucker, 2005). Also, Blacks are six times more likely to be imprisoned than Whites, and Hispanics are three times as likely (Cohen, 2006). Black children were almost nine times more likely (7%) than White children (0.8%) to have an incarcerated parent (Murray & Farrington, 2008).

Furthermore, as today's criminal justice system (CJS) grows in the United States, juvenile arrests are simultaneously increasing. In 2006, 92,854 children and adolescents were imprisoned (with 1,207 incarcerated juveniles being 12 years of age and younger) and 4,197 juveniles have been imprisoned in detention placements in New York State (NCJJ, 2006). These data present a compelling case for having a better understanding of the link between parental involvement with the criminal justice system and possible future delinquent behavior in their children, as well as resilient pathways to positive, productive outcomes, which occur in spite of such parental history or environmental factors endemic to poverty..

Current State of Knowledge

Psychosocial Effects of Parental Incarceration on Children and Families

While much research has focused on adults who have been incarcerated far less attention has been paid to the potential consequences for their families. Clearly, such an alarmingly high rate of parental involvement with the CJS argues strongly for studying the effects of criminal justice system involvement (CJSI) of parents on their children's lives. In spite of its growing significance, it is still infrequent to find systematic research exploring the positive and negative effects on children separated - however briefly - from their parents under these conditions (Murray, 2005; Storey & McNulty, 2007). Despite the dearth of research, there exists the pervasive assumption that parental imprisonment or other involvement with the CJS leads to negative psychosocial effects on the children, such as weakening relationships with peers (Parke & Clarke-Stewart, 2001). Although this may seem a logical hypothesis, there are no studies utilizing an adequate sophisticated methodology that unquestionably differentiates between effects of parental CJSI on children from the effects of other confounding factors (Murray, 2005, p. 447).

An examination of the effects of parental CJSI on children draws on a body of research that has focused on the diverse circumstances of children's exposure to parental separation, loss, violence, and trauma. In investigating the backgrounds of adults who have been incarcerated, it may be accurately deduced that these families are highly vulnerable to a

variety of psychosocial threats (Murray, 2005) that may expose children to numerous risks. For example, parental incarceration may cause disruption in aspects of a child's life through several broader traumas such as [or including] disruption of the parent-child bond (Murray & Farrington, 2008), difficult and unstable living situation (Davies et al., 2008; Vigne, Davies, & Brazzell, 2008; The Sentencing Project, 2009), stigmatization (Braman, 2004; Boswell & Wedge, 2002; Murray & Farrington, 2008; The Sentencing Project, 2009) and financial difficulties (Allard, 2002; Davies et al., 2008; Hirsch et al., 2002; Krisberg & Temin, 2001). Children of CJSI parents may exhibit a number of difficulties: externalizing behavior (i.e., aggression, antisocial behavior, delinquency, hyperactivity) (Bor, McGee, & Fagan, 2004; Cunningham & Baker, 2003; Huebner & Gustafson, 2007; Murray, 2005; Murray & Farrington, 2008; Murray, Janson, & Farrington, 2007; Trice & Brewster, 2004), with evidence showing that incarceration has a stronger effect on children's externalizing behaviors than other forms of parental absence (Geller, Cooper & Garfinkel, 2010); internalizing behavior (i.e., depression, withdrawal, sleep problems, and disordered eating) (Murray, 2005), regressive behavior (Murray, 2005), poor academic performance (Murray, 2005; Murray & Farrington, 2008), and substance use (Murray & Farrington, 2008).

Yet despite much research on these negative effects of parental incarceration on children, it is difficult to deduce that such problems are directly associated with the arrest rather than product of something else. For example, in their study of children placed in substitute care after the arrest of a parent, Johnson & Waldfogel (2002) found that a child may possess preexisting risk factors that are only revealed after the parent's incarceration.

When examining parental CJSI, the literature traditionally focuses on risk factors. However, of equal or greater importance, than these “usual suspects” are protective factors that enhance positive growth and healthy development in children. Both risk and protective factors occur within the developmental framework. At the individual level, possessing high self-esteem and superior school achievement have been shown to act as protective factors (Tiet et al., 1998). At the family level, a good parent-child relationship can buffer risk. Even if a parent is taken out of the home environment because of arrest or incarceration, a substitute caregiver who provides a caring and accepting environment for the child may serve as a protective force, helping to ensure a positive developmental trajectory (Mackintosh, Myers, & Kennon, 2006). At the environmental level, community support and extended social networks can help children adapt positively to their changed surroundings (Luthar, Cicchetti, & Becker, 2000). The presence of one or more of these positive resources can provide the building blocks of resilience, creating a sense of mastery in children. Thus, resilience is “a dynamic process encompassing positive adaptation within the context of significant adversity” (Ibid., p.543). Indeed, “many studies have found that numerous high-risk individuals defy [the expectation of] unfavorable outcomes” (Tiet & Huizinga, 2002). Resilience is best viewed as a process that can be fostered and developed rather than a novel, intrinsic response within “invincible” children. Focusing on the construct of resilience is expected to yield more complete explanatory models and thus holds the potential for informing the development of more appropriate and effective intervention strategies.

