

# “WHAT ABOUT ME?”



## WHEN A PARENT GOES TO PRISON A guide to discussing your incarceration with your children

2019

Prepared by:  
New Jersey Department of Corrections  
Divisions of Programs and Community Services  
Office of Transitional Services

# WHEN A PARENT GOES TO PRISON

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The New Jersey Department of Corrections, Division of Programs and Community Services, Office of Transitional Services gratefully acknowledges the following for their contributions to this guide: Oregon Department of Corrections, Bosley, B., Donner, C., McLean, C., and Toomey-Hale, E., [(Eds.) (2002). *Parenting from Prison - A Resource Guide for Parents Incarcerated in Colorado*], Parenting from Prison Guide Committee, Denver, Colorado, and the Family and Corrections Network\*, Jenkinstown, Pennsylvania.

## WHEN YOU GO TO PRISON, YOUR CHILDREN ARE AFFECTED ALSO



Many of the men and women currently incarcerated are parents of children under the age of 18. It is estimated that 1.7 million children have a father in prison and 200,000 children have a mother in prison in the United States. Approximately ten million, or one in eight children, have experienced parental incarceration at some point of their lives. The link between generations is so strong, that half of all juveniles in custody had a father, mother, or other close relative who has been in jail or prison.

Little is known about what happens to children when their parents are incarcerated. Children of offenders have basic needs: a safe place to live and people to care for them in their parents' absence, food, clothing, and medical care. Beyond these basic needs, children have many less tangible needs. When parents are arrested, or placed in jail or prison, their children are often scared, confused, and upset. Often people don't talk about having a family member in prison because it is very personal information. Children, though, may have a lot of questions they need answers to.

Children need to be told the truth about their parents' situation. They need someone to listen without judging, so that their parents' incarceration need not remain secret. They need the friendship of others who share their situation so they can know they are not alone. They need contact with their parents: to have that relationship recognized and valued even under these circumstances. They need to be treated with respect, offered opportunity, and recognized as having potential.

When children are not in contact with their parents, it is a breeding ground for idealization, and when the parent is a big time criminal, they can turn them into legends.<sup>1</sup>

This guide is designed to help children, and families and caregivers, who have a mother, father, or close family member who is incarcerated. When children and families receive accurate information, they can better understand and cope with some of the stress they may experience when a relative goes to prison. This guide is also designed to encourage open and honest communication between children and adults.



## **WHY SHOULD YOU READ THIS GUIDE?**

Research shows that inmates who stay in touch with their families are likelier to have a smoother transition back into society when released.

<sup>1</sup>New York Times, Fox Butterfield. April 7, 1999. Parents in Prison: A Special Report; As Inmate Population Grows, So Does a Focus on Children.

Unless determined by a family court judge, serving time in prison does NOT mean that you have lost your right to make decisions about the care of your children or that your relationships with your children have become any less important. Parenting from prison isn't easy. You will probably get frustrated or feel overwhelmed at times. Some family relationships may be strained. Sometimes it may feel like it is impossible to stay in touch with your children. All of these challenges are real, and must be overcome. It will require patience, creativity, and persistence on your part. It **is** possible to play an active role in your children's lives. The major concerns for most incarcerated parents are:

- 1) Dealing with the emotions of being separated from their children,
- 2) Making decisions regarding the placement and care of their children,
- 3) Maintaining contact with their children during their incarceration,
- 4) Reuniting with their children once they are released from prison.



This guide will help *you* understand how your incarceration affects your children and how to establish a working relationship with the person who is taking care of your children during your incarceration. It also offers some practical suggestions on what you can do to make the most of this difficult situation. Remember: being a parent is the most challenging and rewarding job you will ever have.

# CHAPTER ONE

## COMMON STRESS POINTS

A parent's involvement in the criminal justice system often results in a series of crises: arrest, trial, incarceration, and re-entry. Each *stress point* presents new obstacles for children and families. Children and families experience unexpected emotions and challenges to established coping strategies.



### THE ARREST: FEAR, CONFUSION, AND PANIC

The trauma experienced by children who have a parent taken from them is extraordinary, perhaps more so if the child witnesses the arrest of the parent. The image of the person you love and respect being chained and dragged away is devastating. Even for children who do not witness the arrest, this image is terrifying.

Fueled by negative media images, children imagine the worst about their parent's condition. Families and children rarely have any information about the arrest, arraignment and detention process. They have no idea how, when and if they will ever see the arrested person again.



### PRE-TRIAL AND DURING TRIAL: ANXIETY AND FRUSTRATION

The arrested parent may be detained in jail to await trial or may be released on bail. In either case, this is a period of great uncertainty. No plans can be made.

Children whose worlds have been disrupted are often unable to get answers to their questions. They do not know what is expected of them or when the family will be torn apart by outside forces.



### **SENTENCING: HOPELESSNESS AND HELPLESSNESS**

For the child or other family members, the sentence usually comes as a shock. To many outside the family, this can seem odd. But the sentence makes the fears of separation a reality for the incarcerated parent as well as the children and other family members.

No matter how hopeless a case looks, most families continue to hope for a miracle until the very last minute. The sentencing is the very last minute, the time when hope dies.



### **INITIAL INCARCERATION: ABANDONMENT, STIGMA AND RESENTMENT**

For the child and other family members, the set of emotions experienced are often compared to the loss of a family member through death. This metaphor does not take into consideration how shame and humiliation about prison life affects the child along with economic or other calamities.

Children are well aware of the gravity of the situation and likely to conjure up horrible visions of what life in prison is like for their parents. Further complicating problems

include the reluctance of many custodial parents to allow children to visit a prison.



## **PRE AND POST RELEASE:**

### **AMBIVALENCE**

Interestingly, the times just before and after release are often the most traumatic for children and families. Problems, which were central to a family's culture before incarceration, have rarely been handled during the prison term. Children have changed during the parent's incarceration. They are older and at different stages of development. They have different needs and expectations. Yet imprisoned parents may not have seen the growth. Released prisoners often treat their children as if they were still at the age of initial incarceration.

The custodial parent has also changed. In two-parent families, he or she has had to become both mother and father and has gained independence and competence in areas formerly ceded entirely to the incarcerated partner. There may be considerable tension about how the relationship between the parents is to go forward.

Incarceration changed the newly released parent as well. In prison, he or she suffered a loss of identity and respect and made few decisions. The environment was filled with anger and hostility, kindness was interpreted as weakness, and there was no privacy. Release to freedom carries with it the danger that needs and emotions kept in check will come boiling up or explode.

This period is also filled with expectations of a new life and mended ways. Children and adults alike will feel an array of emotions including the ambivalence that comes with such radical changes and adjustments. Behavioral reactions will vary with each child and the environment.



The troublesome behaviors children exhibit can also be transient - appearing shortly after arrest or after the parent leaves and subsiding temporarily only to reappear at a later point. Some children react immediately to stress, challenging the adults to protect them and prove that they are competent caregivers. Other children seem to sense that the adults are vulnerable and may not be able to manage the distress. These children often act out their feelings at school or with a "protective" adult or they will hold it together until the adult seems O.K. Then, they will fall apart.

There are children who can even wait until the incarcerated parent is released to really express their rage and others who will not deal with their feelings until years after the parent's release. While there are many variations in how children and families manage each stage of involvement in the criminal justice system, the emotional impact will always cause some degree of stress and trauma.

*Ann Adalist-Estrin. Adapted from **How Can I Help?** published by the Osborne Association, Long Island, New York, used with permission*

Notes:

## CHAPTER TWO WHY MAINTAIN RELATIONSHIPS?



Is prison visiting good for the child of a prisoner? Is it good for the parent in prison? Is it good for the family? There is no one right answer for every situation or family. But there are many families and children that can benefit from maintaining family ties through the crises of incarceration.



### **CAN CONTACT WITH A PARENT IN PRISON BENEFIT CHILDREN?**

Each family situation is different. The potential benefit to children depends greatly on how much support they receive. There are many adults who are important in the lives of children of prisoners. Children can benefit when adults help with letter writing and phone calls. They can also benefit when these adults participate in preparing for and conducting visits. There are several ways children can benefit from visits to their parents in prison.



## **POTENTIAL BENEFITS TO CHILDREN**

### **1. CORRECTING FRIGHTENING IMAGES**

What the child imagines about the incarcerated parent's condition and circumstances is likely to be much worse and more frightening than the reality. As depressing as a prison visiting room may be, it is far better than what many children imagine.

### **2. TALKING FACE TO FACE**

Parents in prison can talk with their children about their crime and life behind bars in ways that can decrease the child's guilt and feelings of responsibility. Parents in prison can help their children feel worthy and lovable.

### **3. LEARNING YOU ARE NOT ALONE**

Seeing other children and families at prison visits helps families know their situation is not unique. There are people who understand.

### **4. PREPARING FOR RELEASE**

Maintaining contact through visits, phone and mail is also important to prepare the incarcerated parent to be reunited with the family upon release. Without contact, the child may experience the parent's return as an intrusion. The child may be confused when the newly released parent brings a change in parenting style and rules to an

established routine in the family. This can be true whether or not the parent will live with the child.

## **5. PREVENTING TERMINATION OF PARENTAL RIGHTS**

For children placed in foster care because of parental incarceration, visits are important to avoid permanent placement. These visits assure children that their parents have not voluntarily abandoned them to strangers. In the lives of foster children, ongoing visiting creates continuity. Also, courts may be less inclined to terminate the rights of a parent who, while incarcerated, worked to provide parental support.

## **6. HEALING GRIEF AND LOSS**

The pain of separation can overwhelm children in foster care and other children of prisoners. Maintaining the relationship between the child and the parent in prison is important to the child's adjustment and healing.



## **CAN CONTACT WITH FAMILY MEMBERS BEHIND BARS BENEFIT FAMILIES?**

Families can benefit from bridging the gap between jail and community. Families are complex systems. The absence of a part of the system has a powerful impact on its functioning. Family members in prison can be a vibrant part of the family if communication exists.

While prison limits the activities that a family member can perform, a prisoner can still fill an important role in family life as mother, father, spouse, partner, or sibling. But families can only benefit from their relationship with an incarcerated member when and if they stay in communication. There are many reasons for families separated by arrest and imprisonment to keep in touch. There are also many reasons that doing so is difficult.



### **CAN CONTACT WITH FAMILIES BENEFIT PRISONERS?**

The family is probably this country's most valuable weapon in fighting crime. Prisoners who receive visitors, maintain family ties, and are released to a stable home environment are more likely to succeed in leading productive, crime-free lives.

Prison inmates clearly benefit from family efforts to stay in touch. Families can provide an incentive for prisoners to grow, learn and change. Families can help prisoners stay in touch with what's going on in the world, easing their transition back to society. Some parole authorities see strong family ties as an indicator that a prisoner is better prepared for release.

Many parents in prison can contribute positively to a child's upbringing. Prisoners who have failed as citizens can succeed as parents. Prison can be an opportunity to become a better parent—more caring, concerned and informed.

Prison may not be the best place to improve one's parenting, but it has been done. Around the country, there is growing interest in starting and expanding programs to help prisoners learn the skills of parenting.

*By Ann Adalist-Estrin, Adapted from **How Can I Help?**, published by the Osborne Association, Long Island, New York, used with permission.*

Notes:

## CHAPTER THREE WHEN A PARENT GOES TO PRISON:

SHOULD YOU TELL? WHO SHOULD  
TELL? WHAT COULD YOU SAY?



### SOME GUIDELINES

When a parent or family member goes to prison, often, the family's first reaction is to protect the children by not telling them the truth ... or to tell them only part of the truth. Perhaps, the parent in prison is afraid of what the children will think of him or her. Afraid they won't love and respect them anymore.

The reality is that *children usually find out the truth anyway*. They hear adults talking, or a friend may tell them or simply figure things out for themselves. So, what is the best thing to do? While every family must decide for themselves, here are some key things keep in mind.



A. Children need to trust the adults who take care of them. *You build their trust when you tell the truth - even if it hurts*. Besides, if they find out you lied about a loved one in prison, they'll be hurt twice as hard ... about the imprisonment and your deception.

Also, if you lie about this, what else are you not telling the truth about?



B. *Children are smart.* While you may believe that you can explain a loved one's absence with a vague answer, (they are in the hospital, working for the state or away at school) children usually find out. Phone calls and letters declare when someone communicates from a correctional facility, or the children see the barbed wire when they visit, or their loved one never comes home – even if they beg or it's a holiday. These are just *some of the clues* that even the youngest of children can put together.

C. If children aren't given an explanation that makes sense – they will tell themselves *something* to fill the gap. That something may be worse than the truth. If you want them to come to you for information or comfort, you must demonstrate the “door is open” for honest communication. Be open and patient when they approach you.



