“Everybody Is Locked Up”...Black Families with Incarcerated Loved Ones

Patrice Collins
Yale University Graduate School of Arts and Sciences, patrice.collins@yale.edu

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Abstract

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Patrice D. Collins

2022

Increasing rates of parental incarceration in the U.S. are implications of a changing society for Black children and their families. Yet very little is known ethnographically about the experiences of families with arrested and incarcerated parents. This study uses urban ethnographic methods to understand the contextual and social factors for families of the incarcerated, from the perspectives of poor Black families experiencing incarceration. I argue that the arrest of a parent initiates a powerful ripple effect that occurs within families, communities, and other social institutions. The arrest is often just the beginning of complicated interactions with the criminal system. This manuscript is organized into chapters that represent the stages of incarceration within family life. The dissertation begins with an overview on mass incarceration and families. Chapter 2 illustrates the ripple effect that occurs when the police arrest and incarcerate poor Black families. Chapter 3 explores presentence and post sentence visiting for families with incarcerated loved ones. Chapter 4 examines family experiences during pre-trial and trial court hearings. The final chapter offers a discussion with implications for policymakers to better support families of the incarcerated. National and local policy makers can use findings and recommendations from this dissertation to evaluate the long-term social consequences and collateral damages of mass incarceration on Black family life. A broader impact of this project is social change for Black children and families.
“Everybody is locked up” ...Black Families with Incarcerated Loved Ones

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By

Patrice Danae Collins

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Mass Incarceration and Families

More than half of all incarcerated men and women in the U.S. have children (Alexander, 2010; Glaze & Maruschak, 2016; Harris & Miller, 2006; Miller, 2021; Wakefield & Wildeman, 2013). According to the National Institute of Corrections (NCIC, 2020), there are over five million children with an incarcerated parent, and one in nine Black children will experience parental incarceration at some point in their lifetimes. Criminal justice policies that often incarcerate Black parents are rooted in racial inequality (Burton & Lynn, 2017; Hinton & Cook, 2020). Sociologists note that forms of power and authority are constantly changing in everyday life for Black families in the U.S. (Anderson, 1989, 2000, 2012; Duck, 2015; Du Bois & Eaton, 1899; Hunter, 2015; Patillo, 2013; Wilson, 2012). Moreover, empirical data on mass incarceration in the U.S. reveals that African Americans are disproportionately arrested, and experience extended prison sentences for petty crimes (Anderson, 2001; Duck, 2015; Pager, 2008; Sykes & Pettit, 2014). Additional data on mass incarceration reveal disproportionate rates of Black parents experiencing criminal supervision, living in jail or prison (Alexander, 2011; Arditti, 2016; Harris & Miller, 2003). This is shamefully consistent with what was stated in 1899 by W.E.B DuBois, “many unstained charges of crime are made against Negroes, and possibly more in proportion than against other classes (267). Ultimately, “Mass incarceration has been the vehicle for a new racial inequality” (Western, 2018, 169).

What we know about racial caste and what is known about mass incarceration emerges from the process of learning and understanding the lived experiences of children and families of the incarcerated. Yet, measuring the social outcomes of mass incarceration has become very complicated (LinskNoel & Najdowski, 2020; Mackintosh et al., 2006). Alexander (2011) gives a historical overview of the history of enslavement in the U.S. and how Black people were
considered property for free labor on plantations, subjected to ongoing abuse and dehumanization worldwide. Similarly, Hinton (2016) traces the history of incarceration to the increase of punitive punishment and social control on Black families. Specific attention is given to decreasing social welfare policies and efforts to reduce crime. However, these crime initiatives were grounded in social stereotypes which viewed Black people as inherently criminal. Instead of alleviating poverty, Hinton shows how President Lyndon Johnson ignited a war on crime and punishment toward impoverished Black communities. As a result, this led to a multitude of social problems for Black families, including inconsistent housing stability, chronic unemployment, neighborhood segregation, and incarceration (Foster & Hagan, 2009; Nordberg et al., 2016; Siennick, 2016; Turney, 2015)

There are increasing contributions in sociology on how incarceration further exacerbates the impact of social inequality, social isolation, and social control for Black families (Desmond & Western, 2018; Hunter & Robinson, 2018; Morris, 2015; Kristin Turney, 2017). State violence and inequality drive structural policies that are inherently racist against poor Black parents; as a result, Black youth and adults are more likely to experience hyper-policing, violent arrests, and receive extended prison sentences for petty crimes (Anderson, 2000, 2001, 2012; Coates, 2015; Duck, 2015; Hinton, 2016; Hinton, & Cook, 2020; Jones, 2018; Miller, 2021; Pager & Shepherd, 2008; Sykes, Bryan & Pettit, 2014; Western & Wildeman, 2009). The collateral damages and afterlife of mass incarceration on family life in the U.S. is a social problem that is increasingly being studied by researchers and social scientists (Giordano, Copp, Manning & Longmore, 2019; Rios, Carney & KeleKay, 2017; Miller, 2021; Stuart, 2016; Stuart & Miller, 2017; Sugie & Turney, 2017; Turney & Wildeman, 2013). Living in poverty, witnessing family violence, and dealing with high levels of stress are everyday situations for children and families
Parental Arrest and Incarceration

When a mother or father is arrested, the other parent, grandparent, or close family member is likely to assume the parenting roles for the child or children (Anderson, 2000; Duck, 2015; Guastaferro et al. 2015; Miller, 2021 Turney, 2014; Wildeman, Turney, & Yi 2016). Women are commonly found to be the primary guardian and often serve multiple roles while coping and working to mitigate social and emotional hardships for children throughout parental and familial incarceration (Gurusami, S, 2019; Turanovic, Rodriguez & Pratt, 2012; Turney & Wildeman, 2013; Wildeman, Schnittker & Turney, 2012). Economic hardships, housing instability, and health issues are also everyday experiences for caregivers of children (Butler, 2015; Wildeman, 2004). Studies show that if the arrested parent does not have positive relationships with family members or if other family members are also incarcerated, children may be placed in the care of state child welfare agencies (Fong, 2020; Foster & Hagan, 2015; Golden, 2005; Pac, Waldfogel, & Wimer, 2017; Phillips, & Zhao, 2010; Simmons, 2020). The arrested parent can also lose parental rights while incarcerated, and their children can end up in a variety of recurring foster home placements (ACLU, 2018; Andersen & Wildeman, 2014; Burton & Lynn, 2017; Simmons, 2020). Consequently, children of arrested parents can experience frequent changes in caregivers (Myers & Amlund-Hagen, 1999; Shlafer, 2020), social and emotional disruptions (Braman, 2004; Puddefoot et al., 2007), and ongoing involvement with child and family legal systems (Boudin, 2011; Brayne, 2014; Cochran 2014; Cyphert, 2018; Isikian, 2019; Shedd, 2015). On many occasions, children experience feelings of abandonment,
helplessness, fear, and confusion when their parent is arrested (Adalist-Estrin, 2005; Murray, Farrington, & Sekol, 2012; Nieto, 2002; Poehlmann-Tynan et al., 2017; Roberts et al., 2014).

Families caught in the cycle of intergenerational incarceration face various obstacles, which hinder their ability to feel a sense of security and certainty (Giordano et al., 2019). In one sense, the absence of parents due to arrest is normalized; in another reason, when children adapt to the repetitive absence, this behavior is designated abnormal. Research shows that a child's maladaptive behavior is often merely them adapting to the loss of a loved one (Linsk et al., 2009). When a loved one is consistently absent, children feel insecure and uncertain about themselves and where they stand in the world (Turanovic & Rodriguez, 2012; Pratt et al., 2012). As many have noticed, children who internalize this abandonment view the world as antagonistic to their existence- lacking parental guidance and a stable model of how to navigate through the world, children foster toxic and maladaptive bonds. As Anderson (1999) captures in *Code of the Streets*, young black males promote relations with other young black adults to fill the gap of the absences that they experience.

**Harm to Children**

Witnessing and experiencing parents and family members in jails and prisons can be traumatic and often creates disrupted social experiences for children (Dallaire & Wilson, 2010; Dallaire, Zeman & Thrash, 2015; Geller, Garfinkel, & Mincy, 2009; Muhammad, 2018; Siegel, 2011). Studies have found that young children who witness adult arrests demonstrate developmental delays in early childhood and experience long-term physical and social-emotional disorders (Bernstein, 2007; Talucci, O’Donnell, Firman, Lynn, Mahoney, Trautman, et al., 2014; Edelman, 2007; McDermott, 2013; Phillips & Zhao, 2010; Puddefoot & Foster, 2007). Research also shows that children who see their parents arrested or have experienced parental
incarceration are more likely to display aggressive and antisocial behaviors versus children who do not share parental incarceration or witness arrests (Bernstein, 2003, 2007; Gjelsvik, 2014; Poehlmann-Tynan, Burnson, Runion & Weymouth, 2017; Waldegrave & Woodall, 2015; Wildeman, 2009, 2010; Ziv et al., 2010). Furthermore, parental incarceration during early childhood can have lifelong consequences that negatively impact the overall quality of life (Geller, Cooper, Garfinkel, Schwartz-Soicher, & Mincy, 2012; Gjelsvik, Dumont, Nunn & Rosen, 2014; Haskins, Amorim, & Mingo, 2018).

Children with arrested and incarcerated parents often deal with a social stigma contributing to low self-esteem and psychological disorders (Costello & Lopez; Gilad, 2017; Roberts, Snyder, Kaufman, Finley, Griffin, Anderson, et al., 2014). Living in a household with arrested and incarcerated family members can result in mental and physical health challenges for children, which persist throughout adulthood (Bernstein, 2003; Bynum, Griffin, Riding, Wynkoop, Anda & Edwards et al., 2010; Edelman, 2007; Gjelsvik et al., 2014; Haskins et al., 2018; Lee, 2013; Murray et al., 2012). Yet, studies also reveal that child and family outcomes of parental incarceration can vary based on the parent’s living arrangements prior, during, and after incarceration, as well as support networks throughout the incarceration process (Arditti, 2012; Guastaferro, Guastaferro & Stuart, 2015; Miller, 2007; Muhammad, 2018). These varying family dynamics are commonly examined in the quantitative scholarship on children with incarcerated parents (Arditti, 2016; Sykes & Pettit, 2014; Wildeman & Western, 2010; Wildeman & Wang, 2017). Although the collateral damage of parental and familial incarceration is often detrimental for children, some studies have found that resiliency for children is often attributed to positive relationships with caregivers, incarcerated parents, and long-term emotional and economic support within informal networks (Butler, 2015; Comer & Poussaint, 1975, 1992; Dallaire &
Much of the existing quantitative findings on children with incarcerated parents are based on generalizing outcomes from survey data and structured interviews. Similarly, research on incarceration and families generally focuses on incarcerated youth and adults, ages 14-25 years old, because access to young children from these vulnerable populations can be difficult. An ethnographic lens on adults who interact directly with formerly incarcerated parents and caregivers of young children with incarcerated parents becomes insightful to contextualize further existing research on families of the incarcerated (Anderson 2003; Coates, 2015; Miller, 2021; Comfort, 2009; Giordano et al., 2019; Gurusami, 2019).

The need to examine parental arrest and incarceration experiences from the perspectives of families has been noted by various scholars (Comfort, 2009; Dallaire et al., 2010; Dallaire et al., 2015; Kirk & Wakefield, 2018; Nieto, 2002; Phillips et al., 2010). The ethnographic accounts presented in this manuscript highlight how formerly incarcerated adults navigate caregiving responsibilities of young children while dealing with complex interactions with criminal systems and at the same time strive to manage and maintain family relationships with their incarcerated children. This study also captures the first of many initial steps into the school-to-prison pipeline that remain hidden mainly for many low-income families (Edelman, 2007; Haskins & Jacobsen, 2017; Morris, 2016; Rios, 2011; Sykes, Bryan & Pettit, 2014). Frequent disruptions, inconsistent caregiving, and emotional distress on families from the arrest are some of the complicated consequences of parental incarceration. The impact of witnessing the arrest and the immediate emergence of networks with unexpected family burdens activated at the arrest must be explored.
In this manuscript, I argue that a ripple effect occurs from the moment of parental arrest within families, communities, and institutions. The ripple effect of the social force of the arrest (see Figure 1) permeates through the child, caregivers, community, and state systems. A pebble can be imagined as a literal explanation of the ripple effect dropped into a pond (Gremler and Brown, 1999). The ripples of the splash go far beyond the initial contact between the rock and water, thereby influencing more than one subject. Similarly, I describe the aftermath of parental arrest through a ripple effect construct. Using ethnographic data, I illustrate how the arrest and incarceration of a parent or family member create ripples that disrupt everyday life routines, activate support networks that often exacerbate family burdens, and lead to recurring emotional distress with long-term social consequences. Specifically, this paper reveals the complex ripples of parental arrest and incarceration evident in everyday life of poor Black families. By focusing on what happens when poor black parents are arrested and incarcerated, this project provides detailed insight on the social situations of poor Black families navigating the afterlife mass incarceration (Miller, 2021).
This project furthers our understanding of how poor Black families organize their formal and informal social networks (Anderson, 2000; Duck, 2009, 2015; Jones, 2009; Rainwater, 1970). This study shows how the waves of parental arrest and incarceration emerge within the family and institutional support systems. My ethnographic data also extends current findings on incarcerated families (Burton & Lynn, 2019; Duck, 2015; Gilad, 2019; Giordano et al., 2019; Stuart & Miller, 2017, Miller 2021). There is a prevalent need for ethnographic research on the complexities of parental incarceration across various family contexts (Muhammad, 2018; Nesmith & Ruhland, 2008; Rios et al., 2017). While extant research on families and incarceration has increased knowledge on the collateral consequences of parental incarceration,
my close examination of the ripple effect of parental arrest provides a more granular and contextual approach to studying low-income families with incarcerated parents. In this manuscript, I use ethnographic data to describe how the arrest and incarceration of poor Black parents creates a ripple effect that is structural, multigenerational, and interactional.

**“Everybody’s Locked Up…” Black Families with Incarcerated Loved Ones**

The lived experiences highlighted throughout this manuscript represent the social world for many families living in poverty and experiencing frequent interactions with police (Rawls, Duck, & Turowetz, 2018). This project examines what happens now of arrest for families and their children. I focus on the social meaning of parental arrest: How families of the incarcerated and their support networks make sense of their social worlds from the arrest through incarceration. And how social systems, multigenerational cycles of parental incarceration, and local interactions with educational and criminal institutions contribute to a family’s experience with parental arrest.

In the following chapters, I describe the field sites and qualitative methods that offered me direct access to examine parents’ arrests with young children and the experience for their family and community. The description of families¹ included in this manuscript highlights how institutional structures across state systems produce multigenerational hardships and traumatic interactions for poor adults and their children. I had ethnographic accounts that aimed to convey the multi-faceted social situations that are not always understood in linear time. I chose to lay out specific details as they were discussed to demonstrate the nuances of family life within the afterlife of mass incarceration. In doing this, I include a discussion of my role in the field, working closely with families of the incarcerated to gain explicit knowledge of the deep structure

¹ All names of persons in this study are pseudonyms
of family and community social ties. I also discuss the ripple effect of parental arrest and incarceration for children and their families. Specifically, in Chapter 2, I illustrate the ripple effect when the police arrest and incarcerate poor Black families. In Chapter 3, I explore presentence and post-sentence visiting for families with incarcerated loved ones. I examine family experiences during pre-trial and trial court hearings in Chapter 4. The final chapter concludes this dissertation with child and family policy interventions and recommendations for further research on families with incarcerated parents.

Getting In: “One of the things that I see here is…the cycle of poverty….”

The ethnographic data included in this paper draws from over four years of participant observations and over 2000 hours of audio-recorded conversations with families and staff who experience parental arrest and incarceration in their everyday life. I conducted ethnographic research at a family community center, violence intervention and prevention center, and a reentry support organization. Most of the families I observed and spent time getting to know participated in daily workshops at the family community center and occasional programming at the violence and reentry centers. The family community center partnered with the other two centers to provide parenting and child engagement support in positive guidance practices. Parent and caregiver participation at the centers was a free choice, with no mandates which required their attendance at the center. Each participant in this study also voluntarily shared their lives and emotional experiences with me as they were dealing with the arrest and incarceration of their loved one (ADD footnote: see author’s note). It is important to note that all sites were in an

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2 I received approval from the Institutional Review Board at Yale University to conduct an ethnographic study of the field site and examine the life experiences of families who participate in parent educational programs. All conversations with families and staff at the center were voluntary and no one was compensated.

3 See Author’s Note
economically marginalized Northeast neighborhood with a poverty rate of about 30 percent, with one in four residents living below the poverty line. Also, high incarceration rates in this community represent about 25% of the population living behind bars. Staff at the centers shared with me that many poor Black families with children in this community witness parental arrest and experience multigenerational family involvement within the criminal system. A description of the family dynamics and structural issues in this neighborhood were expressed to me by a staff member, whom I call Ms. Ross, at the community family center:

My experience working here versus where I used to work is that the hurdle of basic needs is greater. Like you want to get to the parenting information, but you can't. You can't do it right away because you must gain trust. And it's a big, like; it’s like a big mountain to get to that. And you want to get to the child; that’s what you want to do because you want to make sure that you empower parents to become better, better parents. Because that's what I believe in, in trying to make a mom be a better mom. Dad a better dad. A grandma, a better grandma....

One of the things that I see here that I didn't see where I used to work is the cycle of poverty, how prevalent it is here and how it's interconnected with the prison system, and how it's interconnected with domestic violence. So, what we see is we see one parent that is... Because of domestic violence, they now go to jail. So, what does that do? That might leave the mother in, in an instance, the mother now being the family’s caretaker with no income....

But she's also afraid because now she must get a restraining order. Now she must go to court. Now she must get a TANF or all those other hurdles. Maybe she doesn't have a car. Perhaps she doesn't have transportation. So that all those minor hurdles are now at the top of the list. And then the children, the parenting, the discipline, the structure is at the bottom of the list....

Ms. Ross would often share how poverty, unemployment, violence, and incarceration were frequent issues impacting the families they primarily serve. In her early forties, Ms. Ross, a Hispanic woman, provides child development and early educational support to families with incarcerated parents; Monday through Friday inside the prekindergarten through eighth-grade community school building. Most of the families that utilize the center services have older
children that attend the school. At various times throughout the day, the school students will enter the center to say “hello” or give a hug to the site coordinator.

The site coordinator, whom I call Ms. Jones, an African American woman in her mid-sixties, whom I met at the community library. The library manager introduced the coordinator and myself to each other. During our introduction, I mentioned that I was a graduate student interested in learning more about the Black family’s experience with parental incarceration. Ms. Jones told me that she was more than happy to introduce me to her staff at the community center. She also said that she was relieved that I was a Black student interested in the experiences of poor Black families. At first, I didn’t understand what she meant by ‘relief’; however, I soon realized she referred to my race. The coordinator shared with me how she had negative experiences collaborating with white researchers who would solicit one-time interviews that she felt were very exploitative with community members for their unspecified projects. She also shared those academic institutions would commonly send white researchers in their community to study issues of poverty and education. “On the other hand,” Ms. Ross said, “I appreciate a Black woman wanting to spend time with us and getting to know what we do.” I told the coordinator that my research interest was focused on understanding the everyday life experiences of families with incarcerated parents. The site coordinator seemed to appreciate my genuine interest in the topic. Within a few minutes into our conversation, she invited me to spend time at the center getting to know the staff and families they work to support. My participant observations at the family community center began in 2017. Ms. Jones asked me to volunteer daily as a parent educator and playgroup facilitator, for children and families with incarcerated parents. I describe my preliminary process of ‘getting in’, and gaining access with families at the center during a weekly parenting group in the field note below:
The meeting started with an introduction of the staff, and then the site coordinator encouraged everyone to say their name and goals for their family. Most of the parents (eight out of ten, who voluntarily attended the meeting, stated that they were at the group to get parenting support on behavior issues with their children.

“Ever since his dad was arrested, he just started eating his clothes. It’s weird and crazy like he just bites a lot; he can’t stay in school because he bites the other children...I don’t know what to do anymore,” said one mother, who has three children that attend the center. This mother, whom I call Cheryl, was describing Davonte. Cheryl grew up in juvenile detention and experienced her parents' incarceration as a young child herself. Cheryl comes to the center weekly and works closely with the staff.

She shared that she can’t get a job because of her record. "I only have a misdemeanor," she said, “and I still can't get nothing.” The site coordinator turned, pointed her finger towards me, and said, “She can help you with the pardoning paperwork; she’s here to help us.” The site coordinator looked at me, smiled, and said, “right?” When the site coordinator said that I wanted to say, “I don’t know how to do pardon work.” However, I wanted to go along with what she said, so I said, “yes, I can help. I will be in the center all afternoon.”

I met several families, including Davonte's preschool teacher, and his family support coordinator, at a community family center. After my first parent meeting at the center, Ms. Jones insisted that I work with Cheryl, Davonte’s mom, to help her complete and submit her pardon paperwork, which would erase her criminal record. I assisted Cheryl by connecting her with pardon support services in the community and signing her up for pardon workshops. We met weekly over several months to complete the documents, and during that time, we spoke almost daily about her life and her family’s experience with the criminal justice system. Cheryl submitted her pardon twice over two years, which was denied due to technical reporting issues. The pardon process became an ongoing hurdle for her, and she was unable to secure long-term employment or housing. After multiple years working closely with Cheryl, I observed closely and understood the constant hardships she and her children experienced due to parental arrest and incarceration. Cheryl eventually was forced to move to another state with her children
because she could not secure long-term housing. Her children had to change schools abruptly, and their relationship with the family community center and staff ultimately ended due to the forced residential displacement. The site coordinator described how Cheryl's situation was common for many families at the center:

“*She had no choice. This is what happens. Families must leave to survive...and it breaks my heart...Who knows what will happen to those kids*”.

