

Setting an Agenda for Family-Focused Justice Reform

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FAMILY JUSTICE PROGRAM



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> Executive Summary

Research shows that incarcerated youth and adults who have contact with supportive family members have better outcomes after their release. This finding has obvious implications for the corrections, community corrections, and juvenile justice fields. But it also has significant, if sometimes less apparent, consequences for other systems, such as schools, child welfare agencies, health care, and law enforcement.

The Vera Institute of Justice brought together national experts from a range of fields to talk about the next steps for family-focused justice reform. The conversation sharpened the definition of a family-focused approach as one that includes four key components: it is multidisciplinary, it adopts a broad definition of family, it is strength-based, and it is applicable along the continuum of a person's involvement with the justice system. Participants in the roundtable also described many actions that organizations can take to leverage the positive influence of families and communities to support people involved in the justice system.

Drawing on that conversation, this report sets forth an agenda for family-focused justice reform. That agenda has the following recommendations:

1. Emphasize safety and security.
2. Borrow and adapt from best practices to develop a model.
3. Encourage more contact between incarcerated individuals and their supportive family members.
4. Involve family members in shaping practice and policy.
5. Conduct more research and gather more data.
6. Reinforce a family-focused culture through practice, policy, and legislation.
7. Prioritize a family-focused approach when making budget decisions.

These recommendations are offered to inspire people who work not only in juvenile or criminal justice, but in systems that feel the repercussions of related policy and practice on the local, state, or federal level. It is the authors' belief that if agencies tap families as a resource, their work will be more effective, to the benefit of the communities they serve.

FROM THE PROGRAM DIRECTOR

In April 2011, Vera’s Family Justice Program invited experts from a number of fields—adult corrections, juvenile justice, child welfare, education policy, city government, and social work—to articulate a multidisciplinary agenda for strength-based, family-focused work to better serve people involved in the justice system. Given the range of other systems that affect families, we sought a diverse mix of perspectives.

A bit of history: the Family Justice Program evolved from La Bodega de la Familia, a Vera demonstration project on New York’s Lower East Side that worked to tap families as a resource in dealing with addiction and involvement in the justice system. The experiment paid off, with Bodega clients showing lower rates of drug use, arrests, and convictions than people in a comparison group.¹ In 2003, La Bodega and one of its government partners, the New York State Division of Parole, won the prestigious Innovations in American Government award. Like many Vera demonstration projects, La Bodega spun off and launched as an independent nonprofit, Family Justice. When that organization closed in the fall of 2009, its national training and technical assistance work returned to Vera as the Family Justice Program.

Most people working in juvenile justice and criminal justice understand that family members are key to the well-being of incarcerated individuals and to their success when they go home. However, staff do not necessarily know how to ask about those relationships or what to do with the information once they get it. Vera’s Family Justice Program provides assistance to those who work in the field, guiding them to encourage more contact between the individuals in their custody and the people who are supportive of them.

Anyone who shares the goal of ending the cycle of incarceration and the negative consequences it engenders should find this document useful. The group that participated in the roundtable created an ambitious agenda. Our hope is that the recommendations in this report will help justice organizations and other government systems make changes that will have a profound effect on individuals, families, and entire communities.



Margaret diZerega
Director, Family Justice Program

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Introduction

The number of young people and adults cycling in, out, and back into the justice system in the United States remains disturbingly high. More than 40 percent of adults released from prison, for example, will be re-incarcerated within three years, either for a new offense or for violating the conditions of their release.² Statistics document the number of people who are involved in the justice system but do not reflect the millions of family members affected by their absence. These loved ones can play a powerful role in helping people succeed once they return to the community after a period of incarceration.

Research has shown that families are the most frequent provider of housing and the most common source of financial support; offer assistance in securing a job; and frequently help with child care.³ Family involvement has been shown to result in better employment outcomes and reductions in the use of alcohol and other drugs.⁴ They also play a significant role in keeping formerly incarcerated individuals from returning to criminal activity: adults who had more contact with their families while in prison and report positive family relationships overall are less likely to be arrested again or re-incarcerated.⁵ Much of this also holds true for young people. Family-oriented approaches to changing behavior have been shown to not only reduce recidivism rates for youth in the justice system (compared to other models of treatment), but to result in lower rates of system involvement for their siblings.⁶

Yet many people who work in juvenile justice, adult corrections, or community corrections (mainly pretrial supervision, probation, and parole) overlook this promising, abundant, and comparatively inexpensive resource. Those who would like to leverage people's loved ones as a resource often lack practical knowledge about how to do so.