State of Current Research

Despite the potential impact of parental CJSI, there has, to date, been very little systematic study of the psychosocial consequences for their children. CJSI effects on children are most generally neglected in academic research, prison statistics, public policy, and the media (Murray, 2005). We continue to lack clear evidence about whether parental imprisonment directly affects children independent of the effects of the parental crime, arrest, conviction, and other risk factors (Murray, 2005), including race, poverty, and living in over-policed communities. Furthermore, there is no coherent theory or body of evidence to inform preventive or therapeutic interventions, which might reduce potential adverse impacts.

Similarly, there has been little research conducted to support the theory of positive outcomes of parental incarceration on their children. In a situation where there is domestic violence, child abuse, or if a child has a poor relationship with the parent, where the parent led a disruptive life within the home, imprisonment of this parent might be a protective factor and improve the child's well-being (Robertson, 2007). However, this lack of research doesn't necessarily justify government practices that lead to high rates of child protective removals in communities like the South Bronx (NYC Administration for Children's Services, 2009). Comprehensive and in-depth research is necessary to more fully conceptualize the complete impact of all types of parental CJSI on children, yet this information remains generally deficient within the field.

Although solid empirical evidence is still not available for understanding children of persons with CJSI, some theoretical models have been proposed. Johnston & Gabel (1995) developed a model of "enduring trauma" leading to "trauma-reactive" behavior, characterized by poor coping with loss and disorganized and maladaptive behavior, gang membership and delinquency, and early involvement in crime, with the cumulative effects of younger children's exposure to parental CJSI seen in teenagers, who in turn "duplicate destructive family patterns in their own adult interpersonal lives" (Laird, 1981, p.110).

Most research examining the impacts of parental CJSI on children is generally lacking in methodological rigor. Previous studies have been limited in several ways, such as inattention to well-defined hypotheses, dependence upon small and/or non-representative samples, cross-sectional design, reliance on non-standardized measures, and lack of appropriate control of confounding. Many studies have used convenience samples, and most have depended upon the caregiver as a proxy, relying on their second-hand accounts of children's experiences to inform the research (Murray & Farrington, 2005; Storey & McNulty). As a result, most studies have been unable to determine the scope or magnitude of the effects of parental CJSI on children and the generalizability of such studies generally remain limited (Lynch & Sabol, 2004).

Finally, while most research focuses on the effects of lengthy terms of incarceration in prison, this population represents only a small fraction of the people directly involved with the CJS. For example, in 2009 in New York State, more than 70% of adult arrests were for misdemeanors or petty offenses, while fewer than 8% were for violent felonies (NYSDCJS, 2009). That year, only 5.03% of people convicted for any crime in New York received a prison sentence (more than one year incarceration) (NYSDCJS, 2010). National numbers are

consistent with this picture; the FBI estimates that over 14 million people were arrested nationwide in 2008 (USDOJ, 2009). Only 4.2% of these arrests charged violent crimes (Ibid). Thus, only a small minority of those arrested and temporarily jailed are actually sentenced to additional jail time or prison. Most importantly, these numbers do not include the even larger number of persons indirectly affected by the CJSI involvement of a family member, which has not been systematically assessed.

In response to this lack of rigorous research, and an interest in investigating potential transmission of trauma from parent to child (Hoven et al., 2005; Duarte et al., 2006), the Child Psychiatric Epidemiology Group (CPEG) at Columbia University is currently conducting two independent, longitudinal studies examining the effects of parental CJSI on children. One study is assessing the impact on children of mother's CJSI and the other of father's CJSI. Funded by the United States National Institutes of Health (NIH) National Institute on Drug Abuse (NIDA), these two studies are collectively known as the Stress and Justice Study. These studies aim to overcome the aforementioned methodological limitations, so as to provide generalizable findings, which are relevant to policies designed to improve children's lives and reduce their own risk of future substance use and CJSI. To properly and rigorously investigate the possible causal effects of parental CJSI on children, these studies employ a longitudinal study design with a representative sample, including child age-gender matched geographic controls. The study uses well-validated measures, including assessments of the child's adjustment before, during, and after parental CJSI.