D. Children need to hear explanations they can understand. Keep in mind their age and experience. Keep it simple. *It's not a one time discussion.* Often, once children have had an opportunity to think about things, they'll come back with other questions or feelings. Be open to talk about the crime, prison life and the safety of their parent or loved one ... *for most children, the number one priority is knowing that their parent or loved one is safe!*

E. Provide children with guidance about *what to tell people outside the family*. Should they say, “you’re separated” or “he’s away” or “in prison”? Every situation is different – so help children prepare for questions, teasing or offers of support from others.



F. Holidays, Mother’s Day, Father’s Day and birthdays are especially difficult. Schools may do special projects. ***Be proactive.*** Talk to your children about what’s coming up and ask them how they want to handle things. ***Provide guidance in advance.***

G. ***Prepare your children about what to expect*** during visits, phone calls or letters. Children experience time differently than adults. Help them understand how long someone will be gone or when the next contact may be.

H. Separate how *you feel* about the imprisoned adult from what *the child may feel* or want. It’s normal for children to want the adults in their lives to be good caregivers. Many children believe that once a parent comes home from prison they will be the mother or father they always wanted. Listen to their hopes and fears. Let them know what they may realistically expect, without bias or judgment.



I. If possible, ***include the imprisoned parent or loved one in the discussions.*** Discuss what you want to say in advance and practice with one another. Children feel better when the adult who is imprisoned says he or she is safe and cared for – and that the child is not at fault for anything. Reassure them that even

though prison is not a place where anyone wants to end up – the adult will be okay.

J. Finally, *just because an adult does a bad thing doesn't necessarily mean he or she is a bad person.* Separate the two. The incarcerated person made a mistake that he or she must be accountable for. Although walls may separate them, they still can love one another very much.

Notes:

## CHAPTER FOUR TELLING THE CHILDREN



It is a difficult decision to tell children that a family member, particularly a parent, is incarcerated. Parental shame or fears that your child will think less of the incarcerated family member can interfere with appropriate discussions. While it is ultimately a parent or caregiver's decision to inform the children, there are several issues that must be considered. Here are some hints:

If children are not given an answer or a plausible explanation, they may fantasize their own explanation to fill the void. Children may blame themselves and feel that they have contributed to the incarcerated parent being absent.



Children are also smart. While they can be convinced that the incarcerated parent or family member is in the hospital, working for the government, on vacation, or in school, the child may become mistrustful or confused by the discrepancy between what they are told and what they experience. Additionally, it is better for a child to find out that a family member is in prison from a caregiver rather than in the school yard or in the media.

In telling a child that a family member is in prison, it is important to keep the explanation simple and age appropriate. *Generally speaking, a “keep it simple” explanation includes:*

- A declaration of the incarcerated parent or family member’s love and care for the child,
- a statement that the incarceration is not related to any fault on the part of the child,
- that the incarceration is due to the incarcerated parent making a mistake that lead to incarceration,
- some indication of the duration of the absence of the family member from the child;
- a description of any future contact between the incarcerated parent with the child by mail, by phone, or in visitation.



Consideration can be given to include the incarcerated family member during the explanation, if you or the courts decide that there will be parent contact inside an institution.

There needs to be preparation and time to answer your child’s questions about prison, prison life, the crime, and the safety of the incarcerated parent.

It is better to say “I don’t know” and to find the correct answer for your child. Some children will not ask questions at the time of the explanation, but pose questions over the course of many days as they incorporate the

information and any feelings that they may experience.



Children may also need guidance in dealing with stigmatization and teasing that they may experience in the playground. If the child is told to not publicly share information that a parent is incarcerated, the child may need to be given a plausible explanation to share with others. Children at school are aware and accepting of single parent families and non custodial parents living in other communities. It may be enough to tell your child to share with others that the parents are separated. It may not be surprising that the responses and concerns of children of incarcerated parents can bear striking similarities to the responses of the children of separating and divorced parents.

You as a parent or caregiver may need to be aware of any attitudes and behaviors that are passed to the children during the explanation. Prisons are not normal places to be and criminal behavior is not appropriated. The process of talking with children is to normalize their experience and feelings without normalizing prison or crime. It may be important for you to sort through feelings and the explanation that you will use with a care professional.



There are some excellent print resources available to assist in telling the children about the incarceration of a family member. These include *When Your Parent is in Jail* by

Maureen Whitbold, When a Parent is in Jail by  
Stephanie St. Pierre, When Andy's Father went  
to Prison by Martha Hickman, and Two in  
Every 100 by Meg Chrisman.

Research has shown that children with an  
incarcerated parent are significantly more  
likely to become incarcerated themselves. An  
interruption of a potential cycle of second  
generation of criminal activity is necessary for  
effective crime prevention. Telling the children  
may start the process.

*Lloyd Withers, National Coordinator, Canadian Families and  
Corrections Network. This article is part of a guide for  
families and friends visiting Canadian federal prisons.  
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and friends visiting in Canadian federal prisons" with  
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## CHAPTER FIVE WHAT'S GOING ON?



### HOW DO I TALK TO MY CHILDREN ABOUT BEING IN PRISON? WHAT DO I TELL THEM?

*Some of the questions you may need to be prepared to answer include:*

- "What's going on?"
- "Why did you go away?"
- "Where will I live?"
- "Is it my fault you went away?"
- "Who will take care of me?"
- "When will I see you again?"
- "What do I do if people say mean things to me?"
- "When will things be normal again?"
- "What if something bad happens, and you're not here to help?"
- "Are you safe?"
- "When are you coming home?"



Your answers to these questions, and others, will depend mostly on the age of your children. Be prepared to discuss and answer questions about your incarceration and any concerns your children might have. Try to provide them with answers they can understand. After talking, you might want to ask them if they understood. Your children

may have trouble talking about their feelings: they may be confused about their feelings, or may not know how to express them. They are trying to cope with a lot too. Their emotions are real for them – even if they don't make sense to you. Remember: their fears are real. Uncertainty causes a lot of stress for children. Listen to your children closely: if you don't understand what they're trying to say to you, ask them questions.



**For younger children (age 5 and under):**

Children at this age will probably be most concerned with where you are, when they will see you again, and when you are coming home. Try to use words that your children can relate to and understand. At this age, children generally don't understand what prison is, or why someone is sent to prison. You want to answer your child's questions, but you don't have to give them details they won't understand.



**For children in elementary school (ages 6-10 years):**

Children at this age may begin to want more information and start to ask more questions. Children around 7-8 years old are beginning to develop a sense of right and wrong. They may begin to understand what prison is and that people are sent to prison because they did something wrong. Children at this age are also starting to have an understanding of what time is, so if your child wants to know when you are coming home, you can answer the question

more specifically, if you know. It will help them understand how long you will be apart if you relate it to something in their lives, for example, "Daddy will be home when you are in \_\_\_\_ grade", or "Mommy will be home when you will be \_\_\_\_ years old." The important thing to remember is to use words that your children can understand and relate to in their own lives.



### **SPECIAL CONSIDERATIONS: PARENTING TEENAGERS WHILE INCARCERATED**

Research indicates that 40 percent of teenagers who have an incarcerated parent visit them less frequently during their teenage years. Although this can be attributed to "normal" teenage behavior, it makes parenting a teenager from prison a little more challenging.

Children are becoming more independent during their teenage years. Although they still need parental guidance and structure, they are developing their own sense of identity separate from their parents. Keep in mind that, even if you were home with your children, you probably would be seeing less of them because they want to spend more time with their friends. This knowledge might help you if your teenager seems less interested in having the same level of contact with you as when they were younger. It is important that you let them know what your expectations of them are. The rules will have to be enforced primarily by the children's caregiver, but you can play a very important role in supporting

the caregiver so that your children are getting the same message from both of you.

Notes:

## CHAPTER SIX

### CONVERSATIONS: QUESTIONS CHILDREN ASK



A child needs contact with the parent in prison for the relationship to continue in a meaningful way. It also helps the child adjust to and heal from the separation. A child may have contact with an incarcerated mother or father by personal visits, letters, or phone calls. But the value of that contact often depends on the quality of the interactions and the content of the conversations.

Collect calls from prison are expensive and need to be kept short. Children are often not included in calls except for a fast greeting. Sometimes the children have so little to say that it seems that the conversation is meaningless. Yet hearing the parent's voice, even for a short time, may be more reassuring than it seems.



Mail from a parent in prison is important to children. A post card, acknowledging an accomplishment or remembering a birthday or holiday, means a lot to all children. Children of prisoners have

little else to connect them to their parents, so mail from them is especially treasured.

But children of prisoners need more than just contact from their parents and other adults. They need help coming to terms with what has happened. Children need a safe place to express their fears and feelings, and find answers to their questions.

**There are four main questions that children ask or want to ask their incarcerated parents:**

- Where are you?
- Why are you there?
- When are you coming home?
- Are you okay?

**There are also two questions in the hearts and minds of prisoners' children that they rarely ask:**

These questions are often “behind the scenes” in their conversations:

- Do you blame me?
- Do you love me?

These questions can come in many forms. Some children ask them directly with straightforward language. Other children beat around the bush. Some act out their questions by getting into trouble or by confronting adults with challenging or aggressive behaviors.



**THE ANSWERS PARENTS GIVE**

Incarcerated parents, their children's caregivers, and other interested adults should prepare to answer these questions. Sometimes parents are uncomfortable having these conversations. More often they are just not

sure how to answer children's questions in ways that children will understand.

Another issue is who will answer the questions? An incarcerated parent who is active in the child's life will want to be the one to answer most of these questions. Children typically ask about the experiences of the prisoner parent. These questions should be answered by that parent whenever possible. Sometimes though, the job of answering these questions belongs only to the caregiver or other parent. In either case, children seem to respond best when their questions are answered simply and honestly.

This article was written to help parents in prison and the caregivers of their children as they try to answer children's questions. As painful as these conversations may be, parents and children will weather the separation best when children better understand the situation.

#### **WHERE ARE YOU?**

Children's caretakers often try to protect children by avoiding the truth about the whereabouts of their incarcerated parent. There are several stories often used by parents and family members to answer the question "Where is Mom or Dad?" or "Where are you?"



#### **Away at School**

Sometimes children are told the parent in prison is "away at school". This lie rarely succeeds with school aged children who are old enough to understand that people (even college students) come home from school sometimes. Children of prisoners may

already have difficulty in school. *It doesn't help to associate school with the pain of what feels like permanent separation from parents.* It might even lead to, or exaggerate, a dislike of going to school.



#### **Working far away**

Sometimes children are told the parent in prison is “working far away”. This may satisfy children at first, especially if there is not increased financial stress. But it is hard for children to understand why money is tighter if the parent went away to work. Why aren't they sending home money? Children could assume that a parent doesn't want to see them or they would come home on their days off.



#### **In the military**

Sometimes children are told the parent in prison is “in the military”. This can give children a way to explain their parents' absence to their friends, especially if the parent's sentence is short. But in times of world conflict, it usually leaves children afraid of war and danger. *This can increase their worry and fear.*



#### **In the hospital**

Sometimes children are told the parent in prison is “in the hospital”. *This can raise children's fear of doctors and*

*hospitals, and increase anxiety over the health of the parent.* When parents do not return home within a few days, many children imagine that the parent has died and that no one is telling them the truth.

Regardless of the story, these lies become exposed to the child sooner or later, usually sooner if the child is visiting the parent in prison. As children read, watch TV, and listen to people talk, they quickly learn what a prison is and how it differs from work, school, or the military. Then the fact that the prison is not a school, hospital, or military base becomes clear to them.



Even if most children do not see the prison, they are likely to overhear a conversation that will reveal the truth. Most mail from prisoners is clearly marked as originating in a correctional facility, so the child (as well as the mailman and nosy neighbors) figures it out. If the prisoner calls home, the collect call operation usually says the call is from a prison.

Once children realize the truth, they feel lied to. They begin to develop distrust that hurts their relationships, especially with the person who made up the story. Lying to the child is often intended to minimize feelings of shame and stigma associated with parental incarceration. But it increases these feelings by creating a family secret. A family secret is a big burden for a small child.

Even when families tell children a parent is in prison, they often encourage the children not to tell others. This is not necessarily bad advice, since children can be cruel. Other children may tease, isolate, or humiliate the child. Sadly, even school officials and parents of children's friends cannot be counted on to provide support to children of prisoners. The child who has no one to share concerns with can pay a high emotional price for keeping a secret.

Parents and caregivers usually need to weigh three choices: tell the truth and let it be out in the open, tell the truth and ask children to keep it quiet, or make up a story. Parents and caregivers then have to judge the dangers of each option to the child's emotional health.

When the child knows the truth of *where* the parent is, they usually next ask *why*.



### **WHY ARE YOU HERE?**

Children need the truth, and in most cases they should get it, either before or at a visit. They are looking for a way to make sense out of what has happened. They become nervous and anxious if the answers they get do not make sense to them. Keep in mind:

- Children understand the idea of being punished for breaking rules.
- Young children need simple descriptions of the offense. "Dad hurt someone," or "Mom stole something," or "I took drugs," or "I sold drugs that are not allowed."
- Older children will have more questions and may need more detail.