During my fieldwork, I spent time getting to know Davonte’s family to learn and understand the difficulties of their everyday life. The circumstances and details of Davonte’s family, which I describe in Chapter 2, encompass an array of complex issues, and represent the ripple effect experience of parental arrest for many other families. Establishing relationships through trust is essential for supporting families experiencing parental incarceration. During my fieldwork at the community family center, I provided expertise in family assessments and parent education. My educational and professional background in child development and early childhood education allowed for my participation in various roles at the center and ongoing opportunities to foster relationships. Over the four years in the field, my participant-observer, and observer-participant roles (Anderson, 2003; Delamont, 2004; Duck, 2015; Garro, 2001; Jones, 2009) were described by staff and families as “child-family specialist,” “student volunteer,” “pre-k story-time reader,” “parent mentor,” “parent educator,” “family advocate,” and “family friend.”

I attended several parent meetings and after-school community events. All families and staff were aware that I was working on research that sought to understand experiences for families with incarcerated loved ones. Over time, I would stay many late evenings with the staff to review daily happenings, program evaluations, and upcoming family programs at the community center. As my relationships with families and staff evolved, I became increasingly
interested in the specific needs and everyday life demands for families at the center with children who witness and experience parental arrest. I started observing and participating in daily events outside the center, including jail visits, court hearings, and sentencing at the courthouse\(^4\).

The center offers parent workshops and training days to promote healthy and productive relationships by providing an environment for families to engage with one another and learn positive parental techniques. There is a large play area inside the center for parent playgroups and early learning activities such as reading books and working on puzzles with young children and their parents. There is a dramatic play area with a theater and puppets, a Lego table with manipulatives for brain-based activities, an art area with a large easel, and a quiet library reading area. All the play areas in the center promote higher levels of stimulation and foster competence in social-emotional, cognitive, physical, and language development for young children. Staff facilitates playgroups at the center to provide families with developmentally appropriate environments for young children. The staff reviews each child's developmental needs and outcomes during parent playgroups. Parents share their challenges with parenting and child-rearing, and then staff provides information on protection from developmental risks. Parent education workshops are conducted twice a week for parents to support and understand their child’s social and mental health needs—the staff focus on discussing the importance of attached relationships with parents and grandparents. In addition to family programming, the center offers free diapers, food, and referrals for family health care, employment, and education. The staff also conducts weekly home visitations to develop relationships with parents while at the same time providing families without transportation access to parenting information and child development assessments.

\(^4\) See chapters 3 and 4
The sense of a school community climate (Comer & Poussaint, 1992) is reinforced through the open-door policy at the family community center. The center's operations are grounded in the Comer School Development Program (SDP) and are based on supporting the developmental pathways of the whole child (Brown & Corbin, 2004; Comer, 1993; Drake, 1995; Noblit et al., 2001). The physical pathway focuses on children's physical health, nutrition, energy, physical rest, and alertness. The social pathway includes children's empathy, social competence in diverse settings, the ability to interact with all people of all backgrounds, the development of relationships with adults, and engagement in positive interaction with their peers. The language pathway describes children's expressive and receptive language and helps children learn to self-reflect and situate developmentally appropriate language. The ethical and psychological pathways focus on problem-solving, identity development, sense of character, and respect for self and others (Comer, 1992; Comer & Poussaint, 1992; Comer, 2005). The programs and services offered at the center are all specifically designed to promote trusting and secure relationships. Ms. Jones and staff shared with me that the center's overall goal is to enable caregivers to meet their child's early learning and developmental needs throughout the entire incarceration process.

**Parent Support Group. “You’re not alone; we are all here for you….”**

The center facilitated weekly parent support groups usually held on Friday mornings or afternoons. The time would vary based on the date and time of incarcerated family members’ court hearings. Ms. Jones asked me to coordinate the meetings, and I accepted the responsibility, which involved clean-up, food prep, and administrative support (printing agenda, worksheets, etc.). The group meetings would start with introductions, personal sharing, and reflections on the week. Then participants would discuss their short-term and long-term goals for the group.
Everyone would go around to check in on updates with incarcerated family members. The meeting day(s) and time(s) would often change due to participant availability. Sometimes members would receive temporary employment and couldn’t make the pre-set meeting time, so we would check in each week to see what worked well for schedules. Ms. Patterson and Ms. Taylor would say their names and that their sons were incarcerated for a crime they committed together. In her late sixties, Ms. Patterson, an older Black woman, is the primary caregiver of her three grandchildren. Her youngest son, Bryce, who was eighteen years old, was incarcerated and attending pre-trial court hearings for a robbery case. Ms. Patterson has participated in parent groups and educational workshops at the center for over ten years.

Similarly, Ms. Taylor has been participating in programs at the center for almost 12 years. In her early seventies, Ms. Taylor, a Black woman, is the primary caregiver of her two grandsons. Her son Darius was arrested with Bryce and incarcerated for the same robbery. Bryce and Darius were co-defendants when I met their mothers⁵.

Other participants in the group would also describe their experiences with incarcerated family members. One participant, whom I call Ms. Cecile, shared with the group:

“My daughter is locked up, and she’s pregnant, all her kids are in foster care right now, but I have the youngest, he’s one. And the fucked-up part of all this was that she was breastfeeding the baby. She was arrested at her violation of probation hearing...it just messed everything up, and they are saying they are going to keep her for 2 years. This is crazy. So, who’s supposed to take care of her baby? That’s on the way now; no one knew she was even pregnant again. At 33, with six kids, four of them in the system. Her oldest is in juvenile detention, he was out, but he ran away from the halfway house; now he might be put in adult corrections because he just doesn’t listen and acts out; he’s on the same track as his mother and father. They have been in and out of jail his whole life; this is just crazy.”

⁵ See Chapter 4
Ms. Cecile then began to cry, and Ms. Patterson put her arm around her and said, “You’re not alone; we are all here for you and glad you came to our group.” Ms. Jones responded to Ms. Cecile and said:

“We have diapers for you and food from the food bank; you can come and get diapers and food whenever you need to; I’m here for your family.”

Another participant, whom I call Ms. Kesha shared, “my brother is locked up, and he’s been away for 20 years now, and it’s hard. It breaks my heart” she began to cry. Ms. Patterson grabbed some tissue and handed it to her. She continued:

“You would think after 20 years, I wouldn’t be crying like this, but I am. It just hurts like why he can’t come home and be with his children, they’re all grown now, and I try to keep them in touch, but they don’t want to visit anymore and barely want to talk on the phone, I think that’s why I get so sad, we can’t forget him...I grew up with him; he was my best friend”.

Ms. Taylor said, “don’t worry, everything will work out, it’s going to be okay, just stay strong...”

Ms. Kesha hugged Ms. Taylor and said:

“Thank you, it’s just hard, but thank you for listening. I didn’t know much about this group, and I hope you can be there for my family and me...it's just so hard... I feel sad every day...., but I appreciate you all and having me”.

After Ms. Kesha finished her introduction, another grandmother, whom I call Ms. Jen, shared:

“My brother is also locked up, and he has a daughter that doesn’t want anything to do with him. It’s sad because she’s 15 now and pregnant, and he doesn’t know. I want to tell him, but my niece won’t let me. It’s like he has no idea what’s happening here, which makes me sad”.

Ms. Jen started to cry, put her head down, and said, “I’m sorry y’all, that’s it, someone else can go now.” Ms. Andrews, an eighty-four-year-old elderly woman, said:

“I want y’all to know I know what you’re feeling, I had five sons all locked up at the same time, and it was so hard, but I made it, I’m in my eighties now, and I’m okay, it wasn’t easy, but I’m okay” she then paused looked around and said “I’m telling you that you will be okay...we can’t let our kids drive us crazy, or our siblings, or anyone for that matter, I learned that I got to focus on me, I don’t need no man to make me happy or to worry about, I’m not worried about a man leaving me if he
wants to go then let him go, the only person I worry about is myself. And I’m trying to help my grandson because I don’t want him in the foster system, but it's hard because he doesn't listen and he’s angry all the time. He’s only 12, but he’s tall and big. He broke my tv the other day when he was mad, so the social worker did have to come, and they are probably going to take him because I can’t take care of him when he’s aggressive like that.”

Ms. Jen started to cry. Ms. Taylor walked over to her and put her arm around Ms. Jen and said, “It’s going to be okay” Ms. Jen said, “Thank you.” Then the site coordinator, Ms. Jones spoke to the group and said, “This is why it’s so important that we all are here for each other; use this time to connect and support one another; you are not alone.” Another mother, whom I call Ms. Beatrice, said:

“I wanted to add something, my son was locked up at a solitary supermax facility at 17, he hasn’t been right since, and I have made it my life purpose to shut down solitary in our state; we have to advocate for our children, it just isn’t right how they treat OUR children.”

Ms. Beatrice then explained that there would be an upcoming advocacy meeting to end solitary confinement in prisons. She shared a flier with the event details and location with everyone. After introductions and personal sharing, Ms. Jones discussed developing a mission for the group. Everyone went around and shared what they thought should be the mission. Ms. Taylor said, “Our mission should be to support other families going through what we are going through!” Ms. Patterson said:

“Yes, I agree and offer love, so people won’t feel judged to share their sadness, I was sad unfortunate, and I am still sad, but I know you all are here for me, so I don’t feel alone anymore, and I feel like I can talk about it....”

She continued:

“It makes a difference when you’re not alone anymore; just knowing makes me feel better; when my other son was arrested and went to trial, he was found guilty and is serving 67 years now, although he didn’t commit the crime, he was with the guy that did, and now he’s been in there for so long, he doesn’t know his daughter, she’s 18 now. It was so hard on me when he was sentenced, and I was alone, it took a toll on me; I have a pacemaker now because the doctor said I had broken heart syndrome, I
didn’t realize how stressed I was, going through all of that, until now I can see the difference when you have someone to talk to you, like in this group, I can talk to you all about all of this, and it helps me a lot ....”

A few minutes later another mother, who I call Ms. Lauren, shared that she was new to the group and was really struggling with her brother’s incarceration. Ms. Lauren described that her brother was “locked up” and has been in prison for over 15 years. She also shared that she heard about the group through her neighbor Ms. Taylor and wanted to learn more about the group. Ms. Taylor smiled and said, “We are all here for each other...it’s hard for everyone, but we just come to support and not judge.” Ms. Jones, the site coordinator, chimed in and said:

“Yes, yes, that's what it is all about; the support and the mission should include what type of support we need to let people know about the group to participate and get help too...”

Ms. Andrews said:

“I think the mission should also be to help the youth, it’s so many of them growing up on the streets, around crime, and guns, we need to think about how we can help them too, the youth need us, we can just leave them to the system.”

Ms. Jones chimed in and said, “Maybe we should write them down to get it together and write our vision for the group.” Everyone agreed and took a few minutes to write their ideal mission for the group. Ms. Patterson took the lead to conclude the meeting by saying, “Let’s do this for our homework and bring it back next week.” Everyone nodded, and the session ended.

Social support for caregivers of children with incarcerated parents provides protective factors for coping with emotional burdens and complicated economic challenges (Butler, 2015; Poehlmann, 2003: Pratt et al., 2012). The support group at the community center serves as a mechanism for caregivers to establish informal networks to assist in dealing with the challenges of parental incarceration. Such centers are crucial for distressed black neighborhoods in many major cities around the United States. These social institutions are by-products of an increase in
their social capital- that is, the informal associations help families obtain and maintain a sense of belonging or simply have others around who can help when local family ties are not so supportive. The following chapters capture many of the narratives and lived experiences that were shared by mothers, fathers, and grandparents at centers. The support groups fostered the opportunity for caregivers to develop trust within the space and the freedom to discuss the burdens of parental arrests, visits, and court hearings for their children, grandchildren, and their families.
The Ripple Effect: When the Police Arrest and Incarcerate Poor Black Parents

This has happened many times to Davonte.1 His father will drop him off and tell him ‘I’ll see you at three o’clock.’ At pick-up time Davonte sits, watches the clock and waits. I know now, after this past year, that if his father is not here by 4 pm, he is probably in jail. It’s sad, but that’s just what keeps happening...

I'm sure tomorrow he will get dropped off by his grandmother who has other grandchildren in foster care.... She can't take care of all of them, but she's a nice lady. She's also strong. I think she has two or three kids...they're all adults and I'm pretty sure they're all in and out of jail....

(Ms. Ross, Davonte’s Preschool teacher)

Davonte is a young Black child who has witnessed the violent arrests of his mother and experienced parental incarceration throughout his three-year-old life. As cited in the previous chapter, Davonte is not alone. There is an overwhelming number of Black parents that experience incarceration (Burton & Lynn, 2017; Glaze & Maruschak, 2016; Johnson, 2020). During my ethnographic fieldwork, I spent time getting to know Davonte’s family as well as many other Black families to learn and understand the exigencies of their everyday lives. Most of these families had children who witnessed adult arrests. When I met Davonte’s mom, Cheryl, she was thirty-one years old, and his father, Kyle, was thirty-two years old. Cheryl and Kyle are also the parents of Davonte’s ten-year-old brother Kemari and eight-year-old sister Shania. Cheryl and Kyle experienced parental incarceration during their own childhood, and they have both been arrested and incarcerated multiple times throughout Kemari, Shania, and Davonte’s life.

The specific accounts in the following sections of this chapter are a representation of Davonte’s family experiences with parental arrest and incarceration as told to me by his mother, his paternal grandmother, his preschool teacher, and his family support coordinator. Additionally, field-notes
and recorded conversations in this chapter offer insight into families, like Davonte's, with children who witness and experience parental arrest and incarceration.

Davonte’s family represents the social world for many families living in poverty and experiencing frequent interactions with police (Rawls, Duck, & Turowetz, 2018). When we examine the dynamics between families that shared the experience of mass incarceration or who have experienced a loved one who has been incarcerated, or like in Davonte’s family's case, experienced it personally. We can catch a birds eye view of how the interpersonal experience of this violence informs the relationality between parents and individuals, especially children, in the community. This is important to examine because it affects not only poor families but even the scholarly community. As Nicole R. Fleetwood has noted, “Incarceration has reshaped my family and my hometown in Southwest Ohio. Countless relatives have been arrested and detained, some have been convicted and sentenced, while others have been held indefinitely and then let go” (Fleetwood, 2020, xv). For Fleetwood, the prevalence of incarceration within her personal life gave her the capacity to think through how her family was affected. For Davonte’s family and other families that are caught in the cycle of poverty and all sorts of injustices, including lack of adequate education, these experiences lead to apathy and antagonisms against systems they perceive as ambivalent about their real concerns.

**Punished: Incarcerated Youth “They just lock you up”**

Cheryl accumulated a criminal record many years before Davonte was born. When Cheryl was fifteen years old, she was pregnant and incarcerated at a juvenile detention center. As a young child, Cheryl grew up seeing her mother arrested. As a teenager, Cheryl was homeless and spent time hanging out in the neighborhood streets with friends. Unstable housing and
inconsistent caregiving from her own parents impacted her educational experience and resulted in social challenges at school. She expressed to me that in middle school she was known for getting into violent fights and would often get suspended for being frequently absent from school. Cheryl described to me how punishment from her school led to multiple arrests and juvenile incarceration:

*I was just a teenager and they locked me up a couple of times. They incarcerated me in a detention center... and then they put me in another type of program.... It was a foster home or something, but it felt like jail.... This was over a course of a few years. They just lock you up; they didn't even send you to school or nothing... so I'm there for missing school but they're not giving me school either and I was in jail for truancy charges, you know, I never had any assault charges or, you know, or anything like that.*

Cheryl grew up in poverty without parental or educational support and experienced long lasting hardships from the criminal justice system. She believed that her incarceration for not attending school was unfair and placed her at another disadvantage. During her time in juvenile detention, Cheryl found out that she was pregnant and months later, while still incarcerated, gave birth to her first child, Davonte’s oldest brother, Montell. Cheryl shared with me that she doesn’t know Montell’s father and had no awareness that she was pregnant until she took a pregnancy test while incarcerated. She also shared with me that Davonte and his other siblings have never met their older brother and that they do not know their maternal grandmother. Due to her incarceration as a youth, the courts removed Cheryl as the legal guardian of Montell and gave Cheryl’s mom full custody of Montell:

*I was so young, and I was basically forced to sign over joint custody, and by me being a minor, I was tricked out of all my rights to my child because I had no idea what I was signing. What I thought I was signing and what I was signing was not the same thing.... I wasn't aware of what would happen or how it could happen.... I ended up giving my mom custody.... The moral of the story is I never could*
obtain custody...so a little while after that, I started living like a rough life. I started just not caring, you know, about myself...

Cheryl told me that she believed her incarceration as a juvenile fundamentally altered her maternal identity and her relationship with Montell and her mother. It also put an emotional and lifelong burden on Cheryl, many years before Davonte was born.

The arrest and incarceration of poor teenage Black girls, like Cheryl, often exacerbates an already precarious situation (Jones, 2009; Morris, 2016). Cheryl’s juvenile incarceration is an example of what Rios (2011) indicates as “youth control complex.” Scholars have also indicated that Black girls and young women are disproportionately stigmatized and criminalized by school officials (Crenshaw et al., 2015; Jones, 2009; Miller, 2008; Morris, 2016). Instead of receiving social support from state agencies that are designed to focus on the wellbeing of families, such as housing systems, educational systems, and family support systems, Cheryl was punished as a child for her parents’ housing instability and economic precarity. Additionally, being in the juvenile system without parental or adult support influenced Cheryl’s negative perception of police and the criminal justice system. The trauma Cheryl experienced as a child has lasted throughout her adult life. This lifelong punishment for truancy has put her and her children on the cradle-to-prison pipeline trajectory (Edelman, 2007). Moreover, Cheryl expressed to me that her experience with housing insecurity, violence, abandonment, exploitation by the state, parental termination of Montell, and participating in state programs that did not seem to work, created ongoing multigenerational trauma for her family.

Davonte’s Parents: Cheryl & Kyle “We're still homeless”

Cheryl explained to me that she met Kyle when he was released from prison in 2007. They formed a romantic relationship while Cheryl was traveling to find her mom and regain
custody of her oldest son. After a few months of dating, Cheryl was pregnant by Kyle and they both moved in with Margaret, Kyle’s mother. They lived in Margaret’s home, on and off for a few months, and eventually were required to move out because of housing mandates which prohibited them from long-term residency in her home (Alexander, 2010; Burton & Lynn, 2017; Duck, 2015; Miller, 2021). That same year, Kemari, their first son together, was born. They had another child in 2011, their daughter, Shania. During both pregnancies, Cheryl and Kyle were homeless and living in various housing shelters. Just like many other formerly incarcerated adults, they were unable to attain employment due to their criminal records as teenagers (Pager & Shepherd, 2008; Miller, 2021). As a consequence of incarceration, Kyle also experienced social pressure and paternal challenges to economically support Cheryl and their children.

When Kyle and Cheryl started their own family, she explained to me that he already had an extensive criminal record. Cheryl described to me that Kyle was known by police as a “high profile gang member” in the community. Cheryl also shared with me that Kyle used cocaine and started to heavily drink alcohol when he could not find work. There were times when he became physically and verbally abusive toward Cheryl and their children. Cheryl believed that the frustration and constant burden of unemployment resulted in Kyle’s substance abuse. Her vulnerability to and compliance with abuse from Kyle, can be viewed as survival mechanisms for her family (Anderson, 2000; Jones, 2009; Ladner 1971; Stack, 1975). In the same way, the abuse Cheryl experienced from the state as a young girl and throughout her adulthood left her complicit to survival by what she deemed necessary (Gurusami, 2019; Jones, 2009; Ladner, 1971; Morris, 2016). Similar to Cheryl, Kyle grew up impoverished with housing instability and with ongoing economic precarity. Kyle also experienced inconsistent caregivers due to parental and familial incarceration within his family. Cheryl spoke to me about Kyle's family:
Every single one of his family members are gang members. His mother is 70 something years old, and she is still a gang member, in and out of prison, active, and out there in the hood and stuff. His sister is a member. So, the gang relation happened and he's been groomed since a child...

Cheryl continued to describe to me how Kyle grew up with generations of gang members in his family. The form of social networks within Kyle’s family has been described as street families that are often characterized by police as gangs (Drakulich & Crutchfield, 2013). As such, whether he would or would not become involved in gang activity, as perceived by the police, would not be relevant since from birth he would always be connected to his family.

During her pregnancy with Davonte, Cheryl was hospitalized from a physical fight with Kyle. The fight happened a few days before Davonte’s birth:

_We used to fight a lot. We ended up having a really big fight. Um, he knocked me out, and I had to leave and go to DV [domestic violence] shelter again. And that's how my current situation is, what it is right now. My current situation is that we're still homeless three years later._

The staff at the community center documented that family violence, parental arrest, and parental incarceration are recurring events in Davonte’s family. When Davonte was born in 2014, Kyle was incarcerated for domestic violence and assault against Cheryl. Kyle spent two years in prison before he was reunited with Cheryl and their children. I met Kyle at the center during a parent playgroup. Kyle shared with me his own childhood experience growing up with complex neighborhood dynamics. Gun violence was prevalent in Kyle’s community and his siblings, cousins, uncles, aunts, and grandparents were often incarcerated for related offenses. Kyle also told me that he witnessed multiple violent arrests of his grandparents, parents, siblings, and extended kin. He experienced domestic violence in his home between his mother and father, and his family was known by police for being associated with crime and violence. Kyle’s childhood included many traumatic events, negative experiences with police contact, and
perpetual neglect. The continuation of these types of adverse childhood experiences (Gjelsvi et al., 2014) for Kyle shows how social systems that are designed to mitigate such experiences often negate the complexities of generational trauma.

The pressure and social consequences of poverty and inequality have undoubtedly impacted Cheryl’s and Kyle’s family caregiving and overall mobility. Disruption and interruption to their family life routines, the emergence of support networks, and the emotional distress and long-term consequences from frequent and violent police contact were evident ripples of parental arrest. Three-year old Davonte has already witnessed the arrest of his mother and experienced the multiple arrests of his father. As I spent time getting to know Davonte's family, the separate yet interrelated structural, multigenerational, and interactional aspects of parental arrest surfaced.

