

# CHILDREN OF INCARCERATED MOTHERS AND FATHERS

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## INTRODUCTION

In 2007, 1.7 million children had a parent incarcerated in a state or federal prison in the United States, representing an increase of 80% since 1991.<sup>1</sup> It is estimated that nearly half a million additional children have a father in city, county, or regional jail,<sup>2</sup> although the precise number of affected children is unknown because this information is not systematically collected by jails, corrections departments, schools, child welfare, or other systems. These numbers are hardly surprising, given that more people are incarcerated in the U.S. than any other country in the world.<sup>3</sup> More than one in one hundred adults are in jail or prison in the U.S., including one in thirty men between the ages of 20 and 34 years.<sup>4</sup> The majority of state and federal prisoners report having at least one child under the age of 18 years.<sup>5</sup>

Scholars have suggested that incarceration rates rose dramatically in the U.S. during the 1980’s and 1990’s largely as a result of policies designed to

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1. Lauren E. Glaze & Laura M. Maruschak, *Parents in Prison and Their Minor Children*, BUREAU OF JUST. STAT. SPECIAL REP. (U.S. Dep’t of Justice, Office of Justice Programs, Bureau of Justice Statistics, Wash., D.C.), Aug. 2008, at 1, available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pptmc.pdf>.

2. Bruce Western & Christopher Wildeman, *The Black Family and Mass Incarceration*, 621 ANNALS AM. ACAD. POL. & SOC. SCI. 221, 235 (2009).

3. PEW CENTER ON THE STATES, ONE IN 100: BEHIND BARS IN AMERICA 2008 5 (Pew Charitable Trusts 2008), <http://www.pewcenteronthestates.org> (search “One in 100 Behind Bars in America”; then follow hyperlink to report).

4. *Id.* at 3.

5. Glaze & Maruschak, *supra* note 1, at 2.

“get tough” on drug offenders.<sup>6</sup> These policies resulted in unprecedented reliance on incarceration, with disproportionate effects on African American families and families living in poverty.<sup>7</sup> In this paper, I briefly summarize the findings of research from the behavioral sciences focusing on the well-being of children with incarcerated parents, highlighting issues relating to parental gender and race/ethnicity, and addressing some of the limitations of existing research.

#### I. PARENTAL INCARCERATION AND PARENT GENDER

Depending on the gender of the incarcerated parent, children may experience different sets of risk factors and outcomes.<sup>8</sup> These risk factors include parental substance abuse and mental illness, poverty, social stigma, changes in caregiving during the parent’s incarceration, and limited contact with parents in prison.<sup>9</sup> Several findings suggest that children with incarcerated mothers may experience more risk factors than children of incarcerated fathers.

Many children of incarcerated mothers experienced greater disruption in living circumstances. An analysis of a 1997 national probability sample of inmates in state and federal prisons found that incarcerated mothers were more likely to report that their minor children were in foster care or other non-familial care and were 2.5 times more likely to report that their adult children were incarcerated compared with incarcerated fathers.<sup>10</sup> In an analysis of a 2004 national probability sample of U.S. prisoners, it was reported that when mothers went to state prison, 37% of children lived with their fathers, 67.7% lived with grandparents or other family members, and 10.9% lived in foster care.<sup>11</sup> In contrast, when fathers went to state prison, 88.4% of children lived with their mothers, 17.2% lived with grandparents or other family members, and 2.2% lived in foster care.<sup>12</sup>

Children’s living arrangements following parental incarceration may be partly determined by family composition prior to incarceration. Mothers (52%) were more likely to have lived as single parents prior to incarceration than fathers were (19%),<sup>13</sup> and children with incarcerated mothers were more likely

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6. See, e.g., S.D. Phillips, *The Past as Prologue: Parental Incarceration, Service Planning, and Intervention Development in Context*, in CHILDREN AFFECTED BY PARENTAL INCARCERATION: MULTIDISCIPLINARY PERSPECTIVES ON RESEARCH, POLICY, AND PRACTICE (J. Mark Eddy & Julie Poehlmann eds., forthcoming 2010).