- Truth is easier on kids than what they imagine.

Most children hear things about the crime either on the street or within the house or family. This knowledge will confuse them tremendously if they have not been told the truth.

Occasionally, prisoner parents are innocent. For them and for their families, the frustration and rage at the injustice of the system and the world is very real and can create tremendous hopelessness and despair. A prisoner may be guilty of a crime, but sentenced to time that is excessive. Many people wait months in jail before trial because they cannot afford bail.



An incarcerated parent may want to steadfastly maintain innocence, or believe the sentence is unfair, or consider bail excessive. These things need to be talked about without undermining a child's respect for appropriate and lawful authority or triggering fear and distrust. When the focus is not so much on whether the incarcerated parent's circumstances are "fair", but on how the child's parents, counselors, and teachers deal with unfairness, children can learn positive ways to advocate justice and fight discrimination and racism. Acknowledge that the incarcerated parent did something wrong and also that the criminal justice system unconsciously or unfairly added on an extra penalty because the offender was African American or Latino. Minority adolescents may

need to know they are at greater risk of arrest, detention and incarceration, and to be prepared for that possibility.

Often when one parent is incarcerated, children become overly concerned about and attached to the other parent or primary caretaker. They fear that s/he too will be taken away. Talk of how unjust the system is may increase the child's fear that the remaining parent may be taken away next.

Many prisoners, who are guilty as charged, struggle with the fear of being rejected if their loved ones knew the truth. They say they are innocent to keep their families.

Many children are extremely angry. They feel abandoned by parents who risked incarceration by their conflict with the law. In most cases, the incarcerated parent simply needs to apologize to the child for the upset and upheaval that s/he has caused. They need to ask the child to forgive and to be a partner in rebuilding their lives.

It takes *courage* to have these conversations. It means risking anger and rejection. It means admitting causing pain to those you love. The child's caregiver, and other adults in the child's life, can help by supporting the child's relationship with the incarcerated parent. This support helps build the honesty that is required for parents and children to sustain their family bonds through this crisis.



The parent in prison, the child's caregiver, and outside parties such as social

workers, may disagree about what to say about the arrest and incarceration. This can be hard to resolve. If the incarcerated parent is concerned about how the information about her/him is to be presented, it may be best if s/he is given the opportunity to share it directly. Hopefully s/he can be persuaded that the child is going to learn the truth eventually, and hearing it directly from the incarcerated parent is the best way to hear it.



### **WHEN ARE YOU COMING HOME?**

Throughout the entire process from arrest to release there is often tremendous uncertainty about when a prisoner will come home.

Most people know the range of possible outcomes: the maximum sentence one could receive if found guilty as charged, the sentence available if the defendant accepts the plea bargain offered, or the chance that the case will be dismissed altogether. For some, denial is so great that they never seem to consider the possibility of prison or jail sentence. Their instinct is to reassure their children that they will be out soon. When children seem distressed about a parent's incarceration, and beg their parents to come home, parents naturally want to offer relief. They often say "soon" or "It won't be long now". A child expecting a parent to come home from prison is devastated when the parent fails to arrive.

Children handle all this uncertainty best when they have honest answers - even when that means saying "I really don't know". Young children do best when they measure time in

seasons or holidays. “It looks like Mommy will be home after 3 summers or 5 birthdays”. Longer sentences sound long no matter what adults say to soften it. “Dad will probably get out when you are 18” is truly a lifetime to a 6 year old. Children are very concrete though. The truth is easier for them to grasp than vague answers like “It will be a long time”.

*When talking about when a parent is coming home, remember to consider where “home” is going to be.*

There are children whose parents will be released from jail or prison, but will not be living with the child. Sometimes, when the parent wasn't living with the child before the arrest, it is clearly understood that s/he won't be living with the child after release. But the arrest or incarceration of a parent often impacts not only on the child's custody, but also on the parent's relationship to a spouse/lover. The free world parent may find someone new while the partner is in prison. Children may imagine longed for reunions or family living situations. The harmfulness of these fantasies can be reduced when parents are honest about their plans.



### **ARE YOU OKAY?**

Mostly the child wants to be reassured that the incarcerated parent is safe, secure, and able to manage the difficult circumstances. Children are very sensitive to their environments. Many children travel home from prison visits in silence or in tears because they are deeply distressed over separating from the parent.

They also feel they are abandoning their beloved parent to a dreadful place.

Some parents would like to assure the child that they are safe and happy, but unfortunately, they cannot. Prison is not an OK place to be. It is not necessary to tell children the horrors of incarceration to teach them that imprisonment is a punishment. It will only worry them.

Answers to the question, "Are you OK?" such as "I am not OK in here but I can certainly handle it", or "I am OK in some ways. I have a bed and food and books to read. But I am not OK because prison is not a good place to be. And most of all I can't be with you" balance the truth with some reassurance that the parent misses the child and is not in severe danger.



### **DO YOU LOVE ME? DO YOU BLAME ME?**

These are not questions that children ask directly. Yet the purpose of much of the communication discussed throughout this article is directed to answering these questions: "Do you love me?" and "Do you blame me?" The goal is to insure that the child does in fact feel loved by the incarcerated parent and others, and does not feel responsible in any way for the terrible circumstances in which the family finds itself.

Children often blame themselves for their parent's mistakes. A child who pressured parents for an expensive gift may think that the parent's subsequent arrest for selling drugs was related to an effort to get the desired

object. Similarly, a child who has been angry at the parent may believe the subsequent arrest was somehow caused by their negative thoughts about the parent.

Parents generally see little connection between their criminal activity and their children, and certainly do not commit a crime for the purpose of abandoning their families. But children often interpret the parent's behavior solely in connection to themselves. "If you cared about me you wouldn't have gone to jail (left me)." Parents should be unwavering in their assurances that the child is loved unconditionally: that the child did nothing to cause the incarceration.

Notes

# CHAPTER SEVEN

## ANSWERING CHILDREN'S QUESTIONS



### A. WHY DID MOM OR DAD GO TO PRISON?

People are sent to jail or prison because they did not obey the law. Laws are rules that tell people how they should and should not behave. Children have rules of behavior too. When some children break the rules, they may get a time out or lose privileges. Prison and jail are like long time outs for adults.



### B. WHAT WILL HAPPEN TO ME?

Children may have a lot of change in their lives when a parent goes to jail or prison. No one likes to feel insecure. The following questions can guide discussion, and even answers, to provide reassurance.

- How long will my parent be in jail or prison?
- Will I live in the same place?
- Will I have to move?
- Who will I live with?
- Will I be able to live with my parent when he/she gets out of prison?



### **C. IS IT MY FAULT? NO!**

Many children feel guilty when their parent goes to prison. They may believe that they caused it to happen. It is very important to provide children with a non judgmental, relaxed, unhurried, and safe place to express their feelings, thoughts, and beliefs about why their parent was incarcerated. It is important to help children realize:

- There are negative consequences when a parent breaks the law.
- They are not responsible for either the parent's behavior or the consequences of that behavior.

### **D. WILL I GO TO PRISON TOO?**

Even if children are told they are the "spitting image" of the parent who went to prison, this doesn't mean the child will travel down the same path. Children need to understand that each person is responsible for his/her own choices in life.



### **E. WHERE DO PEOPLE IN PRISON LIVE?**

Sometimes people live in dorms, or they share a room, called a cell which has two bunks, a sink, a desk, and a toilet. The cells are usually very small and look alike.

### **F. WHAT DO PEOPLE IN PRISON WEAR?**

People in prison wear khaki clothes that look like a doctor's scrub suit.



### **G. WHERE DO PEOPLE IN PRISON EAT, AND WHAT KIND OF FOOD?**

People either eat in a dining room that looks a lot like a school cafeteria, or the food is brought to them and they eat in their rooms.

### **H. DO PEOPLE IN PRISON HAVE A TV, LIBRARY, BATHROOM/SHOWER, AND CAN THEY GO OUTSIDE?**

In some prisons people can buy their own TV's, but usually there are special TV rooms. The programs may change as different groups of people take turns choosing the channels that they like. There are libraries in all facilities. Every prison has a law library so the people can work on their court cases. Showers are shared by people in each housing unit: there are assigned showering times. There is usually recreation time, called yard, when people can go outside for an hour or two. People can walk or jog around the yard, or play sports. Different prisons have different activities available.



### **I. DO PEOPLE IN PRISON WORK?**

Most people are required by law to work. Some also attend school or vocational classes.

### **J. HOW DO PEOPLE IN PRISON SPEND THEIR TIME?**

People in prison should spend their time productively. They work or go to school and attend programs such as anger management, parenting, or alcohol and drug treatment classes. Many people also pursue hobbies like

art, reading, writing, playing chess, or exercising when they have spare time.



### **K. ARE PEOPLE IN PRISON SAFE AND HEALTHY?**

Correctional officers work hard to keep the prison safe. If people in prison have a medical or dental problem, they may be seen by a nurse, doctor, or dentist in the facility. Sometimes, people may need special health care outside of the prison.



### **L. CAN I SEE MY MOM/DAD WHILE THEY ARE IN PRISON? DO I HAVE TO?**

Many children can see or talk to their parent even while they're in prison. Some children, however, may be so angry or hurt when a parent is incarcerated that they do not want anything to do with him/her; others may crave contact. Talking about and validating the child's feelings can be helpful. Sometimes visiting may not be possible. The child may prefer to avoid contact or distance may be a problem. There may also be a court order preventing the parent from having any type of contact with the child. When visiting is an option, it usually can be arranged. Children who want to maintain closed contact with their incarcerated parent should be encouraged to write, draw pictures (with markers, not crayons), talk on the telephone, and visit as much as possible. Research shows that maintaining contact and allowing children to visit, if possible, helps the children.



### **M. WHAT DO I TELL OTHER PEOPLE?**

Many people are ashamed to talk about having someone close to them in prison. It may reassure children to tell them that:

- Two of every 100 children have a parent in prison or jail.
- They didn't do anything wrong. People should not try to make you feel guilty or ashamed.
- Sometimes, it is easier not to talk about a parent who is incarcerated, but you may never learn that there are plenty of other kids in the same situation. Talking about it with people you trust may help.
- It's OK to love our parent who is in prison, even if some people don't think you should.



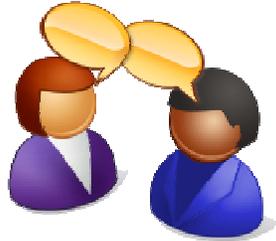
### **N. HOW CAN I FIND OUT WHEN MY MOM OR DAD WILL COME HOME?**

People in prison usually know the approximate date they will be released. People on the outside can look on the Internet ([www.doc.state.nj.us](http://www.doc.state.nj.us)) to find out the release date.

Notes:

# CHAPTER EIGHT

## COMMUNICATION TIPS FOR PRISONERS AND THEIR FAMILIES



### COMMUNICATION IS THE SOURCE OF RELATIONSHIPS

Communication produces, sustains, and empowers relationships. For children whose parents are incarcerated, communication with the parent in prison is essential. Without communication, their adjustment and long term well being may be compromised. But opportunities for communication between children and their incarcerated parents are limited. These communications are carefully defined and rigorously controlled, both by the prison and the children's adult caregivers.



For many children, the prison visit may be the first time their parents have really taken the time to talk to them, to share their thoughts and feelings, to listen to them, to spend time with them. Even when contact is limited to letters and phone calls, children can be greatly sustained by a parent's encouragement, support, and listening ear. This is difficult at best - but meaningful communication between children and their prisoner parent is possible.



## **CONVERSATIONS PARENTS AND CHILDREN CAN HAVE**

Some of the questions children have are discussed in *Conversations, Questions Children Ask*. These questions usually arise around the time a parent is incarcerated. Over the months or years of an incarceration, and even after a parent is released, children will continue to ask questions. These questions and their answers are part of an ongoing relationship between a child and her/his incarcerated parent. This relationship will require and thrive on many kinds of communication.



## **COMMUNICATING BY MAIL**

Letters are a valuable tool for communication between children and their prisoner parents. Letters to and from children can provide an opportunity to share feelings without fear of judgment or shame. Some children can better express their anger and hurt in writing and drawing - clearing the way for a closer relationship in the future.

Some incarcerated parents can better express their affection and remorse in a letter without the embarrassment they may feel in a personal conversation. Saving the letters from an ongoing correspondence can be like keeping a journal. Re-reading a parent's letters over time can give a child a tangible experience of a growing relationship.

To communicate with a parent by mail, children may need help. Most children have

difficulty writing letters. For children of prisoners letter writing is often complicated by an array of obstacles. These obstacles include prison regulations and caregivers who may not want to stay connected to the inmate parent. Also, children's feelings of sadness, abandonment and rage are very difficult to put into words. However, when adults work together they can help children cope with these obstacles.