Description of Study

Parental CJSI occurs in a context where risk factors cluster and result in numerous direct and indirect effects, partially determined by the biopsychosocial context [See Figure 1]. In this biopsychosocial context, certain risk and protective factors interact and contribute to how a child will thrive in the face of adversity. This holistic understanding of child development includes factors such as parental psychopathology, the child's home environment, gender, physiology, support systems, temperament and other crucial aspects of the child's life.

To date, there has been only one longitudinal investigation (see Murray & Farrington, 2005) examining the psychological consequences of parental CJS involvement for children's mental health and the development of risk behaviors culminating in their own involvement with CJS. The main objective of this current investigation is to understand the impact, over time, of parental CJSI on their children's mental health, including substance use, the development of risky behaviors leading to the child's involvement with the CJS, as well as to identify potential intervention points.

Gathering data on these children and their caregivers prospectively from the time of their parents' arraignment (the first court appearance following a brief time (usually 24-72 hours) in jail, which officially charges a person with a criminal offense) helps to document changes in childcare needs, the effects of separation, household disruption, and other effects of parental CJSI on their children's mental health status. Through confidential, in-depth, in-person interviews of both the child and parent, the study aims to identify factors related to parental involvement with the CJS and its impact on the child. The parent is a valuable and

necessary key informant in the effort to chronicle the possible intergenerational effects of arrest, detention, possible prison time, and possible prior arrests and to more clearly map the trajectory of their children. Following arraignment, parents are interviewed in their home, jail or prison, depending on the judge's decision regarding disposition, although the vast majority of parents and all children are interviewed in their home. Necessarily, the study also obtains information from the parent about her/his own parent's CJSI.

The research intends to gain knowledge of past and current criminal and personal history and qualities of the parent-child relationship, to help us understand the direct and indirect factors that shape the nature of any arrest-related separation. A significant focus is on the often severe and draconian collateral consequences of arrest, including the loss of a home or a job, deportation, interruption in public benefits, involvement in the child welfare system, and seizure of property (see Hirsch et al., 2002; Smyth, 2009). Repeated CJSI, whether due to police practices or recidivism, is another important phenomenon that the interviews with the incarcerated parent can illuminate. The study targets a population of parents involved with the CJS, primarily from the South Bronx, New York City. According to the Department of Corrections, all five boroughs of New York City generate 52% of the New York State prison population. The Bronx generates 21% of total prison admissions, making this a vastly disproportionate share of individuals involved with CJS (US Census, 2000). These figures have been quite constant for almost three decades, thereby shaping what has become known as a major prison feeder community. Research suggests that the spatial concentration of CJSI in communities of poverty and color such as the South Bronx results in its own negative ecological dynamic (Fagen, West, & Holland, 2003). We may in fact be dealing with children who, without adequate and informed intervention, might also end up involved with the CJS. As of yet, there have been no longitudinal studies to help shape such interventions. Knowledge generated by this study will contribute to the widening evidence base of the effects of paternal CJSI, which has the potential to impact and influence policy.

A unique feature of the study is the selection of a representative sample of parents involved with the CJS. Past research suggests that any CJSI serves as a marker for the presence of a plethora of psychosocial risk factors (Baunach, 1985; Gabel, 1992; Hairston & Lockett, 1985; Johnston, 1995). A better understanding of the specific psychosocial impact of parental CJSI within a developmental perspective is expected to provide guidance in determining how to break or interrupt this cycle.

Study Area, Sampling and Measures

While comprising only 16% of New York City's total population, Bronx County records some 26% of all arrests in New York City (NYSDCJS, 2009). The study is designed to yield a representative sample of all parents with children ages 9-15 arraigned in the Bronx Criminal Court, the vast majority of whom reside in the South Bronx. In this investigation, the South Bronx is defined as south of Fordham & Pelham Roads and west of the Hutchinson River Parkway, an area of 17.4 square miles (41.1% of the entire Bronx County). The residents in the study area are predominantly ethnic minorities with 59.1% of the population self-identified as Hispanic and 30.2% as Black.