Figure 2: Ripple Effect, Parental Arrest
Family Disruption & Routine Interruption “Most chaotic day in our lives”

Cheryl was living in a shelter when she was arrested in front of her children. After one of the pardon meetings, she shared with me that being arrested in front of her children was the “Most chaotic day in our lives.” The arrest was traumatic for everyone: her children, the shelter community, and herself. Cheryl emphasized, “When someone in your family gets arrested, everything changes.” She went on to explain that Davonte was playing outside with Kemari and Shania when a loud siren and flashing blue and red lights from the police car suddenly appeared on their street. The police car was heading to the front yard area of the women’s shelter. Two white police officers exited the vehicle and walked inside the shelter to arrest Cheryl for a warrant due to ‘failure to appear’ at her probation arraignment.

When Cheryl walked to the front door of the building to meet the officers, she was immediately pulled out of the doorway and thrown on the concrete step outside right in front of Davonte, Kemari, and Shania. Cheryl’s arrest was not only seen by her children but was witnessed by an audience of strangers. Cheryl explained to me how her arrest directly impacted her children:

See what happened was Davonte was distraught; I wasn’t there for him. I think he felt like no was going to raise him. His father's mother dropped Davonte's sister and brother to the State because she needed them to go to foster care. Davonte didn't understand what was going on... but I knew he had an idea of where I was. But if you ask him "where did your mommy go?" he says, 'jail jail’.... I didn't want to keep that from him, but I don't know if he even knew what jail was. I think he was just upset that I was gone. Our whole family changed so fast...it was like everything changed for my kids....

A few months after Cheryl’s arrest, that same year, Kyle was arrested while driving. He was pulled over for expired registration and arrested for a failure to appear warrant he received for missing a probation arraignment. While he was being handcuffed and transported to jail, the officers did not ask Kyle if he had children or any child responsibilities. They also did not allow
Kyle to make a phone call to arrange care for his children. At this time, Kyle was raising all his children in a shelter and intermittently at Margaret’s, his mother’s home. Davonte’s preschool teacher described how Davonte’s normal routine was abruptly interrupted by his father’s arrest:

*Usually, his father walks in right at dismissal time. But this afternoon was different. Instead of Davonte’s father coming to pick him up, a child welfare worker was there to pick up Davonte…It was three hours later when Davonte was still sitting in his chair, looking up at the clock, and waiting for his father to walk in the doors to pick him up.*

She continued with her discussion of the day Davonte’s father was arrested:

*The child-welfare worker walked up to me and said, “I am here for Davonte. His father is unavailable to pick him up now, and we cannot locate his mother.” I think Davonte heard her say his name, so he turned around and looked at me. Then I said, “This lady is here for you Davonte, let’s get your stuff.” Initially, Davonte did not move or express any reaction. A few moments later he started to cry. Then he stood up and started screaming “I want my daddy!”*

When Davonte realized the social worker was there to pick him up, his teacher stated he stood up from his chair and pushed it to the floor. He began kicking it toward the social worker before trying to run out of the classroom. Her detailed account described how she needed to grab Davonte by the back of his shirt, kneel next to him, and hug him for a few minutes. She then helped Davonte up from the carpet and placed his hand in the child-welfare worker’s hand. Instead of being picked up by his father, Davonte left the classroom with the welfare worker because his father was incarcerated. The next day his preschool teacher instantly noticed a sudden regression of Davonte’s development. In my conversation with Davonte’s teacher, she indicated she was aware that his father has been incarcerated most of his life:

*This has happened many times to Davonte. His father will drop him off and tell him ‘I’ll see you at three o’clock.’ At pick-up time Davonte sits, watches the clock and waits. I know now, after this past year, that if his father is not here by 4 pm, he is probably in jail. It’s sad, but that's just what keeps happening...*
Figure 3: Ripple Effect, Davonte

There is a lot of uncertainty that occurs for children during and following the arrest of the parent. Before their parents' most recent arrest and incarceration, Davonte and his two other siblings lived together in the shelter housing building with Cheryl. The recurring disruption and interruption of Davonte’s everyday life routine and predictability occurred when he witnessed his mother’s arrest and experienced his father’s arrest. While Cheryl was working over 40 hours a week as a security guard, Kyle would drop the children to school, pick them up from school, make dinner, and help them with homework. After Cheryl was done working her night shift, she would pick them up from Kyle at his mother’s home, and then walk down to the shelter. The coparenting relationship between Cheryl and Kyle disappeared immediately when they were
arrested and incarcerated. She explained to me the nature of their co-parenting relationship before the arrest:

_We don't always get along....I still rely on him for you know, babysitting or whatever....A lot of the children are growing without fathers because of circumstances or, you know, the mother is mad at the father so now she wants to hold the kids away from him, and I've never been like that because I feel like having my kids around their father is more beneficial than not._

**Support Network Activation “If the police come to take me... call grandma...”**

Cheryl explained that after her children witnessed her violent arrests, she knew that Shania would help Davonte and Kemari back into the shelter building to call their paternal grandmother. Within fifteen minutes of the call, their grandmother arrived to pick them up.

Cheryl stated:

_My kids were young, but they knew what to do. I told them that if the police come to take me to just go inside and find a phone to use and call their dad's mom. We sort of practiced this type of thing, because I didn't want them feeling scared. I wanted them to know that mommy got you, and I wouldn't let them just be in the shelter alone._

Margaret, Davonte’s paternal grandmother, was the first responder to his mother’s arrest. After Cheryl was arrested, Davonte was the only child that lived with their grandmother. His grandmother could not afford to keep all her grandchildren in her one-bedroom apartment home, so his brother and sister had to live in foster care until their mother was released. The family burden of caregiving for Margaret’s grandchildren created unexpected financial strain and emotional stress. Margaret shared with me how it broke her heart to give Davonte’s siblings up to the state and that she was seeking support from the center staff to help her with Davonte through the home visitation program. I participated in many home visits at Margaret’s home with the community center staff. During one of our home visits, Margaret discussed the arrests of her children and the inconsistent living arrangements of her grandchildren:
It just seems like my adult kids can't stay out of jail. If it's not one child, then it's the other. Now I have four grandchildren that are in one foster care system, four grandchildren in another foster care system…. I wish I could take care of everyone, but I just can't and that's what happened to Davonte’s sister and his brothers. Davonte was too little, so I had to keep him....

Margaret’s response represents how elderly women in the local community have long served to augment the Black family in times of crisis. Grandmothers are often in a unique position to help with childcare, and caregiving support for children (Guastaferro et al., 2015; Ladner 1971; Stack, 1975; Turney, 2014). This was the case for Davonte’s paternal grandmother.

Figure 4: Ripple Effect, Primary Caregiver

Amongst the various relational dynamics of the arrestee and their support networks, the emotional needs of the children often go unmet and can become lifelong hindrances. The coordinator, a specialist in early childhood development and parenting, shared that she believes
Davonte’s developmental issues are due to his mother’s arrest, his grandmother’s depression, and family instability in general:

I have been working with Davonte's family and they have a long history of being in and out of jail for the same things.... I think a lot of Davonte's aggression came from seeing the aggressive arrest of his mother and experiencing the loss of his father with him being in and out of his life.... I also think because the father is gone, and was also abusive, the mother and the grandmother are both depressed, and what happens is the children suffer and we see it all the time.... When you are depressed it's the children that feel it the most....

During Kyle’s recurring incarcerations due to probation violations and low-crime rate offenses, Cheryl’s neighbors and friends cared for their children, which helped Cheryl get a job. When Kyle was released from prison in 2017, he was the primary caregiver for their children although they were not living together. Cheryl and Kyle both consistently attended weekly parent education groups at the community center. The coordinator and Davonte’s teacher stated to me that they are “hopeful” with Cheryl participating in parenting classes, and Kyle attending playgroups, they will be able to foster protective factors for Davonte’s resilience to the recurring stress of parental incarceration during his early childhood:

To me it doesn’t matter what they were arrested for. What they did, it doesn’t matter because I’m here for the child. I don’t want the child to receive the negative or the emotional burden that the parent is feeling and that’s what we must do. We must cut that cycle...and we will keep trying everyday....

**Emotional Distress & Long-Term Consequences “I just want to go to jail with my dad”**

The arrest of Davonte’s mother and father has been emotionally devastating for their family. The shame and embarrassment that Cheryl felt as everyone watched the police publicly arrest her at the shelter was expressed to me during a parent meeting:

I still remember it like it was yesterday. The police just grabbed me, knocked me off my feet to the ground, put the cuffs on, and then they smashed my head against the police car. I remember thinking that my kids are seeing my head bounce off
the car. They just watched, and I saw them start to cry and look confused. They threw me in the back of the car, and then we drove away. I just cried.

Cheryl continued to discuss how she was constantly thinking about the impact on her children and how she was worried about them. Cheryl couldn’t do anything to protect them from the violence they witnessed, and she experienced when she was arrested. Public displays like Cheryl’s arrest are often examples of arresting officers abusing their power (Stuart, 2016; Rawls, Duck, & Turowetz, 2018). This public and violent arrest left Cheryl resentful of law enforcement:

The officers didn’t even notice or ask if those were my kids.... That’s what hurt and why I hate them the most.... They didn’t even care about me or my children.

In many cases, the arrestees’ children, like Davonte and his siblings, may be present at the arrest, complicating the event further. The coordinator described an event during preschool
circle time which revealed how common it is for young children to experience multigenerational cycles of incarceration. During one of my numerous conversations with the family center coordinator, she shared with me how parental incarceration directly impacts young children in their school:

Sometimes everything with getting arrested, going to jail and all that is happening is so overwhelming, parents won't notice a health issue with their child and that interferes with early learning. That interferes with trying to assess whether there's any cognitive, language, any kind of motor skills that are lacking, and this is common, so we just try to get the parenting information to them but it's difficult because they don't want you to know their business....

Davonte’s preschool teacher shared with me that when he was separated from his siblings and living with his grandmother, he started biting and throwing toys in the classroom. These aggressive behaviors developed soon after his parent’s arrest. Davonte’s preschool teacher mentioned:

Davonte is so little. He doesn't understand what is going on and he has so many issues. You see him biting, screaming, throwing things. He won't be able to do well in school if this keeps going on....

His preschool teacher has worked with many children that have witnessed parental arrest and referred Davonte's mother and father to the support coordinator at the family community center. The services at the center are intended to help families, childcare providers, and educators understand the developmental needs of young children who may experience inconsistent caregiving and challenges with attachment. Davonte’s preschool teacher consults with the center staff to help support and alleviate some of the early developmental trauma Davonte and his family have experienced. Davonte has been working with his teacher on impulse control and self-regulation. He has many challenges with language expression, violent behaviors towards his peers, sitting still, and listening to directions. Davonte's detrimental interactions with others have
become increasingly problematic for his early learning environment and his peers. Davonte’s early developmental challenges are common characteristics of young children who witness arrests and have a parent or family member living in prison or jail (Ziv et al., 2010).

During one of my observations of circle time in Davonte's classroom, the teacher guided the children to their sitting location and said, “Today is career day, so let’s all talk about what we want to be when we grow up!” When she asked the children to talk about their future aspirations, Davonte looked up and said, “When I grow up, I want to go to jail like my mom and dad.” As with Davonte, children that experience parental arrest are often constantly waiting for their parent to pick them up from school or just waiting for the opportunity to see them, speak with them, or touch them (ACLU, 2018; Arditti, 2012; Andersen & Wildeman, 2014; Bernstein, 2003, 2007; Braman, 2004; Muhammad, 2018). The center staff shared that Davonte’s verbal expression to want to be in jail like his parents was a representation of an inherent desire for emotional attachment and social connection. Davonte's preschool teacher uses activities in circle time to engage children in songs to promote literacy and language development. Activities in circle time are commonly used to support social-emotional and physical development for young children. Early educators also use circle time to foster identity development and children's social interactions with peers (Comer, 1993). The frequency of responses like Davonte’s during circle time was also described by his preschool teacher:

*I have young children that are two and three years old saying, ‘I want to grow up and go to prison or I just want to go to jail and live with my family.’ I don’t know what to do anymore; it breaks my heart.... Most of the children in our school have parents, aunts, uncles, cousins, the whole family sometimes is in jail or even prison. It's horrible, and then the kids just have so many emotional issues....*

She paused and said:
This is the typical thing I hear from children who have moms and dads in jail. Davonte has so much exposure to the police. He saw his mom arrested earlier this year, and now his dad just keeps going back.... Every time I see Davonte, it seems like he is getting worse....

Children’s expression of wanting to go to jail represents an emotional need to physically be with their parents, regardless of whether they are in jail. It is important to note that a child’s desire for attachment with an incarcerated parent can often be misunderstood by caregivers and educators (Adalists-Estrin, 2005). Yet, Davonte’s teacher and the site coordinator display an awareness of sensitive emotional support and care for young children with incarcerated parents. His pre-k teacher continued to describe to me how Davonte is not at his appropriate social, language, or psychological developmental level. She also shared with me how she has encouraged Cheryl to work with Davonte on singing and looking at books:

Davonte has a major speech delay because the sounds that he’s making is like an eight-month-old, so what that tells me is that somebody might not be reading.... Grandma says that she doesn’t have time to read at night because so tired.

Parental arrest and incarceration impact young children in unique ways that are often demonstrated in their language and social emotional behaviors. As described by Davonte’s preschool teacher, young children exposed to the arrest and incarceration of a parent externalize their feelings with peers and adults during classroom activities. The center staff work with teachers to support young children with incarcerated parents through family caregiving resources and trauma-informed early childhood practices. For Davonte and his siblings, the ripple effect of his mother’s and father’s arrest resulted in the disruption of their everyday life routines, an emergence of limited support networks that included his school, the community center staff, and child welfare agencies, and recurring emotional distress and long-term social consequences for his family. The arrest also caused complicated living arrangements, such as the unexpected
separation and residential relocation from their home at the domestic violence shelter to foster care placement for his brother and sister.

Figure 6: Ripple Effect, Community Support

The day Davonte’s mother was arrested, Davonte expected to play outside, eat dinner with his siblings, and then prepare for the next school day, but that did not happen. Similarly, the day his father was arrested, Davonte planned on his normal after school routine with his father, which did not happen. The center staff believed that the unpredictable and uncertain events that occurred after his parent’s arrest triggered adverse consequences for Davonte’s social and academic development. Davonte’s behavioral challenges constitute the social consequence of childhood trauma for his social, emotional, physical, cognitive, and language development. The accounts in this article from Davonte’s family’s experience with parental incarceration elucidate the reverberations of the ripple effect of parental arrest on his family, community, and school.
Parental arrest is almost always a shocking experience, causing a tremendous disturbance for the children involved and the person being arrested. In most cases, similar to Cheryl, the arrested person is mentally humiliated, physically restrained, and placed in handcuffs. Immediately following parental arrest, close family and friends are usually notified by the arrested parent or a child welfare agent (Murphey & Cooper, 2015; Puddefoot & Foster, 2007; Siegel, 2011; Turney, 2014). As a person goes about their everyday life, law enforcement can suddenly intervene, interrupting what is expected to be a non-eventful moment in time for children, families, and communities. Violence may result from the nature of the arrest and create a spectacle that is especially traumatic for a young child (Farver, Natera & Frosch, 1999; Phillips, et al., 2010; Wildeman, 2009). In many ways, the shock waves related to the crisis of the arrest reveal certain powerful aspects of community organization, including latent but now explicitly expressed norms and values. During the unexpected crisis of the arrest, relations and burdens between and among kin are illuminated and social network connections become activated. This finding is consistent with studies that examine the role of support networks for families of the incarcerated as a critical factor in the caregiving and wellbeing of children (Dallaire et al., 2015; Guastaferro et al., 2015; Miller, 2007; Muhammad, 2018). The emergence and immediate activation of social support and family organization represents a central area of the ripple effect of parental arrest (see Figures 4 and 5).

The community center setting provided a vantage point for building trusting relationships with families of the incarcerated to gain access to their everyday life experiences. The staff at the community center exemplify an emergent form of social organizational support for Davonte that was structured to promote and reinforce trusting relationships (Miller, 2007; Morgan, 2013; Nichols et al., 2016). Cheryl and Kyle were comfortable receiving care from the staff and made a point to communicate their gratitude to the staff. As noted, the center is an important physical
space within the community and offers parenting and child rearing guidance for families. The support of the center staff and Davonte's teacher represent informal associations that help local people obtain and maintain a sense of belonging when others are not so supportive. In this way, the community center can serve as an important institutional model not only in this community but for distressed Black neighborhoods in other major cities around the United States.

Although Davonte has experienced adverse outcomes of parental incarceration during his young life, this is an unfortunate commonality for many children in his neighborhood. Makai was four years old the first time he saw his father arrested. Makai is now an adult in his late sixties. During an exchange after a parenting group at the center Makai described to me his experience witnessing the arrest:

“The police were called for my father and five police officers showed up...A fight broke out, and they had to restrain him, but the officers, I think, used excessive force for the incident, and that stuck with me throughout my childhood, okay? It gave me a bad look on the police”

Justin, another participant in the group, discussed with me how the arrest of a family member was common in his community. Justin grew up seeing his uncles and cousins arrested “all the time”. He shared with me the day he was arrested in front of his ten-month-old son:

“My son was in the bed asleep and it was like, yo, they just came and kicked the door and snatched me up, handcuffing me. So it's like, what the fuck? My son was like 10 months... My son woke up looking crazy...I was trying to talk to him like, "Yo, if y'all could just, y'all see my son laying right there, man. If you could just be as quiet as you can," but you know how they are, they don't give two shits or a fuck about who he was, so. They was making as much noise as possible to wake him up... he's seeing them walking me out the door...he seen when they snatched me up and walked me out the door. That shit fucked me up...”

Increasing rates of parental incarceration in the U.S. are indicative of a changing society for Black children and families. Recommendations in social science suggest the need for qualitative research on the experiences of young children with incarcerated parents (Geller et al., 2012; McDermott, 2013; Ziv et al., 2010). The ethnographic data in this paper represent how
families with young children, and their support networks, make sense of their social worlds starting with the arrest and throughout the incarceration process. In much the same way, the systematic examination of the daily circumstances and social relationships of Davonte's family provide insight for addressing the adverse consequences of parental arrest. Davonte’s experience with parental arrest and incarceration is emblematic of the complex issues for many families with incarcerated parents. Davonte’s family experience with multigenerational exposure to parental arrest and incarceration provides understanding on the social situation and common realities for many poor families with incarcerated parents.
**The Visit: “They don’t care about families…”**

This chapter provides insight on the ripple effect of pre-sentence and post-sentence visitation experiences for children and their families. Jail and prison visits have been described by many families as an opportunity to spend time with their loved ones; however, at the same time, visits often create feelings of hopelessness, despair, and uncertainty (Comfort, 2007; Huton, 2016). The visit—as a sight of interactions and relationality, a space that on the surface allows for families to interact so that they can maintain and foster relationality—becomes a sight of tension and anxiety. In speaking to formerly incarcerated men who have been incarcerated for two, some close to three, decades, the visit is an unseen force that moves the lives of many of the families in my research. In this chapter, I will draw on conversations with these men, as well as from women caregivers who participate in the parent support group, to outline the visit as a site of normalization and socialization into the gravitational force of intergenerational (mass) incarceration.

Visiting incarcerated loved ones is a disruption to everyday family routines, which then activates support networks and creates emotional distress with long-term social consequences for children and their caregivers. The visit also perpetuates the feeling of the arrest and the economic hardships of the ripple effect through interactions with actors of the criminal systems: court officials, prison guards, correctional officers, probation officers, and child welfare workers. Traveling to the prison is also a hardship for many poor families. Most of the families I spent time with were formerly incarcerated parents with incarcerated adult children. The families were

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6 See Author’s Note: The visits at the jails and prison were sites that shut down during COVID-19. My research was based on personal and intimate interactions between the participants and the institutions they interacted with. Although the prison and jail visit research was cut short, the data I provide allows one to imagine the scope of a bigger project—thinking through at what point the intervention of a child can change the trajectory of families caught in the cycle (and force) of multigenerational incarceration.
also unemployed and often living under state surveillance on parole or probation. There was no institutional support for mental and emotional health for families; thus, the parenting support groups served as a resource for family support. Because the visits in some ways are a perpetuation of the initial arrest, the experience of visiting a loved one is wrought with anxiety and tension, leading the families to forge support networks to work through their emotions. The group meetings brought together various voices that had experienced the reverberations of having an incarcerated loved one. The support revolved around having someone there to fill the absence and also having a body there who alleviated the emotional stress of continually experiencing the absence of a family member. These moments of relatedness and empathy gave these women a space of shared lived experience. They understood that being there for one another gave them a place to discuss the experience of visiting a loved one. More often than not, the meetings opened a space to prepare families for the experience of entering a prison or county jail.

**Family Visiting: “I just really hate how they talk to my daughter when we go to visit him…”**

Family disruption happens when visiting incarcerated loved ones. From the moment of getting in the car to drive to the prison, the one-hour or longer drive to the prison is time for spatial and temporal complex emotional preparedness. Families live through, and with, the trauma of absence. Most of the families shared with me how they re-experience the trauma every time they visit and leave a loved one. It becomes an ongoing disruption of their lives that becomes normalized as they deal with generational incarceration. The encounters at the jails and prisons during visits were often described as detrimental to the emotional and mental health of children. For example, after visiting her daughter’s father, Ms. Lee came to the family parent support group at the center and shared:
In the beginning she was ecstatic that she got to see her Dad and I was taking her with me every day and then I started thinking about like, “This is not how I want my daughter to see her Dad.” So then, I just started bringing her once a week, but I still continue to go.

Umm like when he first went to jail, she started acting out at home. She was really happy when we were able to go see him, but she didn't like it when it was time to leave because she knew we had to leave him behind, but other than that she did fairly well. I just got to a point where I'm not taking her to the jailhouse every day. That's just not an environment for a little girl...They treat us like shit. I just really hate how they talk to my daughter when we go to visit him...?