Since its work began nearly a decade ago, the Family Justice Program at the Vera Institute of Justice has provided training and consultation to help people in the juvenile and criminal justice fields adopt a family-focused approach. In practice, this has meant developing simple tools and techniques that help front-line staff talk with incarcerated people (or those on probation or under parole supervision) about family members who can make a positive difference in their lives. It also means guiding management to create policies and environments that encourage such interactions.

Recognizing that there is still much room for improvement in this arena, the Family Justice Program convened a roundtable of national experts to discuss opportunities for enhancing family-focused justice work. In addition to leaders from adult corrections and juvenile justice, the roundtable included experts on related topics, such as public policy research, child support, and youth and community development. This report, a product of that discussion (with additional input from a handful of individuals whose perspectives the authors deemed essential—such as Norris Henderson, a formerly incarcerated man who founded a grassroots support organization in New Orleans for

people reentering the community from detention, jail, or prison) presents an agenda for family-focused justice reform going forward.

By drawing on a broad range of participants and perspectives, Vera was able to prompt a discussion that extended beyond juvenile and criminal justice, and, as anticipated, the emerging recommendations are relevant beyond those fields. This document is designed for practitioners and policy makers in the justice system and in allied fields. Its ideas are intended to generate a new era of collaboration and cross-fertilization in addressing these challenges, with lasting results.

A Family-Focused Approach and Why It Matters

Although the juvenile and criminal justice systems are logical places to initiate efforts to tap the knowledge, resources, and motivation that family members provide, other systems can adopt this approach too. Roundtable participants agreed that a family-focused approach should include these elements:

- > The approach must be multidisciplinary. It should extend beyond the justice system to include other systems that interact with affected families.
- > Use a broad definition of *family* to help identify a wide range of people who can provide support.
- > A family-focused approach considers people's strengths and assets—not just the challenges in their lives.
- > This approach should be applied throughout the spectrum of involvement in the justice system, from arrest to sentencing to incarceration and reentry to the community.

By design, a family-focused approach should be multidisciplinary. Public health, mental health, education, child welfare, housing, and law enforcement agencies, as well as district attorney's offices and governors' cabinets or children's councils, represent some of the systems that can help foster a family-centered approach.

The U.S. Department of Justice's Bureau of Justice Statistics estimates that more than 1.7 million children nationwide have a parent in prison.⁷ (This number does not include children who have parents in jail or juvenile detention.) Yet most school systems do not have a methodical way for teachers to get such information about their students. A school where many children have an incarcerated parent would be wise to take steps to address any negative

“In Washington, those who get regular visits from families are six times less likely to commit another infraction [while incarcerated] than those who don’t.”



Bernie Warner, director of prisons,
Washington State Department of Corrections

effects of incarceration on students’ performance and well-being. “We leave out schools as a place for intervention for these children,” said panelist Rosa Cho, assistant professor of education and public policy at Brown University. (Connecticut is a notable exception, according to Ann Adalist-Estrin, director of the National Resource Center on Children and Families of the Incarcerated. The state is developing a strategy for children of incarcerated parents that includes mental health interventions and in the future may involve training for teachers and child welfare staff.)

Michael Hayes, who oversees family initiatives for the Child Support Division of the Texas Attorney General’s Office, said the child support system also has an interest in the broader effects of incarceration. A recent federal demonstration project in Texas illustrated how child support practices can become more family-focused by preparing incarcerated fathers to resolve child support and parenting issues—and, when appropriate, helped them to communicate with their children. Hayes also recalled how, years ago, when he worked with a demonstration project for low-income fathers called the Texas Fragile Families Initiative, the Texas Youth Commission could not tell him how many young men in the state’s juvenile facilities were fathers: “That wasn’t a question they asked in intake.” Today, he said, the agency not only asks young men about their children, but provides programming for fathers.

In addition to being multidisciplinary, a family-focused approach should be strength-based. This means there is a commitment to respecting, tapping, and reinforcing the strengths and assets of individuals (including staff members), families, and communities—be it a mother’s emotional support, a neighbor’s job lead, or a son’s spare bedroom.