### **HOW CAREGIVERS CAN HELP WITH MAIL**

Talk with children often about things they wish they could tell their parent. Make a running list of these things that can be put in a letter to Mom or Dad. Plan for holidays and special occasions. Most gifts are not allowed to be sent into a prison or jail. Find out what is allowed and use this list to help children choose items for birthdays or holidays.

Talk about other types of gifts that can be sent, such as a photograph of the child in a hand made paper frame. When children make gifts at school such as clay pots and wooden items, encourage them to take a picture of the item. They can send the picture to Mom or Dad or keep a "treasure box" of these gifts to give to their parent upon release.



Other good items to help the child send are greeting cards (homemade or store bought), school tests and copies of report cards, diplomas and awards.

Send school papers to parents. Most children and their parents have an easier time with school work that received a good grade, but encourage children to send their less than perfect work as well. Some incarcerated parents feel more connected to their children when they see papers and tests that children need help with, especially when they can write back with ideas and questions.



For children who cannot write, an adult can “take dictation” and write the children’s message for them. A stack of stamped envelopes, already addressed to the parent, can help children send messages or drawings whenever they like. But don’t address too many, most prisoners are moved often during their incarceration.

Many children may need prompting from caregivers to keep in touch with the parent in prison. Some occasions are especially appropriate for prompting; getting school pictures, the parent’s birthday, and holidays. Keep a calendar with these dates and reminders on it. Put this calendar where the child can see and reach it.



Parents in jails and prisons may also need help communicating with their child. Family members can help by reminding them of birthdays and giving advice about the child’s interests. They can let them know a child’s real feelings and thoughts. If the relationship between the prisoner and the

child's caregiver is strained, the parent in prison may also need "permission" to write or encouragement to write often.



### **HOW PARENTS IN PRISON CAN HELP WITH MAIL**

Children of prisoners usually love getting letters from their parents. They may not write back in a timely fashion, but that does not mean that these letters are not welcomed.

Write often. Just as most young children would rather have five pennies than one nickel, younger kids would rather get many notes and cards than a few long ones.

Prisoners can clip and send cartoons and photos from newspapers and magazines.

Write letters in large block letters so they are easy for the child to read.



Prisoners with artistic talent can draw pictures of where they live, work, eat, and exercise to help children understand their daily activities.

Some prisoners send line drawings or tracings of familiar television or cartoon characters for their children to color and send back.



Add on drawing activities are great fun. The parent begins a drawing and sends it to the child, asking them to add on to it and

send it back. This can go on for some time, back and forth.

Older children may not need block letters or cartoons, but they do need to know they are in their parent's thoughts. Notes and cards of all kinds are appreciated.



Some older children like to play paper games like tic-tac-toe and hang man that can be sent back and forth. Versions of crossword puzzles, boggle, chess, and checkers as well as inventions based on current computer games have been created by children to send to parents in jail.

Ask children lots of questions in your letters. Ask about school, friends, TV, pets, and sports.



See if there is a book that your child is reading that you could get from the prison library. When parents and children read the same book, lots of great conversation can happen on the phone, in letters, and in visits.

See if your prison has a program where you can read a book to your child on audio or video tape.

Encourage your child to send you school papers and report cards. Ask you child to even send papers that aren't so good. Then you can help your child with school by writing ideas in your next letter or talk about it on the phone.

Remember not to be harsh or overly critical about your child's work, drawings or letters,

even when you are disappointed in their grades or the frequency of their letters to you. When you need to correct them or voice concern, emphasize what they did right as well as what needs improvement.



Even if you do not know where your child is, your letters are returned, or you have been asked not to write... write anyway. Letters written but not sent can be stored away for a time when the child will be able to read them. At that time the child will know that she or he was thought about and cared for from a distance.

Many parents in prison had trouble learning to read in school. If you have trouble reading, you are not alone. Hold on to the letters until you find a friend or counselor that you trust and ask for help. Find out if there are adult or family literacy classes at your prison.



### **COMMUNICATING BY PHONE OR IN THE VISITING ROOM**

It's often hard for parents and children to communicate, even without the barriers of incarceration. Teens and pre-teens who seem to be able to talk endlessly to friends, and "live" on the phone have a hard time talking with parents for more than a few minutes. For prisoners and their children, opportunities to talk are limited. Finding things to talk about is challenging. The parent often feels pressure to make the communication meaningful. Parents may feel rejected when the child has little to say. In this stressful situation, parents often resort to asking a million questions – questions

that children experience as intrusive. Parents, and children alike, worry that talk of the outside world will be upsetting to everyone.

What really counts is the parent listening to the child. The subject of the conversation is not so important.

Whether talking in the visiting room or on the telephone, here are some tips for prisoner parents.

- Don't be afraid to ask about the child's life. Not asking may make children feel that you are not interested, or worried about their answers.
- Remember that children like their privacy. They may not want to reveal some things about their lives, or they may want to tell you things slowly over time. If children react as if you are invading their privacy, back off.
- Do things "together apart". Read the same book, plan to watch the same TV show, do amateur astronomy and watch for changes in the moon or stars. Ask about topics like the weather, sports and music. These are part of the every day life of most kids.



### **GAMES TO HELP KEEP COMMUNICATION GOING**

Some prisons will have games and toys available for kids. Create and expand each other's stories. The parent or child begins a story, and they take turns adding to it. Phone games include riddles, developmentally appropriate jokes and "I spy something ..." saying that you see something of a specific

color or shape and letting the child guess what it might be.

Make sure everyone gets a turn when playing games on the phone or in a visit.



### **LONG DISTANCE DISCIPLINE**

Trying to discipline a child from prison is difficult. For some families it gives relief to caregivers and helps keep the prisoner parent involved. For other families it causes resentment and stress for one, or both, of the adults. For most families, too much focus on discipline can use up valuable communication time and leave children feeling hurt and angry.

Parents in prison can help guide or correct children's behaviors. They can listen to the child's feelings and talk about family rules and values. They can reinforce the consequences imposed by the caregiver and give advice about dealing with problems in the future.



Sometimes the child is brought to the visit by the caregiver just to be reprimanded by the prisoner parent. The custodial parent or grandparent may ask the incarcerated parent to discipline the child on the telephone. Outside adults should be careful not to use the visit or phone time for only discipline time, or to tell all the "sins" committed by the child. The child will lose interest in visiting and talking to their parent if every contact feels like a lecture or a reprimand. Parents in prison should resist the temptation to preach about their own mistakes and trouble with the law. Let the child's behavior stand separate from

the parent's crime. Children who can communicate freely, and often, with their incarcerated parent will also be more open to discipline from them.



### **PROMISES, PROMISES**

Sometimes the lack of comfortable topics for conversation will lead incarcerated parents to speak about how it will be when the parent and child are reunited. It is wonderful to keep hope alive. *But promises about what the parent will do, buy, and get for the child are easy to make, and hard to keep.* Promises shift the relationship from today into an uncertain future. Children may need help coping with reality, not living in a dream.



### **WHEN CHILDREN DON'T WANT TO COMMUNICATE**

There are times when children may not want to talk or visit. There is no simple answer to what should be done about this. There are many possible reasons the child does not want contact with the parent in prison. The child's relationship with the parent may have been strained. The prison environment may feel threatening, awkward or embarrassing. Traveling to visits can be stressful and boring. The visiting process itself can be humiliating and tedious.

Some or all of the above may be issues for most children of prisoners. So it is not surprising that children sometimes resist contact with their inmate parent. Notice if the child resists

both phone conversations and visits. This may suggest there is a problem in the relationship. If the child only avoids visits, perhaps the time or conditions of visiting are the problem. At some ages children have busy lives. At those ages they have little time for their parents, incarcerated or not. Sometimes children don't like to go to prison because they feel ignored, they feel tension between their family members or they are bored during the visit. It is best not to force children to visit or talk. Sometimes, however, parents give up too easily and don't try to convince the child to communicate. To children, this can seem to confirm that contact wasn't a good idea.

#### **WHEN CHILDREN RESIST CONTACT**

- Let children know that you expect them to talk or visit *sometimes*.
- If a child's reaction to this expectation is extreme, back off and try again in a few weeks.
- Don't give up calling or asking to see them no matter how rejected you feel.



#### **AN IMPORTANT EXCEPTION**

Sometimes, a child's resistance to contact is the result of abuse by the parent. These children need counseling. Visits and phone calls could interfere with treatment

Remember also that more than three out of four prisoners have histories of addiction and abuse of alcohol and other drugs. Children of alcoholics and drug addicts may be almost relieved to have contact with their parents in jail because they are more likely to be sober. They may have anger and resentment that

needs to be resolved before they can trust their parents enough to talk or visit.

When children don't want to visit for any reason, parents in prison need to seek help from counselors, social workers, and friends. It's hard to cope with a child's rejection. Many prisoners do not want to be reminded of the hurt they have caused. The anger of their children speaks volumes about the damage done.



Some prisoners are focused on their own pain and can't see the impact they have had on their children. Some children are focused on getting on with their lives and can't see the need for a relationship with their imprisoned parent. Patience, support from family and friends, and good information about how children of prisoners cope will help.

*By Ann Adalist-Estrin. Adapted from **How Can I Help?**  
Published by the Osborne Association, Long Island, New  
York, used with permission.*

Notes:

## CHAPTER NINE BUILDING A RELATIONSHIP WITH THE CAREGIVER



It is important that you make an effort to build a good relationship with the caregiver regarding the care of your children. Getting along with the caregiver will help make your children's lives easier and help you maintain a relationship with your children. It's also important that the caregiver has certified copies of your children's birth certificates so that he or she can enroll them in school or apply for financial assistance if necessary.

### **A. HOW IMPORTANT IS COMMUNICATION WITH MY CHILD'S CAREGIVER?**

Regular communication with the caregiver while you are incarcerated is very important. It is primarily your responsibility to initiate and maintain contact and a working relationship with the caregiver for your children. You may have to address problems between you and the caregiver to be able to communicate about your children during your incarceration. If there is conflict between you and the caregiver that you are unable to resolve, you may need to limit your discussion to the immediate concerns about your children.

Hopefully, both of you have your children's best interests at heart.

## **B. HOW DOES MY INCARCERATION AFFECT THE CAREGIVER?**

When a parent is incarcerated, the caregiver for their children needs support too. Caregivers who are relatives, especially grandparents, may be coping with their own feelings of grief, loss, or anger that you are in prison. *It is important to remember that caregivers have often drastically changed their lives to take on the responsibility of raising your children.* They may be struggling financially to raise your children. The shame and stigma associated with incarceration may affect them too. It is important to understand that taking care of children whose parent is incarcerated is often difficult. There are things you can do to let the caregiver know you appreciate him/her taking care of your children (i.e. birthday or holiday cards).



## **C. WHAT IF I HAVE PROBLEMS WITH MY CHILDREN'S CAREGIVER?**

It is important that you try and resolve problems between you and your children's caregiver. Treat the caregiver with respect, even if you have disagreements. If there is a lot of conflict between you that you are unable to resolve, it is important that you seek help with the situation. If you aren't involved in a legal case, and the caregiver refuses to respond to your requests for contact, you may need to file an action in court in order to have contact with your children. It is better for your children if you try to work things out directly

with the caregiver or with the help of a third party. This way your children are not stressed out by ongoing conflict between you and the caregiver.



#### **D. HOW DO I COMMUNICATE AND WORK WITH FOSTER PARENTS?**

Non-relative caregivers like foster parents, may or may not be as open to working with you because you are in prison. Foster parents may be more hesitant to bring your children for visits or to accept collect calls. If your children are in foster care, you will need to make a special effort to build a working relationship with the foster parents and the (DYFS) social worker. In some cases you may not have direct contact with the foster parents and all communication with your children will occur through the social worker. In other cases, you may be able to write or call your children at the foster family's home. The first step is to contact the social worker to discuss issues such as, how all parties involved are going to work together and how to arrange contact with your children (visits, telephone calls, and letters). If you have difficulties working with the foster parents, try and see if the social worker or your lawyer can help you resolve the problem.

Notes:

## CHAPTER TEN

# VISITING MOM OR DAD

### THE CHILD'S PERSPECTIVE



The decision of whether or not to take children to visit parents in jail or prison is a hard one. It depends on finances, prison policy, transportation, distance and the preference of the parent behind bars. Studies do show that most children manage the crisis of parental incarceration better when they visit their parents. Usually, it takes time for them to cope with the feelings that the visits raise, though. While not visiting is sometimes easier on the emotions in the short run, out of sight is not out of mind.

Distance leaves a lot of confusion, questions, imagined dangers and fears for kids to deal with. These feelings may show up in problem behaviors at home, school or both and can be harmful to the child over time.

Children depend on their adult caregivers to make the experience of visiting parents in prison as stress free as possible.



## **KNOW THE RULES**

Knowing visiting rules and regulations, including where to go and what to bring, is an important part of the adult's preparation for a prison visit. These preparations can make the visit and the post visit reaction easier for the child.

