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Amy C. D'Andrade
San Jose State University, amy.dandrade@sjsu.edu

M. Valdez
EMQ Families First

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The Effect of Incarceration for Parents Reunifying with Children in Foster Care

Amy C. D'Andrade^a

Melanie Valdez^b

^aSan Jose State University

School of Social Work

One Washington Square

San Jose, CA 95192-0124

adandrade@casa.sjsu.edu

^bEMQ Families First

251 Llewellyn Ave.

Campbell, CA 95008

Abstract

The current emphasis in child welfare services is on timely permanency for children removed from their homes due to abuse or neglect. For the increasing numbers of incarcerated parents, reunification efforts are complicated by a correctional institution that necessarily constrains residents' activities. It may be difficult for incarcerated parents to complete the activities on their court-ordered case plans, such as drug treatment services and visitation with their children. Although much has been written regarding the obstacles that are likely to interfere with reunification for incarcerated parents, very little quantitative research has examined the frequency of incarceration among reunifying parents, the relationship between incarceration and service use, or the effect of incarceration on reunification. This study uses secondary data to examine the incarceration experiences and reunification outcomes of a sample of incarcerated and non-incarcerated parents in one large urban California county. Findings show about 40% of reunifying parents in this sample were incarcerated at some point in the case, and almost one-quarter of the sample was incarcerated during the period of reunification services. These incarcerated parents were less likely to fully utilize services and comply with visitation orders. In a multivariate survival analysis controlling for problems and demographics, incarcerated parents were less likely to reunify with their children. Suggestions are made for policy and practice changes to improve reunification outcomes for this population of parents.

Introduction

The current emphasis in child welfare services is on timely permanency for children removed from their homes due to abuse or neglect. While federal legislation still requires state agencies to make “reasonable efforts” to help most parents reunify, timeframes for receipt of reunification services have been reduced, particularly for parents of very young children. In this environment, it is critical that parents access and use services without delay. For the increasing numbers of incarcerated parents, reunification efforts are complicated by a correctional institution that necessarily constrains residents’ activities. It may be difficult for incarcerated parents to complete the activities on their court-ordered case plans, such as drug treatment services and visitation with their children, within the legal timeframes. Scholars and parents’ advocates have detailed some of the factors that are likely to complicate reunification for incarcerated parents, but there is very little quantitative research on the topic. This study uses secondary data to examine the reunification experiences and outcomes of a sample of incarcerated and non-incarcerated parents in one large urban California county.

As the incarcerated population (particularly women) has grown over the last few decades, so has the number of parents who are incarcerated. Between 1991 and 2007, the number of incarcerated parents increased by 80% (Glaze & Maruschak, 2008); in 2007, there were over 800,000 parents in prison (Glaze & Maruschak, 2008). One result of this increase is that children in foster care are more likely to have a parent in prison. The proportion of children in non-relative foster care who had an incarcerated parent rose from 5.7% in 1986 to 7.1% in 1997 (Johnson & Waldfogel, 2002). In a New York study, 11% of a cohort of children entering foster care had mothers who were incarcerated while the case was open (Ross, Khashu & Wamsley,

2004). Considering criminal justice involvement more broadly, one study found approximately one in three children reported to a child welfare agency for maltreatment had a primary caregiver who had been recently arrested (Phillips & Dettlaff, 2009).

Parents whose children have been removed due to abuse or neglect are typically required to complete a plan of services ordered by the juvenile court judge at a dispositional hearing held soon after the child's entry to care. These services may include treatment for substance abuse or domestic violence issues, parenting classes, counseling, or other services. Agencies are required to make "reasonable efforts" to assist such parents for some period of time, usually 12 months. This assistance can take different forms: agencies can offer services themselves, they can contract with community based organizations to provide services for clients, or they can simply make referrals to community providers. If through the use of such services the parent is able to resolve the problems that led to the child's removal, and do so within the 12 month time frame, the child and parent are "reunified." If the parent does not make adequate use of services and/or fails to resolve the problem within the 12 month time frame, reunification services to the parent are ended, and the agency will attempt to find another permanent home for the child. At this point, the agency may terminate parental rights to allow for the child to be adopted by others.

A parent's incarceration affects neither the parent's responsibility to participate in and complete needed services (Halperin & Harris, 2004), nor the agency's requirement to provide reasonable efforts to assist the parent to reunify (Gentry, 1998). Theoretically, if the parent's sentence is not longer than the reunification time frame, incarceration need not necessarily interfere with the reunification process. However, a parent's incarceration can complicate the child welfare reunification process in a variety of ways.

Visitation

Visitation between children in foster care and their parents has been shown to increase the likelihood of reunification (Davis, Landsverk, Newton & Ganger, 1996; Leathers, 2002), and reunification case plans usually include requirements of weekly visitation between parents and children. Visitation is likely to be compromised by parental incarceration for several reasons. First, the prison may be located far away from the child. Most parents in prison are incarcerated at a location over 100 miles from their last place of residence (Mumola, 2000). Women's prisons in particular are often located in a rural setting more difficult to reach than an urban setting (Bloom, 1995). Secondly, apart from the distance, the logistics of transportation and escorting children are a challenge, as it requires either the current caregiver or the agency caseworker to transport the child to the prison. Additionally, restrictions are placed on the frequency, duration, and time of the visit by the correctional facilities, and visitation environments are often not conducive to the kind of close and intimate interactions that would best support a continuing bond between parent and child (Norman, 1995).