The Family Justice Program interprets *family* broadly to include immediate, extended, and elected family members, such as romantic partners, friends, neighbors, and clergy. When people define family for themselves, professionals working with them learn more about who offers them emotional support or motivates them to change harmful behaviors and maintain constructive ones. Using a broad definition of family can also identify and marshal more resources, providing a bigger and potentially stronger safety net. The result can be better outcomes overall, from completing job training or drug treatment to staying out of jail.

An individual’s experience in the justice system—from arrest to court to incarceration and back to the community—has unintended effects on family members and the community.⁸ Cycles of involvement in the system can have especially pronounced repercussions in neighborhoods with disproportionate levels of poverty and crime—often communities where people of color live.⁹ To identify organizations that may be potential partners, decision makers should consider the many points of contact individuals and their loved ones have with the justice system. Each phase offers an opportunity to draw on people’s social support. This process can help agencies streamline services and address conflicting mandates between the systems that serve families.

Seven Steps Toward Family-Focused Justice Reform

The following steps provide practitioners, policy makers, and organizations with practical ideas about what works, what gaps exist, and what actions can help advance family-focused justice work in a range of communities and contexts.

1 EMPHASIZE SAFETY AND SECURITY.

A family-focused approach to justice reform must acknowledge the safety and security issues people in the field hold paramount. Understandably, agency officials want to avoid potential security risks at their facilities. These concerns, however, may make it easier to do nothing family-focused at all; trying something new, on the other hand, requires courage. Laura Dolan, a roundtable participant from the Ohio Department of Youth Services (ODYS), knows this from experience: “We know there is a risk that someone could commit an offense after getting out. But to improve outcomes overall, what we need to be doing is getting those kids back in the community when their risk assessment indicates it.”

Data can help build a case for introducing or advancing a family-focused approach. When Bernie Warner oversaw the juvenile justice system in California, the agency had pervasive security concerns regarding gangs. “Gangs are such a large part of the family and community culture that you face a conflict between preservation of family and, in some cases, the risk that may present to a youth in transition,” he recalled. Now, as director of prisons for the Washington State Department of Corrections, Warner said the data there justified moving forward with a family-focused approach: “In Washington,” he explained, “those who get regular visits from families are six times less likely to commit another infraction [while incarcerated] than those who don’t.”¹⁰ (Also see sidebar at right.)

The prerequisite to ensure the safety of any reforms, everyone agreed, is careful planning. “We had



Mike Bobbitt, director, Fatherhood Initiative, New York City Department of Youth and Community Development

How Families Make a Difference

Justin Jones, director of Oklahoma Department of Corrections

“Using family-focused case management, motivational interviewing, and Vera’s Relational Inquiry Tool, we had some immediate results at the Mabel Bassett Correctional Center: negative outcomes were drastically reduced. Women there identified positive aspects in their extended family, realized that some people were a negative influence, and changed who’s on their visiting list. We have had fewer assaults on staff, assaults between inmates, and misconducts.

With most correctional agencies, only immediate family can visit. If an inmate is allowed to attend a funeral, it’s the same. But it might be a grandparent, an aunt, or somebody else who helped raise this person. So you try to do a little paradigm shifting with your staff. You let them know there will be changes in the policy, that we’re not coddling offenders. . .it’s actually reducing future crime and victimization. You get staff engaged so they understand what we are attempting to do, and then you change your policy. Then you do quality assurance. That’s key.

We’ve tried to maintain a family focus during tough times. We cut visitation in half and it was not an easy decision to make. With budget cuts, the only way to furlough staff was to give them time off, so we now have visitation every other weekend. We’ve been somewhat surprised by how calm the prison yards have been; how accepting the offenders have been. We talked with them about our decision-making process, so they knew about furloughs and cuts. This may sound odd, but we got no grievances. They seemed to take it really well.”

Policy ought to stipulate that “families should be involved whenever possible.”



Laura Dolan, bureau chief of facility programs, Ohio Department of Youth Services

to be very clear that becoming family-centered was not getting soft on enforcement,” Hayes said about the Child Support Division for the state of Texas.

“Family-centered child support leads to better compliance outcomes. There’s potential for people to say, ‘Oh, it’s a family model; it’s getting kind of soft on crime or on public safety.’ So [the family-centered approach] has to be defined as a way to do our core work smarter.”