Children need preparation as well. First, it is important to share with the child as much as is appropriate, according to the child's age, about what the visit will be like. Tell the child: how long the ride is, if correctional officers will be in uniforms, what the inmate parent will be wearing, details about the search process for getting in and guidelines for going to the bathroom and using vending machines.

Some of this information can best be obtained from prisoner parents. Prisoners can tell caregivers what they will be wearing, and if there are any changes in their physical appearance since the last time the child saw them.

Some information can be obtained from the prison, especially about visiting hours and what you can take in. Caregivers may also tell children how they will go to the prison, how long the trip will take and if there is money for snacks. When the experience matches children's expectations, they will be less anxious.



## **KNOW THE CHILD**

How long can the child sit? Are there choices of time of day to go? How long in advance do they need to begin to discuss the visit? Some children (those with slow-to-warm-up temperaments) take a long time to adapt and adjust to people, places, and ideas or plans. They need days or weeks of talking about the visit to be ready. Other children with very persistent and non-distractible temperaments may become too anxious if the preparations begin too far in advance. Discussing the visit only a day or two ahead of time may work better for them.

Incarcerated parents can also help. They can write to their child telling them all about what the visits will be like. They can be in touch with caregivers in advance to be filled in on the child's daily life and make lists of things to talk about in the visit.



## **PLAN TO TALK**

What to talk about in the visit is often a real challenge for the children and their parents and caregivers. Children are afraid if they tell their parent about life on the outside, it will make them sad. Parents may be worried that if they talk about life inside, the children will be scared or bored. But, it is OK to talk about every day life. That is what children and parents are missing and needing.

Caregivers also need to know how to talk to children after visits. Ask them about what they

remembered or liked best about the visit and also about what they didn't like or what was hard to say. This will let them know that it is OK to talk about their parents. It will also prepare them for the next visit.



Some caregivers may have trouble separating their feelings about the prisoner and the crime from the child's feelings. When this happens, children have trouble expressing their own feelings—from fear of upsetting the caregiver. In some cases, it becomes necessary to seek professional guidance and counseling.

### **HAVE REALISTIC EXPECTATIONS**

The chart in the "Appendix" section provides guidelines on how to prepare children of different ages for prison visits.



### **A CHILD'S FIRST VISIT**

If the facility is geographically near, and several visits will be possible within a short time after the initial incarceration, it is probably best if the adult (custodial parent, foster parent, social worker) visits alone the first time. In that way, s/he will be able to describe the facility to the child, assure the child of the parent's health and safety, and prepare better for the visit.

It is important to take time to talk to the incarcerated parent about the importance of focusing her/his attention on the child. Give the prisoner parent ideas for things to talk

about related to the child's interests and feelings.

- This pamphlet and others in the Children of Prisoners Library (CPL) can help prisoners prepare for visits. Since most prisoners do not have access to the Internet, friends and family can help by mailing CPL materials to them.
- If it is not possible to make a "pre-visit", try to ask the inmate about the facility and the visiting rules, or speak to someone who has visited the institution, and get as much information as you can about the entry process. How long is the wait? What does the visiting room look like? What is available to eat? If you don't know anyone, call the facility.
- Since many visiting rooms have nothing to help you amuse a child, try to think of imaginative ways to keep the child engaged while waiting and while visiting.
- 



#### **TWO FINAL THOUGHTS**

1. The known is always easier than the imagined...when possible, be truthful.
2. It is usually easier to leave than to be left. If possible let children leave the visit before the parent returns to their unit or cell.

*By Ann Adalist-Estrin 2<sup>nd</sup> edition: originally published in 1989 by the Parent Resource Association.*

# CHAPTER ELEVEN

## PARENTING FROM PRISON



### A. HOW DOES BEING IN PRISON CHANGE THE WAY I PARENT?

*Even though you may not be involved in the day to day care of your children, you can still provide them with emotional support and guidance that is very important to them.*

For both you and your children, it is important to understand that you can still be an active, caring parent even though you are in prison. It is also important for you to understand that your children are coping with a lot too, and will need some time and support to adjust.



### B. WHAT IF I DIDN'T HAVE MUCH CONTACT WITH MY CHILDREN PRIOR TO MY INCARCERATION? IS IT TOO LATE TO TRY AND ESTABLISH A RELATIONSHIP WITH MY CHILDREN NOW THAT I'M IN PRISON?

Even if you've never had contact with your children prior to your incarceration, it is never too late to try and have a relationship with your children. Trying to start a relationship with your children after you are in prison may

be difficult and require that you take several small steps rather than just one big one. Unless you've been ordered by the court not to have contact with your children, you may want to write a letter to your children's other parent and see if they're open to the idea of you trying to establish a relationship with your children. If you had a good relationship with the other parent, they may be willing to help you establish a relationship. If you don't have a very good relationship, you may want to try and resolve some of the issues between the two of you before you move forward with establishing a relationship with your children. It's important that you remember that building any relationship takes time and trust. You might need to move forward slowly and gently.



### **C. WHAT CAN I DO TO EMOTIONALLY COPE WITH BEING SEPARATED FROM MY CHILDREN?**

*How well you deal with your incarceration will have a direct influence on how well your children cope.*

You may have feelings of regret, loss, depression, guilt, anxiety or helplessness because you are separated from your children. You may also be afraid of being rejected by your children, or resentful that your children are bonding with someone else while you are in prison. You may also feel angry that you are in prison or feel that you were treated unfairly by the criminal justice system. Since your reactions will affect your children, it is important that you start and try to deal with

your emotions first so that you can best help your children make their adjustment.



Some things you can do to help deal with your separation from your children:

- Acknowledge your feelings. Express your feelings whether you have contact with your children or not.
- Denying your feelings may cause you to shut down and not be there for your children.
- Write down your thoughts or feelings in a journal on a regular basis.
- Make a list of your personal strengths.
- Talk with other incarcerated parents about their experience. They may have a different perspective that might help you.
- Create and use your support system. It is okay to reach out to family, friends, and others for help.
- Learn as much as you can about child development and parenting through parenting programs offered at the prison or from books in the prison library.
- Set realistic goals for yourself about what you can do to be involved in your children's lives and do those things.
- Try to find ways to reduce your stress.
- Be patient with yourself, your children, and their caregiver. You are all going through a stressful time.
- Be careful about sharing all of your emotions with your children. While it is very important to be honest with your children and to explain how you are feeling to them remember that children will take your feelings personally.



#### **D. HOW ARE CHILDREN AFFECTED BY HAVING A PARENT IN PRISON?**

Although each child and each situation is different, research has shown that children separated from a parent due to incarceration have some common behavioral and emotional reactions. Common feelings children may have are:

- Sadness, grief, low self-esteem, loneliness or depression because of the separation from you, or feeling rejected because you went away. Children, especially younger ones, may believe they did something wrong to make you go away or that you went away because there is something wrong with them;
- Confusion or feeling helpless because they don't understand what has happened or don't know how to change it to make it better;
- Fear, worry, anxiety about your safety and their safety;
- Anger at you, "the system", and/or their caregiver for being separated from you;
- Guilt because children may think they did something to make you go away;
- Difficulties trusting people or fear of getting close to people;
- Expectations of being rejected in other relationships;
- Shame or embarrassment if other people make fun of them for having a parent in prison or speak badly of you.

How children may behave:

- May withdraw from friends and family
- May have problems sleeping or bad dreams
- May have problems in school (i.e. difficulty concentrating, lower grades, missing classes, dropping out of school, becoming disruptive in school, getting into fights)
- May start making up stories or not telling the truth
- May abuse drugs or alcohol
- May get in trouble with the law
- May have developmental problems (i.e. trouble learning language skills)
- May start acting younger than their age (regression) (i.e. bedwetting, clinging)
- May have difficulties bonding with their old children later in life



#### **E. WHAT ARE SOME OF THE FACTORS THAT MAY AFFECT HOW MY CHILDREN REACT TO MY INCARCERATION?**

It is important to remember that each child is different and will react differently. Their feelings and behaviors may also change over time. Some of the factors that may influence your children's reactions include:

- Their age
- Their relationship with you prior to your incarceration
- Whether they were living with you prior to your incarceration
- The length of your prison sentence
- Their feelings about the crime of which you were convicted

- Their relationship to their current caregiver and the stability of their current home life
- Whether they are separated from their brothers or sisters
- Whether older children are taking responsibility for caring for younger brothers or sisters
- How other people treat them because you are in prison
- The amount and quality of contact you have with them while you are in prison

Incarceration can be a very traumatic experience for a child. You, your children, and their caregiver will have to adjust to changes in your relationship in three major phases:

- 1) The initial separation at the time of your arrest and the resulting loss of contact between you and your children;
- 2) The enduring or ongoing separation between you and your children during your incarceration,
- 3) The reunification period upon your release



## **F. WHAT CAN I DO TO HELP MY CHILDREN ADJUST DURING MY INCARCERATION?**

### **When First Incarcerated**

- Reassure them about your safety and well being. Tell them about your day, and describe where you live. If children have some idea about what your life is like, it might help calm their fears about your safety.
- Answer any questions your children may have. Reassure them that they are

OK and that they will be well cared for. Depending on the age of your children, you might want to discuss how long you will be in prison.

- Help make arrangements or know where your children are going to live while you are in prison.
- Talk with your children about how often you can call, write, or visit with them so they know what to expect. Above all else, be as consistent as possible.
- Know the hours and regulations for visitation so that you help the caregiver make arrangements for visits, if possible.

#### **During Your Incarceration**

- Find out as much as you can about your children's day to day life, including how they are doing at school (you can ask either the teacher or the caregiver to mail you copies of report cards), who their friends are, and what activities they are involved in. That way, you'll have things to talk about either during visits or through letters and telephone calls. This will also help you feel more connected to what is going on in their lives. Let them know you are still a part of their lives.
- Have regular and consistent contact with your children through visits, phone calls and letters. Tell your children often that you love them and how important they are to you.
- Have close contact with your children's caregiver to see if they need your

assistance with anything regarding your children.

- Find out if the prison offers any special programs for parents (if the prison has a program where you can read a book to your children in a tape recorder and send the tape to your children; or if the prison has games in the visiting room.) If the prison doesn't, you might talk to officials to see if it's possible to start a program.
- Seek outside support for your children if you think they need it from teachers, spiritual counselors, or community programs.

### **During Visits**

- Be creative with your children. Play games, tell stories, read books, or draw pictures. Before the visit, plan activities - it can make the visits more fun.
- Tell your children that you love them and talk about what's going on in their lives. Consider following up the visit with a letter or phone call to thank them for coming for a visit and to follow up with anything you talked about during the visit. For example, "Let me know how your test goes on Monday."
- Encourage your children to discuss their feelings with you - both good and bad. They look to you for understanding and guidance. Be a good listener.
- Above all, be patient! This is a difficult situation for everyone involved. Children have good days and bad days too. Not all visits are going to go well. It doesn't mean that your children don't

love you or that you shouldn't have future visits.



### **G. HOW IMPORTANT IS VISITATION WITH MY CHILDREN WHILE I AM INCARCERATED?**

Research indicates that most children benefit from contact with their parents, even if it occurs in a prison. Research also indicates that the sooner children can have contact with their parent following a separation, the better. While visiting a parent in prison may be emotional for the children, the long term benefits usually outweigh the difficulties. The first visit is usually the hardest: visits with your children usually become easier when they are as regular and frequent as possible.

It may be helpful to prepare your children for the visit through letters or phone calls so they will know what to expect. Let them know what the visiting area is like, what activities (if any) you can do together, and how long of a visit you can have. It is also important for you to let your child's caregiver know the rules regarding visitation, like dress codes, so you don't have problems with the visit. Visits can make the separation a little easier on you and your children. Frequent, consistent, quality contact with an incarcerated parent has been shown to help families successfully reunite after a parent is released.

Remember that your children are affected by what you say and how you say it. Try to prepare yourself before a visit or phone call with your children.



## **H. WHAT IF MY CHILDREN HAVE DIFFICULTIES DURING OR AFTER A VISIT?**

It is normal for children to have emotional and/or behavioral reactions during of following a visit. This is most often due to the difficulty in reconnecting then separating again. It is similar to what children experience when custody is shared between two parents who are divorced. If you are having a visit with your children and they won't talk to you or seem withdrawn, don't push it. Continue to have a visit with the adult who is there with them and create opportunities for your children to join the conversation. Don't take it personally if your children show some strain during the visit: they probably aren't rejecting you, they're just trying to manage their feelings the best way they know how. Be patient. If your children are having a really difficult time with the visit, you may want to cut it short. Everyone has bad days. Try to be adaptable and flexible.

If your children get really upset when it is time to end the visit, the best thing you can do is tell them that you love them and that you will see them again, then go ahead and leave. Let the caregiver take care of comforting your child at that point. Try to stay calm, and don't prolong the process. If your child is really upset, you could write or call later that night to say you love him/her and to see if he/she wants to talk about it. If they don't want to talk about it, it's ok.