Ms. Lee’s reflection on how the visit was impacting her daughter’s emotional stability resonated with many of the caregivers in the group. Ms. Patterson shared how, when she was incarcerated, her daughters would come to the jail and want to stay with her. When Ms. Patterson’s youngest daughter was three years old, Ms. Patterson went to jail for larceny and was incarcerated for five years following the arrest. She cried and shared with the group that “leaving them was the worst experience for my babies.” At the time of Ms. Patterson's incarceration, her daughters were three and five years old, and her sons were seven and fourteen years old. She shared:

They never wanted to leave and would cry screaming “I want to stay in jail with mommy!” My heart has been broken since then, and our family just isn’t the same. They’re grown now, but I know those moments when I was in jail really changed them. I know it impacted their life a lot, because now we don’t really have a relationship. Like my youngest daughter doesn’t really talk to me or let me know what's going on...I think she’s still mad about it.... Now both of my sons are away, and I don’t know what to do or feel. I’m just sad all the time....

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7 This is just one of the many aspects of how caretakers affect children's emotional response to situations. In further research, I plan to explore how caretakers' decisions and undheet-with trauma normalize children to multigenerational incarceration. The visit chapter attempts to outline how caretakers' experiences with correctional staff, frustrations with disruption to their lives, and positive experiences with loved ones create a complex emotional response.
Ms. Patterson went on to share with me more about the history of multigenerational incarceration in her family. She explained to me that her mother was in prison most of her life:

*She was always gone, you know, so I didn’t really even know her…*I had to grow up fast and that meant I needed to get money so I could just take care of myself you know, and so I just would steal and eventually it caught up to me and I had do time.*

She also shared that her grandparents would go to jail frequently during her own childhood:

*It was like the common thing. Everyone would be locked up you know, here or there. It wasn’t a big deal I guess, so I didn’t even think about it, but you know we all have been locked up, and now my kids are going through it too.*

The intergenerational normalization of absence and visitation of incarcerated loved ones perpetuates a common socialization process for children and their families in this community. For families in this project, visiting seemed to be a form of conditioning that normalizes living in the absence of an incarcerated family member. This finding is also consistent with research on caregivers’ experiences during visits (Cramer et al., 2017; Shlafer & Poehlmann, 2010). Each generation in Ms. Patterson’s immediate family has experienced the incarceration of a loved one. For Ms. Patterson’s family, as well as others in the group who experience multigenerational incarceration, the visit normalizes frequent interaction with police and criminal systems. Again, the support groups serve as a tangible way for caregivers to forge networks with one another to deal with the emotional burden of visiting a loved one at a prison or jail. Visits did vary, however, based on the sentencing status of the incarcerated. Pre-sentence visits were often held at the jail during pre-trial court hearings. When the sentence was ordered, visits were held at the prison. The following section describes the experiences of pre- and post-sentence visitations for families that participated in the group meetings at the community centers.
Pre- and Post-Sentence Visits: “There’s always something…”

Families described the pre-sentence visits at the jail as a visit with no contact. Unlike post-sentence visits which permitted physical contact, the pre-sentence visits were conducted with a glass window barrier between the visitor and the incarcerated. Arditti (2003) discusses how the barrier of plexiglass between incarcerated family members and their visitors creates additional emotional pain for the children and their caregivers. This was also commonly expressed by participants in the support group. The pre-sentence visits were usually held at the county jail, which was located in closer proximity to the community center than the prison. However, post-sentence visits were held at the prisons, which were much further away from the neighborhood and required about an hour of travel by car or train.

The county jail was a place for families to add money to their incarcerated loved one’s account; there was a kiosk for families to deposit money that would be applied to their phones and commissary accounts. After one of our weekly parent group meetings, Ms. Patterson asked me whether we could drive to the jail and add money to the account of her son, Darius. We drove to the jail where people were allowed to add money to the kiosk. This jail was located next to a few fast-food restaurants and a community preschool. The back gate of the jail, a solid brick wall topped with barbed wire, faces the front of a preschool building. As I parked my car on the side street, Ms. Patterson told me that the city built a preschool that holds close to 400 children directly across the street from the jail. She shared:

*It’s a shame, cuz I know they [children] probably got family over here you know…like how is it okay to have a school right here? It’s just crazy cuz I know*

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8 The fact that a prison and a fast-food restaurant could share not only space but also the same logic seems obvious. This obviousness, however, lingers with a pernicious air—families’ shame and guilt becomes monetized. Moreover, as this site signifies, it also becomes a site of normalization for children where the distinction between people and things gets blurred. Further investigation of this phenomena might reveal that this is one of the forces compelling street violence—constant enforcement of meaninglessness when the distinction between things and people merges.
they wouldn't do that in any other neighborhood, you know, but they do it here...like our kids don’t matter. The school could be anywhere, but they put it right here, right by the jail...

As Ms. Patterson shared her concerns about the place and space of the preschool and jail, I wanted to know how many of the preschool children have a family member incarcerated in the jail right across the street. It was also noteworthy for one to consider the experiences for children who are socialized in a community where going to preschool and seeing the jail across the street was a normal part of the day. Ms. Patterson’s statements reveal how the jail symbolizes absence, loss, and the normalization of this institution for young preschool-aged children. As Ms. Patterson and I proceeded to the front of the jail building, there were dark windows at the front of the building, near the doors, with posted signs that indicated entrance and exit doors. We walked inside, and Ms. Patterson pointed across her body to the left wall and said to me, “I think that’s the kiosk for accepting money for Darius right there.” Ms. Patterson was now shaking, and with a slight whisper she said, “I haven’t used it before though and will need your help.” I nodded and said “Of Course!” Ms. Patterson then pushed the start button. Immediately, the options for giving an inmate money were displayed on the screen. Ms. Patterson handed me two twenty-dollar bills and started to enter the number. Her hands were still shaking, so I asked her, “Would you like me to do it for you?” She nodded her head and then began to tell me the numbers to enter. There was another prompt on the screen, which said to enter his birthdate. Ms. Patterson told me the numbers, and I entered them. Then, we were prompted to indicate the amount of money we would like to add to the account, and I entered $40.00. There was a $8.95 fee that was deducted from the money Ms. Patterson had planned to add to Darius’ account, reducing the total added to his commissary card to only $31.05. Ms. Patterson was unaware of the fee and said, “Whatever, let's get out of here, I hate this place.”
The following week during the group meeting, Ms. Patterson shared with everyone that we went to the jail to put money on Darius’ account and her experience with having to pay the unexpected fee. Ms. Patterson wanted Ms. Taylor and others to know what to expect if they were planning to deposit money on their incarcerated loved one’s account. Some of the other caregivers at the group meeting shared they did not even go to the jails because it felt so horrible and dehumanizing. For many of the families, visits at the jail and prison were almost always unpredictable. Although Ms. Patterson was surprised and disheartened by the fee, she expressed to the group that it was just another thing that happened. She said, “There’s always something.”

On any given day, without notice, the jail could be locked down with visiting prohibited for the day, week, or month. There would be no notice to families and others who traveled long distances to the correctional facility. Upon arriving at the prison or jail and entering the waiting area, a sign would simply be posted “No Visits” or the guard would aggressively state “Lockdown means no visits!” In other instances, incarcerated loved ones could also be transferred to another prison without notice to the families, or they would be placed in solitary confinement without previous notice or warning for visitors. I documented many of the unpredictable moments at the prison that happened several times when Ms. Patterson and I traveled to visit her incarcerated sons in the field note below:

We walked into the prison and approached the podium with the guard. Placed the materials in the lockers and were told to walk through the metal detectors. Ms. Patterson told them she had a pacemaker and could not walk through the detectors. The guard asked for her pacemaker card, and Ms. Patterson looked at me, put her hands on forehead, exhaled a sigh and said, “I’m not sure if I have that with me.” We then walked over to the lockers, and Ms. Patterson proceeded to go through her purse. Pulling out papers, envelopes, and then her wallet. We stood at the lockers both of us hoping her medical paperwork for the pacemaker would be presented soon. Ms. Patterson then said, “I can’t believe this. Let’s just get out here!” Ms. Patterson was frustrated and
disappointed. As we walked outside to the car, Ms. Patterson began to cry and said, “I feel so bad. I know he was looking forward to the visit.” As we approached my car, I walked with Ms. Patterson, went over to the passenger side, and opened the door. She stretched both arms towards me to embrace me with a hug. I hugged Ms. Patterson, and she cried on my shoulder for a few seconds. Then she said, “Thank you,” and sat down in the car. I walked behind my car to the driver’s door. I opened the door, sat down in the driver’s seat, and then looked at Ms. Patterson. I asked, “Should we head back to your home?” Ms. Patterson said “Yes. I appreciate you.” I then drove one hour back to her home.

While on the drive back to her home, Ms. Patterson shared with me that in 2010 she was diagnosed with broken-heart syndrome⁹. She expressed to me that due to the recurring stress of having two incarcerated sons, she now has to live with a pacemaker, which cannot go through the metal detectors at the prison. This has been a hurdle for her when visiting, and also attending court hearings, because of the metal detector screening process. When we arrived at the prison, the metal detectors were located to the left of the entry to the waiting area. As we approached the line to enter the waiting area, Ms. Patterson would always tell the guards that she cannot go through the detectors. The guards would call for a female officer to pat down and screen Ms. Patterson. This would usually take about 15 minutes, and we would wait together by standing on the side of the main check-in desk.

While we wait for the female officer to arrive for the pat-down/screen check, the guard at the desk would ask Ms. Patterson who she is visiting. Ms. Patterson states her son’s name, and then the officer picks up his walkie talkie and says, “Visit for inmate.” The officer would state the inmate number associated with Ms. Patterson’s son. Once the female officer arrives, she guides Ms. Patterson to a small room for a pat-down search. After the search, Ms. Patterson walks around the metal detectors and enters the visiting room waiting area. I would go through

⁹ For further discussion on broken heart syndrome see Boyd & Solh, 2020
the metal detectors after they allowed Ms. Patterson to enter the waiting area. The guard in the waiting area calls her up to the front and walks her to the door of the visiting room. Ms. Patterson walks through the door to visit with her son. During the visit, I sat in the waiting area and observed other visitors at the prison. There was a mother with three children, all of whom seemed to be under five years old—about two, three, and four years old—in the waiting area. The mother looked tired and stressed out. She yelled to the children many times, saying “Stop!” The mother filled out the visitor paperwork and handed it to the guard. The guard grabbed it off the desk and yelled with her finger pointed at the children, “You can't touch that without permission!” The guard then turned to the mom and yelled, “Get your children under control or you can't visit!” The mother turned around and looked at her children, who were laughing and running in circles around the waiting area chairs. She yelled, “Stop, and come sit down!” The children continued laughing and began running towards their mother.

Within a few minutes, the guard’s loud and very stern voice yells, “Maria Lopez!” The children stop running and look up at their mother, who stands up from her seated position. The children then begin to walk in a calm and solemn manner towards the metal detectors that lead to the visiting room area. They were not running or laughing. The children became very serious while standing in line to walk through the metal detector machine that was in front of the visiting room door. They waited in line with their mother to walk through the machine and get waved down by the metal rod by the guards. When they all approached the front of the line, the children almost immediately stood in a solemn, still position. It was apparent that this family was very familiar with the security check and responded accordingly—psychologically and physically (Comfort, 2003; Poehlmann-Tynan et al., 2013). Although children were often playing and laughing in the waiting area, when the guard started to call families one by one to the security
check line, children would walk up in a serious stance and proceed to remove their shoes and belts.

The various interactions that visitors endure in the prison or jail are fraught with tension and anxiety. Before they meet their loved ones, families are forced to encounter overworked and angry guards. They are also forced to engage in a space that is designed to disrupt any positive emotions. Before a family member or loved one can visit with their incarcerated loved ones, they experience hostile interactions that often foster feelings of anger and shame. There are also feelings of violation of the body, mind, and spirit that are experienced by both the incarcerated and their visitors. For example, before visits, prisoners endure strip-searches, and their visitors are forced to interact with domineering officers who shout orders at families and children. These interactions equipped many of the families from the community center with what I call complex emotional preparedness, which helps them cope and have empathy for other families who also go to the jail and prison to visit their incarcerated loved ones.

**Empathy: “I am worried about him and the whole visit I could tell he was worried about me”**

Sharing personal experiences in the courthouse, jails, and prisons created a sense of relatedness and empathy for the families. Ms. Patterson described how earlier that week I drove her to the prison. The ride was about 1.5 hours away from her home. Once we entered the prison, Ms. Patterson told the guard that she was there to visit her son. The guard searched on his computer and told Ms. Patterson that her son had been transferred to solitary in another prison. Solitary, short for solitary confinement, meant that he could not have visitors or phone calls, and that he was locked in a cell for twenty-three hours a day.\(^\text{10}\). Ms. Patterson expressed her

\(^{10}\) See https://www.aclu.org/issues/prisoners-rights/solitary-confinement/we-can-stop-solitary
frustration of not knowing where he was transferred and why he was in solitary to the other mothers in the group. As she spoke about what happened during the visit, one of the elderly grandmothers, Ms. Beatrice stood up and walked around the table near Ms. Patterson. Ms. Beatrice put her arm around her and said, “It’s going to be okay.” Ms. Patterson started to cry and put her head on Ms. Beatrice’s shoulder. These moments of support were common during the group.

Most of the family members would share with the group that their loved ones asked how they were doing at home. Mothers would speak about their troubles paying bills and caring for children. In this sense, the incarcerated loved one is somewhat put in the position of a therapeutic role. After the visit of seeing her son, who was sentenced to sixty-seven years at a maximum-security prison, Ms. Patterson shared with me that he seemed happy. She described that he was smiling and interested in how she was doing. “He kept asking me if I was ok,” she said to me during the drive home. “That just stuck with me. Here I am worried about him, and the whole visit I could tell he was worried about me.”

Ms. Patterson mentioned to me that she hadn’t been able to visit her son in over five years because she did not have anyone who would take her on the drive. She shared with me that she was anxious and happy for the chance to see his face. During our one-hour-and-a-half drive, Ms. Patterson spoke with me about her son’s trial and conviction for being in the car while someone committed a murder. Ms. Patterson cried often when she spoke about her son. This was her oldest son, and he was charged for conspiracy to murder. Although he didn’t commit the crime, he was in the car of a friend waiting outside while the crime was committed. Ms. Patterson went on to share:

*It's just not fair. He got all this time just because he was in the car...he didn't even know what was going on in the house...it broke my heart the day he was sentenced.*
Ms. Patterson’s pain in seeing her son was balanced by the relief she received through visits; as noted above, her son “seemed happy.” In my conversations with formerly incarcerated people, it was conveyed that prisoners often suppress their emotions and become more of a listener to their loved ones’ problems. Incarcerated adults recognize that their loved ones go through a lot to see them, from securing travel arrangements to dealing with unpleasant and angry guards. Then, visitors have to deal with the emotions of visiting only for a few hours a week. Many families bear the emotional and mental weight of seeing an incarcerated loved one. In this way, the visit is a site of temporary healing that reinjures the moment a family member is left behind. For the prisoner, this experience also happens when the family leaves the visiting room and court hearings. For some, seeing an incarcerated loved one at court was a form of visiting.

One of the fathers, who I call Blake, shared with me what traveling to court was like when he was incarcerated. I met Blake at the reentry organization, where he attended parenting classes and facilitated fathering programs. Blake spoke to me about his experience as an incarcerated father. He wanted me to know that visiting and traveling to court was not what many families understood it to be for their loved one. Blake described to me what happens for the incarcerated upon the arrest. He provided a glimpse into the experience which he refers to as “Bullpen Therapy”:

*It starts with getting arrested. The courts start by giving you a high bond that you can’t make. Most of the time when someone gets arrested, they do so with no money and no family to help them. With lack of funds and connections, you find yourself stuck in one of the county jails.*

*Now you sit in one of these facilities with a court date and little to no contact to your family and the outside world. The day comes for you to go to court. The*
guard lets you know you have court in the morning, and you will need to be up at 4:30 am. Your cell door opens, indicating it is time for you to shower and head downstairs. You get downstairs to the bullpen where you are housed before court. As you wait for your transport to arrive to take you to court, you listen to stories about the court system.

Your breakfast is an apple, a milk, and small cereal. At 7am, the rides for court come into the facility. When your name is called, you are chained to about 9 other guys. You are then placed on a truck called the ice cream truck. The truck is small and uncomfortable with a partition running down the middle. The bench in the van is metal, and your knees touch the partition. You arrive at court only to be placed in shackles and placed in another bullpen. The time is around 7:45 am, and you must sit there until court opens. That is 10am. This is only for the arraignment part.

You have expectations to see your family whom you haven’t seen in over a month or so. If you get called upstairs, you may get to see them until your case is called, roughly 15 minutes. You don’t know what time your case may be called. Court closes at 5pm, and your case may be called at 11am or 3:30pm. You will never know. When your case is called, if you are not released, you get a continuance, and you go back downstairs to the bullpen. Even though you are done, you still have to wait for transport and that could be at any time after 3pm.

The time frame could be from 4:30am to 7:30pm. This is your typical court day, and the amount of time spent in a bullpen could be from 2 to 5 hours at a time. This is what you must look forward to when you go to court from a prison facility. This is part of the reason the conviction rate is so high; most people cop out because they are tired of going through this circus of a system.

Blake’s description of the court experience provides insight on the point of view from those who are incarcerated. There is a need for more insight and research into the visit and court experiences for incarcerated people (Tosca & Rodriguez, 2016; Arditti, 2016; Noel et al., 2020; Pratt et al., 2012). The next chapter illuminates the encounters with the court system, highlighting the trial of Darius, Ms. Patterson’s incarcerated son.
The Trial. “This is like a bad dream…at least I’m not getting this for his funeral…”

The court is a mysterious place for most of the general population. With its intricate rules and seemingly convoluted language the average person experiences confusion if they do not have any familiarity with law. In this chapter I center the scene of the trial as a site for exploration of how families, who have experienced multigenerational incarceration, are normalized to the feeling of exclusion, when at the most critical moment in a judicial process someone can be stripped away from their family. I center the scene of the trial as a way to think about how the family might be normalized to generations of incarceration. In this way we can think through how the family’s experience this scene. The scene of the trial is fraught with uncertainty, ignorance, and insecurity for the family of a defendant. Thus, I examine different aspects of the system –judicial and department of corrections –to see how families that are trapped in the cycle of multigenerational incarceration not only engage the system but navigate through it. In this chapter I give significant accounts of the trial experience. My goal is to lay out the factual background then think through how this affects families and their relationships to institutions.

The experiences of formerly incarcerated parents with currently incarcerated children are understudied. This chapter draws on court data from participant observation with families experiencing intergenerational parental incarceration. In doing this, I describe the emotional burden and social stressors following arrest and incarceration from the perspectives of incarcerated families. I specifically highlight the experiences of a formerly incarcerated mother during the pre-trial and trial hearings of her incarcerated son. The impact of intergenerational incarceration on this mother’s children and grandchildren are also discussed.
The pre-trial court hearings for Darius and Bryce began about a month after their arrests in 2018. They were both arrested on several robbery charges with a deadly weapon and conspiracy to commit robbery. Their mothers, Ms. Patterson and Ms. Taylor, participated in weekly parent groups at the family center. During the parent group meetings Ms. Patterson and Ms. Taylor would discuss how their sons were arrested for robbery. Ms. Taylor blamed Ms. Patterson’s son, and believed he was the reason it all happened. She would say to me during our one-on-one time at the center, “that my son didn’t get into trouble, he was just a follower, and this all happened because of J son.” She continued “he got in trouble a-lot when they were young”. Their families also had a history of conflict. Ms. Taylor explained, “it's been about 40 years of our families not getting along.” Although they lived less than one minute from each other in a low-income housing project, Ms. Patterson and Ms. Taylor did not communicate or speak to one another in a friendly manner until they started attending workshops at the center. Although Ms. Taylor felt like it was Darius’ fault that her son, Bryce, was arrested, Ms. Patterson didn't speak about the crime from the lens of blaming Darius. She shared with me:

“My son made a mistake, he was doing good, he had a girlfriend, but I know he was looking for a job and needed to pay rent”.

Pre-Trial. “It’s like everybody around here is locked up…”

Ms. Patterson and Ms. Taylor were not informed that their sons had the same court date, so the first couple of pre-trial hearings I would take only Ms. Taylor. We usually traveled to court towards the beginning of the week on Mondays, Tuesdays, and Wednesdays. Darius would also be appearing in court during the same time as the co-defendant Bryce. So, I asked Ms. Taylor if she would be okay with Ms. Patterson traveling with us to the next hearing. She said she was fine with it, but “didn’t want any trouble with her.” I suggested, “maybe we can talk about it during the group next week”. Ms. Taylor agreed, so that week at the group I asked Ms. Patterson if she
would be okay with us all riding to court together. Ms. Patterson responded, “that would be nice”. This was the beginning of family reconciliation between Ms. Taylor and Ms. Patterson.

At first it was a bit awkward during the morning rides to court for the pre-trial hearings. The ride lasted for about 20 minutes and there was complete silence in the car. Ms. Patterson would often say “Can you play some music?” And I said “of course.” I turned on some jazz at low volume, just in case they wanted to speak during the ride. They rarely did, and it felt like we were always rushing for time to get to the courthouse. While in the car, they would frequently ask me “What time is it?”. The clock in my car was always 20 minutes ahead, so I would constantly reassure them that we would get to court on time. However, I also knew that when we arrived it was very possible that we would just be waiting for hours in the hallway.