Very little is known about visitation between children in foster care and their incarcerated parents. Data on visitation patterns exists for incarcerated parents as a whole, but was not found in regards to reunifying parents specifically. For incarcerated parents generally, visits are relatively infrequent. The proportion of mothers in state prison who reported at least monthly visits with a child in 2004 was 14.6%; for fathers it was 12.3% (Glaze & Maruschak, 2008). Over half of the parent population in state prisons reported no visits, and over one-third reported no phone contact (Glaze & Maruschak, 2008; Johnson & Waldfogel, 2002). Visitation rates at

federal prisons were slightly higher; 15.5% of mothers and 14.7% of fathers were visited by their children at least monthly (Glaze & Maruschak, 2008).

Reunification services

Because reunification services are only provided for a limited time of (usually) 12 months, a parent must access and use the ordered services without delay. Many states report problems with access to services: "... problems with service delivery, a lack of transportation to services, long waiting lists, inconsistent service accessibility in all jurisdictions, with rural areas having the most difficulties" (CWIG, 2006, p.5). For incarcerated parents, difficulties with service availability are likely to be even greater. The services that are available in prisons for inmates vary in quality, target population, and staffing, and the effectiveness of these programs is unclear (Loper & Tuerk, 2006). Additionally, parents have little opportunity to implement what they may be learning with their children due to their limited visitation opportunities.

No data was found regarding the use of services by incarcerated parents of children in foster care. Data on incarcerated parents generally suggests that there are limited services available in jails and prisons. A recent study found that just over 40% of drug-addicted parents in state prisons received treatment services while incarcerated, less than one-third of those with a mental health problem received treatment services, and about 30% of mothers (and 12% of fathers) who had lived with their children prior to their arrest attended parenting classes in prison (Glaze & Maruschak, 2008).

Other factors

The Adoption and Safe Families Act of 1997 (ASFA) introduced new requirements that may affect incarcerated parents differently than other reunifying parents. To ensure children

avoid long stays in impermanent foster care, ASFA shortened reunification timeframes to 12 months, down from the 18 months previously set by the Adoption and Child Welfare Act of 1980. It also required states to file a petition to terminate parental rights if a child had been in foster care for 15 out of 22 months. Some scholars have voiced concerns that the ASFA timelines may negatively affect the likelihood of reunification for incarcerated parents, and possibly increase the likelihood of the termination of parental rights (Genty, 1998; Luke, 2002; Smith & Young, 2003). Genty (1998) reasons that since the average stay in prison is 15 months (for women; for men it is almost 2 years), that most incarcerated parents will hit the 15/22 deadline before they are released. Estimates of anticipated sentence lengths are higher than average lengths of stay, and vary from 36-49 months for women and 48-66 months for men (Greenfeld & Snell, 1999; Mumola, 2000).

Differences in purpose and approach between corrections and child welfare may hinder parents' reunification efforts. "The correctional focus on security and emphasis on punishment precludes the types of parental involvement and worker-client contact that the child welfare system requires for parents to demonstrate competent parenting to prevent the termination of parental rights and to promote family reunification" (Hairston, 1998, p.630). For example, correctional institutions typically restrict the communication of inmates, limiting the number and length of visits as well as the receipt and placement of phone calls, and monitoring correspondence (Beckerman, 1998). These constraints would interfere with the communication between the parent and the caseworker necessary to keep the parent informed of case happenings and reunification requirements. Research supports the contention that communication between workers and incarcerated parents is problematic: a study of incarcerated mothers with children in

foster care found that almost half reported receiving little to no correspondence from their case workers, two-thirds reported they did not receive a copy of the case plan, and one-third reported they were not notified of court hearings (Beckerman, 1994).

Incarcerated parents have been shown to have a greater number of problems - such as domestic violence and serious mental illness – compared to other parents with children in foster care (Hayward & DePanfilis, 2007; Phillips, Burns, Wagner & Barth, 2004). Parents released from prison may also have difficulty finding a job, getting public housing, and possibly obtaining welfare assistance (Phillips & Bloom, 1998), issues that would complicate reunification significantly. And finally, in spite of the challenges that child welfare workers face in assisting incarcerated parents who are attempting to reunify with their children, few agencies have policies in place to help guide workers on how to work with incarcerated parents (Halperin & Harris, 2004; Hairston 1998).

Some scholars suggest that reunification is close to impossible for an incarcerated parent given these various hurdles (Beckerman, 1998; Halperin & Harris, 2004). Surprisingly, there is very little research conducted on the effect of incarceration on the likelihood of reunification. The single study found focused on substance abusing parents, and found that for those with “legal problems” (involvement with the adult corrections systems including pending charges, awaiting trial, or released on probation) the likelihood of reunification was reduced by almost 40% compared to parents without legal problems (Ryan, Marsh, Testa & Louderman, 2006).