2 BORROW AND ADAPT FROM BEST PRACTICES TO DEVELOP A MODEL.

There is no established model for incorporating a family-focused approach in justice practice and policy. To develop one, practitioners and policy makers can look to what works not only in juvenile and criminal justice, but beyond. The juvenile system, which has been moving in a holistic, therapeutic, and less punitive direction for several years, is using many promising practices.

PROMISING PRACTICES IN JUVENILE JUSTICE

Drawing on their experience with Ohio Department of Youth Services, which the federal government ordered overhauled in 2008, Dolan and Shay Bilchik, who directs the Center for Juvenile Justice Reform at Georgetown University and is part of a team monitoring ODYS’s response to the settlement of a federal lawsuit, outlined the following practices that other agencies—including adult corrections, probation, and parole—might use as part of a more family-focused approach.

- > Collect information to identify people who can help support each individual during and after incarceration.
- > Create interdisciplinary case management teams that include behavioral health services, education, and social services. Policy ought to stipulate that “families should be involved whenever possible,” Dolan said, whether in person or by telephone.
- > Use technology to increase family members’ participation in case management and planning. At ODYS, social workers use webcams to communicate with family members who are not able to visit the facility; juvenile parole officers bring laptops with webcams to home visits so family members can communicate with young people in facilities.
- > Use family-finding technology—widely used by child support and protective services agencies—to help caseworkers locate and communicate with supportive extended family members and connect them to incarcerated people.¹¹

The policy changes in Ohio resulted in fewer youth in facilities, a reduction of the ODYS workforce, and smaller caseloads, as well as new responsibilities and expectations for juvenile parole officers. They are expected to ask themselves, “How do we keep the youth connected to the family? What can I do to

help the parent get to the facility?” Bilchik said. As part of case management, parole officers are now expected to contact school counselors or potential employers while facility staff and youth create reentry plans. Bilchik said ODYS parole officers may be trained to use permanency pacts, a practice developed by the nonprofit organization FosterClub for young people in foster care: “The pacts are designed to get agreements from individuals in the community who have meaningful connections with the person, to describe how they are going to support that youth as he or she moves into early adulthood.” The department uses this more holistic approach to develop discharge agreements before youth complete parole supervision.

When he oversaw California’s juvenile justice system, which had similar court mandates, Warner was surprised to discover how little families knew about their children in detention. “We found that 80 percent really had no contact with [facility] staff, in terms of the young person’s treatment plan or progress,” he recalled. “That was shocking and certainly unacceptable—and led to a lot of work about how we engaged families of youth in our care.” Facility staff began providing families with monthly telephone updates on the status of their incarcerated loved one. They also revised printed materials about the facility’s programs, procedures, and visitation policies, and mailed them to families. Afterward, 62 percent of staff members reported that they had observed increased family involvement.¹² These innovations might also be appropriate for other institutions, including adult facilities.

PRACTICES INVOLVING CHILDREN OF INCARCERATED PARENTS

Adalist-Estrin suggested that child welfare agencies and the military, two other government entities that separate parents from children, have developed communication practices to emulate. “Child welfare agencies try to inform the caregivers about a child’s circumstances...with a goal of reunification in most cases,” she said. Similarly, the U.S. Department of Defense uses online resources and e-mail correspondence to keep separated family members informed about one another. Conversely, she noted, “With incarceration of a parent, there are no systems in place. There’s no system that sends anything to anybody.”

Other family-focused justice practices from the discussion include:

How Families Make a Difference

Grace Bauer, field organizer, Campaign For Youth Justice (CFYJ)

“It would take a cultural shift to make the juvenile justice system more family-focused, because systems view families as the problem. If we could change that tomorrow, I’d be delighted. Like most family members who find themselves with a loved one in that system, I was naive and thought it was the system’s job to help my son. He was 12 when he was first arrested, and for three years, I was on this path by myself. I was confused and isolated.

So far, CFYJ has brought together nine groups and about 300 individuals, with representatives in 35 states and a goal of 50 by the end of 2011. Our National Parent Caucus holds monthly meetings, when families and allies come together for support, information, and guidance.

We’re also working on the Family Justice Act, which would put family and community monitoring teams in every jurisdiction in the country. A facility monitoring team creates an environment where it’s possible for families to voice their concerns and for system people to hear them and do something about it. If we create these environments, change is much more likely to happen. If these systems had transparency and accountability and families helped shape their vision, I think you would see more financial accountability.”

