



Helping Children with Parents in Prison and Children in Foster Care

John H. Laub and Ron Haskins

Children with incarcerated parents and children in foster care, who come disproportionately from poor and minority households, face many threats to their healthy development and lifelong wellbeing. In this brief, John H. Laub and Ron Haskins suggest a number of policies that could help these children. For children with incarcerated parents, they call for expanding the use of alternatives to incarceration; making it easier and less traumatic for children to visit their incarcerated parents; and creating school- and community-based programs to help them overcome the challenges they face. For children in foster care, they propose reducing the number of children placed in foster care by keeping them at home more often, and for increasing the quality of foster parents through better training and support. Overall, they write, a rigorous system of *targeting, testing, and tracking* could determine which problems are causing the most harm for these two groups of children, develop and test intervention programs to tackle those problems, and assess the children's progress.

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The United States is home to many vulnerable children and youth, but two groups are especially worthy of our attention because of their high level of developmental risk: those who have had a parent incarcerated and those who are in foster care. Their sheer numbers alone justify focusing on these children. A 2016 report from the Annie E. Casey Foundation shows that more than five million children have had a parent incarcerated at some point in their lives. And roughly 4.5 million kids will experience a foster care placement by age 18. These children and youth, often minorities from disadvantaged backgrounds, face serious handicaps that threaten their current wellbeing and, even more importantly, their development across the life course. For example, both groups are more likely to have contact with the juvenile justice system. In this brief, which accompanies the latest issue of the journal *Future of Children*, "Reducing Justice

System Inequality,” we analyze policies that could help children with an incarcerated parent and improve the prospects of those in the foster care system. These policies aim to counteract the negative developmental effects of parental incarceration, foster care, and involvement with the juvenile justice system.

These two groups of children overlap. For example, sociologists Kristin Turney and Christopher Wildeman have shown that 40 percent of children in foster care had been exposed to parental incarceration at some point in their lives. Wildeman has also found that maternal incarceration is linked to foster care and paternal incarceration is linked to homelessness. To the extent that states use the criminal justice system, especially incarceration, as a response to the opioid crisis, the number of children in foster care because of parental incarceration may well increase.

To ensure that our policy recommendations lead to more effective and fair policies for children of incarcerated parents and children in foster care, we call for a rigorous system of *targeting, testing, and tracking*—a strategy that’s been shown to promote evidence-based policing. Integrated administrative data from criminal justice and social service agencies would make targeting, testing, and tracking of individuals more efficient and effective, as we will demonstrate.

Children of Incarcerated Parents

An incarcerated parent can’t contribute to family life. In their *Future of Children* article, “Parental Incarceration and Children’s Wellbeing,” Kristin Turney and Rebecca Goodsell show that parental incarceration has been linked to a wide range of negative outcomes for children and youth. Those include behavioral outcomes such as aggression, educational outcomes such as grade retention, health outcomes such as depression, and hardship and deprivation such as homelessness and food insecurity. Elsewhere, criminal justice researcher Sara Wakefield and Wildeman have found that parental incarceration helps to explain the racial differences in child wellbeing. When it comes to the harm parental incarceration can do, contingencies loom large, such as the nature of the parent-child bond, maternal versus paternal incarceration, custodial versus noncustodial parent, and contact with the parent during incarceration.

Alternatives to Incarceration

One way to avoid parental incarceration’s negative effects on children is to seek appropriate alternatives

to incarceration. Contact with the adult criminal justice system can be detrimental to children and families. Alternatives to arrest and prosecution, especially for minor offenses, would reduce the reach of the justice system and keep families intact.

Along similar lines, jail stays (both before trial and after conviction) contribute to a wide range of problems for children. Parents’ time in jail can be quite consequential for children; even short jail stays can strain family relationships and create uncertainty for children and caregivers. One focus of policy reform should be the pretrial jail population and, in particular, the use of cash bail. The Prison Policy Initiative has documented how money bail perpetuates poverty and leads to extensive jail time. Cash bail should be used only for accused offenders who are a legitimate flight risk based on validated risk-assessment tools. Whenever possible, accused offenders, especially those who are indigent, should be kept out of jail and in their communities with their families, allowing them to keep their jobs while awaiting trial.