There were times when I would drop Ms. Patterson and Ms. Taylor in front of the courthouse, prior to parking, because I could feel the anxiety they expressed by not wanting to be late. Although court was supposed to start at 10am, the courtroom doors would usually open near 11:15am, sometimes 11:30am, and even noon with a lunch recess shortly after. There were also days where we would wait for a couple hours after arriving, because the public defender wasn’t at the court yet, or their sons did not make it from the jail to the courthouse. On a couple of occasions, we waited from 10am-2pm just to find out there was a schedule change and Darius, and Bryce would not be showing up. The public defender would have this information usually before the hearing. This happened many times. The limited and estranged communication between their son’s attorneys and Ms. Patterson and Ms. Taylor was presented as justification for why the public defenders would not notify them. I asked their public defenders why they didn’t call Ms. Patterson or Ms. Taylor, and they both responded with:

“I didn’t have their number, and that’s not my job...their sons should let them know. We don’t have time to call families, so they need to figure it out”
The uncertainty of the pre-trial hearing was a recurring experience. Although Ms. Patterson and Ms. Taylor would be somewhat frantic about time and arriving at 10am, it was difficult for me to communicate about the likelihood of us having to wait or to confirm that their sons would be in court. I just focused on dropping them off at the front of the courthouse before parking and waiting in the hallway, hoping we would see the public defender so that I could ask the status of the court time for the day. When we would get into the courtroom for the hearings, we listened to several other cases and waited for Darius and Bryce to be brought in by the court marshalls. The pretrial hearings of Darius and Bryce were always less than a minute and usually ended with a motion for continuance. Then the court marshall would walk Darius and Bryce out of the room. That 30 second to 45 second moment in the courtroom with their sons meant everything to Ms. Patterson and Ms. Taylor. They would say things like “he looks good”, “Bryce is losing weight, that’s good cuz he is fat and needs to lose some weight.” The meaning of the court experience for Ms. Patterson and Ms. Taylor was viewed as a visit. It was an opportunity to see their incarcerated sons without having to secure transportation to travel to the correctional facilities, which were an hour away from their homes.

One morning when I went to pick up Ms. Patterson and Ms. Taylor, Ms. Taylor told me that her grandson needed to come with us because he was suspended from school. Ms. Taylor’s grandson, who was ten years old, at the time was suspended from school for getting into a fight. He was going to court to see his uncle in chains at the courthouse during his school suspension. When we arrived at the courthouse, we walked up to the docket list on the bulletin board, and Ms. Taylor said to her grandson “You see Bryce’s name?” he said “Yea” she said, “Okay good, do you miss him?” , he said “Yea” and then she said, “well you will get to see him today.” When
the courtroom was open, we all went inside and waited for them to read the docket list for Darius and Bryce cases. Once their names were stated by the judge, the judge said, “bring them up.” At that time the marshalls would call down to the cellblock, and moments later Darius and Bryce would come up with chains around their waist handcuffed in the front with chains that were connected to another chain with cuffs around their ankles. They were in the courtroom for approximately 45 seconds before a motion from the public defender for continuance was stated. The marshalls would then guide them both back out the side door. As Darius and Bryce walked out of the courtroom, they looked back to the gallery area where we were all sitting. Bryce said, “I’ll call you tonight.” Darius smiled and tried to wave his wrists at his mother. The moment passed and they were gone with the closing of the door.

We walked out the courtroom and Ms. Taylor said to her grandson “you see your uncle? Did you like seeing him?” Her grandson said “yea”, Ms. Taylor said again “you miss him?” Grandson said “yea”. We left the courthouse, got back in my car, and I proceeded to drive the 20 minutes to drop them all off at their homes. While in the car Ms. Taylor said to her grandson “Bryce is in jail.” There was silence. Her grandson just nodded and looked down. I wondered what this meant for her grandson, seeing his uncle, and being repeatedly asked if he missed him.

This was his experience while suspended from school. Ms. Taylor’s grandson went to see his uncle in chains in a courtroom. I wondered how common this experience was for their family. Ms. Taylor was not going to miss court because her grandson was suspended. Her grandson just had to go with her, she said “he’s gotta come with us, his mom is working, and he’s suspended.” How many times has her grandson seen family members in handcuffs and chains? Ms. Taylors also repeatedly told me that:

“He’ll be fine, he’s used to it cuz it’s like everybody around here is locked up, sometimes we don’t talk about it, but they know, we let them visit and speak on the
phone when we can. Bryce will tell him do good in school, so you don’t end up here like me.”

**Court. “I was picking out his clothes for trial and I was thinking at least I’m not getting this for his funeral…”**

On the way to court, Ms. Patterson told me about her daughter, Imani getting arrested over the weekend in front of her nine-year-old and seven-year-old, Ms. Patterson’s grandsons. Ms. Patterson discussed that Imani was driving to the community pool to meet them for a family picnic and was pulled by the police over for expired registration.

Ms. Patterson described the weekend as “a mess, they called DCF and gave her charges, all this is happening with her now, and here I am on the way to court for my son, Lord have mercy!” Ms. Patterson continued to say, “Yesterday I was picking out Darius Clothes for trial and I was thinking at least I’m not getting this for his funeral”.

We arrived at the courthouse and walked over to the board to look for Darius on the docket and his courtroom location. We saw that his courtroom was right next to the board, and that the door was locked. Court had not started yet, so we sat down on the bench across from the courtroom in the hallway. While we were sitting in the hallway, the public defender approached me and asked, “Do you work with an attorney?” I said, “no, I’m just a family friend” then he said, “I wish he would just take the plea of guilty”. Ms. Patterson said, “how much time could he get?” The public defender said its “Seventy-seven years baseline if he goes through with the trial and is guilty, but he can take the plea anytime, he also has four years of violated probation”, he then shrugged his shoulders and walked away. The court marshalls unlocked the door, and we proceeded into the courtroom. As we walked to find a seat on a row in the gallery, Ms. Patterson whispered to me while pointing to the judge, “this is like a bad dream.” We listened to several other cases that were brought before the judge before the case for Darius began. Darius was in
the back, chained in a cell block, behind a door that was adjacent to the courtroom. After the other cases were done the judge took a recess and we walked back to the hallway.

During recess Ms. Patterson asked me if I could take her daughter, Imani, to the court hearing tomorrow, because she wouldn’t be able to attend. I said “Yes, of course”. We walked across the street to a cafe for lunch and got salads. We then walked over to the pond that was in front of the courtroom. The pond was filled with ducks, and Ms. Patterson was pointing them out to me saying “Look at that one, and look at this one, they are so peaceful, it's nice to be outside.” After 30 minutes of sitting outside, we returned to the courthouse. The court marshalls and the public defender would not tell families when court would resume, so we would do our best and try to assume when we should be back in the courthouse. We sat in the hallways and waited another 20 minutes before the marshall unlocked the door to the courtroom. The judge said, “State vs. Darius”. The public defender stood up, then the judge said, “state your name for the court.” The public defender stated his name, and the judge asked, “Is Mr. Darius here?” The court marshall nodded. Judge says, “Okay bring him up” (referring to the cell block in the basement). Ms. Patterson sat on the end of the row in the court gallery so that she could see Darius' face.

**Jury Selection. “This shit isn’t right...”**

The judge says, “Okay bring in the jury” The jury comes in and the judge notes that there were two selections from the state and two selections from defense, they were both left with six jurors each now. All the jurors which included, eight white women, two Black women, one Asian woman and one white man, were excused and dismissed by the defense and prosecution on this second day of jury selection. The Judge then says “Court will reconvene with jury
selection at 10am next day.” As Darius walks out the courtroom, he turns to Ms. Patterson and says, “I can’t talk by phone anymore.” Ms. Patterson responds, “well just write to us.”

The next day I picked up Imani from their home, around 9:30am and we drove about 20 minutes to the courthouse. In the car Imani explained to me how her sons recently witnessed her violent arrest. S was pulled over and dragged out of her window by a police officer. She was charged with resisting arrest and child neglect. The initial stop was made because her registration expired. Imani went on to tell me that whenever the police talk to her, she usually gets arrested because it’s a trigger. She shared, “I think I have a ptsd...even seeing a cop, I’m like oh my god he’s gonna get me!”

When Imani was five years old, the police raided her house and pulled guns on her and brothers. From that moment she explained to me that she couldn’t ever trust the police and that when she sees them, she can’t control herself. She continued telling me that when she was pulled over, her sons were in the back seat, and the cops were yelling at them saying “Get the fuck back and shut-up”. Imani said this made her angrier, and then she started cursing at the police officer. The police officer then grabbed her arm and pulled her out of the window of her car and onto the concrete ground. The police called child welfare services and Imani received charges of negligence and neglect, this also angered her, because she wanted to call her mom to pick them up, however the police were not listening to her and threw Imani in the back of the police car. She explained to me that now she has a case with child services and another criminal case to deal with in the midst of trying to find a job. As we pulled up to the courthouse for Darius’s trial, she stated “I just can’t get a break, it’s fucked up.”

When we arrived inside the courthouse it was around 9:50am. We saw the public defender in the hallway and asked him what time things will get started today. He said he wasn’t too sure,
but probably near 11am. This uncertainty with time was common, we would get a time such as 10am and then must wait an hour and sometimes two hours before the case was brought up.

Around 11am the court marshall opens the doors to the courtroom and day three of jury selection begins. Two white women, one Black woman, two Hispanic women, one white male were all excused.

The defense and prosecution accepted two white men and one white woman. The judge set the next court date for the following week on Monday at 10am. Before we left the courtroom, Imani asked the court marshall “Can I talk to my brother?” The court marshall said “No, but you can write him a note and I’ll give it to him.” Imani wrote ‘I Love YOU’ on a small piece of paper and handed it to the court marshall. Court ended and we left the courtroom. As we walked out the courtroom, waiting for the elevator in the hallway, Darius' public defender walked over to us, smiled and said, “I helped him with his tie today”. The public defender said this as if he did his good deed for the day. It made me think about what his perception of Darius was, considering that Darius did not know how to tie a tie at 21 years old. Most of the men in Darius’s family are incarcerated and have been locked up throughout his childhood, and he has had limited contact with adult men during his life that were able to show him how to put on a tie.

I asked the public defender about the racial composition of the final jury selection. He said, “What did you want me to do?” shrugged his shoulders and walked away. His response came off as somewhat aggressive and nonchalant. The final jury selection ended with five white men, two white women, and 1 Hispanic woman. They Imani said, “This shit isn’t right, you can see that it’s an all-white jury.” The jury selection did not seem to be a fair process and I imagined what the family must have been experiencing. It was almost like a countdown without much knowledge of the process for Darius. It also seemed like a picking and choosing game. The
entire Jury selection process only lasted three days, 6 hours each, to determine the fate of a life. The prosecution and public defender arguments, presentation of evidence, and witness testimony would begin that following week.

**Arguments & Witnesses, “He needs to take the deal”**

We arrived at the courthouse and Ms. Patterson says, “I know I can do this, I sat through a murder trial with my other son.” We walk into the room right when court begins. The prosecution calls the first witness, a young Black girl who was 20 years old with tattoos on neck and face (eyebrow tattoo). The witness seemed frustrated and annoyed to be in court on the stand. She immediately says, “I don’t know why I’m here, I don’t remember anything, and I already told you that.” The prosecution shows her a video of her making a statement to police on the day of the robbery. She says, “I don’t remember saying that. I forget a lot, so I don’t remember that.”

The prosecution gave her the document with her statement, and she snatched the paper and said, “I don’t remember any of this”. It was clear that she was not cooperating and did not want to be on stand testifying. The prosecution had no other questions. The Judge then says, “Let’s take a recess”. In the hallway the public defender says, “G thinks things are good, but this isn’t how it will pan out, he really needs to plead guilty.”

As we wait in the hallway, the prosecution team walks out to get the k9 officer and bring him back into the courtroom. I look inside the courtroom door window and realize that court has started again. This is yet another time that we did not receive notice, if I had not looked inside the room through the doors, we would have still been sitting out and waiting for who knows how long. It was another moment of time and family neglect from the court officials. We sit down in the court gallery and the prosecution is showing images of police cars at the scene. The
prosecutor calls a K9 police officer to the witness stand. Darius writes a note to the public
defender. J whispers to me “I don’t know if I can take this” she then walks out of the courtroom
during the police officer’s testimony. Police officer gets up to use a large stick to point on a map
the location of the crime. I whispered to Imani, “Is your mom, okay?” She said, “She can’t stay
here, she needs some fresh air”. Darius writes another note to the attorney, and the public
defender looks at him and gestures to wait. The public defender then turns his head back to focus
on the officer and prosecutor. When the prosecutor asks the officer to identify Darius, the court
marshalls smile and start to whisper to one another. It was like they knew this was all going to be
bad and thought it was funny. Darius’ public defender reads the note and hands it back. The
prosecution has the young 20-year-old witness back on the stand, and the judge tells her to read
the statement from the doc, she reads it with an attitude and pretty quickly. The judge says,
“Read it slowly”, she reads slower with an attitude and then begins picking a scab over her eye.
After reading, the judge says “Okay we are done for the day” court ends at 4:35pm
The next day I picked up Ms. Patterson and Imani and we drove to the courthouse. We
waited in the hallway. This was normal for us to go and wait, but we should’ve looked inside the
courtroom, because the assumption that the court marshals or anyone that notices us waiting
outside the courtroom, would tell us to go in, is false. As Ms. Patterson would often say “They
don’t care about our time”. I looked into the courtroom, and court had started, so we went in.
The prosecution presented arguments and a list of witnesses. The judge reviews a law book and
then takes a recess. We all go back into the hallway to wait. Imani was getting mad, and started
cursing saying “This isn’t right, it’s all bullshit!” Ms. Patterson started to sing a gospel song,
humming while singing “it’s going to work out.” I just sat there trying to not seem awkward, and
also knowing that there really isn’t anything to say. To me, it was just sad because it felt like a
game that we were watching. Ms. Patterson would smile during court often which I didn’t understand. I kept thinking why is he playing with the court system and why is he pushing this through when he could spend the rest of his life in prison over a robbery? It was a very sad experience for his family. There were times in court when J would put her head down and cry and Imani would cry, wiping her eyes frequently. I just sat there and didn’t really know what to do. I couldn’t understand why Darius would smile and look happy during the trial.

As we were all waiting outside the courtroom, the court marshall came into the hallway to unlock the court door and we all walked back into the courtroom. The judge says “Bring Darius in.” The prosecution’s next witness is a white woman who was employed at the crime scene and charged with larceny during the robbery. This witness stole money at the scene and was arrested after the robbery. She received probation for larceny, because she agreed to cooperate and testify during trial. As she’s on the stand, Darius asks court marshall for a tissue to wipe his nose. It was freezing in the courtroom. This was common, so I would bring scarves, gloves and a large winter coat each day we went to court. The court marshall hands Darius the whole box of Kleenex. I thought that was pretty kind instead of just giving him one or two tissues, compared to the previous day when they handed him a paper towel which seemed rough, and it was only one. I was freezing in the courtroom, so I went to the bathroom to blow my nose and take a little break from the cold temperature. It always felt like a freezer in court. I wondered if they make it this cold, to deter families from sitting in the gallery. As I exited the bathroom, I saw Bryce’s public defender in the hallway, and she approached to say, “Darius’s case is the same type of case for Bryce just a different person... he really needs to take the deal.” She shrugged her shoulders and then walked away. It seemed like the public defenders had information from the prosecution that this was not going to work in their favor. After my observations with another
public defender in the judge chambers later during my fieldwork, I became more aware that this is indeed true. The public defender for the most part is informed on how things are going to work out in court. Therefore, they try to convince their clients of the best options. In this case, for both Darius and Bryce it was best to take the deal based on the evidence that put them at the scene and the fact that they were both caught running down the street from the scene. They were caught by the police K9 unit. Court ended after the officer’s testimony. We all left the courthouse that day around 5pm.

While I was driving to their home, Imani said “Darius thinks he should be a lawyer or something, like he has this all figured out…I don’t get it.” I says, “He’s optimistic” and says “he’ll appeal if he loses”. I just focused on driving, moments like that I didn’t have anything to say, because I just kept thinking this is going to go bad, why are we playing with the court, and also it made me think about other young black men who receive so much time because they take it trial or are at the mercy of the public defender.

The next day we arrived at court and the marshalls opened the door. We didn’t have to wait as long as usual, this time court started at 10:15am. The prosecution called the next witness who was another customer at the scene. The witness was a white woman. During questioning, the prosecutor asks Darius to stand, and the witness said, “that’s him.” The prosecutor said, “How do you know, when he was wearing a ski masks?” The witness said because “he sounded Black”. The prosecutor told Darius to continue standing so that the witness could see his height. The witness says, “Yes that’s about the height of the robber”. Imani yells out “He sounded Black? That’s some bullshit!”. Imani walked out the courtroom then returned after about 5 minutes and sat down next to me. The public defender points to Darius when referring to the defendant throughout the case. Judge announces a recess and states that court will resume at 2pm. We all
leave the courthouse to get in my car and head to the Imani court hearing located 20 miles away at another courthouse.

Once we arrive at the other courthouse, we enter the building, go through the metal detectors, and look on the walls for the docket which lists the courtroom location for Imani. Within a few seconds Imani finds her name and guides us over to the courtroom which was locked. There were benches in the hallway near the courtroom, so we all sat and waited in the hallway for the courtroom to open. While sitting in the hallway, Ms. Patterson says “This court is different and has much more comfy seats.” About 15 minutes after we sit down, a court marshall comes out and yells Imani’s name and case number. The court marshall walks back into the courtroom and Imani gets up and enters the courtroom. After about five minutes, Imani returned to the hallway and let us know that she asked the judge for continuance, and it was granted. She then says, “Okay we can head back to Darius now.” We then all walk out of the courthouse and get into my car to drive back to the other courthouse.

We returned to Darius’ trial at 2:50pm. When we arrived in the courtroom, there was a black man who was a customer during the crime, being questioned by the defense. The public defender asked a couple questions about the crime, and if he could identify the defendant. The witness said “No, I couldn’t really tell because his face was covered.” The public defender rested his questions, and the next witness was a white man, a k9 officer that was being called in by the prosecutor. At this time, the court marshall hands the judge a note. The judge reads the note and calls both counsel to approach. After both the public defender and the prosecution speak to the judge, the judge then dismisses the jury and asks the k9 officer to lock up his firearm. The judge proceeds with setting a 10-minute recess. During the recess we wait in the hallway for about 15 minutes. As we wait, I notice a member of the prosecution team walks out the courtroom to get
the k9 officer and bring him back inside, so I decided to look inside the courtroom door and see that court has started again. This was another time that we did not receive any notice of court resuming. If I had not looked inside the room through the doors, we would have still been sitting in the hallway and waiting. I told Ms. Patterson and Imani that court has started, and we all walked back into the courtroom.

As we entered the courtroom, the officer on the witness stand was explaining to the prosecutor how police use K9 units before and after crime. The officer then gets up and uses a long wooden stick to indicate the location K9 use. After the officer points the location on the map, he walks back to his seat on the witness stand. The prosecution then shows a picture of Bryce in an ambulance with money hanging out of his pocket. The prosecution rests questioning and then the public defender begins to question the K9 officer. During the public defender questioning, the prosecution is steadfastly taking notes. The public defender asked the officer to identify who the k9 attacked at the scene and the officer pointed to the defense table where Darius was sitting. The public defender then rests his questioning, and the prosecution calls in another white male officer witness. The witness enters the courtroom and sits in the gallery pews on the right side, behind the prosecution table. The prosecutor attempts to open an evidence envelope and struggles to get it open using her fingers. The public defender smiles at the jury. The prosecution is not able to open the envelope and says, “We have nothing sharp to use”. During this time, the jury looked a little fatigued, a few were yawning, and others looked bored. The judge says, “anything to take up, and calls council to the front ”. Both the public defender and the prosecutor walk towards the judge. Darius turns around in his seat to look at Ms. Patterson and Imani, and immediately the court marshall yells at Darius “You can’t turn around!”. Darius turns back around to face the judge speaking quietly to the public defender and
the prosecutor. When they both returned to their tables; the judge dismissed the jury and announced a recess.

We exit the courtroom and take the elevator down to the first floor so that we can go outside. Ms. Patterson says, “I just need some air.” We stand outside for 20 minutes and then walk back inside the courthouse and take the elevator to the second floor. As we exit the elevator, we can see two different white male officers sitting on a bench located in front of the courthouse in the hallway. It is apparent they are waiting to enter the courtroom. The court marshall comes out to the hallway and unlocks the door, so we all go inside. As the judge enters, we all rise and then sit down when the judge states that we can be seated. The judge begins court by saying that the jury and all other individuals involved in the trial are not to speak to anyone until the trial ends. I step out to use the bathroom. When I return to the courtroom, it feels colder than before. J asks me if she could use a sweater and says “I’ll just put it around me” then she pulls out a light red jacket from her purse. Court begins with the prosecutor facing the jury and holding up the masks that were used in robbery. After the gloves are shown by prosecution, the public defender laughs and rubs Darius’s back then whispers in Darius’s ear and pats his shoulder. The prosecutor calls the next witness who is the general manager and was not at the crime. The prosecutor asks questions about the location and layout of the restaurant prior to the robbery. The public defender had no questions, so the witness was excused. Following the witness examination, the prosecution asks the judge for uncharged misconduct. The public defender objects. The judge goes back to the court code book to review. The court monitor looks at the public defender when he asks questions, and gives an appearing side eye expression, however when the prosecutor speaks, he does not make any expression. The judge called for a recess to review the code book. When we reentered the courtroom, the judge said that he would not allow the video to be shown. Ms.
Patterson whispers to me “Yes!” and gestures with a thumbs up to Imani. Throughout the trial Darius looked behind at Imani and Ms. Patterson and then, he smiled. Each time he turned around the court marshall would yell “Stop turning around!” Court ends at 5pm and we all head back to my car.

During the drive to their home, Imani says “I hope Ms. Taylor doesn’t get mad if Darius gets off and her son doesn’t.” Ms. Patterson replies “I hope not, and she shouldn’t.” Ms. Taylor’s son, Bryce, is the co-defendant on the case, and is being charged with similar counts to Darius. The prosecution’s motion for a request to put Bryce on trial with Darius was denied by the judge, because the request for a speedy trial was made by Darius only. At the time of the trial, Bryce was in plea negotiation with his public defender and did not want to accept the prosecutor’s offer of seven to nine years. Bryce also had a violation of probation and his public defender insisted that he take the deal, even throughout Darius’s trial. Bryce’s public defender would sit in the courtroom and seem to be taking notes. I encountered her a couple times in the court hallway and she would just shrug her shoulders and say, “This isn’t good for either one of them”.