Numerous advocates and scholars have detailed the grounds for concern regarding the effects of incarceration on the likelihood of reunification for incarcerated parents. However, there is little information available about this population of parents (Hairston, 1998; Phillips &

Detlaff, 2009; Seymour, 1998). Neither criminal justice nor child welfare systems are required to track involvement in the other system (Beckerman, 1994; Gentry, 1998), and most do not (Halperin & Harris, 2004). As a result, very little is known about how often parents receiving reunification services are incarcerated, at what point in the case incarceration occurs, and how that incarceration affects involvement and success with reunification services (Ryan et al., 2006). This study fills a gap in the literature by reporting the incarceration experiences of mothers and fathers, exploring associations between incarceration, visitation and service use, and testing the effect of incarceration on reunification, controlling for parental problems that might confound an understanding of the relationship. The research questions are the following:

1. What proportion of reunifying parents are incarcerated, and at what points in the case process?
2. Do reunifying incarcerated parents differ from other reunifying parents on their demographics or the types of problems they have?
3. Do reunifying incarcerated parents differ from other reunifying parents on their utilization of specific reunification services and compliance with visitation orders?
4. Controlling for demographics and problems, are incarcerated parents less likely to reunify than parents who are not incarcerated?

Methods

Design

The study compares reunifying parents who were incarcerated during the period of reunification services to those of reunifying parents who were not incarcerated during this period. It is thus an observational study, with multivariate controls used to address selection bias

for research question 4. The dataset used for the study is from a previous study on reunification services conducted by the author and funded by the California Social Work Education Center (CalSWEC). The study examined types and patterns of service delivery and usage and their effects on reunification in one northern California County. Data was collected from court reports written by social workers to update the court on the current circumstances of the child and parents, as well as the parent's progress and participation in services. Because court reports are written every six months or more frequently, they allow for a longitudinal understanding of case events. Interrater reliability for the study was rated at 85%. For more details on this study and the dataset, see (reference removed for blind review).

Sample

In the research literature on reunification in child welfare, most studies focus on demographic characteristics of children. These studies almost always use children as the unit of observation. However, as it is primarily parents' circumstances, characteristics and activities that drive the reunification process, this study uses parents as the unit of observation. Non-custodial parents were included if they were ordered to receive reunification services, as a previously non-custodial parent may successfully use services and "reunify" with the child. Because characteristics and associations were likely to differ by gender, mothers and fathers were separated for all analyses.

A sample of 200 children was drawn from the population of children between the ages of 0-18 entering foster care in the county between January 1, 2004 through December 31, 2004 who remained in foster care at least 7 days and had at least one parent who received reunification services. Since parents were the observational unit of interest, the starting sample of 200 children

held potentially 400 observations for this study. Forty-one cases were unable to be located, inappropriate, or incomplete, and 13 cases were removed due to parents' death or unknown whereabouts. Of the 145 children remaining, 13 had only one known parent, and 132 had two known parents, for a total of 277 parents. Fifty-two parents were not given reunification services. (In this county, noncustodial non-involved parents were sometimes either denied reunification services through a provision in ASFA, or the court simply did not order services for them.) The final remaining sample was 225 parents.

Table 1 summarizes characteristics of the sample. Almost all mothers had custody of the child at the time of the child's removal, while fathers were less likely to be custodial. In this sample, the largest ethnic group was Latino, with 47% of mothers and 58% of fathers from this ethnic group. To some degree this reflects the ethnic make-up of the county, which has a relatively large population of Hispanic residents and a small population of African American residents, but in this county these groups are disproportionately overrepresented in the population of children entering care (Needell et al., 2009). The majority of parents – over 70% of mothers and 50% of fathers -- had substance abuse problems. Mothers appeared to have more problems than fathers, but it is likely that workers had less information available to them about fathers' characteristics, as many fathers were noncustodial at the time of the child's removal and may not have been available for interviews. Almost half of mothers and about 30% of fathers reunified with their children within three years.

[Table 1 about here]

Measures

The dependent variable of *reunification* was measured with a dichotomous variable coded “1” if the focus child was placed, informally or formally through court order, in the parent’s home subsequent to the child’s placement in foster care by the time of data collection in 2007/2008, and “0” otherwise. (The term “reunification” is not quite accurate then for any parent who was non-custodial at the time the child was removed from the home). A *time-in-care* variable measured the time in months from the date the child was removed from the parent’s home until the experience of a permanency event (reunification, adoption, finalized guardianship, termination of parental rights, or emancipation). This variable was used in conjunction with the reunification outcome variable to estimate the likelihood of reunification using Cox proportional hazards regression analysis.