The total sample (N=1,120) is being drawn equally from the maternal study [n=560] and from the paternal study [n=560]. Half of each sub-sample (maternal study and paternal study) are CJSI parents (n=280 mothers and n=280 fathers) and their children, and for comparison purposes, half are child age-gender matched community (same geographic area as Index case) controls (n=280 mother-child dyads and n=280 father-child dyads). The index (CJSI) sample is representative of all parents with a child between the ages of 10-14 arraigned in the Bronx Criminal Court is being obtained through collaborative arrangements with The Bronx Defenders. The Bronx Defenders is a not-for-profit organization that provides free, comprehensive legal services and other support services to individuals and families who have contact with the criminal and family justice systems. The study's index sample consists of clients of the Bronx Defenders. These individuals enter the CJS at arrest, at which time they are detained (i.e., "locked-up") and any previous criminal records are located by the police (through the New York State Division of Criminal Justice Services (NYSDCJS)) and assembled into a file that accompanies them to arraignment, with this information provided in advance to the defense attorneys. These clients remain with The Bronx Defenders throughout the course of pretrial preparation, investigation, legal motions and plea bargaining, trial, and sentencing (if convicted).

The racial/ethnic composition of The Bronx Defenders' clients is: Black/African American (45.5%), Hispanic/Latino (45.5%), White/Caucasian (8.2%), Asian and others (0.8%); Gender: male (79%), female (21%); the average age is 32.8 years old. It is expected that the study sample will reflect these racial/ethnic distributions.

Two waves of in-person interviews will be conducted with parents involved with the CJS, an age-eligible child, and if necessary, the child's other primary caregiver. The follow-up interviews take place 12 months after baseline and all participants will be administered the same questionnaire at each wave.

Research Goals and Objectives

The main objective of this research is to understand the impact of parental CJSI on the general health and well-being of their children - specifically their mental health, substance use, and risky behaviors - and to identify possible intervention points. CJSI may occur in a context where risk factors cluster, resulting in numerous direct and indirect effects, partially determined by the specific biopsychosocial context. No consistent theory or body of evidence exists to help inform and improve preventive or therapeutic interventions, which might reduce adverse impacts. The general hypothesis is that for children whose parents who have been involved with the CJS, traditional protective structures, such as social supports, may be disrupted.

The longitudinal research process is expected to generate:

- Increased understanding of the impact of parental CJSI on children over the full spectrum of criminal severity, as well as the influence of various durations of separation(s) and length of time actually incarcerated, especially as this relates to past sentencing;

- An understanding of individual risk and protective factors, in particular the accumulation of risk factors associated with the child's life before and after the parent's CJS involvement (e.g., poverty, drug and alcohol use, health problems, stigma, housing instability, household income instability, police abuse or misconduct, absent or impaired parenting, child abuse, involvement in the child welfare system, racism, educational achievement, and violence in the family and/or the community);
- Unique information regarding these children's developmental trajectories following different types of traumatic experiences, especially parental CJSI.
- An examination of specific risk and protective factors associated with a parents' CJSI on different dimensions of children's mental adjustment, functioning, and behavior across a developmental span from middle childhood through adolescence;
- An assessment of children of parents involved with the CJS as well as children of parents who have not been involved with the CJS from the time of their children's birth;
- A comparison of parent and child interactions over time;
- An examination of the parents' and children's cortisol levels, conceptualizing these as potential biological markers.

The ultimate goal of this investigation is to generate information that will make a major contribution to understanding how the parental arrest event may be a potentially traumatic event for children of the arrested individual and to explore the status and unmet psychological needs of children of parents who have CJSI. The study should generate insight into ways to enhance the lives of children exposed to increased risks related to where they reside and what has befallen their mothers and/or fathers. Criminal justice policy has long ignored the externalities of its crimefighting and incarceration practices (Cho, 2004), and proof of the significant collateral damage of even minor CJS involvement should contribute to the formulation of public safety strategies more productive than mass arrests targeting poor communities.

Collaboration Between CPEG and The Bronx Defenders

Gaining access to a representative sample of individuals who are involved with the CJS and their families is challenging, as there are many obstacles to obtaining access to multiple courtrooms, facilities, and clients. Persons involved with the CJS are often unwilling to allow researchers to contact them or their families. Furthermore, at the time when a person is actively involved with the CJS, families are often reluctant to respond to official or independent enquiry (Johnston, 1995). Recruiting a representative sample of persons with CJSI under these circumstances is impossible without facilitated access.