When we arrived in the courtroom at 10:15am, the prosecutor was questioning a DNA expert about tests and the results from the fingerprints on the gun found at the crime scene. As the prosecutor is standing next to the witness stand, she attempts to open a sealed box with orange tape labeled “evidence”. After a few minutes the prosecutor slowly removes a gun, walks over to the judge and asks for permission to show the jury. The judge says, “Yes, as long as the public defender agrees”. The public defender said, “Yes that’s fine.” The prosecutor shows the gun to the jury and tells them that this is the weapon that was collected by the officers at the crime scene. The prosecution asks the DNA expert to read over the report and share the findings. The DNA expert followed directives from the prosecutor and read the report from the gun evidence.
The DNA expert stated that results eliminated G and commented that only DNA from R was recognized on the gun. Ms. Patterson, sitting to my left, holds her fist tight and whispers in my ear “Yes!” she says “Yes!” twice with a smile. Her leg was shaking, and she nudged me and said “Yes!” again. The prosecution rested questioning, and then the public defender approached the stand. The public defender asks the DNA expert “How are you?” and then says, “No further questions.” The DNA expert is excused from court and walks out the courtroom. The judge then says, “Are there any additional witnesses?” The prosecution says no further witnesses. It was 10:40am when the witness testimonies concluded for the trial.

After the prosecution states they are done with witnesses, the public defender motions to dismiss the case on the basis that there is no evidence to connect the crime to Darius. The prosecution requests that the judge deny the motion on the basis that there is sufficient evidence that Darius was involved in the crime and should be prosecuted to the full extent of the law. The judge responds that the level of proof is provided and the defense request for an acquittal is denied. Ms. Patterson starts shaking and making moaning sounds. The prosecutor starts talking to two men at the table. The public defender rests. Judge dismisses the jury after reviewing the jury instructions. The judge then asks the Darius’ public defender to present unlawful restraint case law to support unlawful restraint preamble which describes how to present it to the jury. Court is dismissed. Ms. Patterson asked me on the elevator “how are you feeling?” I said, “I’m okay, how are you?” Ms. Patterson replies with a smile, “I’m optimistic!”

The Verdict “I need to get the money back from his shirt so I can put it on his books…”

The following day, we arrived at court around 11:40am. As I was parking, I could see the public defender and jury talking outside and smiling. I knew the verdict had to be in because this was the first time the attorneys and jury were communicating outside of the courtroom.
Throughout the trial the judge repeatedly stated that no one involved in the case, attorneys, jury members, marshalls, or gallery members, should speak or communicate with one another in the hallways or outside the courthouse at any point during the trial.

Once parked, Ms. Patterson and Imani get out of my car and immediately walk up to the public defender. I walk behind them as they approach Darius’s public defender. We meet the public defender, and he looks down and says, “Yea he was found guilty on 9 of the 10 counts.” J starts crying, a deep and sorrowful howl. Her daughter, Imani then starts to scream, at the same time crying, and pointing fingers at the jury who are walking past us to the parking lot. Imani yells “You racists motherfuckers!”, J walks behind her and yells “It’s my son but what if it were yours!” At this point, I begin to walk back towards the car, and tell them that I’m not comfortable standing out here with them, because I think the Marshalls will come and I don’t want to get arrested, so I said, “I’ll just go sit in my car and wait”. They both looked at me and said, “Ok we’ll stop”. Ms. Patterson says, “I just want to get the clothes I bought for him back”.

I walked over to the public defender and asked him how she could retrieve his clothes. He said that he would go inside to get them now and then walk back into the courthouse. As we wait for him to return with Darius’ court clothes, Ms. Patterson then says, “I need to get the money back from his shirt so I can put it on his books.” At that point the public defender comes out and walks over to us with clothes in arms. As he is about to hand the clothes to Ms. Patterson, two jurors walk past us. The public defender then drops the clothes on the grass in front of us and walks over to the jurors. I followed him to see what he was going to do. The public defender walks up to one white woman and white man juror and asks, “How did I do?” pauses and says, “Was I offensive in any way?” I walked away and went back to Ms. Patterson and Imani who
were going through the pile of clothes on the grass. I helped them pick up the clothes and we all walked to the car. Imani says:

“I’m glad we didn’t get to hear the verdict in the courtroom, I know I would’ve been arrested on the spot, because this whole thing was bullshit!”

During the ride home, Ms. Patterson and Imani cried. I kept silent and just drove for a few minutes to the highway. After 10-minutes on the road, I asked if they wanted to stop anywhere before going home. Ms. Patterson said:

“Maybe somewhere I can get a coffee, I just can’t believe this, what are we going to do, his whole life is just gone now.”

I drove to the coffee shop around the corner from their home, and we all went inside to order. Ms. Patterson said, “Can we just sit for a while?” We all walked to a table and sat down. At the table, Imani starts crying and says:

“I lost another best friend today, first my best friend was shot in her face in front of her kids, and now my other best friend is locked up for life, this shit isn’t right”.

Imani was referring to a recent shooting where a 28-year-old mother was shot in the car in front of her two children, who were in the back seat. She emphasized the tremendous amount of pain and suffering she and her family have experienced this summer. I gave her a hug, and we all sat at the table for 20 minutes. Imani took a couple calls on her cell phone letting friends know that Darius was found guilty. Ms. Patterson repeatedly stated, “I just can’t believe this, now I lost two sons”. Ms. Patterson’s oldest son was sentenced to 67 years in prison, 18 years ago. There wasn’t much to say or do, just sit and listen and when the opportunity presented itself, I would say, “let me know what would be helpful.” As we began to prepare to leave the coffee shop, Ms. Patterson said “I don’t want to attend the sentence hearing, I can’t take any more of this.” We later found out Darius was sentenced to over 70 years total, receiving the maximum for each charge. Darius was 22 years.
Recommendations: “Listening, listening…”

Rates of parental incarceration, specifically for poor Black parents with children witnessing the arrest, are increasing in the U.S. (Dallaire & Wilson, 2010; Lang & Bory, 2012; Muhammad, 2018; Phillips & Zhao, 2010; Ziv et al., 2010). This dissertation reveals critical findings from the everyday lived experiences of children and families with incarcerated parents. An interruption to routine and predictability, the activation of emergent support networks with increased burdens, and recurring emotional distress for families begin at the moment of parental arrest and transcends throughout the incarceration process. The examination of family circumstances, living arrangements, and school-community networks have not been the primary area of research on families and incarceration. Similarly, very few studies have examined parental incarceration from the perspectives of families experiencing and witnessing the arrest. For poor Black children and their families, their experience of parental arrest necessitates qualitative analysis to understand the experiences of incarcerated families better. By focusing on the ripple effect of parental arrest and incarceration, this research provides knowledge on the impact of mass incarceration, beginning with the arrest and offering different perspectives to understanding the complex lives of families with incarcerated parents.

This study contributes to the growing scholarship in ethnography on incarceration and families (Braman, 2004; Comfort, 2009; Miller, 2021; Rios et al., 2017) and furthers our understanding of how arrest impacts the person arrested, their family and especially their children. Ethnographic research on parental arrest and incarceration offers knowledge for social science to address the unique experiences of adults with children who witness the arrest and live with their parents before the arrest and incarceration. The variations in family relations and household compositions help us understand the complex effects of parental arrest and
incarceration on families. Additionally, family experience with multigenerational exposure to parental arrest and incarceration provides an understanding of the social situation and everyday realities for many low-income families with incarcerated parents.

Ethnographic data captures the emotional distress and emergent support systems for families during and following the initial hours of parental arrest and incarceration. A close examination of the families in this study, including Davonte, Rose, Bertha, and Kim, complicates our understanding of the collateral damages of mass incarceration for children and their families. It also increases knowledge of the social processes and situations for families with children witnessing and experiencing parental arrest. In many circumstances, the families of the arrested are left to cope with the swift and traumatic removal of their loved ones. This paper’s ethnographic account and analysis also show many actors involved when a parent is arrested (e.g., grandparents, community agencies, state entities, and school teachers). These individuals were involved with altered caregiving arrangements, educational experiences, and community resources for families in this project. These individuals are also represented within the ripple effect of parental arrest and incarceration.

The ripple effect of parental arrest and incarceration on poor Black families is a vivid example of the ongoing prevalence of social injustice and racial inequality in society. There is a growing need for urban ethnographic research on families and incarceration to investigate further the various actors and systems set in motion when a parent is arrested and understand the everyday lived experiences for formerly incarcerated parents and caregivers of their children. The present study suggests that future empirical work on families with incarcerated parents should investigate how the structural, multigenerational, and interactional dimensions of the ripple effect of parental arrest perpetuate inequality and racialized social control. Consequently,
to provide further insight into mass incarceration and family life, more research is needed on the initial moments during and immediately after the arrest. Forthcoming social science studies should also examine parental arrest's ripple effect through state systems designed to deconstruct poverty and mass incarceration—e.g., early child protection services, child welfare programs, and rehabilitative family support programs. Ultimately, by examining the intricate state systems to mitigate social problems, we can begin to dismantle generational pipelines to incarceration. Further ethnographic data on the ‘ripple effect’ will not only lead to useful analyses but will inform applied research in social justice that aims to ultimately break this structural, interactional, and multigenerational cycle of parental incarceration.

In closing, I offer a broad overview of recommendations for local and national policymakers in the United States to better serve children and families with incarcerated loved ones. The recommendations are based on previous research studies and data from this ethnographic study to advance social change for Black family life. There are variations in family experiences with parental arrest, correctional visiting, criminal court hearings, and reentry. Yet, the common thread throughout the incarceration process is the need for structural considerations in developing and carrying out policies for children and their families. These include policies that support arrest protocols, family visiting, court and family relations, and reentry processes. Stakeholders invested in the well-being of children and families should use ethnographic research on families with arrested and incarcerated parents to inform and develop social policies that are contextually specific and culturally relevant. As supported by the accounts in this study, there is a need for housing subsidies, employment with job security, quality childcare, educational support, and caregiver programs provided by federal and state agencies for families
with incarcerated parents. The recommendations provided in the following section are aimed to improve the overall quality of life for children with incarcerated parents and family members.

**Policy Reforms: Parental Arrest and Incarceration**

The ethnographic data and findings from this dissertation can further policies (Bardol, 2018) consistent with the Children of Incarcerated Parents Bill of Rights and also inform arrest protocols for law enforcement to implement when children are present at the time of the parental arrest (Lang & Bory, 2012). The Bill of Rights Policy Partnership for children of the incarcerated (Bernstein, 2003) was developed to inform and advocate for a policy that supports the health and well-being of all children with incarcerated parents. Likewise, the U.S. Department of Justice Bureau of Justice Assistance, in partnership with the International Association for the Chiefs of Police (Talucci et al., 2014), established arrest procedures for law enforcement to protect children during an arrest. Some police departments have already outlined such arrest protocols (Cramer et al., 2015; Lang & Bory, 2012; Thurau, 2015). San Francisco, California, Pittsburgh, and Alleghany County, Pennsylvania, New Mexico, and Manchester, Connecticut, have made efforts within their police practices to adopt arrest protocols that protect children. The Toolkit for Developing Arrest Protocol Policies\(^\text{11}\) shows how police departments were influential in their implementation. Yet, unexpected events during a crime often deter arresting officers from implementing arrest protocol or make it difficult to standardize arrest policies and practices. To mitigate some of the challenges of arrest protocol implementation, police departments can incorporate universal standards for arrest when children are present. For instance, when an officer is making an arrest and children are present, I suggest the following steps, at a minimum, should be enforced:

1. Explain to the child what is going on

\(^{11}\text{https://www.urban.org/sites/default/files/publication/53731/2000254-Toolkit-for-Developing-Parental-Arrest-Policies.pdf}\)
2. Tell the arrestee to go to a different location to avoid the child being present.
3. Ensure that the child or children are not left alone during or after the arrest.
4. The arresting officer should try to contact a family member for the child
5. Allow the parent to speak to the child before their removal

In addition to these recommended steps, a toolkit tip sheet guide (see Appendix) can be used to support the implementation of the U.S. Department of Justice Bureau of Justice Assistance, in partnership with the International Association for Chiefs of Police and the National Resource Center on Children and Families of the Incarcerated, arrest protocol report titled “Safeguarding Children of Arrested Parents.” The toolkit tip sheet guide provides an outline for law enforcement consistent with an Arrest protocol (see Appendix A). It can be used for police officer training programs explicitly designed to ensure that child-sensitive arrest protocols are implemented. This specific protocol (see Appendix B) was developed in collaboration with community members and the Yale Law School Criminal Justice Advocacy Clinic. The policy was presented and accepted by a local police department to protect and serve children at the time of a parental or familial arrest. Other law enforcement agencies should partner with research institutions that value criminology, sociology, and criminal justice findings to identify best practices for safeguarding children during the arrest. Human narratives and experiences of families with incarcerated parents should guide law enforcement and child welfare agencies on how to work collaboratively to implement laws and practices that prevent arrest in the presence of children. Sincere efforts to develop parental arrest intervention and prevention measures aimed to offset childhood trauma at the time of the arrest should focus on the whole child and family, consistent with each SDP developmental pathway (Comer, 2005; Comer & Poussaint, 1992; Drake, 1995).

Studies on visiting in prisons and jails, reveal that there is a need for policies that support parenting and co-parenting programming (Cecil et al., 2008; Loper et al., 2014; Stroizer et al.,
Visitation policies that are informed by research on the effects of parental incarceration on families should aim to enhance the quality of relationships between incarcerated parents, caregivers, and children (Boudin et al., 2012; Williams et al., 2020). The visiting environment should include a family specialist employee who works at the correctional facility to assist visitors with navigating the process of handling paperwork and other visitor requirements. The family specialist would also assist families in using the money kiosk, lockers, and other mechanisms in the waiting areas and visiting rooms. The waiting areas should be developmentally appropriate for young children (Boswell & Wedge, 2007; Johnston, 1995), with child-level furniture, early learning materials, or toys for children to access and play with while waiting to enter the visiting room. This environment for children and families is also critical during the visit so that incarcerated adults nurture learning activities that include reading stories. The visiting room should promote spaces for children and families to share unique experiences. There should also be developmentally appropriate safety checks for children during visits. Whereas children should not be treated in punitive measures, such as yelling and aggressive searches by correctional guards, but instead receive exceptional favorable treatment during holidays. There should also be a quick check-in process for recurring visitors or families that visit weekly or biweekly.12

State and local policymakers should also develop and implement legislation providing comprehensive financial packages for family caregivers and community resource programs working with children and families with incarcerated parents. This legislation would offer sustainable funding for high-quality early care, preschool mental health support, and parent

12 This recommendation takes into account the Department of Corrections has Administrative Directives that designed rules to keep the transfer of contraband –cell phones, drugs, weapons –into the institution. Our goal is to get the Department to rethink its policies and come to table with new and imaginary ways to solidify families suffering from multi generational incarceration.
education programs for these families. Furthermore, government funds should be allocated to establish early childhood pilot programs that promote longitudinal care and emotional support to eliminate ongoing trauma and social consequences. Comprehensive family support resources are also needed that include but are not limited to access to ongoing mental health clinicians throughout the incarceration process from the arrest to reentry. Free mental health and counseling support should also be mandated for families of the incarcerated to cope better and manage the hardships of multigenerational childhood trauma. Additional research suggests that parent education and parent training in caregiver support groups would benefit families as a protective factor for dealing with emotional stressors from parental incarceration (Arditti, 2003; Barnhill, 1996; Cramer et al., 2017; Morgan et al., 2013).

Support groups for families and caregivers of children with incarcerated parents should require the resources and training necessary to fulfill the role of caretaker without unnecessary burdens. Brown & Barrio, 2017 show the need for family counseling services and training for group counseling with caregivers of children experiencing parental incarceration. They also note how school counselors have challenges working with families of the incarcerated because they are not trained in practices to address the stigma and shame that the caregivers and families commonly experience. Additionally, most school officials are unaware of the family circumstances for children in their schools and thus do not know how many children have incarcerated parents or incarcerated household members. School districts should follow the recommendations of the ACLU (2018) to the US Department of Health and Human Services, which states to “regularly collect and publish data that can be disaggregated (by gender, race, and ethnicity) on the number of children in child welfare custody with a current or formerly incarcerated parent” (18). By identifying the family dynamics of children, school officials can
strategize and execute effective practices and resources for supporting children with incarcerated parents (Johnson & Waldfogel, 2002).

Family impact policies should be developed and implemented in the court systems during pre-trial court hearings. This would allow the family history and characteristics of the defendant to be addressed before trial and sentencing. Anderson (2015) argues that a families’ impact statement should be required for federal pre-sentencing reports to give a voice to the defendant’s family and protect them from the harmful consequences associated with a family member’s incarceration. Similarly, studies show that defendants’ childcare responsibilities should be considered and shared with attorneys during pre-sentencing inquiries (Freiburger, 2010; Nelson 2020).

Stakeholders invested in the well-being of children and families should use ethnographic research on families with arrested and incarcerated parents to inform and develop social policies that are contextually specific and culturally relevant. State and local policymakers should implement legislation that provides comprehensive financial packages for family caregivers and community resource programs working with children and families with incarcerated parents to offer sustainable funding for high-quality early care, preschool mental health support, and parent education programs for families of the incarcerated. These policy recommendations will help reduce the adverse ripple effects of parental arrest, which stem from the disruption and routine interruptions, activation of support networks with unexpected burdens, and long-term social consequences for children and their families. Additionally, these agencies should warrant nurturing caregiving that is culturally and developmentally appropriate for children who may witness and experience the loss of a parent due to arrest and incarceration. During my fieldwork, I had the opportunity to meet and speak with Sasha, a childbirth educator for women prisoners,
working with incarcerated pregnant women for over 20 years. Sasha shared with me that women who give birth on the weekends, holidays, or other days when probate court is closed receive child negligence charges from the Department of Child and Family Service. Sasha explained that babies are also automatically admitted to the state, and the mother’s parental rights are likely to be terminated due to their sentence length. Sasha shared:

This all happens to them when they give birth because the probate court is closed...this is not the mother’s fault. However, this is an issue between DOC [Department of Corrections] and DCF [Department of Child and Family Service]. This also creates long-term guardianship issues. Once the mothers return to society, they have difficulty gaining custody of their child from DCF, which becomes an ongoing struggle to reconnect with their children...

Sasha’s quote represents the need for further research to explore the termination of parental rights for incarcerated mothers, with a specific examination on incarcerated pregnancy and birth. There is a fundamental need for the perspectives and experiences of families to be at the center of policy and research, which seeks to protect and support children during the arrest and parental incarceration process (ACLU, 2018; Adalist-Estrin, 2005; Bernstein, 2005; Bogenschneider, 2015; Haskins, 2014; Muhammad, 2018; Talucci et al., 2014). Child and family welfare policymakers can protect some of the most vulnerable children in the U.S.- children with incarcerated parents- by working to address and mitigate the structural, multigenerational, and interactional ripple effect of parental arrest. Research on detained families allows policymakers to understand better and serve the unique needs of children and families with incarcerated parents (Cramer et al., 2017; Tosca & Rodriguez, 2016; Schubert et al., 2016).
Forthcoming social science studies should also examine the ripple effect of parental arrest through state and federal systems, such as the department of corrections and family services. These systems include but are not limited to early child protection services, child welfare programs, and rehabilitative family support programs. Examining the intricate state systems put in place to mitigate social problems which are theoretically designed to address inequality, crime, and poverty will further our knowledge on how to engage sociology in social justice for families with incarcerated parents.

The ripple effect of parental arrest and incarceration provides a theoretical and empirical framework for sociological research on the collateral damages of imprisonment. Qualitative analysis of ethnographic research will increase our understanding of incarcerated families at a detailed contextual level, particularly for poor Black families. Although there is a growing body of literature on parental incarceration, more research is needed on the initial moments for children and their families after witnessing and experiencing parental arrest. As stated to me by the reentry program director:

*Listening, listening, listening. Just listening. Because you'll find out so much. Like I learned so much from these guys.... Especially as a white man, like all my white friends and all of my white relatives, they just don't have a fuckin clue. They have no idea. Um, you know, they think they have some idea. But like, if you haven't spent time listening to, and, and being with, you know, people that have been so adversity affected by these systems that have been in play for hundreds of years, um, there's no way you could possibly know.*

This particular research study involved a great deal of listening and observing the emotional experiences for families with incarcerated loved ones. Future empirical work on
families with incarcerated children and parents should investigate how the structural, multigenerational, and interactional dimensions of the ripple effect of the arrest perpetuate a normalization of familial incarceration for many poor Black communities in the United States.

**Author’s Note**

Caregivers (e.g., men and women) bear the heaviest burdens in these communities. I have noticed how these burdens become the factor that seeds multigenerational incarceration and how caregivers' burdens strain children coping with the loss and absence of a parent. My work seeks intervention at the critical moment when children experience an arrest. I, particularly, examine how the arrest, jails/prisons visitation, and court hearings all disrupt family life and significantly affect children. In doing this research, I was forced to deal with the emotional labor of ethnography. I grappled with the emotions of my participants and what began to unfold in my research, suspending as much as possible my subjectivity. Guided by my data, I began to think through how children manifest what they experience when a parent or family member is arrested and incarcerated. I witnessed how caregivers embodied their frustrations and carried them through various responses to interactions with institutions.

Relying on observations, field notes, entries from logbooks in the support groups I observed, interviews with families, this picture came to view –the initial arrest has a ripple effect that sustains multigenerational incarceration. My research was cut short when the Covid-19 pandemic hit. Unable to continue my research, I began to make sense of the data that I had collected. The distance became a double-edged sword –on the one hand, I had the space to be objective and capture how an initial arrest reverberates through a family and community. On the other hand, my research was incomplete, and within the two years since the pandemic, so much has happened to inform my project.
Without delving into the variety of curves and angles my work has taken, I submit that this was challenging to say the least. The challenge revolves around isolating the ripple effect related to Davonte’s family and, as a sample, extrapolating the data onto the impact of incarceration for other families similarly situated. Long nights of reading scholarly work about families caught in the whirlwind of poverty, crime, violence, and neglect, it became clear that the emotional burdens for low-income families were a consequence of multigenerational incarceration. I wrestled with how to convey this from the data I collected. In sketching how hostile these institutions were to the caregivers, I sought to outline how caregivers' emotional turmoil engaged children at a critical level.