Incarceration was measured first for the descriptive analysis with a categorical variable with four mutually exclusive categories: 1) not incarcerated during case; 2) incarcerated at the time of the child’s removal but not later; 3) incarcerated during the period of reunification services but not at removal; and 4) incarcerated at both the time of the child’s removal and during the period of reunification services. The data do not include the length of incarceration; it was known only that the parent was in jail or prison at some point during the period indicated. As noted by Ross et al. (2004), the effect of incarceration on reunification is likely to be greater for parents incarcerated during the period of reunification services than for those incarcerated briefly when the child was removed and then released. Therefore, for bivariate and multivariate analyses *incarceration* was measured with a dichotomous variable coded “1” if the parent was incarcerated at any time during the period of reunification services (combining categories 3 and 4

from first measure of incarceration) and “0” otherwise. This period covers the time between the dispositional hearing at which services are ordered, and either the child’s reunification with the parent, or the formal termination of reunification services to the parent.

Ethnicity was coded as African American, Caucasian, Hispanic /Latino, or Other, with dummy variables used in the analyses. For the multivariate analysis, the distribution of the outcome for the “Other” category was such that its inclusion in the model resulted in inflated standard errors; this category was subsumed into the Caucasian category after comparing its performance on a number of variables to all ethnic groups. *Custody* was a dichotomous variable coded “1” if the parent had physical custody (lived in the child’s household) at the time the child was removed, and “0” otherwise. Regarding parental problems, *Substance abuse*, *Domestic violence*, and *Mental health problem* were each measured with a dichotomous variable coded “1” if the social worker indicated that the particular problem was a current issue for the parent at the time of the child’s removal, and “0” otherwise.

Full utilization was measured for each service (Parenting class, counseling, domestic violence service, and substance abuse service) with a dichotomous variable coded “1” if the social worker described the parent’s compliance with the particular service as “complete” (vs. “partial” or “incomplete”), and “0” otherwise. In the case of substance abuse services, where usually a set of services were ordered (such as drug testing, outpatient treatment, and 12 step meetings), the variable was measured with dichotomous variable coded “1” if the parent fully utilized over half of the ordered services, and “0” otherwise.

Procedures and analysis

To answer the first research question, descriptive statistics were run on the categorical variable of incarceration. To answer the second research question, chi-square analyses and t-tests were conducted comparing incarcerated parents to parents who had not been incarcerated on demographics and problems. To answer the third research question, chi-square analyses were run comparing incarcerated parents to parents who had not been incarcerated on their use of specific services, and their compliance with visitation ordered. To answer the fourth research question, a survival analysis using Cox proportional hazards regression was conducted examining the effect of incarceration on reunification, controlling for parental demographics and problems. Using the occurrence and timing of events, Cox proportional hazards regression estimates the “hazard” of the occurrence of an event. The hazard is often referred to as the instantaneous probability of an event, given the subject is still at risk of the event. Cases are censored when they are no longer at risk of the event, either due to an alternative event such as death, or at the point of data collection. In this study, cases were censored at the point of an alternative permanency event such as termination of parental rights or guardianship, transfer of the case out of the county, or on the date of the last court report in the case file (for open cases). The analysis produces estimated hazard ratios, showing the multiplicative effect of a one unit increase of an independent variable on the outcome of interest (Allison, 1995). Separate analyses were run for mothers and fathers, as bivariate associations and multivariate predictors varied by gender; this strategy also ensured the assumption of the independence of observations was met for the statistical analysis. All analyses were conducted using SPSS v. 16 statistical software package.

Results

The first research question considered the proportion of reunifying parents that are incarcerated, and when during the case that incarceration occurs. Overall, incarceration was not an uncommon experience for parents attempting to reunify with their children. Approximately 40% of parents were incarcerated at some point during the case. In terms of when that incarceration occurred, 19% of mothers and 11% of fathers were incarcerated at the time of the child's removal, but not at any later point; almost 9% of mothers and 14% of fathers were incarcerated during the period of reunification services but not at the time of the child's removal; and 14% of mothers and 10% of fathers were incarcerated both at the time of the child's removal and at some point during the period of reunification services. Combining the last two categories shows that of the parents who were incarcerated, slightly over half of mothers and about 2/3 of fathers were incarcerated at some point during the period of reunification services.

[Table 2 about here].

The next set of analyses compare parents who were incarcerated during the period of reunification services to parents who were not incarcerated during this period. Incarcerated parents differed in a variety of ways from non-incarcerated parents. Incarcerated mothers were more likely to be African American and less likely to be Latino, and were proportionately more likely to have substance abuse and mental health problems and less likely to have domestic violence problems (though these differences in problems did not rise to the level of statistical significance). Incarcerated fathers were less likely to be custodial than non-incarcerated fathers, and were proportionately more likely to have domestic violence problems and less likely to have mental health problems (though these differences in problems and age did not rise to the level of

statistical significance). Both incarcerated mothers and fathers were several years younger on average than non-incarcerated parents.

[Table 3 about here].

Incarcerated parents did not comply with services at the same rate as non-incarcerated parents. Across all service types, the percentage of parents who fully complied with each service is substantially lower for both incarcerated mothers and fathers compared to non-incarcerated mothers and fathers; for mothers the differences in use of counseling was not statistically significant, and for fathers the difference in use of domestic violence services was not statistically significant. Incarcerated parents were less likely to comply with visitation orders as well. Approximately 40% of both incarcerated mothers and fathers fully complied with visitation orders compared to almost 70% of non-incarcerated mothers and almost 60% of non-incarcerated fathers. (Note that the sample for each of these analyses was restricted to the smaller subset of parents ordered to receive each particular service, reducing the power to detect differences).