Fully aware of the compelling reasons to conduct this first biopsychosocialepidemiological investigation of the children of parents with CJSI, the researchers were eager to locate a strong, committed partner willing to collaborate fully with this work. The study allows for an "ideal scientific environment" through multiple, essential, and contractual collaborations,

most notably with The Bronx Defenders, a highly respected Bronx-based organization providing comprehensive legal representation to those arrested and charged with crimes in the Bronx. The reputation of The Bronx Defenders to diligently serve and advocate for those charged with a crime in the Bronx has greatly facilitated obtaining the proposed sample. Moreover, The Bronx Defenders' ongoing relationships with its clients makes the longitudinal nature of the investigation possible.

The Bronx Defenders is a public defender agency providing holistic representation in 12,000-12,500 criminal cases per year, comprising approximately 20% of the total number of all criminal cases in the Bronx. Of The Bronx Defenders criminal cases, approximately 20% charge felonies, 70% charge misdemeanors, and 10% charge petty offenses (violations or infractions).

The Bronx Defenders was created with a broad vision of public defense work. The agency views their clients holistically, focusing not merely on getting their clients out of jail at arraignment, but trying to fight both the causes and consequences of involvement in the justice system. With attorneys, social workers, parent advocates, investigators, administrative support, and community organizers on staff, The Bronx Defenders works with individuals, families, and communities to address critical needs. Whether addressing the root causes of their involvement in the criminal justice system such as addiction, mental illness, and joblessness or the collateral consequences of their criminal case, the agency's goal is not just to succeed in court but to make a long-term difference in their clients' lives.

The Bronx Defenders' recruiters for this study initiate a conversation, and provide a helping relationship among all parties (i.e., The Bronx Defenders, CPEG, and the clients). At the time of initial recruitment for the study, the Bronx Defenders staff also explain the comprehensive wrap-around services available at their offices. The Bronx Defenders interdisciplinary teams are made up of criminal, family and civil attorneys, social workers, investigators, parent advocates, and community organizers who work together to address the root causes and consequences of its clients' involvement with the CJS. Services are client-centered, team-based, and multi-disciplinary without the bureaucracy of departments or divisions. The Bronx Defenders' social workers assess families' needs for various treatment options and services and actively broker proper placements. Its civil attorneys, fully integrated into the criminal practice, mitigate the hidden consequences of arrests and help preserve family unity by providing advice and representation on civil legal issues such as housing, employment, immigration, benefits, and family law abuse and neglect cases. The Bronx Defenders offers the most comprehensive array of legal and social services in the country to this client population.

Because parents involved with the CJS and their children constitute vulnerable populations, special care beyond the usual IRB requirements have been made to ensure that all protections are afforded each participant. The final research protocol was submitted to an advocacy group for people returning home from prison, and it was determined that all appropriate protections are present. There is a high service need among this population. Because any arrest may lead to loss of benefits and other resources, The Bronx Defenders advocates for these individuals as described above.

For this study, clinical backup is available to all study participants. If necessary, a psychiatric consultation by a clinical social worker, psychologist, or psychiatrist can be arranged immediately. In cases of suspected abuse, the interviewer obtains specific information, which is then conveyed to the study's field supervisor, who consults the clinician to see what action should be taken. At the time of the interview, caregivers are supplied with a list of local mental health services and family support organizations. The Bronx Defenders provides a holistic approach when defending their clients, including housing assistance, job placement, and mental health service referral.

Moving Forward

Current research has only begun to explore the broad effects of parental CJSI. While the numbers of CJSI parents grows steadily, there is still little or no importance placed on the needs of their children (Krisberg & Temin, 2001). The lack of high-quality evidence of the effects of parental CJSI on children signals that there is a lack of academic and public interest in the plight of these vulnerable families and children and suggests a willful ignorance of the collateral damage of a generation of mass incarceration. However, if attention is not given to the effects of parental CJSI on children, a seriously at-risk group will be neglected and their children and ultimately society at large will pay the price. Increased family homelessness, unemployment, educational and health deficiencies, foster care placements, and the potential development of possible antisocial behaviors and delinquency jeopardizes the future of these children and society as a whole. Not understanding how and why the majority of children actually do or don't succumb to the potential ill-effects of parental CJSI is a great loss, as such information is crucial to developing appropriate interventions for those less resilient.

From a public health and social work perspective, policy-driven decisions regarding children and youth, especially those at elevated risk of untoward outcomes, must be based on sound scientific data, which this study will help to generate. Knowledge about the determinants, over time, for negative youth outcomes, as well as protective factors, is critical to advancing targeted interventions in an effort to break the cycle of CJS involvement of the next generation.