### **I. WHAT CAN I DO IF THE CAREGIVER WILL NOT, OR CANNOT, BRING MY CHILDREN TO VISIT?**

Be both patient and persistent in finding ways to make the visitation possible. Consider the reasons the caregiver gives for not being able to bring the children for a visit. You may want to contact family, friends, or community groups to see if they can assist the children's caregiver in making visits with you possible. Even if you aren't able to have visits with your children, don't forget that you can always stay in contact through regular letters and telephone calls.



### **J. WHERE CAN I GET HELP?**

Sometimes adults don't talk about the incarcerated parent because they are afraid it will upset the child. However, when a child is upset, hurt, or confused, it is better for them to express those feelings to others than to keep those emotions inside. Children are likely to worry, and believe things are worse than they really are if a parent "disappears" and no one talks about it or lets them talk about it. Children should be encouraged to reach out to those they trust. They can be encouraged to make a list of people to talk to. Sometimes children and families need more help than family and friends can provide. County information (dial 2-1-1) and referral staff can help find further resources.

The most important thing you can tell your children while you are in prison is that you love them, that you are okay, and they are

going to be taken care of. Tell them this over and over and over.



### **K. WHAT CAN I DO WHILE IN PRISON THAT WOULD HELP ME BE A BETTER PARENT?**

All New Jersey Department of Corrections facilities offer parenting classes through the Social Service departments. Some NJDOC libraries may also have reading materials available on child development and parenting. Educate yourself and strengthen your parenting skills: it can only help you and your children. It is important to remember that anything positive that you do to help yourself also helps you be a better parent. New Jersey Department of Corrections facilities also offer GED classes, alcohol and drug treatment, anger management, cognitive behavior programs, and vocational classes, all of which might help you build your skills so that you are better prepared to care for the needs of your children once you are released.

Notes:

**CHAPTER TWELVE  
CHILD SUPPORT  
ENFORCEMENT  
INFORMATION FOR PRISONERS  
"TOTALLY POT LUCK"**



*The following information sheet provides only general information and it not intended to give legal advice or opinions. For legal advice, consult an attorney.*

There are two main things prisoners need to know about child support:

**1) The laws vary from state to state.** The way the laws are applied can vary within each state from county to county and from court to court. Also, the laws are changing. This is why we titled this paper "totally pot luck."

**2) Child support enforcement is very real. It does apply to prisoners.** Ignoring court orders can lead to disaster. For example, failure to pay child support of \$400 a month for a period of 5 years would create an unpaid debt of \$24,000, not counting any additional interest and court fees.

**(Q)When I go to prison, do I still have to pay child support?**

**(A) YES,** child support does not stop. Unpaid monthly payments add up. The sum of the unpaid support can grow to many thousands

of dollars over the years. You are also charged interest on the unpaid balance.

**(Q) I can't earn money to pay support while I'm locked up. What can I do?**

(A) Immediately notify the court and child support enforcement that you have been incarcerated. Ask the court or suspend payments or reduce the payments until you are released. How-to do this varies from state to state. You may need to file a formal motion with the court, state attorney and the recipients of the child support. In some states, the court can stop or reduce the child support payment based upon your incarceration.

**(Q) Will the court forgive the money I already owe or that has built up during my incarceration?**

(A) No, but sometimes the court will roll back your obligations to the date you filed the motion or the date you were arrested. The laws vary from state to state.

**(Q) Are there any reasons my unpaid support can be forgiven?**

(A) Yes, there are some limited reasons under which unpaid support will be reduced. This will vary from state to state. Get to your law library to find the statutes that apply to you.

**(Q) Can child support be withheld from my prison wages or any other money I receive from other sources?**

(A) **YES**, when there is a valid court order.

**(Q) If I don't have child support obligations upon entering prison, do I have to worry about child support?**

(A) Yes, if you have a child you always have an obligation to support that child. If a motion for child support is filed against you while in prison be sure to fill out and return any forms you receive about this. Do not ignore these forms because the court can then set your child support at any amount it chooses.

**(Q) Can I legally be determined as the father of a child if I am incarcerated?**

(A) Yes, if the court knows you are in prison and knows you cannot pay child support, it may still act to have you declared the father of the child.

**(Q) So what can I do about this?**

(A) First, respond immediately to any paper served on you. Do not ignore them or refuse to respond in a timely manner. The court can declare you the father and you will lose your chance to dispute paternity. If you are not sure that you are the father, or have any doubt the child is yours, ask for genetic testing right away. If you don't ask now, you may lose the right to challenge paternity at a later date.

**(Q) My child support order was modified while I was incarcerated. Now my wife is not on welfare and we will be living together with the children when I am released. What happens then?**

(A) Maybe, in some states, if your wife is not receiving cash welfare payments, she can ask that the order either be stopped permanently or that the order not be enforced.

**(Q) I pay child support directly to my Ex and not the court. How can I get credit for that?**

(A) You can request a form from your local child support office. If your Ex agrees that you paid money directly, you can both sign the form and the debt can be credited. If your Ex disagrees, you can fill out the form and a hearing will be scheduled where you can present your case and any proof you have. A hearing officer or the court will make the decision on how much credit you'll get.

**(Q) My Ex won't let me see my kids. What can I do to change this?**

(A) First of all, do not stop paying your Court Ordered Support. You can go to the county where your court order is filed and request that a "Custody and Parenting Time Order" be established. If you are divorced, check your decree, you can ask the court to enforce it.

**(Q) If my kids are being adopted what happens to my child support order?**

(A) Your support will stop when you supply a copy of the adoption papers signed by a judge. You will only owe unpaid back support.

**(Q) If I don't agree with the way I am being treated by child support, how do I complain?**

(A) Child support staff people are required to treat everyone in a professional and courteous manner. If you feel you are being treated unfairly or that your letters and phone calls are being ignored, you may call the child support office and ask to speak to the supervisor. If that doesn't work, you can file a formal grievance with the main child support office or the court that ordered your child support.

**(Q) How do I get more information about child support?**

(A) For more information call or write your local district attorney/family support division, health and human services agency and the Department of Social Services.

Notes

# CHAPTER THIRTEEN

## REUNITING WITH YOUR CHILDREN



### **A. HOW SHOULD THE CAREGIVER BE INVOLVED WHEN I AM RELEASED FROM PRISON AND READY TO TAKE CARE OF MY CHILDREN?**

It is important to remember that transitioning back into your children's lives once you are released is an adjustment for everyone: you, the caregiver, and your children. This process can be very stressful for everyone involved. Some of the issues include:

- Adjusting to your reintegration as a parent.
- Shifting child care and household responsibilities.
- Continuing the relationship between the children and the caregiver during this process.

There are some things you can do to help make the adjustment process easier:

- Plan ahead of time so that you and the caregiver can discuss and agree on how you are going to reintegrate into the family.
- Have regular contact with the caregiver while you are in prison so that you have an ongoing relationship with him/her.
- Plan for a gradual change, where you have gradually more contact with your children.



Caregivers and children may experience a sense of loss due to the change in their relationship. This is normal: you shouldn't feel like your children don't care about you if they express sadness over leaving their caregiver. Understand that your children need time to make the adjustment. The most important thing for both you and your children is that you have *REALISTIC* expectations about the reunification process. Remember: it will not happen immediately. Successful reunification requires time and patience. Give yourself enough time to adjust and get your life together before you resume full time care of your children. Even if your children will not be living with you after your release, it is important for you to remember that your children will benefit from gradual change so that they can adjust to this new phase in your relationship.

#### **B. HOW DO I REUNITE WITH MY CHILDREN IF THEY ARE IN FOSTER CARE?**

Federal law states that the primary goal of foster placement is the return of the child to his/her natural parents. Federal law also requires that reunification services be provided to families to assist them in this process. Parents who are in prison will need to work with the (DYFS) social worker in order to reunite with their children. Before you are released from prison, you should contact the social worker so that you know what you need to do in order to be reunited with your children. Ultimately, you will need to go to

court because the judge will need to approve the return of your children to you.



**C. WHAT ABOUT THE RELATIONSHIP MY CHILDREN HAVE FORMED WITH THE CAREGIVER?**

If you are fortunate, your children will have formed a positive attachment to their caregiver. It will be helpful during the reunification process for you to recognize your children's feelings toward their caregiver and understand your children are also going to experience some feelings of loss as they return to you as their parent. Try to find ways to support both your children and the caregiver during the transition period.

**D. WHAT DO I NEED TO DO TO BE ABLE TO REUNITE WITH MY CHILDREN ONCE I AM RELEASED FROM PRISON**

If there is no court order which gave the caregiver legal custody of your children, you may resume physical and legal custody of your children without having to go to court. If you have drawn up a Power of Attorney, you should cancel it in writing. If there was a court order giving custody of your children to someone else, you will need to go to court before you can be reunited with your children.



**E. WHAT IF A COURT HAS GIVEN CUSTODY OF MY CHILDREN TO SOMEONE ELSE?**

When there has been a legal proceeding involving custody of your children you will need to get a court order before you will be

able to have physical or legal custody of your children once you are released from prison. Once you are released from prison, even if you don't want physical custody of your children, you can also ask the judge to give you more visitation with your children. Remember: before a judge is likely to order a change in custody or more visitation, the judge will want proof that you can provide for your children's needs.

#### **F. CHILD CUSTODY AND VISITATION**

Establishing visitation and gaining custody of your children once you are released is not an overnight procedure. If you had custody of your kids at the time you were incarcerated, and no family was able to take care of them, they may have been placed in foster care. If this is the case, and you do not know your child's case manager's name or number, contact the Division of Youth and Family Services (DYFS) at 800-531-1091. You will have to make an appointment with the case manager for an interview. They may not be willing to give you information over the phone. You'll be asked a series of questions in order to assess when and if you will be given visitation rights, so that you may reestablish your relationship with the child and hopefully gain custody again. This is just a quick overview of what to do and what you can expect.



Call DYFS and ask to speak to your child's case manager. For example: "Hi, my name is\_\_\_\_\_. I have recently been released from prison. My child\_\_\_\_\_ has

been under foster care while I have been incarcerated. I would like to speak to the case manager so that I can make an appointment with him or her.” Make an appointment.

Make sure to make it to the appointment on time, and call if you are running late or need to reschedule. Bring paper and pencil to write down any information the case manager gives you. *This is your chance to ask questions so take advantage of it!!!*



Be prepared to talk about your criminal background, and any problems that you may have such as alcohol or drugs. The case managers can ask you if you have a place to live and other personal questions in order to assess whether you are eligible to establish visitation with your child. If you can, ask a friend or relative to help you practice answering these kinds of questions. Make sure to pay attention to what the case manager says and ask about anything that you do not understand. The impression you make in the interview is important. If you feel yourself getting angry, ask for a cup of water, and take an extra breath to cool down. Answer questions honestly, even about things like substance abuse, because the case manager may be able to assist with getting into treatment or with other help you may need. The best way to help your child is to help yourself first.



Make sure you leave the office with any or all documents that the case manager gave you regarding your child, and remember to ask for a business card from the case manager, in case you have questions later on.

*If you were convicted of any violent or sexual offenses against children, you may be unable to live with or regain custody of your children.*

Notes:

## CHAPTER FOURTEEN GETTING AND PAYING CHILD SUPPORT

**“INVESTING IN YOUR CHILDREN  
INCLUDES TIME AND MONEY”**



Whether you have custody of your children on your own when you get out, and need help from an absent (“non custodial”) parent, or you do not have custody of kids who need your support, child support payments will be an important part of your life after you are released. Some basic information is included below, as well as other places to go to get more information. **Child support, custody and visitation issues are very complicated, and if you can get lawyer, you should.** Contact the Legal Services of New Jersey hotline, from 9:00 am - 4:30 pm, at 888-576-5529.



### **GETTING AND ENFORCING A CHILD SUPPORT ORDER**

If you have custody of your children, and want financial support from the non-custodial parent, you can You can call 1-877-NJKIDS1 for more information about this applying for child support. If you are receiving public assistance, there is no fee. Work First New Jersey/TANF

can help with the application, locating the absent parent, and paternity testing, but you will not get most of the money paid in support while you are receiving public assistance, because it will go to pay back the state for what has been paid to you.