There are substantial differences between incarcerated and non-incarcerated parents as well in both the proportion of parents that reunified, and in the speed with which reunification happened when it did occur. Incarcerated mothers were only half as likely to reunify as non-incarcerated mothers, and incarcerated fathers only about one third as likely to reunify as non-incarcerated fathers. For parents who did reunify, incarceration appeared to slow the process. Incarcerated mothers took on average about five months longer to reunify than did non-incarcerated mothers, while incarcerated fathers took about three months longer than did non-incarcerated fathers.

[Table 4 about here]

It is possible that incarcerated parents reunify less often not because of the incarceration and related difficulties accessing services and visiting children, but because of other characteristics or problems in parents' lives that contributed to their incarceration. To consider whether incarceration is behind the lower reunification rate, problems that may be correlated with both reunification and incarceration were included as variables in a multivariate model. The multivariate model of reunification controlled for mental health, substance abuse and domestic violence problems, as well as age, custodial status, and ethnicity.

In this model, the negative effect of incarceration on reunification persisted after controlling for parental demographics and problems, and was substantial. The likelihood of reunification for incarcerated mothers was reduced by 65% relative to non-incarcerated mothers; for fathers, it was reduced by 75% relative to that of non-incarcerated fathers (at $p < .06$). For mothers, incarceration was the only variable that was statistically significant, while for fathers the variable representing current domestic violence problem also greatly reduced the likelihood of reunification ($HR=0.17$, $p < .006$).

Discussion

Halperin & Harris claim that the "...policies and practices of the corrections and child welfare systems make these (reunification) requirements virtually impossible to fulfill from prison" (2004, p.341). While in this sample a proportion of incarcerated parents (approximately 26% of incarcerated mothers and 14% of incarcerated fathers) did successfully reunify, they were less likely to do so than non-incarcerated parents, and those that did reunify did so at a slower rate than non-incarcerated parents. The effect of incarceration persisted after controlling for problems such as mental health, domestic violence, and substance abuse that might correlate

with both incarceration and reunification. These findings suggest that there is something about the incarceration experience itself, rather than these problems, that causes the negative effect. The size of the effect suggests that incarceration is a significant hindrance to reunification.

The bivariate examination of incarceration and services utilization and visitation supports the notion that it is the issue of accessing services and visiting children that hinders reunification for incarcerated parents. Mothers and fathers were distinctly less likely to utilize services and visit their children if they were incarcerated. However, there may be an additional reason for this result. In the study by Ross et al. (2004), most parents who were incarcerated during the case became incarcerated *after* the child was removed from their care. In this study, this was true for a sizable proportion of parents as well: 21% of incarcerated mothers and 39% of incarcerated fathers. Unless these parents received a very short sentence, it is possible that the length of their sentence reached beyond the period of reunification services, particularly if the incarceration occurred some months after the child's removal. If this were the case, the parents' failure to reunify could be related not to the difficulty involved with accessing services and visiting with their children, but to the expiration of the period of reunification services. That is, even if a parent was making substantial progress with services from prison, if the parent was not ready to regain custody of the child at the 12 month permanency hearing due to on-going incarceration, the court would likely end reunification services for the parent and put in place alternative plans for permanency for the child. This may explain why the rate of reunification for incarcerated parents was substantially lower than their rate of full utilization of services and compliance with visitation orders.

Of course it is possible that incarcerated parents have some characteristics not measured in this study that makes them less interested, able and willing to successfully reunify. And certainly the importance of timely permanency for children must be taken into consideration when parents are given long sentences. However, to the degree that parents with shorter sentences of 12-18 months or less are wishing to comply with their case plans but are unable to do so because of their incarceration, the field should have a real concern about their dilemma. Imprisonment may be a reasonable punishment for committing a crime, but surely losing a child is not.

Suggestions for practice and policy

Findings in this study support the need for many of the policy and practice changes that have been suggested by scholars and advocates. One such suggestion is to concentrate the expertise and experience in dealing with criminal justice institutions within one child welfare worker or unit (Beckerman, 1998; Gentry, 1998; Halperin & Harris, 2004), as learning the logistical details involved in regular communication with a parent held at any particular institution may require more time and effort than an overtaxed social worker can afford to spare. However, given that many incarcerations are brief, it may be logistically challenging to transfer cases to a special worker or unit.