“With incarceration of a parent, there are no systems in place. There’s no system that sends anything to anybody.”



Ann Adalist-Estrin, director,
National Resource Center on Children
and Families of the Incarcerated

- > **ARREST PROTOCOLS:** Some law enforcement agencies have developed or adopted protocols regarding officers’ interactions with children when a parent is arrested. For example, the San Francisco Children of Incarcerated Parents Partnership developed a Bill of Rights that starts with “the right to be kept safe and informed at the time of my parent’s arrest.” According to Adalist-Estrin, an arrest protocol developed in New Haven, Connecticut, calls for a police department representative to visit children in their homes if they were present during the arrest, to talk about what happened and where their parent is.
- > **ADDITIONAL PHONE CALL:** Some jurisdictions allow parents a second phone call after they are arrested, to secure child care or talk to their children’s caregiver and inform them about their arrest.
- > **FAMILY IMPACT STATEMENTS:** In court systems that use this practice, judges consider the effects on family members in sentencing, particularly with regard to the facility’s proximity to them.
- > **PARTICIPATING IN CHILDREN’S APPOINTMENTS:** Some facilities allow parents to participate in meetings—such as a school conference or an infant’s well visit—by telephone or Skype.
- > **VISITORS CENTERS:** In California, state prisons are required by law to have visitors centers. The nonprofit organization Friends Outside offers visiting families a place to shower, meals, clothing that adheres to a prison’s dress requirements, child care and activities for children who do not enter the facility, transportation, and information—amenities that are especially important for families that travel long distances.

OTHER PROMISING PRACTICES

To draw on the benefits of people’s social networks, some jails and prisons have started to initiate conversations with incarcerated men and women about the supportive individuals in their lives. Vera’s Family Justice Program teaches corrections staff to use a tool designed to guide such a discussion. Oklahoma and New Mexico are now using the Relational Inquiry Tool (RIT) to encourage more contact between the people in their prisons and their families. In Ohio, Vera is implementing a version of the RIT for system-involved youth.¹³ Warner suggested that facilities could use the RIT in conjunction with cognitive behavioral programs or other interventions.¹⁴

Some agencies allow extended visits and have dedicated staff who concentrate on family-related programs. The Washington Department of Corrections allows visits lasting up to 48 hours. Its state prisons also have family specialists, who coordinate parenting initiatives and other family-centered programs for people who are incarcerated or under probation or parole supervision.

Staff training is often needed when agencies introduce or revise family-focused practices and policies. Many roundtable participants stressed that people learn best from their peers and gave examples from probation, parole, and family groups. Katayoon Majd, a program officer for the Public Welfare Foundation, talked about a peer training project that involves organizing family members to concentrate on juvenile justice issues. (See sidebar on page 9.) The project borrows from models for families whose children are involved in mental health or special education systems.

3 ENCOURAGE MORE CONTACT BETWEEN INCARCERATED PEOPLE AND THEIR SUPPORTIVE FAMILY MEMBERS.

Contact between incarcerated people and supportive family members is essential for family-focused policies to work. Agencies should therefore consider every reasonable effort to facilitate such communication. Of course, not every family member is a positive influence, and staff may want to discourage contact with specific individuals, especially when there is a history of violence or other abuse.

Still, the shift toward a family-focused approach means that leaders and staff may need to think about families differently. Too often, people working in juvenile or criminal justice write off family members as “part of the problem,” instead of asking about their positive qualities and the support they might provide. In part, this belief may be the result of staff seeing family members from multiple generations cycling in and out of the system. As Warner explained, 41 percent of people in Washington state prisons reported that their father had been arrested in the past; 27 percent said their mother had been arrested.¹⁵ In many states, communication is not permitted among incarcerated family members.

Communication can be cultivated among family members by applying innovative ideas and new technologies. In Ohio, ODYS permits contact between youth in its facilities and incarcerated family members. Dolan said, “We allow conference calls when the case managers for the youth and the incarcerated adult have assessed that this is appropri-

How Families Make a Difference

Norris Henderson, founder and director, Voice Of The Ex-Offender (VOTE)

“Family is huge. The more people inside have contact with their family, the more they may take advantage of all the opportunities available to them [in prison]. When guys get visits, it says a lot that somebody out there cares about them enough to come and visit, be it family or friends. Those who don’t get visits feel they don’t belong. But if people feel they are attached to somebody, their mindset changes.