Programs for CJSI parents and their children should focus on the family as a whole and address a variety of supports (Davies et al., 2008). Interventions to ameliorate the negative consequences of parental CJSI on children must be age-appropriate in order to have a good chance of being successful (Cunningham & Baker, 2003). Murray and Farrington (2008) report several protective factors for children of incarcerated parents including stable caregiving arrangements, social and economic support for families, and more sympathetic public attitudes towards crime and punishment. "Programs that might prevent adverse outcomes for children of prisoners include provision of financial assistance, social support, parenting programs, improved prison visiting procedures, and alternative forms of punishment such as community service and day fines" (Murray & Farrington, 2008, p. 135). By helping children understand what is happening to their parent, enabling proper contact between parent and child, and providing support when a parent is taken to prison, will likely reduce the fear, uncertainty and adverse impact of parental CJSI on children (Robertson,

2007). Family-based interventions also include legal and social services to stabilize income, housing, and family unity (Smyth, 2009). Most importantly, further research is needed to contribute to the growing evidence base on the children of incarcerated parents.

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References

- Allard, P. Life sentences: Denying welfare benefits to women convicted of drug offenses. The Sentencing Project; Washington, DC: 2002.
- Bernstein, N. All alone in the world. The New Press; New York, NY: 2005.
- Bor W, McGee TR, Fagan AA. Early risk factors for adolescent antisocial behaviour: An Australian longitudinal study. *Australian and New Zealand Journal of Psychiatry*. 2004; 38:365–372. [PubMed: 15144516]
- Boswell, G.; Wedge, P. Imprisoned fathers and their children. Jessica Kingsley; London, UK: 2002.
- Braman, D. Doing time on the outside: Incarceration and family life in urban America. University of Michigan Press; Ann Arbor, MI: 2004.
- Cho, R. Columbia University Center for Urban Research and Policy Symposium on Housing & Criminal Justice Policy. New York, NY: Oct. 2004 Putting the pieces back together: Overcoming fragmentation to prevent post-incarceration homelessness.. Retrieved July 14, 2009 from <http://documents.csh.org/documents/ke/Re-entryAndHomelessnessPaperOct2004.pdf>
- Cohen, RL. Health and public health advocacy for prisoners.. In: Puisis, M., editor. *Clinical practice in correctional medicine*. Elsevier Health Sciences; 2006.
- Cunningham, A.; Baker, L. Waiting for mommy: Giving a voice to the hidden victims of imprisonment. Centre for Children and Families in the Justice System; London Family Court Clinic Inc; London, ON: 2003.
- Davies, E.; Brazzell, D.; La Vigne, NG.; Shollenberger, T. Understanding the experiences and needs of children of incarcerated parents: views from mentors. (Research Report). Urban Institute Justice Policy Center; Washington, DC: 2008.
- Drucker, EM. The incarcerated.. In: Levy, BS.; Sidel, VW., editors. *Social injustice and public health*. Oxford University Press; New York, NY: 2005.
- Duarte CS, Hoven CW, Wu P, Bin F, Cotel S, Mandell DJ, Nagasawa M, Balaban V, Wernikoff L, Markenson D. Posttraumatic stress in children with first responders in their families. *Journal of Traumatic Stress*. 2006; 19(2):301–306. [PubMed: 16612825]
- Fagen J, West V, Holland J. Reciprocal effects of crime and incarceration in New York City neighborhoods. *Fordham Urban Law Journal*. 2003; 30:1551.
- Freeman, RP., editor. *Crime and economic status of disadvantaged young men*. Urban Institute; Washington, DC: 1992.
- Fritsch TA, Burkhead JD. Behavioral reactions of children to parental absence due to imprisonment. *Family Relations*. 1981; 30(1):83–88.
- Gabel S. Children of incarcerated and criminal parents: Adjustment, behavior, and prognosis. *Bulletin of the American Academy of Psychiatry and the Law*. 1992; 20:33–45. [PubMed: 1576374]
- Gabel, K.; Johnston, D., editors. *Children of incarcerated parents*. Lexington Books; New York, NY: 1995.
- Geller A, Cooper CE, Garfinkel I. Beyond absenteeism: Father incarceration and its effects on children's development. Working paper from the Princeton University, Woodrow Wilson School of Public and International Affairs, Center for Research on Child Wellbeing. 2010