Increased Visitation, Including Video Visitation

Extensive research has shown that strong family ties can prevent delinquency and a host of other problem behaviors, such as disengagement from school. Increased visitation could keep incarcerated parents connected to their children. Research on this topic is limited, but so far it shows that visiting incarcerated parents can have both positive and negative effects for children. One way to ameliorate the negative effects might be to make visitor waiting areas and visiting rooms in prison and jail more child-friendly, thus enhancing the quality of in-person visits between children and their parents.

Still, any visit to a prison or jail can be a negative experience for children, because of such things as exposure to elaborate security measures. Video visitation could avoid this problem. A model program for video visitation could be developed to let parents do age-appropriate schoolwork with their kids, or tackle some other problem, thus learning to work together while sharing an activity as a family.

School-Based and Community-Based Programs

Research has shown that parental incarceration harms an array of cognitive and noncognitive outcomes related to children’s school performance. Because incarceration rates are racially disproportionate, the incarceration of African American parents may well contribute to the racial achievement gap in schools. We need school-based programs that focus on the

children of parents who are incarcerated to ensure that these kids don't lag behind their peers. Research has shown that children and youth who are engaged in school are less likely to be involved in delinquency and other problem behaviors.

We also know that incarceration is heavily concentrated in certain neighborhoods. Sociologists Robert Sampson and Charles Loeffler write that incarceration is “distinctly concentrated by place.” Using data from Chicago, they show that many neighborhoods are relatively untouched by incarceration, with rates of imprisonment ranging from zero to less than 500 per 100,000 adult residents. On the other hand, in a small number of neighborhoods rates of incarceration are eight times higher or more, ranging from 2,001 to 4,500 per 100,000 adult residents, and rates of disadvantage and crime are also high. These neighborhoods need community-based programs for children of incarcerated parents.

Summary

The policy initiatives we offer seek to improve the experiences of children of incarcerated parents. If these initiatives are implemented, however, they would need to be rigorously evaluated. Targeting, testing, and tracking, using data across multiple domains, is essential to ensuring that our policy response to children of incarcerated parents is based on evidence. If visitation policies are made more child-friendly, for example, we'd need data to test whether the policy changes actually increase visitation by children, and if so, whether increased visitation improves children's outcomes. A similar approach of targeting, testing, and tracking would be needed if new school-based or community-based programs were offered to children of incarcerated parents. One promising approach is exemplified by South Carolina's Impact of Incarceration project, which uses integrated administrative data on visitation from the Department of Corrections, as well as data from a number of social service, educational, and health agencies.

Foster Care

Each year, jurisdictions in the United States receive around 3.5 million reports covering more than six million children suspected of having been abused or neglected. About 2.5 million (40 percent) of these reports are confirmed, usually by local agencies including law enforcement and child protective services (CPS). The nation has evolved a complex system to investigate reports of abuse and neglect,

and to provide services, including foster care, when maltreatment is confirmed and treatment is deemed necessary. The CPS system is shaped by statutes at the state level, which are often written in response to federal requirements, and is supported by federal, state, and local financing.

There's a general sense among child protection workers and researchers that in most cases, keeping children with their parents rather than removing them from their homes is the best course of action. One of Congress's first actions in 2018 was to enact long-pending legislation to allow the use of federal dollars to provide services to children and their parents in certain child protection cases before removing children from their home, as long as an evidence-based treatment plan is in place. Serious abuse or neglect, and the parents' role in the child's circumstances and treatment, is often complicated by poverty, drug and alcohol abuse, domestic violence, and mental illness, so leaving children in the home is often controversial. Thus it's doubtful that a formula for making this decision will ever be achieved.

When children are removed from their homes, state and local governments take on huge responsibility for their safety, wellbeing, and development. These children are usually placed in foster care, which is provided either by relatives or by people who have volunteered to serve as foster parents. In recent years, about 45 percent of the children in foster care have been placed with a nonrelative and about 30 percent with relatives; the rest are in hospitals, residential facilities, or other settings. Home-based foster care is CPS agencies' most valuable tool to protect children's safety after removal from the home and, hopefully, to provide a developmentally appropriate and loving environment.

The need for good foster care homes is enormous. In recent years, between 400,000 and 425,000 US children have been in foster care on any given day. But the system is dynamic—between 270,000 and 300,000 children enter each year, and a similar number leave (though because of the opioid crisis, many experts predict that these numbers will increase). Imagine trying to find at least 300,000 safe and loving homes every single year.

Racial inequality touches every aspect of the foster care system. About one black child in 10 spends some time in foster care, approximately twice the rate for white children. Black children also have more placements (which reduces their sense of stability), are less likely to receive treatment, and are less likely to be placed with relatives. So improving foster care

should have a disproportionately positive impact on minority children.