I was connected to my family from day one throughout the ordeal [of incarceration]. Being away from my family was a strain, but knowing that once or twice a month I could see my kids or talk to them on the phone? That’s a game changer. Now they’re exploring doing video conference calls so people can talk to their kids and maintain their relationships. Opportunities for kids to see their parents and talk to them more often would be a big, big plus. Kids can’t visit on their own!

The biggest thing is to remove the impediments to maintaining family relationships. First, keep people closer to home, so they don’t end up four or five hours away. It imposes a hardship on families who can’t visit them. You can write letters or call, but even calling becomes a challenge because the collect calls are so expensive; that’s the second thing. We’re working to educate legislators so that jails and prisons won’t take the surcharge on these calls. For many folks, the only means of communication is the telephone.”

ate.” Similarly, Washington state prisons are installing a kiosk in each housing unit, allowing people to correspond with their families by e-mail. In facilities that already have kiosks, Warner said they have increased residents’ contact with loved ones even as they have reduced the amount of physical mail delivered to facilities.

Agencies outside of the justice system can also help foster communication among family members. Michael Hayes said the Texas Attorney General’s Office frequently receives requests from incarcerated fathers to forward letters to their children via the custodial mothers. Unlike other systems that may not know where a person’s loved ones are, child support systems often have this information. This is another example of a family-centered approach to child support that recognizes the link between emotional and financial support.

Systems should consider developing policies and practices that encourage visitation. ODYS has a full-time staff member who does nothing but recruit volunteers—faith-based and secular—to visit the facility. According to Laura Dolan, one Cleveland church set aside \$20,000 to transport family members to the Ohio River Valley Juvenile Correctional Facility, a four-hour drive. “They are really engaging the community that the kid’s going back to,” she said.

Policy makers may want to think innovatively about lesbian, gay, bisexual, and transgender youth, as emerging research suggests that they may be overrepresented in the juvenile justice system.¹⁶ These young people may be affected by stigma, discrimination, or both—and the relationships most important to them may not be recognized formally. Family conflicts regarding a youth’s sexual orientation or gender identity may be a factor that leads to involvement in the system. To address the underlying issues, practitioners may want to collaborate with and learn from professionals experienced at working with this population.



Katayoon Majd, program officer,
Public Welfare Foundation

LANGUAGE ACCESS AND IMMIGRATION ISSUES

The goal of encouraging contact with supportive family members is even more difficult when it involves language barriers—which juvenile and criminal justice agencies are often ill-equipped to address.

Young people who speak English well may have family members who do not, making it difficult for staff in juvenile detention, probation, or parole to communicate with parents or other supportive individuals. For young people and adults, maintaining contact with family members who live outside the United States can be expensive and complicated. The cost of postage stamps and collect calls to other countries often limits people’s opportunities to communicate with their loved ones. Given these challenges, family members in another country may not know where the incarcerated person is. Prison commissaries could have a great impact by offering international calling cards and charging less for international stamps.

Roundtable participants raised two related issues: When parents are arrested for immigration violations, they may be denied visits from their families, especially if they are in the federal system. Similarly, when undocumented immigrants are arrested for street crimes, they may be denied access to contact with their families. Also, undocumented immigrants may be afraid to visit their incarcerated loved ones because they lack approved forms of identification, fear deportation, or both.

4 INVOLVE FAMILY MEMBERS IN SHAPING PRACTICE AND POLICY.

Although they could identify few concrete examples of families helping to shape policy and practice, the roundtable participants advocated for such involvement. “I would underscore 1,000 times the value of having people who are directly impacted involved in every step of planning, not only at the direct-service level,” Adalist-Estrin said.

Including family members in the planning process can result in practices that more accurately meet families’ needs and reflect their values, potentially resulting in greater participation and better outcomes.

Bilchik suggested that systems do this by creating a role for family members in their governance structure and inviting parents to serve on advisory groups and steering committees. He also recommended that elected officials and leaders in juvenile justice and criminal justice encourage such involvement by discussing family-related issues with county councils and state legislatures and in settings such as town hall forums and law enforcement gatherings.