7. Western & Wildeman, *supra* note 2, at 236.

8. Danielle H. Dallaire, *Incarcerated Mothers and Fathers: A Comparison of Risks for Children and Families*, 56 FAM. REL. 440, 444, 448-49 (2007).

9. See *id.*

10. *Id.*

11. Glaze & Maruschak, *supra* note 1, at 5.

12. *Id.*

13. *Id.*

than children with incarcerated fathers to change caregivers following the parent's incarceration.<sup>14</sup>

Most women involved in the criminal justice system faced multiple risk factors prior to incarceration, including limited educational attainment and poverty. For example, most (78%) women involved in the criminal justice system are single, approximately 40% have completed fewer than twelve years of education, and many experienced pre-incarceration substance abuse, mental health problems, low income, and perinatal risk factors.<sup>15</sup> In their analysis of the U.S. Bureau of Justice Statistics data set, Glaze and Maruschak found that compared to fathers incarcerated in state prison, mothers in state prison were more likely to be homeless in the year prior to arrest, to currently suffer from either a mental health or medical problem, and to report past physical or sexual abuse.<sup>16</sup>

Not surprisingly, children of incarcerated mothers often experience maternal substance abuse, maternal mental illness, and poverty, as well as additional risks in the proximal caregiving environment such as changes in caregivers.<sup>17</sup> For example, out of 167 mothers incarcerated in a methadone maintenance program, 57% reported using drugs during pregnancy.<sup>18</sup> In a sample of sixty children aged 2.5 to 7.5 years whose mothers were in state prison, 40% of the children shifted from one caregiver to another at least once following the mother's incarceration; of those children, 30% changed caregivers four or more times.<sup>19</sup> However, similar data are not available for children with incarcerated fathers.

Many children of incarcerated fathers also face significant risks, including economic hardship and social stigma.<sup>20</sup> Because over ten times more men are incarcerated than women and the vast majority of children affected by parental incarceration have a father in jail or prison,<sup>21</sup> the effects of paternal incarceration on children should not be underestimated.

14. Rebecca J. Shlafer & Julie Poehlmann, *Attachment and Caregiving Relationships in Families Affected by Parental Incarceration*, ATTACHMENT AND HUM. DEV. (forthcoming 2010).

15. Lawrence A. Greenfeld & Tracy L. Snell, *Women Offenders*, BUREAU OF JUST. STAT. SPECIAL REP. (U.S. Dep't of Justice, Bureau of Justice Statistics, Wash., D.C.), Dec. 1999, at 1, 7-8, available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/wo.pdf>.

16. Glaze & Maruschak, *supra* note 1, at 7.

17. See, e.g., Dallaire, *supra* note 8, at 440; Julie Poehlmann, *Representations of Attachment Relationships in Children of Incarcerated Mothers*, 76 CHILD DEV. 679, 687 (2005); see also Doris J. James & Lauren E. Glaze, *Mental Health Problems of Prison and Jail Inmates*, BUREAU OF JUST. STAT. SPECIAL REP. (U.S. Dep't of Justice, Office of Justice Programs, Bureau of Justice Statistics, Wash., D.C.), Sept. 2006 (discussing the prevalence of mental health issues among incarcerated individuals generally).

18. Thomas E. Hanlon, et al., *Incarcerated Drug-Abusing Mothers: Their Characteristics and Vulnerability*, 31 AM. J. OF DRUG AND ALCOHOL ABUSE 59, 66 (2005).

19. Poehlmann, *supra* note 17.

20. Shlafer & Poehlmann, *supra* note 14.

21. Glaze & Maruschak, *supra* note 1, at 2.

However, children are more likely to remain in contact with incarcerated mothers compared to children with incarcerated fathers. An analysis of a 2004 probability sample of U.S. prisoners found that mothers in state prison were more likely to have weekly contact with their children (56%) during incarceration compared to fathers in state prison (39%).<sup>22</sup> Contact between children and their incarcerated parents often occurs in the form of telephone calls and letters rather than visits.<sup>23</sup> Frequency of contact depends on a host of factors in addition to parental gender, including quality of the incarcerated parent's relationship with the child's caregiver, level of family sociodemographic risks, distance that families live from the prison, and visitation and phone call policies in jails and prisons.<sup>24</sup>