### **PAYING CHILD SUPPORT**

If you have kids that you did not have custody of before you went to prison, there may be a child support order requiring you to pay a certain amount every month for their support. Even if you did not go to court – if, for example, the parent with custody filed for the order while you were incarcerated – the court can still order you to pay child support. The amount you pay in child support is tied to your income, and if the court does not know your income, they will assume you are working 40 hours a week at minimum wage. Child support payments are usually taken out of your paycheck. If you have not paid at all or missed payments, you will owe “arrears.” Unless you got a modification of your child support order when you went into prison (see below), the amount of arrears that you owe will have continued to grow while you were inside. When you come out, and get a job, they can begin to take out not just the monthly amount you owe for child support, but more money to pay back the arrears (up to 65% of your pay in total). They may also suspend your driver’s license. Here are some things you can do:



**PRE-RELEASE:** *Before* you are released, you can seek a modification of a child support order, based on your change in circumstances (incarceration). You would be asking the court to reduce the amount you owe, so that arrears do not continue to build up while you are in prison. This process can be done without a lawyer but it is complicated, because you have to fill out and send the appropriate papers to court, the other parent or his or her lawyer, and to the Probation Division. The forms you need and the instructions are available at the state judiciary website: [www.judiciary.state.nj.us/prose/infmpjm.pdf](http://www.judiciary.state.nj.us/prose/infmpjm.pdf) or may be available in your prison law library.



**POST-RELEASE:** You can find out how much you owe, and whether there is an existing child support order by going to the Family Division. If you have not been paying child support, you should be aware that there may be a warrant issued for your arrest – this may have been addressed at the time you were being released, but you should still call before you go there. Tell them who you are, that you have just been released from prison and want to find out about how to pay your child support, and ask if there is a warrant. You can ask if they will “recall” the warrant so that you can come in, possibly work out a payment plan, and get a modification of the child support order.

# CHAPTER FIFTEEN

## THE GAME PLAN



Your first weeks away from your children can be overwhelming. This section is to help you develop a plan for staying in touch with your children during your incarceration. Make notes about your children in this section: their likes and dislikes, birthdays, favorite colors, and hobbies. Try to schedule time every day to write to your children (even if you only send your letters once a week): let them know how much you love them.

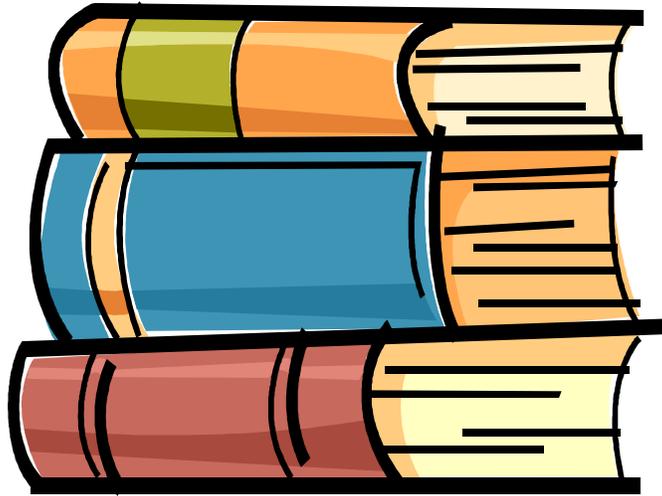
I plan to write my children every \_\_\_\_ at \_\_\_\_.

Child's name: \_\_\_\_\_ Age \_\_\_\_\_  
Birthday: \_\_\_\_\_ Favorite color: \_\_\_\_\_  
Likes/dislikes: \_\_\_\_\_  
Hobbies: \_\_\_\_\_

Child's name: \_\_\_\_\_ Age \_\_\_\_\_  
Birthday: \_\_\_\_\_ Favorite color: \_\_\_\_\_  
Likes/dislikes: \_\_\_\_\_  
Hobbies: \_\_\_\_\_

Child's name: \_\_\_\_\_ Age \_\_\_\_\_  
Birthday: \_\_\_\_\_ Favorite color: \_\_\_\_\_  
Likes/dislikes: \_\_\_\_\_  
Hobbies: \_\_\_\_\_

# RESOURCES



- Quick Reference
- Books for Children of Incarcerated Parents
- Books for Caregivers
- Other Resources

## QUICK REFERENCES



### **CHILD ABUSE/NEGLECT HOTLINE.**

877-NJ ABUSE

**24 hours a day – 7 days a week**

(1-877-652-2873)

(1-800-835-5510 TTY/TTD)

Any person having reasonable cause to believe that a child has been abused or neglected has a legal responsibility to report it to the Division of Youth and Family Services (DYFS). DYFS is mandated to investigate all reports of child abuse and neglect.

**FAMILY HELPLINE ..... 1-800-THE-KIDS**

**24 hours a day – 7 days a week**

(1-800-843-5437)

If you're feeling stressed out, call the Family Helpline and work through your frustrations before a crisis occurs. You'll speak to sensitive, trained volunteers of Parents Anonymous who provide empathetic listening about parenting and refer you to resources in your community.

**PARENTS ANONYMOUS .....1-609-585-7666**

[www.pa-of-nj.org](http://www.pa-of-nj.org)

**CHILD CARE HELP LINE .....1-800-332-9227**

**CHILD SUPPORT HOTLINE .....1-877-NJKIDS1**

(1-877-655-4371)

### **KINSHIP NAVIGATOR PROGRAM**

1-877-816-3211

Raising relatives' children

**FOOD STAMP INFO LINE .....1-800-687-9512**

**211 FIRST CALL FOR HELP .....2-1-1**

Se habla español      Toll Free.....1-800-331-7272

**NJ FAMILY CARE** .....1-800-701-0710  
Affordable health insurance      1-800-701-0720 TTY

**CHILD BEHAVIORAL HEALTH SERVICES**

**24 hours a day – 7 days a week**      1-877-652-7624

Call this number to find out about services for children and teens with emotional and behavioral health care challenges and their families.

**DIVISION’S ACTION LINE** .....1-800-331-DYFS

**9 am – 5 pm Monday – Friday**      (1-800-331-3937)

This hotline provides easy access and a timely response to questions, concerns, disputes and recommendations regarding services provided by DYFS, or by an agency with a license or contract from DYFS.

**LEGAL SERVICES OF NEW JERSEY**

1-888-576-5529

**9 am – 4:30 pm Monday – Friday** Toll Free Hotline

**NJ SLEF HELP GROUP CLEARINGHOUSE**

1-800-367-6274

**CENTER FOR CHILDREN OF INCARCERATED PARENTS**

PO Box 41-286, Eagle Rock CA, 90041

[www.e-ccip.org](http://www.e-ccip.org)

Parent education, self help support groups, information, referrals, family reunification support, public education

**CURE (Citizens United for Rehabilitation of Errants)**

PO Box 77116, Trenton, NJ 08628.      866-442-1411

Information on reform and rehabilitation to offenders and their families

**NEW JERSEY ASSOCIATION ON CORRECTION  
(NJAC)**

986 S. Broad St., Trenton, NJ 08611.  
609-396-8900

Transportation, parent education, information,  
referrals, case management, family reunification  
support, community residential program, public  
education, and advocacy

**RECONCILIATION MINISTRIES INCORPORATED**  
PO Box 901, Teaneck, NJ 07666.

201-837-0190

Parent education, counseling, information,  
referrals, religious ministry, and family  
reunification support for offenders, their families,  
and the caregivers of their children.

**FAMILY AND CORRECTIONS NETWORK**

93 Old York Road, Suite 1 #150, Jenkintown, PA  
19046

[www.fcenetwork.org](http://www.fcenetwork.org).

**CHILDREN OF OFFENDERS**

[www.childrenoffenders.com](http://www.childrenoffenders.com)

## BOOKS FOR CHILDREN OF INCARCERATED PARENTS



1. Black, Frank, M. (1998). *"There Are Some Real Special Kids in Our Class"*.
2. Black, Frank, M. (1998). *"A Visit with Daddy"*
3. Black, Frank, M. (1998). *"A Visit with Mommy"*
4. Brisson, Pat. (2004). *"Mamma Loves Me from Away"*.
5. Burch, R. (1999). *"Queenie Peavy"*
6. Butterworth, O. (1993). *"A Visit to the Big House"*
7. Cain, S., Speed, M., & Mukhida, Z. (1999). *"Dad's in Prison"*
8. Crane, J. & Short, B., *"Two in Every Hundred: A Special Workbook for Children with a Parent in Prison"*
9. Gabel, K., & Johnston, D. (1995). *"Children of Incarcerated Parents"*
10. Hayes, Margaret, and J. Witherill, (1989). *"My Daddy is In Prison"*
11. Hickman, Martha Whitmore. (1990). *"When Andy's Father Went to Prison."*
12. Hodgkins, K. & Bergen, S. (1997). *"My Mom Went to Jail"*

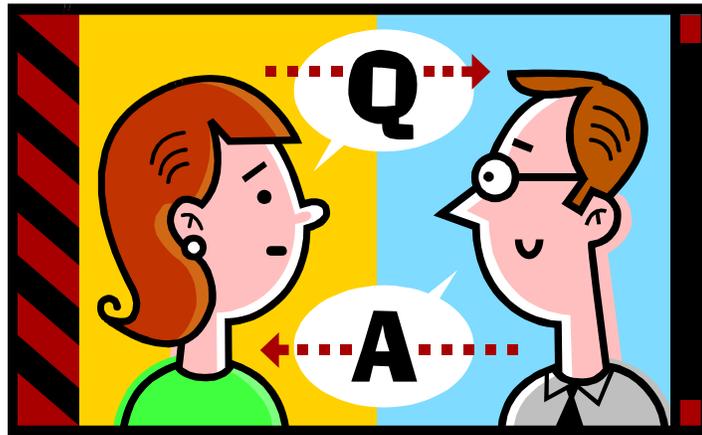
13. *"I Know How You Feel Because This Happened to Me."* Center for Children with Incarcerated Parents
14. *"Just for You – Children with Incarcerated Parents."* Center for Children with Incarcerated Parents
15. Kerniski, A. *"Keeping in Touch by Long Distance"*
16. Levy, J. (2004). *"Finding The Right Spot: When Kids Can't Live With Their Parents"*
17. Maury, I. (2002). *"My Mother and I Are Growing Stronger"*
18. Paterson, K. (2002). *"The Same Stuff as Stars"*
19. Simon, Norma. (1976). *"All Kinds of Families"*
20. Stauffacher, Sue. (2005). *"Harry Sue"*
21. St. Pierre, S. (1994). *"Everything You Need to Know When a Parent Is In Jail"*
22. Williams, Vera B. (2001). *"Amber was Brave, Essie was Smart."*
23. Whitbold, M.K. (2003). *"Let's Talk About When Your Parent Is in Jail"*
24. Woodson, J. & Ransome, J. (2002). *"Visiting Day"*
25. Woodson, J. (2002). *"Our Aunt Gracie"*

## BOOKS FOR CAREGIVERS OF CHILDREN WITH INCARCERATED PARENTS



1. Bernstein, Nell. (2007) *"All Alone in the World: Children of the Incarcerated"*
2. Doucette-Dudman, D. (1996). *"Raising Our Children's Children."*
3. deToledo, S. & Brown, D.E. (1995) *"Grandparents as Parents"*
4. Edenfield, A. (2002). *"Family Arrested: How to Survive the Incarceration of a Loved One."*
5. Fox, S.S. (1985) *"Good Grief: Helping Groups of Children When a Friend Dies"* (Information about how young children process loss is very valuable)
6. Gesme, C., (1993). *"Help for Kids: Understanding Your Feelings About Having a Parent in Prison"*
7. Yaffe, R., Hoade, L., & Moody, B.S. (2000). *"When a Parent Goes to Jail: A Comprehensive Guide for Counseling Children of Incarcerated Parents"*

## APPENDIX



- What Do Children of Prisoners & Their Caregivers Need?
- Children's Bill of Rights
- Tips from A Father In Prison
- Tips For Caregivers from Caregivers
- Preparing Children for Prison Visits

# WHAT DO CHILDREN OF PRISONERS AND THEIR CAREGIVERS NEED?



## FROM INTERVIEWS WITH CAREGIVERS

Every child, family, and circumstance is different. Some children are used to parents who were not around much before their incarceration. Some children have parents who are unpredictable because of depression or drugs or alcohol. Other children's parents were actively involved with them before they went to jail or prison.

Some children may have been traumatized by witnessing a violent arrest or may have a history of traumatizing experiences. Some children of prisoners may have no contact with their parents; others talk to their incarcerated parent every day.

Some children move to a new city or state. Some change schools or go into day care so their caregivers can work. Children will need different things from caregivers depending on their age, temperament and personality, the family circumstances, the facts and details of the crime, and the availability of outside resources.



## MOST CHILDREN OF PRISONERS

### NEED:

- Consistent caring adults who understand that, in general, children love their parents, even when they have committed a crime

- People who will not condemn the incarcerated parents as worthless
- People who will understand that children of prisoners feel angry, sad, confused, and worried
- A chance to express these feelings and learn to cope with them
- A chance to learn and practice skills and keep busy with activities
- Faith or affiliation with a community that can provide meaning for the child beyond their own crisis
- People who can help them to maintain contact with their incarcerated parent or parents or explain to them why they cannot maintain contact



### **MOST CAREGIVERS NEED**

- Support and understanding from friends, family, clergy, and the community
- Emotional support, such as counseling or group activities
- Information about children of incarcerated parents as well as about services in the community
- Guidance about what is generally best for children and how to answer their questions
- Rules, boundaries, and space in the home; for the children, for the family and for the caregiver
- Opportunities for respite care and relief from the duties of care giving
- Help with managing the needs and services that are all too often fragmented, unavailable, or costly.

