

New York Initiative for Children of Incarcerated Parents a special project of the Osborne Association



FACT SHEET: PROXIMITY TO CHILDREN WHEN A PARENT IS INCARCERATED

In 2011, approximately 56,000 individuals were incarcerated at 60 prisons throughout New York, many of which are hundreds of miles from the state's major population centers.¹ Those incarcerated in them are often parents to the approximately 105,000 minor children in New York who have a parent in jail or prison.² In most cases, children want and need to visit their incarcerated parent and will benefit from maintaining relationships with their parent.³ Yet parents are all too often placed in prisons far from their children, creating a barrier for visiting, communicating, and maintaining or building relationships. With the elimination (in 2011) of the Free Bus Program that transported families to prisons throughout the state, it is more important than ever for the state Department of Corrections and Community Supervision (DOCCS) to consider proximity to children when deciding the location of the facility in which a parent is placed.

MAINTAINING THE PARENT-CHILD RELATIONSHIP IS CRITICAL TO CHILD WELL-BEING

Child development and attachment theory emphasize the importance of physical contact between young children and their parents. Children who are unable to visit their parents are at an increased risk for insecure attachment, potentially hindering healthy development and their ability to form positive social relationships. A child's distress during a period of separation is experienced as anxiety and may lead to "failure-to-thrive, depression, delinquency, and academic problems."⁴ Although visiting may not be appropriate in some situations, visiting can be important in the following ways:

- Frequent and consistent in-person visiting is critical to the healthy development of infants and toddlers who have, or are building a bonded relationship with their parent prior to the incarceration. **For young children, attachment must be built through contact visits.**
- Visiting can be beneficial to children's psychological well-being. Benefits may include decreased emotional distress and fewer problematic behaviors.⁵
- Parents can talk with children during visits in ways that can reduce children's feelings of guilt, responsibility, and concern for their parent's safety.⁶
- Visiting may provide the forum for children, particularly for those with a strong attachment to their parent prior to incarceration, to process the trauma surrounding the separation.
- Visiting is a positive predictor for a parent's attachment with a child post-release.⁷
- For child welfare involved families, visits are essential for reunification.

Visiting is so important that the *Children of Incarcerated Parents Bill of Rights* identifies contact visiting as a child's right:

"I HAVE THE RIGHT TO SPEAK WITH, SEE AND TOUCH MY PARENT"

POSITIVE OUTCOMES FOR INCARCERATED PARENTS ARE POSITIVE OUTCOMES FOR CHILDREN

Maintaining family ties, best achieved through in-person visiting, is associated with successful reintegration, lower recidivism rates, and improved behavior while incarcerated. This is critical for the child since "improvements for the parent will indirectly benefit the child by adding a greater degree of stability to their life once their parent has left prison."⁸

- Visiting is associated with having a positive impact on incarcerated individual's psychological well-being, which in turn positively impacts behavior while incarcerated.⁹
- Incarcerated individuals who maintain family-ties have lower recidivism rates than incarcerated individuals with less familial involvement.¹⁰ For example, incarcerated individuals in Minnesota State prisons receiving visits from family experienced a 13% reduction in recidivism rate compared to other incarcerated individuals.¹¹
- Building an incarcerated individual's social capital increases the probability of successful reintegration.¹²
- A survey of previously incarcerated males in Maryland concluded that individuals with strong familial support during incarceration were more likely to gain employment and less likely to use drugs after release.¹³

¹ New York State Department of Corrections and Community Supervision. *DOCCS Fact Sheet*. New York: NY State Department of Corrections and Community Supervision, March 15, 2012.

² The Osborne Association (2010). *New York Initiative for Children of Incarcerated Parents Fact Sheet*. Brooklyn, NY: Author.

³ Nesmith, A., & Ruhland, E. (2008). Children of incarcerated parents: Challenges and resiliency, in their own words. *Children and Youth Services Review*, 30, 1119-1130; and La Vigne, N. G., Davies, E. & Brazzell, D. (2008). *Broken Bonds, Understanding and Addressing the Needs of Children with Incarcerated Parents*. Washington DC: Urban Institute Justice Policy Center, February 2008.

⁴ Bowlby, J. (1980) as cited in Katz, L. (2002). *Services for Children of Incarcerated Mothers with Co-occurring Disorders*. Delmar, New York: Gains Center Series. Policy Research Associates.

⁵ La Vigne et al. (2008).

⁶ Krupat, T., Gaynes, E., and Lincroft, Y. (2011). *A Call to Action: Safeguarding New York's Children of Incarcerated Parents*. New York, New York: New York Initiative for Children of Incarcerated Parents, Osborne Association.

⁷ LaVigne, N. G., Naser, R. L., Brooks, L. E. & Castro, J. L. (2005). Examining the effect of incarceration and in-prison family contact on prisoners' family relationships. *Journal of Contemporary Criminal Justice*, 21, 314 - 35.

⁸ La Vigne, et al. (2008). p. 10.

⁹ Blevins, K. R., Listwan, S. J., Cullen, F. T. & Jonson, C. L. (2010). A general strain theory of prison violence and misconduct: an integrated model of inmate behavior. *Journal of Contemporary Criminal Justice*, 26, 148 and;

Monahan, K., Goldweber, A. & Cauffman, E. (2011). The effects of visitation on incarcerated juvenile offenders: how contact with the outside impacts adjustment on the inside. *Law and Human Behavior*, 35(2), 143-151; and; Woodredge, J. (1999). Inmate experiences and psychological well-being. *Criminal Justice and Behavior*, 26, 235; and; DiZerega, M. & Verdone, J. (2011). *Setting an Agenda for Family-Focused Justice Reform*. New York: Vera Institute of Justice, 2011.