## II. PARENTAL INCARCERATION AND CHILDREN'S OUTCOMES

Few studies focusing on children have made direct comparisons between children of incarcerated mothers and fathers. Indeed, analyses of large-scale longitudinal data sets focusing on the effects of parental incarceration and other risk factors on children's outcomes have only recently emerged and are briefly summarized here. Analyses of four prospective longitudinal studies using large representative samples from four countries have documented associations between parental incarceration and children's long-term outcomes, although the findings have not been entirely consistent.

Some studies have found unique negative effects of parental incarceration on children's development, whereas others have found that these detrimental effects are explained by other risks such as negative family environments and parental criminal history. Project Metropolitan, a Swedish data set, assessed the rates of adult offending behavior in 283 men and women who had experienced parental incarceration during childhood compared with 14,589 men and women who did not have this experience.<sup>25</sup> Although the individuals who had experienced parental incarceration engaged in higher rates of adult offending, the association between parental incarceration and offspring antisocial outcomes was accounted for by other risk factors and prior parental criminality.<sup>26</sup> In contrast, analyses of the Cambridge Study on Delinquent Development—a study of 411 boys from south London followed to age 48—found associations between parental incarceration and offspring antisocial and internalizing outcomes,<sup>27</sup> even controlling for prior risk factors.<sup>28</sup> Consistent

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22. *Id.* at 6.

23. *Id.*

24. See Julie Poehlmann et al., *Factors Associated with Young Children's Opportunities for Maintaining Family Relationships During Maternal Incarceration*, 57 FAM. REL. 267, 276 (2008).

25. Joseph Murray, et al., *Crime in Adult Offspring of Prisoners: A Cross-National Comparison of Two Longitudinal Samples*, 34 CRIM. JUST. & BEHAV. 133, 135-37 (2007).

26. *Id.* at 138, 142.

27. Internalizing problems refer to behaviors that result in a frequent and intense focus on an individual's internal or psychological world (e.g., withdrawn, anxious, inhibited, and

with the Cambridge findings, an analysis of data from the National Longitudinal Survey of Youth compared the rates of adult offending behavior of 31 U.S. children with incarcerated mothers and 1,666 children without incarcerated mothers and found associations between maternal incarceration and children's antisocial and internalizing outcomes, even controlling for prior risk factors.<sup>29</sup>

The Mater University Study of Pregnancy suggests that a history of incarceration of the mother's partner may not have been a significant risk factor for less optimal outcomes when examined in the context of other risk factors. The study compared 137 Australian children whose mothers' partners had been incarcerated with 2,262 children whose mothers' partners had not been incarcerated.<sup>30</sup> A history of incarceration for the mother's partner was associated with more internalizing and externalizing symptoms in adolescents compared to adolescents whose mothers' partner did not have a history of incarceration.<sup>31</sup> However, after controlling for other risk factors such as maternal age and education, family income, maternal anxiety and depression, maternal alcohol and tobacco use, domestic violence, and parenting style, the associations between incarceration of the mother's partner and children's outcomes became nonsignificant.<sup>32</sup>

### III. FAMILY PROCESSES LINKING PARENTAL INCARCERATION AND CHILDREN'S OUTCOMES

Whereas research has focused on risk factors and problematic outcomes for children of incarcerated parents, no published studies have rigorously examined the effectiveness of interventions designed to promote resilience processes in children of incarcerated parents. The four studies summarized above relied on analyses of existing data sets or administrative data, and only one of these studies used U.S. data. Because these studies were not designed to assess the effects of parental incarceration on children, they tell us little about

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depressed behaviors). In contrast, externalizing behaviors refer to problems that occur when an individual negatively acts on the external environment (e.g., disruptive, hyperactive, and aggressive behaviors). Antisocial outcomes are extreme examples of externalizing behaviors such as truancy, vandalism, stealing, or aggression (i.e., engaging in behaviors that violate established social norms).