This dissertation is about heart work. Regardless of their trauma and hurt, people find the strength to support others during their struggles. Growing up in a community where everyone is dealing with the shame and guilt of oppression, there was often a sense of hope expressed in caring enough to take on extra burdens when a loved one is arrested. These caregivers practiced hope regardless of the hopelessness that multigenerational incarceration captures. They seem to defy the logic that refuses them. My work seeks to dismantle the reasoning that fuels and feeds institutional neglect as sites that perpetuate rather than alleviate the ripples that drown so many lives in despair and sorrow. This ethnographic study is part of a larger book project that will further the connections revealed in this dissertation.
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APPENDIX A

Safeguarding Children of Incarcerated Parents:
A Tool Kit Tip Sheet for Arrest Protocols
APPENDIX A

Safeguarding Children of Incarcerated Parents:
A Tool Kit Tip Sheet for Arrest Protocols

✓ **Responding to calls**

- Remember not every job is the same
- Always get as much information from central communications as possible
- Ask if children are present on the scene

✓ **Arrive on scene**

- Observe your surroundings for children
- Make note of school supplies, toys or diapers for signs of children present
- When possible, avoid going onto arrest jobs alone
- Have one officer contact and another officer cover
- Reports should be written for every call

✓ **General Arrest**

- Avoid having the child see the parental arrest
- Do not handcuff in the presence of children
- Do not remove any of the child’s comfort materials such as toys or stuffed animals
- Advise the parents to go into another room if a child is present
- Allow the arrested parent to communicate with their child
- Explain to the child what is going on
- Officers should make sure another parent or guardian is able to stay with the child

✓ **Arrest on Vehicle stops**

- Take the parent out and away from the vehicle if child is present
- Make sure that the child is not left alone
- Contact other family members and notify them of the arrests
- Notify child service if officer believes a child is in harm's way
✔ **Booking**

- Follow your department policies and procedures on handling an arrestee
- Allow the parent to contact their children and other family members
- Allow the parent to use their cell phone to arrange proper care for their child

✔ **Assist with the child**

- Provide proper care/placement for the child
- Contact outside agencies if the child cannot be cared for by another family member
- Social worker should be contacted for proper physical care and emotional support
- Contact child’s school if a child is left at school alone and the arresting parent cannot pick-up the child
- Call for additional officer’s if need be
- ALWAYS make sure the child is safe

✔ **Accountability Tips for Police Departments:**

- Incorporate arrest and handcuff protocols when children are present to police general ordinances and policies
- Offer frequent trainings on making arrest when children are present
- Establish a unit to review body camera footage on arrest that occur when children are present
- Evaluate arrest protocol implementation using body camera footage and incorporate findings for future training on responding and arresting parents
- Provide arrest protocol training to recruits in the academy (Director of the academy oversees this decision)
- Contact outside agencies to support officer understanding on the importance of their role
APPENDIX B

Arrest Protocol Guide
Witnessing a parent’s arrest is traumatic for children.

While a parent’s arrest may appear to be a short, relatively quick life event, it creates trauma that has a detrimental impact on children’s long-term well-being and development.

- Children who witness the arrest of their parent are 57% - 73% more likely to have elevated posttraumatic stress symptoms. These risks are greater if the arrest involves the use of force or if caregivers are in distress.¹
- During and following the arrest, children may experience fear, confusion, anxiety, anger, sadness, embarrassment, shame, and guilt. Children may also face stigma and emotional/behavioral challenges.
- Black and Latinx children are disproportionately exposed to parental arrests.² Some families experience this practice intergenerationally.
- Children’s negative experiences with the police contribute to a lack of confidence in law enforcement’s commitment to protect and serve.

Each year, a child experiences a parent’s arrest over 6 million times in the United States, and over 62,000 times in Connecticut.³

“When they arrested my uncle in front of me, I felt like they took my life away. It was the worst feeling ever...it ruined my life.”

-CFRJ member’s child; 7 years old

Protocols for arrests in the presence of children can minimize trauma.

The U.S. Department of Justice and the International Association for the Chiefs of Police outlined arrest protocols to work towards protecting children at the time of an arrest. Jurisdictions across the country - including Manchester, CT; New York, NY; Pittsburgh, PA; and San Francisco, CA - have adopted protocols for arrests in the presence of children.

”They [police] don’t care about our kids... like they will beat us up and then arrest us, making a big scene, right in front of young children and even our babies”

- CFRJ Parent

Communities and Families Rising for Justice(CFRJ), a grassroots organization supporting families with incarcerated loved ones, has drafted a policy on arrests in the presence of children for the New Haven PD.

- A survey of Connecticut police officers revealed 69% of departments have no written protocol on how officers should respond when a child is present at the time of a caregiver’s arrest.⁴
- The New Haven Police Department has stated its commitment to protecting children from trauma but does not yet have a policy in place for arrests in the presence of children.
- This policy creates protocols for officers to follow before, during, and after arrests in the presence of children. These protocols will prevent trauma and protect children’s wellbeing while ensuring the safety of all parties during the arrest.

² Id.
³ Id.
⁴ Id.
New Haven PD Policy for Arrests Made in the Presence of Children

**Purpose**

To prevent and reduce trauma to a child, present or not present, whose parent is arrested by establishing policies and procedures for officers of the New Haven Department of Police Service to follow before, during, and after arresting parents and/or other persons in the presence of a child, and to improve community perceptions of policing and thereby foster a future willingness to cooperate with police and abide by the law, especially in the child.

**Policy**

It is the policy of the New Haven Department of Police Service to prevent trauma to a child whose parent is arrested and/or who is present during any arrest. Officers shall seek alternatives to conducting arrests in the presence of a child. When officers must make arrests in the presence of a child, they shall conduct the arrest with the goal of minimizing trauma to the child. Parents have the right to choose appropriate placement for their children, and the child of an arrested parent should be diverted from official custody and instead placed with a responsible caregiver. In fulfilling the specific obligations outlined below, officers shall act to protect and serve children.

**Definitions**

- **Child**: Any person under the age 18, or as otherwise defined by state law.

- **Parent**: Any adult who is responsible for the well-being, supervision, and care of a child. In many, but not all, cases, this individual is a biological or adoptive parent, or guardian.

- **Caregiver**: A responsible adult selected to temporarily care for the child in situations where another individual with legal custody of the child is unavailable.

- **Trauma**: Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual’s functioning and physical, mental, social, emotional, or spiritual well-being.¹

- **Culturally Aware**: culturally aware providers recognize the strengths that exist in all cultures; have a knowledge base of their clients’ cultures and are able to demonstrate competence in the provision of services that are sensitive to clients’ cultures and to differences among people and cultural groups; obtain education about and seek to understand the nature of social diversity and oppression; and are aware of cultural and

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- Socioeconomic differences among clients and how they may use electronic technology.² In the context of serving New Haven residents, culturally aware providers are local Black and/or Latino individuals and organizations who have worked with families and children and reflect the community they serve.

- **Spontaneous Arrests**: arrests that occur when officers respond to 911 calls or observe conduct that gives rise to probable cause to arrest an individual.

- **Nonspontaneous arrests**: arrests conducted pursuant to a warrant or based on probable cause developed over the course of an investigation.

**Procedures**

Unless otherwise indicated, all policies apply to both spontaneous and nonspontaneous arrests.

**Pre-Arrest**

- Where arrestees are parents and/or are accompanied by a child, officers will consider this factor in addition to the criteria in General Order 5.01, Arrest Procedure, Alternatives to Arrest. The presence of children and/or the arrestee’s status as a parent is presumed to outweigh these other criteria and to make a situation one in which alternatives to arrest (including but not limited to referral to another agency, issuance of a warning, informal resolution or mediation) “suffice as well as, or better than an arrest.” When officers choose not to use an alternative to arrest, they shall document in writing on the arrest report the reason(s) why the presence of children and/or the arrestee’s status as a parent did not outweigh the other criteria in General Order 5.01’s alternatives to arrest standard.

- Where arrestees who are parents and/or are accompanied by a child are likely to be processed and released within a short period of time, the use of a citation usually serves the same ends as an arrest while mitigating trauma to the child. In such situations, excluding offenses ineligible for a citation under General Order 5.01, Arrest Procedure, Misdemeanor Citation Policy, the presence of children and/or the arrestee’s status as a parent is presumed to outweigh the criteria in General Order 5.01’s misdemeanor citation standards and officers shall issue a citation. When officers choose to make an arrest, they shall document in writing on the arrest report the reason(s) why the presence of children and/or the arrestee’s status as a parent did not outweigh the other criteria in General Order 5.01’s misdemeanor citation standards.

- **Spontaneous Arrests Stemming from Responses to Emergency Calls**
  - Officers shall ask emergency operators if children are present on the scene before arriving.

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- Officers shall ask emergency operators if the person being arrested is proficient in English and shall arrange for a translator if necessary. Children shall not be used as interpreters.

- **Service of Arrest and Search Warrants and Other Planned Investigations That May Lead to Search and/or Nons spontaneous Arrest**

  - Officers shall determine whether a child is likely to be at the location and whether the subject of the warrant, raid, or investigation is a parent, for example by checking police records, DCF records, and school records associated with the address.

  - Officers shall determine if the person being arrested is proficient in English, for example by checking police records and DCF records, and shall arrange for a translator if necessary. Children shall not be used as interpreters.

  - When officers determine that a child is likely to be at the location or that the subject is a parent, they shall, in consultation with the personnel identified in General Order 79-3, determine whether arranging a surrender agreement with the person to be arrested is possible feasible so that the person to be arrested shall have the opportunity to arrange for an alternate caregiver and the child shall not witness the arrest. The likely presence of children and/or the person to be arrested’s status as a parent creates a presumption in favor of arranging a voluntary surrender agreement. If officers decide not to arrange a voluntary surrender agreement, they shall document in writing on the arrest report the factors rebutting the presumption in favor of arranging a voluntary surrender agreement.

  - If arranging for voluntary surrender is not possible, officers shall delay an arrest until the child is not likely to be present or consider another time and place for making the arrest, if feasible. The likely presence of children and/or the person to be arrested’s status as a parent creates a strong presumption in favor of delaying the arrest until the child is not likely to be present. If officers decide not to delay an arrest, they shall document in writing on the arrest report the factors rebutting the strong presumption in favor of delaying an arrest.

  - If delay is not possible, officers shall make arrangements in advance so that culturally aware mental-health organizations are at the scene or on call.

**During Arrest**

- Before conducting an arrest, officers shall promptly ascertain whether a child is present. When available, officers can consider information from emergency call operators and

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indications at the scene of the arrest (in a domestic residence, this includes but is not limited to school supplies, toys, and diapers; in a car, it includes but is not limited to a car seat) that a child may be present and/or that the adult in question is a caregiver. Officers must ask the first adult they encounter whether there are any children at the scene. Officers must also ask the arrested adult whether they are a parent to any children who are not present.

- Officers shall interview, handcuff, and arrest the parent out of the child’s sight and hearing, regardless of the location of the arrest. When officers choose to question, handcuff, and/or arrest within the child’s view and hearing, they shall document in writing on the arrest report the reason(s) why.

- Officers shall not remove firearms, Tasers and other conducted electrical weapons, and any other weapons from their holsters within the sight of a child unless required by General Order 6.01 on the use of force or in the most extreme circumstances to obtain compliance and officer safety. When officers remove a weapon within the sight of a child, they shall document the reasons for doing so on the arrest report. Officers shall not direct firearms at or handcuff a child.

- Officers must avoid the use of force to physically separate a child from an arrested parent and/or caregiver and use de-escalation practices.

- Parents must be given an opportunity to speak to their child before being transported to a police facility. A child must be informed in age-appropriate language about what is happening. This explanation should be given by the parent or an alternate caregiver. If the child has remaining questions that the parent or alternate caregiver cannot answer, an officer or department designee at the scene must explain what is happening to the child in age-appropriate language that is respectful of the person arrested and inform the child of next steps. Officer shall not threaten children with arrests for asking questions about the arrested parent.

- Officers shall ask the parent and the child if there are any objects at the location of the arrest that might provide the child comfort, such as toys, clothing, blankets, photographs, or food. Officers shall allow the child, parent, or alternate caregiver to obtain these items so the child can retain them. Officers shall not obtain these items themselves.

- Officers must ask parents about a child’s special needs including medical, behavioral, or psychological conditions and required treatments, dietary needs, and ADA accommodations. Officers must document a parent’s responses in the arrest report.

- In general, officers must conduct the arrest in a way that avoids creating additional fear, shame, or trauma for the child. This includes, but is not limited to, speaking to the arrestee in a calm, controlled, and respectful manner, using only two officers unless a supervisor or the Chief of Police determines that an additional officer(s) are necessary to execute the arrest, and using every possible means of de-escalation.
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- **Arrests Made in Domestic Residences**

  o When officers have reason to believe there is a child present at a domestic residence, the use of sirens and lights in non-emergency situations shall be avoided to reduce any fear or shame a child might experience.

  o When officers have reason to believe there is a child present at a domestic residence, they must inform the first adult they encounter at the residence that they are there to make an arrest, must do everything they can to work with the adults on scene to limit a child’s exposure to the arrest, and must allow adults on scene to assist with ensuring children are safe and protected. If the arrestee is compliant, and for all nonspontaneous arrests, officers shall allow the subject of the arrest to meet the officers at the door to avoid the arrest taking place in the presence of children.

- **Arrests Made as a Result of a Motor Vehicle Stop**

  o When officers ascertain that there is a child present in the car, officers shall take particular care to pull over the vehicle to a safe location. Officers shall avoid practices that are likely to create any additional fear or shame for the child. This includes, but is not limited to, avoiding the use of sirens and lights in non-emergency situations, speaking in a respectful manner, and limiting the number of responding officers to the motor vehicle stop.

  o Children must not be left alone in the car.

  o If an arrest is going to occur, a supervisor must arrive on the scene prior to the arrest in cases of non-compliance from the arrestee.

**Post-Arrest**

When officers arrest a parent, they shall provide the alternate caregiver basic information in writing about the post-arrest process, including where the parent will likely be held, who to contact to determine bond and charges, how long it may take for the parent to be processed, how to follow up on the parent’s placement, and arraignment procedures.

- Officers shall ask the alternate caregiver if they need help explaining the arrest to a child. If the alternate caregiver answers affirmatively, officers shall connect the alternate caregiver with a culturally competent mental-health organization and inform the culturally competent mental-health organization that the alternate caregiver needs advice on how to discuss the arrest with the child.

- When officers arrest a parent, they shall provide the caregiver and, if appropriate, the child with written information on the resources available from and contact information for culturally competent mental-health organizations. Officers shall make clear that
follow-up with these organizations is not mandatory. When parents are released and/or transferred from NHPD custody, officers shall provide them with this same information.

- **Phone Calls**
  - During booking, arrested parents shall have adequate opportunities to make phone calls to check on the wellbeing of a child and to ensure an alternate caregiver is available. These phone calls are not in lieu of, but in addition to, the phone call provided for in General Order 5.03.
  - During booking, officers shall allow arrested parents to use their own cell phones to call their child directly unless the officer has a specific reason to believe the cell phone will likely be used as evidence. When officers do not allow an arrested parent to use their own cell phone, they shall document in writing in the booking record the basis for their belief the cell phone will likely be used as evidence.
  - During booking, officers shall allow parents to retrieve phone numbers needed to ensure an alternative caregiver is available from their own cell phones unless the officer has a specific reason to believe the cell phone will likely be used as evidence. When officers do not allow an arrested parent to use their own cell phone, they shall document in writing in the booking record the basis for their belief the cell phone will likely be used as evidence.

- If a child was present at an arrest, supervisors shall promptly review body-worn camera (BWC) footage of the arrest to ensure officers acted in accordance with these policies and procedures and to identify any areas in which additional training or guidance is required.

**Care and Custody Arrangements**
- The requirements in this section replace those in General Order 5.01, Arrest Procedure, Arrestees’ Dependents.

- Officers must ask the arrested person’s preference for childcare. A parent’s discretion in identifying a suitable placement for their child should be respected absent compelling evidence to the contrary. Officers must not make a presumption that parents that are arrested mistreat, abuse, or neglect their children, but instead should only reach that conclusion on the basis of specific and concrete evidence.

- If the child is not at the scene of the arrest, officers shall allow the parent to notify the person supervising the child (e.g., a school official, the parent of a friend the child is visiting of the parent’s arrest) of the parent’s arrest. Officers will not inform school officials or others of the parent’s arrest, unless the parent requests officers do so. Officers must document on the arrest report who was notified.

- Arrested parents shall be given the opportunity to make arrangements for the care of their child, including a child who is not present at the scene of the arrest. This includes, but is
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not limited to, access to the numbers stored in a mobile telephone or other location, and wherever possible access to their own phone as described above.

- When an alternate caregiver is unable to arrive at the scene of arrest within a reasonable amount of time, officers shall make a referral to a culturally competent partner organization. The Connecticut Department of Children and Families should only be contacted if there are no other feasible arrangements for childcare and/or if required by law.

- An officer shall not leave the scene of an arrest until suitable arrangements have been made for all children in the care of the arrested person, regardless of whether those children are on the scene or not.

Training

- Officers shall receive training, both as new recruits and on a continuing basis throughout their employment, on effective communication with children and on child behavior and development, including how parental arrests cause trauma to children and how this trauma affects child behavior and development. This training shall be led jointly by a law-enforcement trainer and a culturally aware child trauma specialist who is from the community and has experience working with children traumatized by having a parent arrested or witnessing an arrest.

- Consistent with General Order 216’s policy of “ensur[ing] all sworn personnel are informed of . . . revisions in department policy,” officers shall receive training, both as new recruits and on a continuing basis throughout their employment, on the policies and procedures contained in this General Order. Part of this training shall include consist of scenarios in which officers practice

- Any complaint that an officer has violated this policy shall be investigated and responded to like any other violation of departmental policy or procedure.

Data collection

- Data Collection
  - Officers shall indicate on an arrest report whether the arrestee is a parent and whether a child was present during the arrest. If a child was present during the arrest, officers will describe the child’s demeanor and behavior during the arrest.

  - Officers shall complete the Parental Arrest Policy checklist whenever they arrest a parent or a child is present during an arrest. The completed checklist will be filed along with the arrest report.
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- Officers shall record on arrest reports a child’s identity, biographical info, and special needs; contact information for actual or potential caregivers, involved representatives from partner organizations, and any adult contacted for notification purposes; and final placement determination.

- When making arrest reports, officers must affirmatively indicate they have reviewed the policy for parental arrests.

- Consistent with General Order 7.10, officers shall activate body-warn cameras at the inception of an interaction with the public in a law-enforcement capacity. The body-worn camera should remain on until the interaction with caregivers and/or children, whichever lasts longer, is concluded.

- **Data Analysis**
  - Supervisors shall review the arrest reports for all arrests of parents and all arrests conducted in the presence of children to ensure compliance with this policy.

  - The New Haven Department of Police Service will collect, maintain, and make available to the public information on the number of parents arrested and the number of arrests conducted in the presence of children.

  - The New Haven Department of Police Service will collect, maintain, and make available to the public information on the number of juveniles arrested who previously witnessed the arrest of an adult or experienced the arrest of a parent.
APPENDIX C

Children of Incarcerated Parents: A Bill of Rights
1. I have the right to be kept safe and informed at the time of my parent’s arrest.

2. I have the right to be heard when decisions are made about me.

3. I have the right to be considered when decisions are made about my parent.

4. I have the right to be well cared for in my parent’s absence.

5. I have the right to speak with, see and touch my parent.

6. I have the right to support as I struggle with my parent’s incarceration.

7. I have the right not to be judged, blamed or labeled because of my parent’s incarceration.

8. I have the right to a lifelong relationship with my parent.
CHILDREN OF INCARCERATED PARENTS: A BILL OF RIGHTS

September, 2003
San Francisco Partnership for Incarcerated Parents
Supported by The Zellerbach Family Foundation

San Francisco Partnership for Incarcerated Parents (SFPIP) is a coalition of social service providers, representatives of government bodies, advocates and others who work with or are concerned about children of incarcerated parents and their families. Formed in 2000 under the auspices of the Zellerbach Family Foundation, SFPIP works to improve the lives of children of incarcerated parents and to increase awareness of these children, their needs and their strengths.

After studying the issues affecting these children and their families in San Francisco, SFPIP members agreed that a children’s perspective was the logical framework from which all future work should evolve. We understand that children’s rights and needs sometimes conflict with what people in authority, or even incarcerated parents, believe is safe or appropriate, but it seems to us essential to start from the child’s perspective and work on what’s possible from there. The bill of rights that follows is an effort to codify that perspective. It is derived from the experience of Gretchen Newby, Executive Director of Friends Outside—who drafted the original bill of rights on which the following is based—in working with prisoners and their families, and from interviews conducted by journalist Nell Bernstein with over 30 young people who have experienced parental incarceration (names of interviewees have been changed). It also relies on the research and conclusions of Charlene Simmons of the California Research Bureau and Peter Breen of the Child Welfare League of America, and derives in great part from the ongoing conversation that has been taking place among SFPIP members under the guidance of Ellen Walker of the Zellerbach Family Foundation.


CURRENT SFPIP MEMBERS

Marcus Nieto
Ginny Puddefoot
Charlene Wear Simmons
California Research Bureau

Katie Kramer
Centerforce

Peter Breen
Child Welfare League of America

Omowale Satterwhite (provided facilitation in early stages of SFPIP)
Community Development Institute

Sydney Gurewitz Clemens
Early childhood educator and author

Ida McCray
Families With a Future

Gretchen Newby
Carol Schweng
Kristine Weigel
Friends Outside

Judy Crawford
Carla Roberts
Martha Ryan
Homeless Prenatal Program

Nell Bernstein
Independent journalist

Cassie Pierson
Karen Shain
Legal Services for Prisoners with Children

Shirley Melnicoe
Yolanda Robinson
Northern California Service League

Susan Arding
San Francisco Department of Human Services

Karen Levine
Leslie Levitas
San Francisco Sheriff’s Department

Clare Nolan
M. Anne Powell
UC Data Archive & Technical Assistance

Ellen Walker
Zellerbach Family Foundation
More than two million American children have a parent behind bars today—50 percent more than a decade ago. Approximately ten million—or one in eight of the nation’s children—have experienced parental incarceration at some point in their lives.