Michael Wald, an emeritus professor of law at Stanford and one of the nation's leading experts on foster care, observes that "foster placement too often does not provide children with adequate care." Concern over the quality of foster care, he adds, has been driving demands for reform since the 1960s. In their *Future of Children* article, "Can Foster Care Interventions Diminish Justice System Inequality?," Youngmin Yi and Christopher Wildeman also examine how the foster care system channels children and adolescents, especially poor minority children, into the justice system.

Two broad reforms would improve the quality of foster care: reducing the number of children placed in foster care by keeping them at home more often, and increasing the quality of foster parents through better training and support. Both of these processes have been under way for many years, but the results still aren't ideal. Nonetheless, improvements in these two areas hold the most promise for improving the quality and impact of foster care.

Reducing the Number of Children Removed from Their Homes

There are several useful approaches to helping keep children at home, at least one of them solidly evidence-based. When children are removed from their homes, it's usually because their parents are abusing or neglecting them or because the parents and child are engaged in escalating conflicts. In recent years, interventions have been developed and tested that aim to help parents control their children without using harsh punishments. Experience shows that we shouldn't expect huge impacts from any approach, but many children who are reported to CPS for being maltreated could be kept safely at home. Just avoiding the trauma of leaving home and being forced to live with a new family, attend a new school, and live in a new neighborhood represents a major benefit for children.

Multisystemic therapy (MST), a treatment program for children and parents with serious psychosocial and behavioral problems, gives us cause for optimism. MST has shown repeatedly that it can reduce a range of problem behaviors in both parents and children, including parental abuse and provocative child behaviors that may elicit inappropriate parenting responses. Comprehensive reviews of empirical studies, many of the highest quality and conducted under real-world conditions, show that MST has at

least moderate impacts. One study that included five assessments over 16 months found statistically significant reductions in children's mental health symptoms, psychiatric problems among parents, parental behaviors often associated with abuse or neglect, and other negative behaviors. MST isn't the only effective program for helping families deal with child maltreatment. As we'll discuss in greater detail below, the California Evidence-Based Clearinghouse for Child Welfare regularly summarizes the results of scientific studies of child welfare programs, some of which show success. These successful interventions would in many cases reduce the need to remove children from their homes.

It would be naïve to think that these relatively few programs can turn around the outcomes of child abuse and neglect in the United States on a large scale. But they represent real progress. If funding is available and local CPS agencies become more sophisticated in selecting and administering treatment programs, child maltreatment and children's acting out could be greatly reduced—thereby achieving one of the most fundamental goals of the CPS system without removing children from their homes.

Improving Foster Care

A second way to improve our CPS system would be to improve foster care itself. In the case of biological parents, CPS has a legal and moral duty to help all parents who enter the system due to a confirmed case of abuse or neglect; CPS agencies don't get to choose which biological parents they serve. But in the case of foster parents, CPS has two powerful cards to play: selecting adults who want to be parents, and giving them training and services that help them become good parents. Given the problems that foster children often bring with them into foster care, the services CPS can offer are bound to be especially important.

A number of support programs for foster parents have shown at least modest evidence of success. One review of programs in the United Kingdom, for example, found 20 interventions for which good evidence was available. The authors divided these into five categories. Among the categories showing the strongest evidence of success was *wraparound services*, which often involves intensive support for adult caretakers, including home visits, phone calls, and training and support groups. Sometimes, these services also involve the biological parents, in an attempt to promote communication both between

the child and the biological parents and between the biological and foster parents. Based on the research evidence, many professionals believe that such communication can improve the prospects for children's successful adaptation to foster care and can sometimes even lead to returning children to their original homes.

State and local CPS agencies are crucial players in foster care, as are the statutes that govern these agencies. Many child advocates see improved foster care as an intervention program that could have an enormous positive impact on children whose parents can't—at least temporarily—provide them with a safe and loving childhood environment that would launch them into the world of self-sufficiency and adult responsibilities.

One group of advocates, researchers, community activists, and foundation officials has formed a lobbying group called CHAMPS (Children Need Amazing Parents). CHAMPS is working with state policymakers, child welfare administrators, and others to spur policy reforms in as many as 25 states over the next five years to improve foster care.