28. Joseph Murray & David P. Farrington, *Parental Imprisonment: Long-Lasting Effects on Boys' Internalizing Problems Through the Life Course*, 20 DEV. & PSYCHOPATHOLOGY 273, 277, 285 (2008); see, e.g., Joseph Murray & David P. Farrington, *Parental Imprisonment: Effects on Boys' Antisocial Behaviour and Delinquency Through the Life-Course*, 46 J. CHILD PSYCHOL. & PSYCHIATRY 1269, 1274 (2005).

29. See Beth M. Huebner & Regan Gustafson, *The Effect of Maternal Incarceration on Adult Offspring Involvement in the Criminal Justice System*, 35 J. CRIM. JUST. 283, 285-86, 289 (2007).

30. Stuart A. Kinner, et al., *Do Paternal Arrest and Imprisonment Lead to Child Behaviour Problems and Substance Use? A Longitudinal Analysis*, 48 J. CHILD PSYCHOL. & PSYCHIATRY 1148, 1149-50 (2007).

31. *Id.* at 1151.

32. *Id.* at 1152.

processes linking parental incarceration with children's outcomes, such as the quantity or quality of contact between children and their incarcerated parents, the presence of social stigma associated with having a parent in jail or prison, the quality of children's caregiving environments, the social networks and support systems of children and families, parental and caregiver modeling of antisocial behaviors, and other key factors.

Several dozen smaller-scale studies have focused on family processes in youth affected by parental incarceration, but many of these have significant methodological limitations.<sup>33</sup> One study that assessed factors associated with children's outcomes in families affected by maternal incarceration examined self-reports of children aged 9 to 14 years who had substance-abusing incarcerated mothers.<sup>34</sup> It was found that older children, boys, and children who experienced more family and peer risk factors (e.g., poor parental monitoring, peer deviance) reported more delinquent activity and school problems than younger children, girls, and children experiencing fewer risks.<sup>35</sup>

In a sample of 258 adolescents between 11 and 18 years old receiving mental health services, family risks associated with parental incarceration were examined.<sup>36</sup> It was found that adolescents with a history of parental incarceration had more lifetime risk factors than adolescents with no such history, including abuse or neglect, poverty, and parental drug or alcohol abuse.<sup>37</sup> Moreover, the adolescents with a history of parental incarceration had experienced more negative life events such as witnessing violence and having family crises in the previous six months compared to adolescents whose parents had not been incarcerated.<sup>38</sup> African American children were much more likely to have experienced the incarceration of a parent than other children in the study.<sup>39</sup>

We are only starting to learn about factors associated with resilience in children affected by parental incarceration, defined as dynamic processes that facilitate positive adaptation despite significant adversity.<sup>40</sup> Looking at the results across the literature focusing on children of jailed and imprisoned parents, we know that these children are at risk for a host of negative outcomes, including alcohol and substance abuse, behavior problems, attachment

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33. See J. Mark Eddy & John B. Reid, *The Adolescent Children of Incarcerated Parents: A Developmental Perspective*, in PRISONERS ONCE REMOVED 233, 234-35 (Jeremy Travis & Michelle Waul eds., 2003).

34. Thomas E. Hanlon, et al., *Vulnerability of Children of Incarcerated Addict Mothers: Implications for Preventive Intervention*, 27 CHILD. & YOUTH SERVICES REV. 67, 67, 69 (2005).

35. *Id.* at 77.

36. Susan D. Phillips, et al., *Parental Incarceration Among Adolescents Receiving Mental Health Services*, 11 J. CHILD & FAM. STUD. 385, 388-89 (2002).

37. *Id.* at 392-93.