- Glaze, LE.; Maruschak, LM. Bureau of Justice Statistics. U.S. Department of Justice, Office of Justice Programs; Aug. 2008 Parents in prison and their minor children (NCJ 222984)..
- Hairston CF, Lockett P. Parents in prison: A child abuse and neglect prevention strategy. *Child Abuse and Neglect*. 1985; 9:471–477. [PubMed: 4084826]
- Harrison, PM.; Beck, AJ. Bureau of Justice Statistics. U.S. Department of Justice, Office of Justice Programs; 2005. Prisoners in 2004..
- Harm, NJ.; Thompson, P. Needs assessment: Children of incarcerated women and their caregivers. Centers for Youth and Families; Little Rock, AR: 1995.
- Hirsch, AE.; Dietrich, SM.; Landau, R.; Schneider, PD.; Ackelsberg, I.; Bernstein-Baker, J.; Hohenstein, J. Every door closed: Barriers facing parents with criminal records. Center for Law and Social Policy and Community Legal Services, Inc.; Washington, DC and Philadelphia, PA: 2002.
- Hounslow, B.; Stephenson, A.; Stewart, J.; Crancher, J. Children of imprisoned parents. Ministry of Youth and Community Services of New South Wales; New South Wales, UK: 1982.
- Hoven CW, Duarte CS, Lucas CP, Wu P, Mandell DJ, Goodwin RD, Cohen M, Balaban V, Woodruff BA, Bin F, Musa GJ, Mei L, Cantor PA, Aber JL, Cohen P, Susser E. Psychopathology among New York City public school children 6 months after September 11. *Archives of General Psychiatry*. 2005; 62(5):545–551. [PubMed: 15867108]
- Huebner BM, Gustafson R. The effect of maternal incarceration on adult offspring involvement in the criminal justice system. *Journal of Criminal Justice*. 2007; 35:283–296.
- Jimenez JM, Palacios J. When home is in jail: Child development in Spanish penitentiary units. *Infant and child development*. 2003; 12:461–474.
- Johnson, EL.; Waldfogel, J. Children of incarcerated parents: Cumulative risk and children's living arrangements. Joint Center for Poverty Research working paper abstract; 2002. Unpublished article
- Johnston, D. Effects of parental incarceration.. In: Gabel, K.; Johnston, D., editors. *Children of Incarcerated Parents*. Lexington Books; New York, NY: 1995. p. 59-88.
- Johnston, D.; Gabel, K. Incarcerated parents.. In: Gabel, K.; Johnston, D., editors. *Children of incarcerated parents*. Lexington Books; New York, NY: 1995. p. 3-20.
- Kling, J. Woodrow Wilson School Discussion Papers in Economics, No. 206. Princeton University Press; Princeton, NJ: 1999. The effect of prison sentence length on the subsequent employment and earning of criminal defendants..
- Krisberg, BA.; Temin, CE. The plight of children whose parents are in prison. NCCD Focus. National Council on Crime and Delinquency; Oct. 2001
- Laird, J. An ecological approach to child welfare.. In: Sinanoglu, PA.; Maluccio, AN., editors. *Parents of children in placement*. Child Welfare League of America; New York, NY: 1981. p. 97-132.
- Langan, PA.; Levin, DJ. Bureau of Justice Statistics. U.S. Department of Justice, Office of Justice Programs; 2002. Recidivism of prisoners released in 1994 (NCJ 193427)..
- Lowenstein A. Temporary single parenthood: The case of prisoner's families. *Family Relations*. 1986; 35(1):79–85.
- Luthar SS, Cicchetti D, Becker. The construct of resilience: Implications for interventions and social policies. *Development and Psychopathology*. 2000; 12:857–885. [PubMed: 11202047]
- Mackintosh VH, Myers BJ, Kennon SS. Children of incarcerated mothers and their caregivers: Factors affecting the quality of their relationship. *Journal of Child and Family Studies*. 2006; 15(5):581–596.
- Mumola, CJ. Incarcerated parents and their children. Bureau of Justice Statistics; Washington DC: Aug. 2000
- Murray, J. The effects of imprisonment on families and children of prisoners.. In: Liebling, A.; Maruna, S., editors. *The effects of imprisonment*. Willan Publishing; Devon, UK: 2005.
- Murray, J.; Farrington, DP. The effects of parental imprisonment on children.. In: Tonry, M., editor. *Crime and justice: A review of research*. Vol. 37. University of Chicago Press; Chicago, IL: 2008. p. 133-206.