In recommending the development of state-level policies that create systems of oversight and accountability, Majd stressed the importance of “meaningfully involving families and communities, so that they have a direct role in helping to ensure that the juvenile justice system is functioning well at a policy level and the individual case level.”

5 CONDUCT MORE RESEARCH AND GATHER MORE DATA.

Better data collection and more innovation and research could advance family-focused work by building knowledge about the most effective practices and policies. Roundtable participants repeatedly emphasized the need for more and better data, in part to persuade agency leaders to adopt a more family-focused approach. “In order for us to see some kind of policy change and for us to see some money moving in this direction, research has to be supported,” Cho said.

More research is needed, for example, about the children of incarcerated parents. Adalist-Estrin said that even though it is widely believed that these children are at increased risk of involvement in the justice system, there is no evidence to support the claim. One result of this misconception, she lamented, is that the literature about these children “defines them as an at-risk population, rather than looking at strength-based supports for them.” Similarly, there is insufficient research as to whether children do better when they visit their incarcerated parents. She said that one study suggests that “children need emotional support from caregivers before and after they visit their parent, in order for them to cope effectively and to minimize the stress of a visit.”¹⁷

Collecting data—like delivering services holistically—should be a multi-disciplinary effort, with special attention paid to research on the arrest, prosecution, and incarceration phases—and about what helps people succeed once they return to the community. “If I want to understand my targeted population in the context of family, I’ve got to have community corrections,

“In order for us to see some kind of policy change and for us to see some money moving in this direction, research has to be supported.”



Rosa Cho, assistant professor of education and public policy, Brown University

“If I want to understand my targeted population in the context of family, I’ve got to have community corrections, the judiciary, and institutional corrections collect family-related data.”



Shay Bilchik, director, Center for Juvenile Justice Reform, Georgetown University Public Policy Institute

the judiciary, and institutional corrections collect family-related data,” Bilchik said. Cho, similarly, extolled the benefits of “a massive, integrated administrative database” that merges data from a range of state agencies, from health and human services to the department of corrections and school systems. Better data about target populations and the effectiveness of family-focused responses would allow systems to make better policy and program decisions. It could also be used for another frequently cited priority: educating high-level policy makers and leaders at facilities and institutions and informing public discussions about the benefits of a family focus.

6 REINFORCE A FAMILY-FOCUSED CULTURE THROUGH PRACTICE, POLICY, AND LEGISLATION.

Recognizing that justice systems long ignored the families of people in their custody, the roundtable participants talked at length about the need for—and challenges and benefits associated with—changing their organizational culture. Intentional culture change may be necessary in any system that seeks to adopt a more family-centered approach. After all, it is difficult to maintain any practice if it is at odds with staff’s core beliefs and values. Warner, of the Washington State Department of Corrections, summarized the challenge this way: “It is important to institutionalize what you do.”

Staff can often shore up support for a family-focused approach. Mike Bobbitt, director of the Fatherhood Initiative for the New York City Department of Youth and Community Development, said the city’s probation department reinforces changes in policy and practice by promoting the successes of individual officers: “Not everybody may be on board with something, but it helps if you have line staff saying, ‘Well, I’m already using some of these things and here’s how it’s making my work easier. Here’s how it’s promoting me being safe. Here’s how it’s promoting better outcomes for the participants I work with.’ Then you have leadership from folks in the middle and you can promote the institutional cultural shift that needs to happen.”

In much the same way, the Family Justice Program uses “diagonal work groups” comprising members from various levels at a facility or office. “We get a range of perspectives,” said the project’s director, Margaret diZerega, “from the receptionist who’s getting phone calls from families with concerns about visitation rules or poor directions on the facility’s web page to the head of security, who may have very different concerns about interacting with family.”

On a national level, the Council for Juvenile Correctional Administrators, in collaboration with the Family Justice Program, plans to enhance its Performance-based Standards (PbS) to make them more family-focused. These guidelines for juvenile justice facilities should help organizations improve their use of such an approach, identify gaps and challenges, and quantify their success at doing this work.

Changes brought on by legislation—like California’s adoption of the Bill of Rights for Children of Incarcerated Parents, which guarantees children access to their parents and other family members—can be especially effec-

tive in changing culture. When people push for changes in legislation, Warner pointed out, “then it isn’t an issue about the ideology of a leader of an organization. It becomes something you will guarantee, regardless of budget conditions and other things.”