A recent report by the Annie E. Casey Foundation, one of several foundations supporting CHAMPS, spelled out the group's goals. According to Casey, CHAMPS intends to build a powerful constituency network to support state legislation; reform state policies, including statutes, administrative codes, and regulations, to recruit, retain, and support foster parents; promote stronger federal policies that firmly embed the principle that children do best in families; and change the public narrative to create a universal message indicating that foster parents play a vital role in shaping the lives of hundreds of thousands of American children. A successful CHAMPS movement could lead to substantial improvements in the quality of foster care throughout the United States.

Child Welfare and Evidence-Based Policy

The evidence-based policy movement, which began at the end of the twentieth century, has been gathering force in the first two decades of the twenty-first. The movement's guiding idea is that philosophy, opinion, tradition, and standard practice are not firm bases for policy. Rather, policies and practices should be based on evidence that they work—that is, that they can produce the impacts policymakers are aiming for. Evidence-based policy's primary tool is using scientific experiments to test programs for efficacy. These experiments, based on rigorous research designs, are

now being conducted in every area of social policy: juvenile delinquency, child protection, adult and youth mental health treatment, teen pregnancy prevention, education, drug use, and many others.

Child protection is benefiting handsomely from evidence-based policymaking. Anyone spending an hour or two on the website of the previously mentioned California Evidence-Based Clearinghouse for Child Welfare (CEBC) can find more than 300 reviews of programs that aim to help parents and children who are involved in the foster care system and have psychological or behavioral issues, as well as tests of training programs for foster parents and social workers. Of the 400 reviews, about 200 were rated for their impact on families, parents, or children. The reviews found 31 programs that were judged to be “well supported” by research evidence and another 49 that were “supported.” The CEBC is exceptionally useful for agencies trying to find programs that, if well implemented, have a reasonable likelihood of producing impacts and improving policy and practice.

University of Maryland criminologist Lawrence Sherman has developed targeting, testing, and tracking as a creative application of evidence-based policy for policing. Sherman's work has stimulated the FBI Academy to offer a course in evidence-based policing; the National Policing Improvement Agency to fund an international conference on evidence-based policing; and a large group of UK police officers to found the Society of Evidence-Based Policing. All these activities have adopted the view that targeting, testing, and tracking is a fundamental approach to applying evidence to policing—and thereby improving outcomes.

A modified version of this approach seems especially appropriate for child protection. It would help determine which problems are causing the most harm (targeting), develop and test intervention programs that effectively address the most serious problems (testing), and track children who've entered the system so that CPS officials know their status at all times. The tracking phase would be especially significant in child protection if CPS offices would integrate evaluation information about the progress of children and their biological parents, as well as children in foster care who have exhibited serious emotional or behavioral problems and are receiving treatment. As the field of child protection continues to expand its purview and its ability to develop and use evidence-based programs and practices, we can expect improvements in the lives of children and parents who become involved in the system, including the children who enter foster care.

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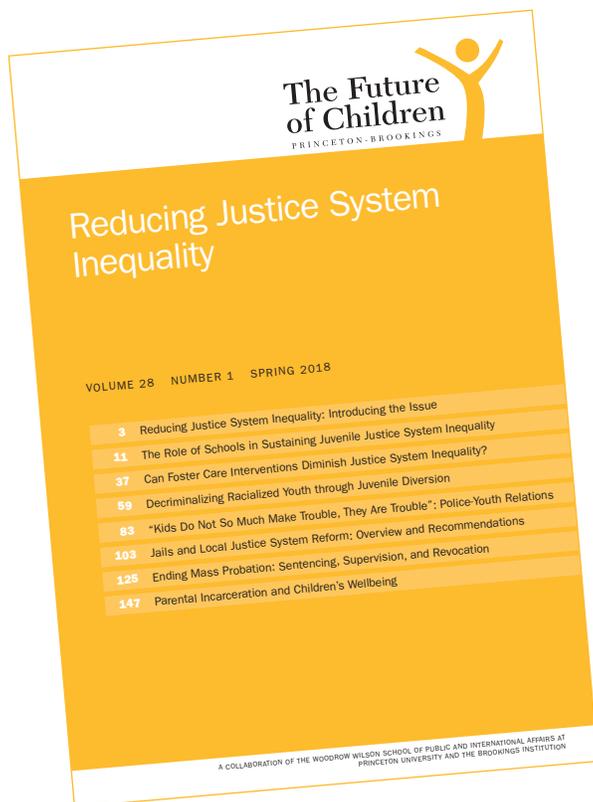


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