In California, recent state legislation allows for extending reunification time frames for incarcerated parents, and removes their requirement to participate in any services not available at the institution at which they are incarcerated (AB 2070, Chapter 482, Statutes of 2008). While well-intentioned, extending timeframes for incarcerated parents seems to create a conflict with children's developmental needs for timely permanency. An alternative approach would be to

ensure incarcerated parents have the ability to comply with their case plans. This would require agencies to develop structures that enable: a) social workers to identify which parents are incarcerated and where; b) social workers and incarcerated parents to communicate with relative ease and frequency; c) incarcerated parents' visits with children to be frequent and held in facilities that allow intimate interaction; d) services ordered to be available and of good quality. These improvements would support reunification for parents who wish to and are able to make use of services, fulfill agencies' responsibilities to provide reasonable efforts to assist incarcerated parents to reunify, and address children's need for timely permanency. Halperin & Harris (2004) call for expanded and improved services to mother's in prison; these benefits should be extended to incarcerated fathers, as incarceration had an equally large negative effect on their likelihood of reunification.

Such improvements can only happen through improved and focused collaboration between criminal justice systems and child welfare agencies, as many have noted (Katz, 1998; Phillips & Dettlaff, 2009; Seymour, 1998). Better communication and relationships between agencies are critical to ensure decent visitation facilities, improve communication between social workers and incarcerated parents, and increase the availability of good quality treatment services in jails and prisons.

In terms of policy, national standards are needed that would outline best practice guidelines for working with parents in prison (Hairston, 1998). Agencies should develop specific policies and regulations to help guide child welfare practitioners when parents are incarcerated (Hairston, 1998). Elimination of TANF eligibility restrictions for felony drug convictions (Smith & Young, 2003) would facilitate reunification by easing the transition from prison; changing

sentencing policies to reflect an individual's role in a crime rather than the amount of drug carried (Smith & Young, 2003) would result in shorter sentences for many mothers who had only tangential or inconsequential roles in any actual drug transaction.

There is a need for better tracking of data by both child welfare and criminal justice agencies. Child welfare administrative systems should track and summarize or report upon the incarceration status and specific institutions of reunifying parents; this information is critical for the development of policies such as specialized personnel, formal collaborations, and guidelines for practice suggested here. Jails and prisons should track which inmates have formal reunification plans, prioritize their placement in available services, and ensure that jails and prisons where parents are housed have adequate visitation facilities.

Finally, additional research in this area is critical. Studies with larger samples, that track the length of parents' sentences, when during the case these sentences began and ended, the crimes parents committed, and the availability of services in prison are sorely needed to inform improvements to system processes and resources to increase successful reunification to benefit parents, children and society.

Limitations

The study is limited by the small sample, reliance upon data from a single county and entry cohort, and potential selection bias due to the observational nature of the study. There is an increased possibility of a Type I error given the number of bivariate tests conducted. Measures available in the dataset were based upon social work reports not developed for research purposes, and allowed only very rough measures of complex constructs. Detail on the length of the incarceration, a critical consideration, was not available, nor was information on the crime

committed or the specific jail or prison where a parent resided. However, despite these limitations, the study provides a beginning look at an understudied phenomenon in child welfare, and provides information that can help the field begin to craft a more effective and coordinated approach to working with parents attempting to reunify from jails or prisons.

References

- AB 2070, Chapter 482, California Statutes of 1998, §365.1(a)(2).
- Allison, P.D. (1995). *Survival analysis using the SAS system: A practical guide*. Cary, NC: SAS Institute Inc.
- Beckerman, A. (1994). Mothers in prison: Meeting the prerequisite conditions for permanency planning. *Social Work*, 39, 9-14.
- Beckerman, A. (1998). Charting a course: Meeting the challenge of permanency planning for children with incarcerated mothers. *Child Welfare*, 77, 513-529.
- Bloom, B. (1995). Imprisoned mothers. In K. Gabel & D. Johnston (Eds.), *Children of Incarcerated Parents* (pp.21-30). New York: Lexington Books.
- Child Welfare Information Gateway (CWIG) (2006). *Family reunification: What the evidence shows*. Children's Bureau, Administration for Children and Families. Washington, D.C. Retrieved July 14, 2009 from: www.childwelfare.gov/pubs/issue_briefs/family_reunification/index.cfm.
- Davis, I.P., Landsverk, J., Newton, R., & Ganger, W. (1996). Parental visiting and foster care reunification. *Children and Youth Services Review*, 18(4/5), 363-382.
- Genty, P. (1998, September). Permanency planning in the context of parental incarceration: Legal issues and recommendations. *Child Welfare*, 77(5), 543-559.
- Glaze, L.E. & Maruschak, L.M. (2008). *Parents in prison and their minor children*. Washington DC: US Department of Justice, Bureau of Justice Statistics. Retrieved June 22, 2009 from: <http://www.ojp.usdoj.gov/bjs/pub/pdf/pptmc.pdf>