In Washington, a recent legislative change reflects a unique shift toward a family-focused approach to sentencing. Warner described the Family and Offender Sentencing Act, an alternative to incarceration that gives judges more options for sentencing adults who have minor children and are convicted of nonviolent crimes. “The court can essentially suspend their prison sentence and put them on what we call ‘community custody’ and engage them in the community,” Warner explained.

Language, especially as it is used in practice, policy, and legislation, can also set the tone for broader cultural change. One participant provided the example of a judge who listens to recordings of magistrates in the courtroom and gives them feedback about how they talk to family members. Another noted that family members have expressed an aversion to specific words, such as *offender* or *inmate*, which she suggested should therefore be avoided.

7 PRIORITIZE A FAMILY-FOCUSED APPROACH WHEN MAKING BUDGET DECISIONS.

Getting staff to think about families as a resource is challenging in the best of times. A budget crisis can make the process even harder. “Commissioners—at the adult or juvenile level—have done nothing but focus on cutting budgets, closing facilities, furloughs for staff, and transitioning their populations,” Warner noted. “Now more than ever [given limited resources], you want to engage families, but it is incredibly difficult.”

Competing agendas and needs, from the family level to the agency level, also present challenges to adopting this work. “A corrections system’s need for safety and security may seemingly be at odds with loved ones’ needs for comfort and a welcoming environment when they visit,” said Adalist-Estrin. “As some states have demonstrated, those agendas can be reconciled.”

If agencies know basic information about the relationships of the people they serve, it may help them justify prioritizing a family-focused approach. Once the Texas Youth Commission began collecting data on the number of parents in its facilities, Michael Hayes said staff started asking, “How do we program for them around parenting?” The organization incorporated a parenting and paternity awareness curriculum for young men in the system. Hayes recalled that some colleagues asked, “What are some concrete outcomes we can measure with administrative data that would show that it is cost-effective to spend time and energy and resources on these fathers?” He said employment-related services in child support have led to improved rates of employment and child-support collections.

“What are some concrete outcomes we can measure that would show that it is cost-effective to spend time and energy and resources on these fathers?”



Michael Hayes, director of family initiatives, Office of the Attorney General of Texas

Conclusion

From arrest to court to incarceration to reentry planning to release and afterward, countless opportunities exist for strengthening the interactions and protocols that affect families—and for engaging family members whose loved ones are involved in the justice system. Fortunately, a family-focused approach to justice reform is gradually becoming more commonplace. Good ideas, persistence, and the will to do things differently—among agency leaders, line staff, middle managers, incarcerated people, families, and communities—can help transform the system and improve public safety.

Vera's Family Justice Program will continue to solicit and test ideas about what is working in the juvenile and criminal justice systems and beyond. A range of organizations feel the impact of justice policies and practices, either directly or because of the collateral consequences of incarceration. Through a more holistic approach, these systems can do better by families.



RESOURCES

Campaign For Youth Justice (CFYJ)
and National Parent Caucus
<http://www.campaignforyouthjustice.org/>

Center for Juvenile Justice Reform, Georgetown
University Public Policy Institute
<http://cjjr.georgetown.edu/>

Department of Education, Brown University
<http://www.brown.edu/Departments/Education/index.php>

Family Initiatives, Office of the Attorney General of Texas
<https://www.oag.state.tx.us/cs/ofi/index.shtml>

Fatherhood Initiative, New York City Department
of Youth and Community Development
http://www.nyc.gov/html/dycd/html/family_support/fatherhood_initiative.shtml

Federal Office of Child Support Enforcement
<http://www.acf.hhs.gov/programs/cse/>

FosterClub
<http://www.fosterclub.com/article/about-us>

Friends Outside
<http://www.friendsoutside.org/programs-and-services.htm#Visitor-Centers>

National Resource Center on Children
and Families of the Incarcerated
<http://www.fcnetwork.org>

Ohio Department of Youth Services
<http://www.dys.ohio.gov/dnn/>

Public Welfare Foundation
<http://publicwelfare.org/Home.aspx>

Reclaiming Futures
<http://www.reclaimingfutures.org/>

San Francisco Children of Incarcerated Parents Partnership
<http://www.sfcipp.org/index.html>

Voice Of The Ex-Offender (VOTE)
<http://vote-nola.org/>

Washington State Department of Corrections
<http://www.doc.wa.gov/>

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