¹⁰ Bales, W. D. and Mears, D.P. (2008). Inmate social ties and the transition to society: does visitation reduce recidivism? *Journal of Research in Crime and Delinquency*, 45, 287 and; La Vigne, et al. (2005); Holt, N. and Miller, D. (1972). *Explorations in Inmate-Family Relationships*. Research Report No. 4. Sacramento: California Department of Corrections.

¹¹ DiZerega, M., Asifuddin, F., & Tobias, L. (2012). *New York State prison visiting bus: A public safety resource that benefits children and families*. New York, New York: Vera Institute of Justice.

¹² Mills, A. & Codd, H. (2008). Prisoners' Families and Offender Management: Mobilizing Social Capital. *Probation Journal*, 55 (1): 9-24.

¹³ Visher, C., Kachnowski, V., La Vigne, N. G. and Travis, J. (2004). *Prisoners' Experiences Returning Home*. Washington DC: Urban Institute.

DISTANCE IS THE NUMBER ONE BARRIER TO VISITING

New Yorkers benefit from the best visiting policies in the country; contact visiting is standard, and many prisons offer visiting 7 days a week. But many families throughout the state are unable to get to the facility due to distance: 58% of incarcerated individuals from the NYC metropolitan region are in prisons over 200 miles from their homes, and 68% of incarcerated individuals from rural upstate areas are in prisons over 100 miles from their homes. While security and logistical concerns may prevent some parents from being close to home, proximity to children should at least be considered when making placement decisions so that many parents could be brought closer to their children. Overall, **70% of incarcerated individuals are in a prison over 100 miles from their homes** as illustrated below:

Distances Families Need to Travel to Visit People in Prison¹⁴

Distance from County of Commitment to Prison (miles)	Number of Incarcerated Individuals	Percentage of DOCCS Population
0 - 50	5,086	11%
51 - 100	10,379	19%
101 - 200	11,261	21%
201 - 300	11,652	22%
300+	14,478	27%

- Many prisons are in isolated rural areas that are inaccessible by direct bus or train routes. Families without a car must rely on a costly combination of public transportation and taxis.¹⁵
- The costs associated with travel, lost earnings, and food are financially burdensome for low-income families, impeding their ability to visit frequently, if at all.¹⁶ For example, costs associated with visiting can range from \$175 to \$312 for NYC residents to visit Sing Sing Correctional Facility (Ossining, NY) or Mohawk Correctional Facility (Rome, NY), respectively.¹⁷
- The DOCCS Free Bus program – an invaluable resource that helped children remain connected to a parent incarcerated in a prison far from home – was discontinued in 2011. Many of the families that used the service no longer visit because they lack the resources, as demonstrated by a drop in visiting rates since the program ended.¹⁸

“It was a whole lot easier to visit when my mom moved from Albion to Beacon. I need that connection with my mom; it’s unfair for kids when their parents are in a prison far away.”
- NYC based youth-

A 10 hour drive, separated her from her mother at Albion Correctional. Her mother is now at Beacon Correctional – 70 miles away and accessible by public transportation.

PROXIMITY POLICY, LEGISLATION, AND STATUTES

To increase family and social support of children with incarcerated parents in New York State, consideration must be given to improving children’s access to their incarcerated parents. While security and health concerns are priorities, incorporating a parent-child proximity criterion into DOCCS’ current calculus of where an incarcerated parent is assigned to serve their sentence is imperative for children’s well being. Other states and jurisdictions are moving in this direction:

- New Jersey’s Strengthening Women and Families Act, passed in 2010, encourages placement of incarcerated individuals in facilities as close as possible to family.
- Florida State statute 944.171 recognizes the importance of being close to home: “In making placements authorized by this section, the department shall consider, to the extent possible, the proximity of the receiving facility to the inmate’s family...”¹⁹
- Title 15 of the California Code of Regulations requires the California Department of Corrections and Rehabilitation to consider proximity to an incarcerated parent’s child when making prison assignment decisions.
- NY State Senator Rivera and Assemblyman Crespo are sponsors of pending bills, S.1789 and A.2308 respectively, establishing a proximity pilot project for the placement of 60 incarcerated parents closer to home.
- In 2012, NYC Council introduced Resolution No.1218, which supported legislation introduced during the 2012 legislative session requiring DOCCS to establish a proximity pilot to place 60 incarcerated parents in facilities close to their children.

¹⁴ DiZerega, M. et al. (2012). p. 3.

¹⁵ DiZerega, M. et al. (2012).

¹⁶ Christian, J. (2005). Riding the Bus: Barriers to Prison Visitation and Family Management Strategies. *Journal of Contemporary Criminal Justice*, 21 (1): 31-48.

¹⁷ Krupat, T., Norris, W., & Lemaster, D. *Far From Home: A Preliminary Cost-Analysis of Visiting an Incarcerated Parent in New York State*. New York: Osborne Association, (forthcoming) 2010.

¹⁸ DiZerega, M. et al. (2012).

¹⁹ http://www.leg.state.il.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0944/0944.html, accessed April 9, 2012.

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To learn more or to get involved, email us at NYInitiative@osborneny.org, call us at 718-637-6560, or visit www.osborneny.org. For Family Support, call our Hotline: 1-800-344-3314