- Greenfeld, L.A. & Snell, T.L. (1999). *Women Offenders*. Washington DC: US Department of Justice, Bureau of Justice Statistics. Retrieved June 22, 2009 from:
<http://www.ojp.usdoj.gov/bjs/pub/pdf/wo.pdf>
- Halperin, R., & Harris, J. (2004). Parental rights of incarcerated mothers with children in foster care: A policy vacuum. *Feminist Studies*, 30(2), 339-352.
- Hairston, C.F. (1998). The forgotten parents: Understanding the forces that influence incarcerated fathers' relationship with their children. *Child Welfare*, 77(5), 617-639.
- Hayward, RA & DePanfilis, D. (2007). Foster children with an incarcerated parent: Predictors of reunification. *Children and Youth Services Review*, 29 (10), 1320-1334
- Johnson, E.I. & Waldfogel, J. (2002). Parental incarceration: Recent trends and implications for child welfare. *Social Service Review*, 24, 460-479.
- Katz, P. (1998). Supporting families and children of mothers in jail: An integrated child welfare and criminal justice strategy. *Child Welfare*, 77(5), 495-511.
- Leathers, S. (2002, July). Parental visiting and family reunification: Could inclusive practice make a difference? *Child Welfare*, 81(4), 595-616.
- Loper, A.B. & Tuerk, E.H. (2006). Parenting programs for incarcerated parents: Current research and future directions. *Criminal Justice Policy Review*, 17(4), 407-427.
- Luke, K. (2002). Mitigating the ill effects of maternal incarceration on women in prison and their children. *Child Welfare*, 81(6), 929-948.
- Mumola, C.J. (2000). *Incarcerated parents and their children*. Washington, DC: U.S. Department of Justice. Retrieved June 22, 2009 from
<http://www.ojp.usdoj.gov/bjs/pub/pdf/iptc.pdf>.

Needell, B., Webster, D., Armijo, M., Lee, S., Dawson, W., Magruder, J., Exel, M., Glasser, T., Williams, D., Zimmerman, K., Simon, V., Putnam-Hornstein, E., Frerer, K., Cuccaro-Alamin, S., Winn, A., Lou, C., Peng, C. & Holmes, A. (2009). *Child Welfare Services Reports for California*. Retrieved July 13, 2009, from University of California at Berkeley Center for Social Services Research website. URL:

<<http://cssr.berkeley.edu/CWSCMSreports/>>

Norman, J.A. (1995). Children of prisoners in foster care. In K. Gabel & D. Johnston (Eds.), *Children of Incarcerated Parents* (pp.124-134). New York: Lexington Books.

Phillips, S., Burns, B., Wagner, H., & Barth, R. (2004, April). Parental arrest and children involved with child welfare services agencies. *American Journal of Orthopsychiatry*, 74(2), 174-186.

Phillips, S.D. & Dettlaff, A. (2009). More than parents in prison: The broader overlap between the criminal justice and child welfare systems. *Journal of Public Child Welfare*, 3, 3-22.

Phillips, S. & Bloom, B. (1998). In whose best interest? The impact of changing public policy on relatives caring for children with incarcerated parents. *Child Welfare*, 76(5), 531-541.

Ross, T., Khashu, A., & Wamsley, M. (2004). *Hard data on hard times: An empirical analysis of maternal incarceration, foster care, and visitation*. Vera Institute of Justice, New York. Available at: www.vera.org.

Ryan, J., Marsh, J., Testa, M., & Louderman, R. (2006, June). Integrating substance abuse treatment and child welfare services: Findings from the Illinois Alcohol and Other Drug Abuse Waiver Demonstration. *Social Work Research*, 30(2), 95-107.

Seymour, C. (1998). Children with parents in prison: Child welfare policy, program, and practice issues. *Child Welfare*, 77(5), 469-493.

Smith, C.J. & Young, D.S. (2003). The multiple impacts of TANF, ASFA, and mandatory drug sentencing for families affected by maternal incarceration. *Children and Youth Services Review*, 25(7), 535-552.

_____ (2008). Reference removed for blind review.

TABLE 1: Sample Characteristics

Characteristics	Mothers		Fathers	
	n ^a	%	n ^b	%
Custody	132	96.4	39	44.3
Ethnicity				
African American	8	5.8	9	10.2
Caucasian	49	35.8	20	22.7
Latino	65	47.4	51	58.0
Other	13	9.5	3	3.4
Missing	2	1.5	5	5.7
Problems (not mutually exclusive)				
Substance Abuse	98	71.5	44	50.0
Domestic Violence	41	29.9	27	30.7
Mental Health Problem	36	26.3	8	9.1
Reunified	65	47.4	27	30.7
<hr/>				
Age (in years)	<i>M</i> = 31.78 <i>SD</i> = 8.22		<i>M</i> = 34.25 <i>SD</i> = 8.77	

^aTotal sample mothers N = 137^bTotal sample fathers N=88

TABLE 2: Number and Percentage of Parents Incarcerated During Case, by Time of Incarceration

	Mothers		Fathers	
	n ^a	%	n ^b	%
1. Not incarcerated during case	78	56.9	55	62.5
2. Incarcerated at child's removal but not during RS	26	19.0	10	11.4
3. Incarcerated during RS ^a but not at child's removal	12	8.8	12	13.6
4. Incarcerated at both RS ^a and child's removal	19	13.9	9	10.2
Missing	2	1.5	2	2.3
	137	100.1 ^b	88	100.0

^aReunification Services^bDoes not add to 100 due to rounding error

TABLE 3: Bivariate Analyses of Differences between Incarcerated and Non-Incarcerated Parents on Demographics and Problems