Little is known about what becomes of children when their parents are imprisoned. There is no requirement that the various institutions charged with dealing with offenders—the police, courts, jails and prisons, probation departments—inquire about children’s existence, much less concern themselves with children’s care. Conversely, there is no requirement that the front-line systems serving vulnerable children—public schools, child welfare, juvenile justice—inquire about or account for parental incarceration.

Children of prisoners have a daunting array of needs. They need a safe place to live and people to care for them in their parents’ absence, as well as everything else a parent might be expected to provide: food, clothing, medical care.

But beyond these material requirements, young people themselves identify an array of less tangible, but equally compelling, needs. They need to be told the truth about their parents’ situation. They need someone to listen without judging, so that their parents’ status need not remain a secret. They need the companionship of others who share their circumstance, so they can know they are not alone. They need contact with their parents; to have that relationship recognized and valued even under adverse circumstances. And—rather than being stigmatized for their parents’ actions or status—they need to be treated with respect, offered opportunity, and recognized as having potential.

These needs, too often, go not just unmet but unacknowledged. Over the years, a series of court cases has delineated the rights of prisoners in the United States. These rights are limited—some would argue insufficient—but they are, at the least, recognized. The idea that prisoners, while they may be required to forfeit the right to liberty, nevertheless retain other rights that demand respect, is generally taken for granted. Where it is not, advocates are ready and able to step in and fight on behalf of the incarcerated.

The same does not hold true for the children of prisoners. They have, it ought to go without saying, committed no crime, but the penalty they are required to pay is steep. They forfeit, in too many cases, virtually everything that matters to them: their home, their safety, their public status and private self-image, their source of comfort and affection. Their lives and prospects are profoundly affected by the numerous institutions that lay claim to their parents—police, courts, jails and prisons, probation and parole—but they have no rights, explicit or implicit, within any of these jurisdictions.

This need not be the case. Should the rights that follow be recognized, the children of prisoners would still face a daunting array of obstacles and traumas. But they would do so with the knowledge that the society that had removed their parents took some responsibility for their care.

A criminal justice model that took as its constituency not just offending individuals but also the families and communities within which their lives are embedded—one that respected the rights and needs of children—might become one that inspired the confidence and respect of those families and communities, and so played a part in stemming, rather than perpetuating, the intergenerational cycle of crime and incarceration.
Rochelle, 25

When I was seven, a lady knocked on the door, and the police came. They said, “We’re going to the park and we’ll be back.” At that time, I really did think I was going to the park. I sure didn’t think I was going to the shelter, where they ended up putting me.

I don’t think I really had an understanding about it. It was just, “My mom is gone and I’m here with these people. But I want to be with my mom right now.”

What would have helped me is talking about it. When you don’t know where your mom is, it’s really scary for a child. And no one was talking about it. Just, “Here’s a placement for you until you she gets herself together.” You don’t know when she’s coming to pick you up—if she ever is going to come.

Even if the child doesn’t know that person right off the bat, it would help to have someone there for the child who would continue to be with the child through the process. There should be some kind of task force that specializes in dealing with kids whose parents have been incarcerated. That group, or an individual within that group, will stay with that child. It’s all about consistency. Someone there who they can call on, and continue to grow a relationship.

I HAVE THE RIGHT TO BE KEPT SAFE AND INFORMED AT THE TIME OF MY PARENT’S ARREST.

Many children of offenders are introduced to the criminal justice system when their parent is arrested and they see him taken away in handcuffs. The majority of police and sheriff’s departments do not have protocols for dealing with the children of arrested parents. The resulting experience can be terrifying and confusing for the children left behind. Some wind up in the back of a police car themselves, on the way to what may be the first in a series of temporary placements. Others are left behind in, or return home to, empty apartments. Arrested parents often prefer not to involve public agencies in the lives of their children, out of fear of losing custody. Many children share this fear, but at the same time, long for someone to notice and attend to the family vulnerabilities that both lead to and result from parental arrest.

NEXT STEPS

Develop arrest protocols that support and protect arrestees’ children but do not unnecessarily involve the child welfare system and increase the risk of permanent separation.

Training police officers to understand and address children’s fear and confusion when their parent is arrested is an important first step. At a minimum, police could be trained to inquire about minor children, and to rely—in the absence of evidence that to do so would place the child at risk—on the arrested parent as a first source of information about potential caretakers. This would minimize both the possibility of children being left alone, and of children entering the child welfare system unnecessarily when family members or other caretakers are available.

Recruit and train advocates to support children during and/or after a parent’s arrest.

The amount of time a police officer can invest in caring for the child of an arrestee is necessarily limited. In any case, when a child has seen an officer arrest his parent, he may be less than receptive to seeing that officer as a source of comfort and aid. To fill the resulting gap, volunteer advocates could be recruited through existing organizations that serve prisoners and their families, or at-risk youth generally. Police could call on these advocates when they have reason to believe a child may be present at a planned arrest, or shortly after an arrest takes place. The advocate would be there to support and reassure the child, and also to assist in finding a family or other informal placement when child welfare intervention is not deemed necessary.
I HAVE THE RIGHT TO BE HEARD WHEN DECISIONS ARE MADE ABOUT ME.

When a parent is arrested, children whose chaotic lives may already have left them with little sense of control often feel even more alienated from the events that swirl around them. Adults they have never met remove their parents with little explanation, then decide where the children will go without consulting them. When children continue to feel unheard within the institutions that govern their lives in their parent’s absence, their sense of powerlessness grows.

There are aspects of the lives of children of incarcerated parents that must inevitably remain beyond those young people’s control. Children cannot choose whether or when their parents will be taken from them, or how long they will be gone. But when young people are offered a voice within the systems and institutions that come to dominate their lives, they are more likely to respect those institutions, and find some sense of control and optimism in their own lives.

NEXT STEPS

Create a voice for children in court proceedings that will affect their lives.

When a violent crime is committed, a victim’s relatives may be included in the judicial process and given a chance to speak at sentencing about the impact of the crime on their lives. While a similar role for a defendant’s children may not be appropriate or feasible in the case of serious or violent crimes, in the case of drug charges or other low-level offenses, older children could be given a chance to voice their wishes and express their concerns. While their voices would not be determinative, simply being heard and considered could help alleviate the sense of insignificance and alienation many children feel when their parents are tried, sentenced, and taken away from them. Children’s input might also increase awareness of the impact on families of sentencing decisions and policy.

Listen.

Every interaction between a prisoner’s child and a representative of the adult world—be it police officer, judge, probation officer, teacher, relative or neighbor—presents both a risk and an opportunity. If young people feel blamed or unheard—if their pain remains secret or their needs go unexpressed—the burden of parental incarceration grows heavier. But if adults make the effort to listen without judgment and learn from children’s hard-won experience, each interaction also provides an opportunity to offer solace and respite.

Adam, 30

The school system failed me from start to finish. I had been chosen to be in a fifth grade class that was a higher track. People would make fun of me because they could see the holes in my socks through the holes in my shoes. Right around the time my mom disappeared, some kid started a fight with me, probably because I came to school in my holey clothes, and the teacher had me kicked out of that class.

The teacher didn’t even listen to me, probably because I was a poor kid who had holes in all my clothes. I wish that teacher would have listened. Once I was kicked out of that class, I felt like I’m this lesser person, or this bad person—like somehow I didn’t deserve.
I HAVE THE RIGHT TO BE CONSIDERED WHEN DECISIONS ARE MADE ABOUT MY PARENT.

There is no question that tougher sentencing laws—particularly for non-violent drug offenses—have had a tremendous impact on American children. But as it stands, sentencing law not only does not require judges to consider the impact on children of decisions that will transform every aspect of children’s lives; in some cases, it actively forbids them from doing so. A more sensible and humane policy would take as a given that sentencing decisions will inevitably affect family members—particularly children—and strive to mitigate the resulting harm as much as possible.

NEXT STEPS

Ensure that sentencing laws, guidelines and decisions fulfill their public safety function without causing unnecessary harm to children.

As many states face severe budget crises—and public opinion polls show growing numbers of Americans favoring rehabilitation and alternative sentences for drug offenders—sentencing reforms are being contemplated, and enacted, in state houses across the country. At the same time, the number of U.S. prisoners recently reached a record two million, making the nation the world’s foremost jailer. In this context, the impact on children of lengthy sentences—and the fiscal impact of associated costs such as foster care or welfare for caretakers—warrants serious consideration, as does the potential positive impact of a shift towards drug treatment and community-based alternatives to prison.

At the same time, children deserve to have their needs taken into consideration when individual sentences are handed down. Expanding the capacity of judges to consider children as they make sentencing decisions—and encouraging them to use what discretion they already have—would go a long way towards protecting children from “doing time” for a parent’s crime.

Turn arrest into an opportunity for family preservation.

Parental arrest can push an already-vulnerable family to the breaking point. But at best, it can also be an opportunity to intervene and offer support before parents lose the capacity to care for their children, and children lose the opportunity to be cared for by their parents. If questions about the existence, status and needs of dependent children became a part of the intake procedure for arrestees, and efforts were made to connect them and their children with family supports, the criminal justice system could play a role in supporting, rather than undermining, fragile families.

Adam, 30

Sending people to prison for victimless crimes—for abusing themselves—doesn’t really seem to produce a solution. As a matter of fact, the laws only perpetuate what they’re trying to prevent. You take somebody that’s in a bad situation and you put them in a worse situation. It doesn’t take a brain surgeon to figure out that sending people to prison only perpetuates the prison system, that they only become professional convicts.

You’re also sending a very, very bad message to their children. The message is that the law and the government don’t care about the integrity of the family.

Violent criminals, rapists and murderers should be incarcerated. But there’s so many people stuck in there for drugs. People become convicts and then after that, if they come back out in the real world, they can’t get a job. How is that going to help them become better people? They need to be healed internally, educated mentally, and given skills physically for them to be productive people.
**I HAVE THE RIGHT TO BE WELL CARED FOR IN MY PARENT’S ABSENCE**

When a child loses a single parent to incarceration, he also loses a home. In the most extreme cases, children may wind up fending for themselves in a parent’s absence. About ten percent of prisoners’ children will spend time in a foster care system where 97 percent of administrators say they have no specific policy in place to address these children’s needs. The majority stay with relatives, often elderly and impoverished grandmothers who may be strained personally and financially by the challenge of caring for a second generation.

**NEXT STEPS**

**Support children by supporting their caretakers.**

In many cases, relative caretakers receive less financial support than do non-related foster care providers—or no support at all. When the caretaker is an impoverished, elderly grandmother—as is often the case—it can prove particularly difficult for her to meet her family’s basic needs. Equalizing payments for relative caregivers would be an important first step towards supporting the children for whom they care. Additional private-sector help—including respite care and group support—for grandparents who parent could also help sustain struggling families.

**Consider subsidized guardianship for children whose parents are serving long sentences.**

Children deserve an opportunity for stability and permanence without being asked to sever permanently their bond with their parent. Guardianship—in which a caretaker gains most of the legal rights of a parent but biological parents do not permanently lose rights—is one way of providing this. If guardians were routinely offered the same level of support as are foster parents, more friends and family members of prisoners might feel able to step into this role. When reunification looks unlikely—as when a parent is serving a life sentence—an open adoption can also provide both a permanent home and an ongoing connection to an incarcerated parent.

**Antonio, 23**

When I was four years old, my mother started doing drugs. She used to be in and out of jail, and then she started going to prison when I was seven years old. That’s when we first got taken from her. Her friends took me to Social Services, dropped me off, left me there.

I’ve been in about 18 different group homes since then, and three or four foster homes. I don’t care how bad whatever we were going through, I still wanted to be with my mom.

At the foster homes they would try to talk to me and I would say “yes” and “no.” I didn’t tell them anything else, because I was so hurt about it.

One foster home I was in, I called the lady there my grandmother, ‘cause she took care of me. She always made sure that I got in touch with my mom. Even if my mom was locked up and tryin’ to call collect, she could call there. My grandmother knew that mattered in my life.

The other places, they didn’t care. There was only a couple of people that I lived with that actually took me to see my mom.
I HAVE THE RIGHT TO SPEAK WITH, SEE AND TOUCH MY PARENT.

Visiting an incarcerated parent can be difficult and confusing for children, but research suggests that contact between prisoners and their children benefits both, reducing recidivism for parents and improving emotional adjustment and behavior for children.

In some circumstances, visitation may not be in the best interests of particular children; in others, parents may choose to forgo visits. The great majority of families, however, want and will benefit from regular visitation. But because increasing number of prisoners are held at prohibitive distances from their families, too many children are denied the opportunity for contact with their incarcerated parents. In 1978, only eight percent of women prisoners had never received a visit from their children. By 1999, 54 percent had not received a single visit.

NEXT STEPS

Provision access to prison visiting facilities that are child-centered, non-intimidating and conducive to bonding.

Visiting a jail or prison is necessarily an intimidating experience for a child, but much can be done to reduce fear and anxiety and improve the quality of the experience. So-called “window visits,” in which visitors are separated from prisoners by glass and converse by telephone, are not appropriate for small children. In facilities such as county jails where these visits are the norm, exceptions should be made for prisoners with children. In facilities where contact visits already take place, visiting rooms should be designed with children's needs in mind, or separate accommodations should be made for prisoners with children.

Consider proximity to family members when assigning prisoners to a particular facility, and when making foster care placements for children of prisoners.

Because distance is the foremost impediment to regular visits—every effort should be made to house incarcerated parents as close as possible to their children.

Require social services departments to facilitate telephone and in-person contact between children in their care and incarcerated parents.

Children in foster care—who must depend on over-extended social workers or foster parents—have a particularly hard time gaining access to their parents. At the same time, social services departments have a legal mandate to make “reasonable efforts” to provide families with the support they need in order to reunify, and regular contact is generally a prerequisite for reunification.

Malcolm, 17

We made the most of each visit that we had. My mom was very special about trying to give time to each little child. Like for my sister she would sit there and braid her hair while she had her little private time to talk to her. She would try to make the three-hour visits enriching.

I remember she used to teach me karate. I remember her pushing me on a swing. Me showing her my muscles, even though I didn't have any. Just me being relaxed and having fun with my mother is what I remember most. And me really realizing how much I missed her towards the end of the visit, when someone would tell us we would have to say goodbye.

I couldn't even begin to express to you in words how fulfilling that was to my soul to give my mother a hug. For her to give me a kiss. For me to sit in her lap. If I hadn't been able to do that, I would have felt very empty then, as a child, and maybe as well now.

Because I didn't have that permanent separation—I always had contact in some form, whether it was writing or phone calls or visits, with my mother—I understand the strength of a family. When it's hard times, you stick together. And that was just a hard time.
Children whose parents are imprisoned carry tremendous burdens. Not only do they lose the company and care of a parent, they also must deal with the stigma of parental incarceration and fear for their parent’s safety and well-being. Researchers who have interviewed offenders’ children have found them prone to depression, anger and shame. One study found that many showed symptoms of post-traumatic stress reaction—depression; difficulty sleeping and concentrating; flashbacks to their parents’ crimes or arrests. Despite these difficulties, many will tell you that they rarely receive the support they need as they “do time” along with their parent.

Shana, 19

I think there should be a program to help kids cope with the fact that their mother is arrested. Therapy, to see how the child is feeling and let them know what’s going on. I know I needed something.

When I was five, I wasn’t in a five-year-old place. I shouldn’t have been able to know what drugs smell like, to see my mom doing it. When a child is exposed to that type of stuff, you can’t take it away, but you can put them back in a child’s place by getting them involved in childlike things. In my community, all the resources for kids, like the rec centers, are gone or shut down or taken over by drugs.

I would have liked to go camping, Horseback riding. Rock climbing. At a young age, that’s when you develop your talent. Drawing. Singing. Dancing. Acting. Something like that would have shown me that there is more in the world than bad stuff. You need to know you can go through bad stuff, get out of it, and do so much more. Be so much more.
Incarceration carries with it a tremendous stigma. Because young children identify with their parents, they are likely to internalize this stigma, associating themselves with the labels placed on their parent and blaming themselves for their parent’s absence. As they grow older, many report feeling blamed or stigmatized by others—neighbors, peers, teachers and other authority figures, even family members—because of their parent’s situation. Some try to keep their parent’s incarceration a secret. Many describe the shame and stigma they have experienced as the heaviest burden they carry, lasting long after the parent is released or the child becomes an adult.

NEXT STEPS

Create opportunities for children of incarcerated parents to communicate with and support each other.

The shame young people experience when a parent is incarcerated is enhanced when they harbor the misperception that they are alone in their experience. The company of other children of prisoners—whether in support groups or informal activities such as recreation programs or summer camps—can allow young people to unburden themselves of a painful secret, learn that they are not to blame for their family’s troubles, and perceive themselves as having potential.

Create a truth fit to tell.

“If I were the one placing a child,” says Rochelle, 25, who spent her early years with a drug-addicted mother before entering foster care, “I’d say, ‘Your mom is away in a place where she’s going to try to get some help. For now you’ll be placed with family members, or if not, in a foster home. And I’m going to be there for you and with you.’”

If this were the truth, it would be easier to tell. If arrest meant acknowledging a problem and was followed by an attempt to solve it; if children knew they would be reunited with their parent as soon as possible and well cared for in the interim; if those who claimed custody of the parent also offered support and solace to the child, then the criminal justice system might not be so cloaked in shame and stigma that children felt compelled to hide their parent’s involvement in it, and view themselves as tainted as a result.

Richard, 18

I grew up with other kids whose moms used drugs, so I knew I wasn’t the only one. I have a couple friends now, their moms use drugs, and we can sit down and have a conversation about it. It helps just to realize that we’re not alone and that we can still do what we’re put here to do, ‘cause I feel everyone was put here for a reason.

I think for young people in my situation, talking amongst each other would be really good. Have an adult present in the room to help guide the conversation, but I notice that it’s better if young people amongst each other talk about things. If you and I both told a kid not to go touch that stove, it’s hot, he most likely might listen to me, ‘cause I got burned by that stove.
I HAVE THE RIGHT TO A LIFELONG RELATIONSHIP WITH MY PARENT.

Research consistently indicates that the strongest predictor of successful prisoner re-entry into society is abiding family bonds. Supporting these bonds (unless there is evidence that to do so would endanger the child), and reducing the obstacles to maintaining them, is not only of paramount importance to children; it may also be the best anti-recidivism approach around. But changes in child welfare law—specifically, accelerated timetables for termination of parental rights—have greatly increased the odds that even a relatively short sentence will lead to the permanent severance of family bonds. When this happens, children are forced to forfeit the most fundamental right of all—the right to remain part of their families.

Ahmad, 21

When I was five, my mother’s parental rights were terminated. I wasn’t even allowed to be by her in the courtroom. But I just knew from her expression, her tears, begging the judge, what had happened. I was reaching out to her, begging, trying to have that last hug. They picked me up and just took me away. Me screaming and yelling, “Mommy, I’m sorry, I won’t be bad again.”

All the system saw was a drug-addicted mother. “We don’t want this baby to be affected by this drug-addicted mother. The baby could do better without her.” They wanted to protect little Ahmad. Why didn’t they care about his mother?

There are mothers out there that are abusive to their kids, so the system has to step in and do something about that. That’s understood. But when there’s a mother struggling with an addiction, struggling with herself, but is not abusive towards her kids, then the system has to help better that situation. Help the mother as well as the child.

My mother was abusive to herself, not to Ahmad. Ahmad ate. Ahmad had clothes. Ahmad had love. But the system associated her abuse of herself with abuse of me. Were they right to do that? No. What would have helped me most is compassion for my mom.
Deepest thanks go to the children of former and current prisoners, and the formerly-incarcerated parents, who shared their time and their stories. Thanks are also due the following, for providing introductions to young people willing and able to speak about their experience—and for their valuable work: Margaret Norris at the Omega Boys Club; Linda Evans, Dorsey Nunn and Donna Wilmott at Legal Services for Prisoners with Children; Christa Gannon and Winnie Johnson at Fresh Lifelines for Youth; Jennifer Tait and Loretta of Friends Outside of Santa Clara County; Gretchen Newby of Friends Outside; Lauren Ostbaum of Community Works; Geri Silva of Families to Amend California’s Three Strikes; Monica Pratt of Families Against Mandatory Minimums; Sayyadina Thomas; Alfred Perez of the Pew Commission on Children in Foster Care; Whid Medford, Amy Lemley and Deanne Pearn of The First Place Fund for Youth; Ida McCray of Families with a Future; and Shirley Melnicoe of the Northern California Service League.

Support incarcerated parents upon re-entry, and revise laws that undermine their capacity to care for their children.

The most basic tasks of parenting—providing food, shelter and clothing—are made immensely more difficult by a criminal record. Beyond the intrinsic challenges of finding work with a criminal record and re-establishing oneself after a forced absence, laws passed in most states as part of welfare reform bar those with felony drug convictions from receiving public assistance—including welfare and housing—for life.

Removing felony conviction restrictions to public benefits for custodial parents, or those actively seeking reunification with their children, would be a first step towards giving struggling families a fighting chance. Prison and jail family services workers could also develop pre-release plans for incarcerated parents and refer them to community agencies than might assist them with housing and employment upon their release. Probation and parole departments could establish family services units dedicated to serving probationers and parolees who are actively working to re-establish themselves as parents.

Focus on rehabilitation for non-violent offenders whose children are otherwise at risk of becoming the responsibility of the state.

The most valuable intervention on behalf of children could take place before a parent ever sees a jail cell. Diversion programs for non-violent offenders, treatment for drug addicts, and other rehabilitation-focused alternatives to incarceration could make a tremendous difference to offenders’ children.