38. *Id.*

39. *Id.*

40. Ann S. Masten, *Ordinary Magic: Resilience Processes in Development*, 56 AM. PSYCHOLOGIST 227, 228 (2001).

insecurity, cognitive delays, academic failure, truancy, criminal activity, and adult conviction and incarceration.<sup>41</sup> However, many children affected by parental incarceration develop competence despite their negative experiences.<sup>42</sup>

Family factors such as continuous, stable caregiving and responsive home environments may have protective effects on children, defined as preventing or minimizing the negative effects of risk factors. For example, it has been found that 28% of young children with incarcerated mothers developed secure attachment relationships with their mothers and caregivers, thus showing resilience in that area of development.<sup>43</sup> Children were more likely to have secure attachments when they were continuously cared for by the same caregiver following maternal imprisonment, rather than being shifted from one caregiver to another.<sup>44</sup> In another analysis with the same sample, young children who experienced responsive, sensitive, and cognitively stimulating home environments while their mothers were in prison were more likely to exhibit optimal cognitive skills than children who experienced lower quality care.<sup>45</sup> To date, however, no published studies have rigorously examined the effectiveness of prevention programs for children of incarcerated parents, so we do not know whether or how interventions tailored for them have protective effects or promote resilience processes.

#### IV. CONTEXTS OF RACE AND ETHNICITY

In 2007, approximately 1.5 million children had a father in prison, and nearly half (46%) were children of African American fathers.<sup>46</sup> Of the estimated 147,400 children with a mother in prison, about 45% of children had a white mother, 30% had an African American mother, and 19% had a Latina mother.<sup>47</sup> African American children are disproportionately more likely to experience the incarceration of a parent,<sup>48</sup> and they are also disproportionately affected by poverty and related sociodemographic risks compared to other children.<sup>49</sup> These risks may heighten the negative effects of parental incarceration on African American and other minority children.<sup>50</sup>

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41. See Joseph Murray & David P. Farrington, *The Effects of Parental Imprisonment on Children*, in 37 CRIME AND JUSTICE 133, 133, 172, 180 (Michael Tonry ed., 2008).

42. Poehlmann, *supra* note 15, at 690.

43. Poehlmann, *supra* note 15, at 689.

44. *Id.* at 690.

45. Julie Poehlmann, *Children's Family Environments and Intellectual Outcomes During Maternal Incarceration*, 67 J. MARRIAGE & FAM. 1275, 1281-82 (2005).

46. Glaze & Maruschak, *supra* note 1, at 2.

47. *Id.*

48. Western & Wildeman, *supra* note 2, at 237.

49. See Aglea O. Harrison-Hale, et al., *Racial and Ethnic Status: Risk and Protective Processes Among African American Families*, in INVESTING IN CHILDREN, YOUTH, FAMILIES, AND COMMUNITIES (Kenneth I. Maton et al. eds., 2004).

50. Keva M. Miller et al., *Contexts of Race, Ethnicity, and Culture for Children of Incarcerated Parents*, in CHILDREN AFFECTED BY PARENTAL INCARCERATION:

Disparities in imprisonment rates based on race, educational attainment, and age have resulted in a concentration of incarceration among disadvantaged individuals, families, and communities.<sup>51</sup> For example, more than one in five African American men in their 20's who were not in college were incarcerated in 2004, and 60 to 70% of African American men who dropped out of high school from the 1960's onward experienced incarceration at some point during their lives.<sup>52</sup> And because African American and Latino men held in state and federal prison in the U.S. are more likely to be fathers than white men,<sup>53</sup> these disparities have resulted in large numbers of African American children having a father incarcerated in prison or jail. Indeed, African American children are 7.5 times more likely to experience the incarceration of a parent than white children.<sup>54</sup>

Although few studies have examined differential developmental pathways or outcomes in children of incarcerated parents on the basis of race or ethnicity, one analysis found protective effects of race and ethnicity. An analysis of three waves of data from the Fragile Families and Child Well-being Study found that race and ethnicity moderated the association between paternal incarceration and fathers' contact with children.<sup>55</sup> Incarcerated African American fathers were much more likely to have contact with their children than incarcerated white fathers.<sup>56</sup> In addition, mothers were less likely to distrust African American or Latino fathers with a history of incarceration than white fathers with such a history, although there were no differences in maternal distrust by race or ethnicity for never-incarcerated nonresident fathers.<sup>57</sup>

Several studies have examined samples of children who are primarily low-income and African American, and who have also experienced parental incarceration. For example, scholars recently conducted a secondary data analysis of a longitudinal study of 6 to 11 year old urban low-income children (89% African American), half of whom had been exposed prenatally to cocaine.<sup>58</sup> In the analysis, children with incarcerated fathers reported more depressive symptoms than children whose fathers were not incarcerated, and teachers reported more externalizing behaviors for children with incarcerated parents, controlling children's age, gender, prenatal drug and alcohol

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MULTIDISCIPLINARY PERSPECTIVES ON RESEARCH, POLICY AND PRACTICE (J. Mark Eddy & Julie Pochlmann eds., forthcoming 2009).