	Mothers								Fathers							
	Incarcerated during Services								Incarcerated during Services							
	Yes		No		X ²	df	p	Yes		No		X ²	df	p		
n ^a	%	n ^b	%	n ^c				%	n ^d	%						
Had custody of child at removal	31	100.0	99	95.2	1.55	1	.213	6	27.3	31	48.4	3.90	1	.048		
Ethnicity																
African American	4	12.9	4	3.9	9.58	3	.023	3	13.6	6	10.0	1.58	3	.615		
Caucasian	15	48.4	33	32.4				4	18.2	16	26.7					
Latino	12	38.7	52	51.0				15	68.2	36	60.0					
Other	0	0.0	13	12.7				0	0.0	2	3.3					
Substance Abuse Problem	26	83.9	71	68.3	2.87	1	.090	11	52.4	33	51.6	0.00	1	.948		
Domestic Violence Problem	7	22.6	33	32.0	1.02	1	.313	9	42.9	18	28.1	1.58	1	.208		
Mental Health Problem	10	32.3	25	24.3	0.79	1	.375	1	4.8	7	10.9	0.71	1	.400		
	Incarcerated during Services								Incarcerated during Services							
	Yes		No		t	df	p	Yes		No		t	df	p		
	years	(sd)	years	(sd)				years	(sd)							
Age	29.7	(6.4)	32.6	(8.6)	-2.03	65.6	.047	31.0	(6.6)	35.1	(9.2)	-1.86	80.0	.067		

^aTotal sample incarcerated mothers N=31^bTotal sample non-incarcerated mothers N=104^cTotal sample incarcerated fathers N=32^dTotal sample non-incarcerated fathers N=64

TABLE 4: Bivariate Analyses of Differences between Incarcerated and Non-Incarcerated Parents on Service Compliance, Visitation and Outcomes

	Mothers							Fathers						
	Incarcerated during Services				X ²	df	p	Incarcerated during Services				X ²	df	p
	Yes		No					Yes		No				
	n ^a	%	n ^b	%				n ^c	%	n ^c	%			
Fully utilized SA ^a services (Number ordered SA services)	9 (28)	32.1	43 (77)	55.8	4.61	1	.032	3 (17)	17.6	25 (43)	58.1	8.03	1	.005
Fully utilized DV ^b services (Number ordered DV services)	1 (8)	12.5	32 (49)	65.3	7.87	1	.005	0 (6)	0.0	6 (18)	33.3	2.67	1	.102
Fully utilized counseling services (Number ordered counseling)	10 (23)	43.5	51 (81)	63.0	2.80	1	.094	4 (11)	36.4	21 (38)	55.3	1.22	1	.269
Fully utilized parenting classes (Number ordered parenting classes)	10 (24)	41.7	63 (93)	67.7	5.53	1	.019	6 (18)	33.3	34 (51)	66.7	6.07	1	.014
Fully complied with visitation orders (Number ordered to visit)	12 (29)	41.4	67 (96)	69.8	7.73	1	.005	7 (17)	41.2	32 (51)	62.7	2.43	1	.119
Reunified with child (Total)	8 (31)	25.8	57 (104)	54.8	8.05	1	.005	3 (22)	13.6	24 (64)	37.5	4.34	1	.037
	Incarcerated during Services							Incarcerated during Services						
	Yes		No					Yes		No				
	months	(sd)	months	(sd)	t	df	p	months	(sd)	months	(sd)	t	df	p
Average time to reunification	17.0	(9.3)	11.6	(4.2)	2.47	22.8	.021	13.0	(4.1)	10.2	(5.3)	0.96	24	.346

^aSA=Substance Abuse^bDV=Domestic Violence

TABLE 5: Cox Regression Analysis of Reunification on Demographics, Problems and Incarceration

Variables	Mothers ^a			Fathers ^b		
	Hazard Ratio	Confidence Intervals	p	Hazard Ratio	Confidence Intervals	p
Age	1.02	(0.98, 1.05)	.346	1.01	(0.96, 1.06)	.688
Custody	4.77	(0.65, 35.20)	.126	1.47	(0.64, 3.38)	.367
Ethnicity						
African American	1.23	(0.35, 4.36)	.752	0.26	(0.03, 2.36)	.229
Latino	1.31	(0.76, 2.26)	.327	0.996	(0.41, 2.42)	.992
Caucasian	1.00			1.00		
SA ^c Problem	1.20	(0.68, 2.13)	.524	2.09	(0.88, 4.99)	.096
DV ^d Problem	0.77	(0.43, 1.39)	.390	0.17	(0.05, .591)	.006
MH ^e Problem	0.79	(0.43, 1.45)	.451	0.87	(0.18, 4.21)	.860
Incarcerated	0.34	(0.15, 0.74)	.006	0.25	(0.06, 1.06)	.060

^aTest of global null hypotheses Beta=0; -2LL=510.371; df=8; p=.075

^bTest of global null hypotheses Beta=0; -2LL=179.016; df=8; p=.023

^cSA=Substance Abuse

^dDV=Domestic Violence

^eMH=Mental Health