- Murray J, Janson C-G, Farrington DP. Crime in adult offspring of prisoners: A cross-national comparison of two longitudinal samples. *Criminal Justice and Behavior*. 2007; 34:133–149.
- National Center for Juvenile Justice (NCJJ). Census of Juveniles in Residential Placement Databook. National Council of Juvenile and Family Court Judges; Washington, DC: 2006. Retrieved July 14, 2009, from <http://ojjdp.ncjrs.org/ojstatbb/Cjrp/>
- NYC Administration for Children's Services. CY 2009 Admissions by Borough/CD of Origin Compared to CY 2008. 2009. Retrieved June 21, 2010, from http://www.nyc.gov/html/acs/downloads/pdf/stats_placement_08_09.pdf.
- New York State Division of Criminal Justice Services (NYSDCJS). Adult arrests: New York State by county and region – 2009. New York State Division of Criminal Justice Services; New York, NY: 2009. Retrieved June 21, 2010, from <http://criminaljustice.state.ny.us/crimnet/ojsa/arrests/year2009.htm>
- New York State Division of Criminal Justice Services (NYSDCJS). Dispositions of Adult Arrests 2005-2009. New York State Division of Criminal Justice Services; New York, NY: Jun. 2010 Retrieved June 21, 2010, from <http://criminaljustice.state.ny.us/crimnet/ojsa/dispos/nys.pdf>
- Nightingale, DS.; Watts, H. Adding it up: The economic impact of incarceration on individuals, families, and communities.. In: Vera Institute of Justice. , editor. The unintended consequences of incarceration. Vera Institute of Justice; New York, NY: 1996.
- Robertson, Oliver. Women in Prison and Children of Imprisoned Mothers Series: The Impact of Parental Imprisonment on Children. Quaker United Nations Office; New York, NY: 2007.
- Sack WH, Siedler J, Thomas S. The children of imprisoned parents: A psychosocial exploration. *American Journal of Orthopsychiatry*. 1976; 46:618–628. [PubMed: 998741]
- Smyth, M. From arrest to reintegration: a model for mitigating collateral consequences of criminal proceedings. Vol. 24. *Criminal Justice*; 2009. Fall Retrieved June 21, 2010 from <http://www.reentry.net/search/item.290365>
- Smyth, M. The Consequences of Criminal Proceedings in New York State: A Guide for Criminal Defense Attorneys and Other Advocates for Persons with Criminal Records. 10th ed.. The Bronx Defenders; New York, NY: 2010.
- Storey, M.; McNulty, MS. Study of children of incarcerated persons: Literature review. WYSAC Technical Report No. CJR-702. Wyoming Survey and Analysis Center, University of Wyoming; Laramie, WY: 2007.
- The Sentencing Project. Incarcerated parents and their children: Trends 1991-2007. The Sentencing Project; Washington, DC: Feb. 2009
- Tiet Q, Huizinga D. Dimensions of the construct of resilience and adaptation among inner-city youth. *Journal of Adolescent Research*. 2002; 17:260–276.
- Tiet QQ, Bird H, Hoven CW, Cohen P, Jensen PS, Goodman SH. Adverse life events and resilience. *Journal of the American Academy of Child and Adolescent Psychiatry*. 1998; 37:1191–1200. [PubMed: 9808931]
- Travis, J. But they all come back: Rethinking prisoner reentry. Sentencing & Corrections, 7. US Department of Justice, Office of Justice Programs, National Institute of Justice; Washington, DC: May. 2000
- Trice AD, Brewster J. The effects of maternal incarceration on adolescent children. *Journal of Police and Criminal Psychology*. 2004; 19:27–35.
- United States Department of Justice (USDOJ). United States Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division; Washington, DC: 2009. Crime in the United States: 2008.. Retrieved on June 21, 2010, from <http://www.fbi.gov/ucr/cius2008/>
- United States Census. Census 2000 Gateway. 2002. Retrieved May <http://www.census.gov/main/www/cen2000.html>
- West, HC.; Sabol, WJ. Prisoners in 2007 (NCJ 224280). Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs; Washington, DC: Dec. 2008
- Wildeman C. Parental imprisonment, the prison boom, and the concentration of childhood disadvantage. *Demography*. May; 2009 46(2):265–280. [PubMed: 21305393]

An Interactive Biopsychosocial Model of the Effect of Parental Involvement with the Criminal Justice System on Children

* Characteristics of exposure: nature of crime, length of detainment, prior involvements with CJS, child's knowledge of parentall involvement with CJS

** Child's placement in foster care (duration/quality), type of living arrangement and relationship to the Other Primary Caretaker (OPC)

*** School, health and others

Figure 1.

An interactive biopsychosocial model of the effect on children of parental involvement with the criminal justice system*.