## CHILDREN'S BILL OF RIGHTS



1. I have the right to be kept safe and informed at the time of my parents 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 cared for in my parent's absence.
5. I have the right to maintain a relationship with 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 blamed, judged, or labeled because of my parent's incarceration.
8. I have the right to a lifelong relationship with my parent.

## TIPS FROM A FATHER IN PRISON



As a father in prison, I have experienced many different emotional highs and lows in trying to reattach to my son who is now a man with a family of his own. In my particular case, it was most difficult getting past the negative things my son was told about me during our separation. This is a common experience for incarcerated fathers. For years I had many questions about my son and how he was managing without a father.

How had our separation made him feel about me being in prison? What exactly had he been told about me, and how could he eventually overcome any negative images or preconceived notions about me based upon what he was told? Was he angry? Was he worried about it? How did he think I felt about him? Most importantly, who did his father's incarceration make him in his own eyes? So many questions. The following is a list of suggestions that you can try in maintaining the attachment to your children from inside a prison.

(1) Even if your relationship with the mother of your children is over, you need to establish and maintain a positive relationship with her. For the sake of your children try to find ways to connect with her respectfully.

(2) Don't expect big changes right away from your family members. Take your time.

(3) Find out about policies regarding how you can connect with your child-visitation, letters,

telephone calls, audio tapes, etc. Ask your prison chaplain, counselor or other staff.

(4) Develop a plan and follow it on how often you will connect with your child.

(5) When explaining to your children why you are not living with them, be honest but respect their ability to understand it according to their age.

(6) When telling your children how important they are to you, do not be surprised if they do not respond the way you want them to. Children are often angry that you did something wrong that prevents you from being with them.

(7) To establish and maintain your family relationships be ready to make amends and apologize to them.

(8) Find ways to support your children emotionally, financially, and spiritually as much as possible.

(9) Your family/children need to be able to rely on you if you say you will call or write regularly, so be consistent in your approach and your contact schedule.

(10) Be realistic about goals and expectations. Don't expect too much, too soon from them.

(11) Remember family celebrations, special occasions and cultural events. If you have hobby crafts at prison make gifts or draw pictures and make them into a coloring book.

(12) If at all possible, purchase small items for your children through commissary or mail order catalogs.

- (13) Use your time constructively. Get your GED, take Parenting Classes, Anger Management, Adult Continuing Education Classes, anything that better yourself.
- (14) Some prisons allow you to purchase and make video or audio tapes. Use these to tell stories, share memories, bedtime stories, etc. Have your children listen to it when they miss you.
- (15) Before your release date, clear up any legal problems that may be pending: driving record, credit problem, child support, etc.
- (16) Your children might not know how to say exactly what they are feeling and thinking, so be patient with them.
- (17) Make a realistic plan and follow through, no matter how bad things get, when re-connecting with your children after you are released from jail.
- (18) While you are still in prison, research programs that might help you reach your goals once released. Seek out programs about parenting, housing, jobs, legal problems, credit problems, etc.
- (19) Work with other prison fathers trying to connect with their children from inside prison.
- (20) Get some counseling from the appropriate staff (psychologist, chaplain, case manager, correctional counselor).
- (21) Think about how you want to be a parent and your future as a dad and make decisions about that future. Look at your own relationship with your Dad to see what was learned, good and bad.

(22) Go to the prison library; take the time to read what you can to try to learn being a better Dad. Try to read as much as you can about father/child relationships.

23) Check out some of the other resources in the Incarcerated Fathers Library.

By: Michael Carlin

## TIPS FOR CAREGIVERS FROM CAREGIVERS



### **A. TALK ABOUT FEELINGS WITH CHILDREN**

“You look sad. Are you missing Daddy?” or, “When you get that angry at little things I wonder if you are also angry at your Mom for going to jail?” or, “I wish your dad could have seen you play ball tonight and I bet you do too.”

### **B. BE AS HONEST WITH CHILDREN AS POSSIBLE**

“Mommy won’t be coming home for a very long time. It will be 4 more birthdays (or 2 more summer vacations).”

### **C. REMEMBER TO KEEP YOUR FEELINGS SEPARATE FROM EACH CHILD’S**

“We feel different things about this, I am angry at your dad and don’t really want to see him but I want you to go because he’s your Dad and you love him.”

### **D. SET UP FAMILY DISCUSSION TIMES**

Tuesday night is the family “meeting.” Or Wednesday night is “Let’s wait for dad’s call tonight and talk about how we are all doing with this.” Or Saturday morning’s breakfast is a “prison and jail talk is off limits” time—a moment of relief to those who need a break from the subject.

### **E. TALK ABOUT THE FAMILY’S CHOICE TO TELL OTHERS OR KEEP IT A SECRET.**

Let children know why the choice is necessary. Provide plenty of opportunity to talk about it at home.

**F. ENCOURAGE** children to write or talk to their parents whenever possible.

**G. HELP** children to start a picture or story that their parent adds onto, and then the child adds on, and so on and so on by mailing it back and forth.

**H. READ WITH YOUR CHILDREN.**

Encourage your library to include books and pamphlets about children of prisoners in its collection.

**I. GET SUPPORT** and help for the children and yourself...through friends, clergy, or counselors.

*By Ann Adalist-Estrin*

## NOTES FOR CAREGIVERS

Children may experience many mixed emotions from the time of the parent's arrest to well after his or her release. While these feelings may be expressed at any time, they are more likely to come to a head at certain stages: arrest, trial, sentencing, incarceration (and often most strongly during and following visiting), and the time of release. Often, the most stressful time is in the weeks and months following release. Often, the most stressful time is in the weeks and months following release. It can be difficult for an absent parent to reconnect with a child who has grown accustomed to living without him or her. In summary, children of incarcerated parents need:



- To know the parent's incarceration is not their fault.
- To know what is happening to their parent.
- To know if they can have contact with their parent, and if so, when and how.
- To know where and with whom they will be living and going to school.
- To know what will stay the same and what will change while their parent is incarcerated.
- To know it is OK to still love their parent, and it is OK to be angry sometimes, too.
- To be encouraged to express, in safe and healthy ways, their feelings about their parent and their parent's incarceration.
- To visit and maintain contact with the incarcerated parent as much as possible, when permitted and appropriate.
- To have stability and consistency in their living situations and daily routines.
- To feel safe.
- To realize that people make choices in life that lead to different consequences.

## PREPARING CHILDREN FOR A PRISON VISIT VISIT A DEVELOPMENTAL GUIDE



### **INFANTS (0-6 months):**

**Babies like to:** be held a lot; look at things (especially faces); reach, bat, and grab; put things in their mouths; “respond” to familiar voices and faces, react to new sounds; use their sense of smell to differentiate between people; cry to communicate.

**Before the visit caregivers can:** let baby hear a tape of parent’s voice (videos are great, too); wash baby’s sheets and clothes in the soap or body wash used by the parent. Communicate with the incarcerated parent about the child’s new and emerging skills, what her noises mean as she learns to talk and how she is standing, crawling, or rolling over. This may make the inmate parent sad, but will help maintain attachment and could minimize distress at visits.

**During visits parents can:** know that holding your baby won’t spoil him/her; position baby so that he/she can see you – change position if he/she gets bored; allow baby to touch your face and explore you; gently unfold fingers when they grab your hair, etc.; talk to baby a lot; change the tone in your voice – sing, imitate baby’s sounds; let baby’s caregiver help you “read” baby’s signals. They may be changing rapidly and you will need help knowing what the changes have been.



### **OLDER BABIES (7-13 months):**

**Babies like to:** sit alone; crawl and move; pick up tiny objects, practice banging, shaking, and dropping things; go to someone they know when

“strangers” are around; babble and shriek; show understanding of simple commands; practice getting the caregiver to come to them and take care of their needs by calling, crying or shrieking and then stopping when held or attended to.

**Before the visit caregivers can:** allow baby lots of time unencumbered by seats and straps. If they will need to be restrained during the visit, let them be out of the car seat, walker, or stroller and roll around on the floor or grass or blanket for a while before the visit; talk to baby in both “baby talk” and using adult words. Babbling back in baby’s language promotes language as long as adults also use real words to communicate to baby. Be careful not to pressure baby to perform for you or others if he/she is resisting even though you may want them to practice all the new things they can do to show Mom or Dad at the visit.

**During visits parents can:** let baby crawl or sit alone or play “active” games (patty cake, bend and stretch). Give baby age appropriate finger foods, if allowed. Be very careful with vending machine snacks that can cause choking such as popcorn, peanuts, and small candy items. Be patient-if baby reacts as if you are a stranger, keep close ... but don’t push. Baby will probably warm up to you after several visits. Some babies may have the opposite reaction and cling to you. In this case, saying goodbye can mean the caregivers may have to pull or pry baby away from Mom or Dad. This is painful for everyone. In most cases, quick goodbyes are best. Never trick baby (or any child) or sneak away. This will cause the child not to trust you next time.



### **TODDLERS (14-30 months):**

**Toddlers like to:** refine their motor skills by walking, running, climbing; scribble; explore everything; label objects using newly learned

words; tell adults what they need and want; test the rules to see if they are real; hold a picture of Mom or Dad in their mind when they are not with them; do some things for themselves.

**Before the visit caregivers can:** be sure toddler is rested and fed ... this is a most difficult age for visits if there is no play area. Do not bombard toddler with rules ahead of time ... toddler will either not remember or test them anyway. Show toddler lots of pictures of the incarcerated parent. If possible, make arrangements ahead of time so that you can be prepared to cut visits short if toddler cannot follow the rules.

**During visits parents can:** play word games ... label objects, make silly noises, ask where your nose is, etc. Walk around if allowed. Label objects, colors, and people for your child. Give toddler choices whenever possible (even little ones) ... "Do you want to sit here or here? Do you want one kiss or two?" Give clear rules/limits with consequences but try not to tell toddler what they are not supposed to do, "Walk, Junior. If you run you will have to sit on Mom-Mom's lap" is better than "Stop running!" Toddlers are really frustrating even to free world parents. It is especially hard when you want the visit to be perfect. Be patient but firm. Toddlers need both from parents and giving them both understanding and discipline is good parenting; prepare yourself emotionally for the possibility of needing to cut the visit short if toddler cannot sit still or follow the rules. As unfair as it is to you to miss out on time with them, it is also unfair to be angry with a toddler for not being able to meet unrealistic expectations. Show pride in toddler's accomplishments while accepting that many emotional needs are still similar to a baby's.



### **PRE-SCHOOLERS (21/2 -4 year olds):**

**Children will:** practice lots of skills like fine motor skills (drawing, digging, etc.); begin to express anger in words (“You’re not my friend.” “I hate you.”); point out discrepancies in familiar events; insist on being the center of attention and interrupt adult conversations; enjoy being read to; wonder about the incarcerated parent’s daily life: when and where they sleep, eat, go to the bathroom, etc; practice their emotional separateness by being oppositional and difficult; ask many questions.

**Before the visit caregivers can:** read children letters from parents; send drawings to parents; give autonomy, power and choices when appropriate so child can accept not having power or choice when grown ups are in control; be clear about whether or not the child does have a choice. Habits that adults have in using words can be very confusing to children: when adults ask. “Are you ready to go” or “Can you give dad a hug?” or “Let’s go now ok?,” children get the idea that they have a choice. If you are willing to accept, “No, I don’t want to” or “I’m not ready” as a response from the child, then your questions are OK. If you really mean to say “We are going now, this is not a choice,” then say that.

**During visits parents can:** accept angry feelings and set limits on aggressive behavior: “You look like you are mad at me and you don’t like me being here do you?” is a way of letting children know that you get it that they are upset; “Even though you are very angry, you are not allowed to hit me, if you hit me again you may have to leave and see me next time,” is a way of enforcing rules even though you will not want them to leave. Be careful not to say that you will leave as a consequence. And remember, the anger isn’t bad, the child isn’t bad ... just the hitting is bad. Sing songs together.

Play classification word games (all things that are fruit ... ). Understand that it is hard for pre-schoolers to be “quiet”. Draw pictures with your child or talk about pictures they have sent you. Give many choices and accept pre-schoolers’ tastes and preferences even when there are choices made only to oppose you. Answer children’s questions as best you can. Don’t be afraid to talk about your daily life.



**SCHOOL AGE (6-12 years):**

**Children will:** need to be accepted by their peers. Play sports and games. Collect things. Want to talk about their life but worry that they will make the incarcerated parent feel bad if they talk about the outside. Hold back emotions so the visit will go well. Sometimes refuse to visit ... out of anger, hurt, or fear. Or sometimes just because they would rather play basketball or hang out with friends.

**Grown ups can:** remember and accept that children may be embarrassed by the parents’ incarceration and crime. Play games with them.