51. Western & Wildeman, *supra* note 2, at 228.

52. *Id.* at 228, 231.

53. Glaze & Maruschak, *supra* note 1, at 3.

54. *Id.* at 2.

55. Raymond R. Swisher & Maureen R. Waller, *Confining Fatherhood: Incarceration and Paternal Involvement Among Nonresident White, African American, and Latino Fathers*, 29 J. FAM. ISSUES 1067, 1072 (2008).

56. *Id.* at 1077.

57. *Id.* at 1080.

58. MaryAnn B. Wilbur, et al., *Socioemotional Effects of Fathers' Incarceration on Low-income, Urban, School-Aged Children*, 120 PEDIATRICS e678, e680 (2007), available at <http://pediatrics.org/cgi/content/full/120/3/e678>.



exposures, and exposure to violence.<sup>59</sup> However, protective factors were not examined. In a longitudinal study of a mentoring program for children of incarcerated parents, 93% of the children were African American, Latino, or multiracial and 68% of the families' incomes were below the federal poverty line.<sup>60</sup> The study found that although the children exhibited relatively high rates of externalizing behavior problems overall, children aged nine to fifteen years whose caregivers felt more positively about them had lower rates of behavioral problems six months later, controlling for initial problem behaviors.<sup>61</sup>

Taken together, these results suggest that many children experience behavior problems and other difficulties following parental incarceration, including African American children living in poverty. However, two studies have suggested that family processes that occur in families affected by parental incarceration, especially in African American families, may serve a protective function for affected children.<sup>62</sup> Additional rigorous research is needed to confirm these findings and to examine ways of facilitating resilience processes in the most vulnerable children.

## V. SUMMARY

Parental incarceration is a risk marker for children because it is often associated with negative social and academic outcomes, including behavior problems, substance abuse, adult offending and incarceration, truancy, and school failure.<sup>63</sup> It is unclear whether parental incarceration causes these problems, however, or whether it is related to such problematic outcomes in many children because of the negative effects of co-occurring risk factors.

Because maternal and paternal incarceration appear to be associated with different risk factors<sup>64</sup> and may have different effects on children, parental gender should be considered when working with children and families affected by parental incarceration. Because boys and older children may be at higher risk for developing antisocial outcomes and school problems than girls or younger children,<sup>65</sup> child gender and age should be considered as well. Finally, the contexts of race, ethnicity, and socioeconomic disadvantage are of key importance when attempting to understand the potential effects of parental incarceration on children.

Behavioral science research with children of incarcerated parents has both negative and positive implications for families affected by parental incarceration. The bad news is that many children affected by parental incarceration are at risk for developing social, behavioral, and academic

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59. *Id.* at e682, e683.

60. Shlafer & Poehlmann, *supra* note 14.

61. *Id.*

62. *See id.*; Wilbur, et al., *supra* note 58.

63. Murray & Farrington, *supra* note 41, at 135, 187.

64. Dallaire, *supra* note 8, at 447, 449.

65. Murray & Farrington, *supra* note 41, at 181; Hanlon et al., *supra* note 34, at 77, 79.

problems,<sup>66</sup> thus placing them at risk for future difficulties. The good news, however, is that research has begun to identify factors associated with resilience processes in this vulnerable population,<sup>67</sup> which may lead to better ways of helping children of incarcerated parents in the future.

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66. See, e.g., Murray & Farrington, *supra* note 28; Murray, et al., *supra* note 25.

67. See Shlafer & Poehlmann, *supra* note 14; Wilbur, et al., *supra* note 58.