



State of Illinois
Office of the Lieutenant Governor

Task Force on Children of Incarcerated Parents Final Report and Recommendations

December 2020



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Executive Summary

Nearly 200,000 children across Illinois have had a parent in jail or in prison, placing significant burdens on the caregivers and families left behind. While the trauma these children experience affects their educational attainment and multiple aspects of their mental and physical health, research shows regular visits not only improve their own outcomes but increase the likelihood that their parents will stay out of the criminal justice system once released. Recognizing the scope of these challenges facing families across Illinois, lawmakers created a Task Force on Children of Incarcerated Parents ("Task Force"), charged with developing recommendations to address these issues. The Task Force met nine times and held over a half dozen listening sessions from August 2019 to December 2020 under the guidance of State Representative Delia Ramirez with staff support from the Lieutenant Governor's Justice, Equity and Opportunity Initiative and Cabrini Green Legal Aid. The group convened subject matter experts, impacted families, researchers and state agencies to collect and review agency policies, surveys, interviews with law enforcement agencies and input from youth and other community members. This process yielded recommendations to better serve children and families of the incarcerated across seven areas, including:

1. **Government Policies and Procedures:** The multiple agencies serving families separated by incarceration acknowledged a lack of communication loops, which leaves families to navigate systems on their own. Even Task Force members struggled to grasp how their own agency's policies affect families of incarcerated individuals at all points of system contact.

Recommendation:

- a) The State of Illinois should conduct an audit of local and state policy and procedures concerning children of incarcerated parents.
2. **Training:** Law enforcement, corrections, and child welfare agencies lack the specific training needed to most effectively serve families of justice-involved individuals. Some agencies expressed concern about expectations of training outside the scope of their expertise, but the Task Force agrees there is room to improve available training.

Recommendations:

- a) ILETSB should prioritize trauma-informed practice training in curricula designed for all officers who receive their training;
 - b) Training for law enforcement and corrections officers should include concrete scenarios around arrest and visitation. Officers who demonstrate successful engagement with the materials should be prioritized for duty related to children and families;
 - c) Include young people in the development of training scenarios and modules;
 - d) Training must be done on a continual basis with support from agency leadership; and
 - e) Explore co-responder models, including those that leverage trained community stakeholders.
3. **Inter-agency Communication and Collaboration:** Inter-agency communication and collaboration rarely occurs and must improve. Siloed, independent agencies must move from information-sharing to intentional coordination and collaboration to truly minimize harm to children and families of the incarcerated (Ex: terminating parental rights because of the challenges incarcerated individuals face in progressing on a child welfare service plan).

Recommendations:

- a) Develop a central hub or clearinghouse for agencies to better coordinate and share information, which can also be used to better inform families and the public;
 - b) Develop formalized inter-agency communication channels and feedback loops; and
 - c) Develop a data-sharing model with the goal of helping families stay physically closer together.
4. Support for Programming and Services: Existing services are under-resourced or inadequate to successfully reunify families. Despite an array of services offered, some are operated by volunteers without stable funding sources, while others have very restrictive eligibility requirements.

Recommendations:

- a) County Sheriffs and IDOC should build programming for incarcerated parents and their families;
 - b) The state should develop social-emotional programming for children and parents coping with incarceration; and
 - c) The state must do more to provide programs and services that support family reunification during and post-incarceration.
5. Interactions with Parents when Children are Present: Children who witness a parent’s arrest experience lifelong traumas and other mental and physical challenges, in addition to an increased distrust of law enforcement. Additionally, seeing parents handcuffed or aggressively handled during court proceedings or visitation can cause lasting effects. Law enforcement agencies’ policies lack clarity and vary statewide.

Recommendations:

- a) Law enforcement policies and procedures for arrests in the presence of children should be publicly available and transparent;
 - b) These policies and procedures should be consistent across the state; and
 - c) Law enforcement should receive extensive training to minimize trauma to parents and children during all interactions.
6. Visitation: While research demonstrates in-person visitation benefits both incarcerated parents and their children, visitation policies vary widely across the state and, in some cases, were highly restrictive well before COVID-19 protocols were put in place. Forty of Illinois’ 92 jails solely offer video visitation and 41 offer no visitation at all.

Recommendations:

- a) Contact visitation between children and incarcerated parents should be a right;
- b) All jails across the state should have visitation options;
- c) IDOC should provide more phones to parents who are incarcerated;
- d) IDOC should do everything it can to ensure individuals are housed as close to their home communities as possible;

- e) Visitation rooms in all correctional facilities should be child-friendly;
 - f) IDOC should provide programming to help parents and children process visits; and
 - g) The state should provide additional funding to support enhanced visitation.
7. Implementation and Enforcement: The Task Force recognizes these recommendations require additional resources, legislative and administrative action, and continued support for successful implementation. Centralized leadership and coordination will be essential in coordinating so many different agency actors, ensuring transparency and enforcing compliance.

Recommendations:

- a) The state should establish a standing Commission on Children of Incarcerated Parents to coordinate agencies and implement the recommendations of this Task Force;
- b) The Commission should include members representing relevant agencies and stakeholders;
- c) The Commission should be transparent and issue annual reports about its progress and the state of policy and practice in Illinois; and
- d) The Commission should be provided statutory enforcement powers to ensure that its policy and practice changes are implemented appropriately.

Introduction

Today in Illinois, nearly 200,000 children—or one in every 20—have had a parent in jail or prison.¹ The challenges these children face as a result cannot be overstated. They have committed no crime, yet they are more likely to experience anxiety, depression and physical health problems. The trauma they experience as a result of having an incarcerated parent can lead to lower educational attainment. For many, this also increases the likelihood of their own future involvement in the criminal justice system.

A parent's absence can also place a significant burden on the primary caregivers left behind. Often, the other parent or the grandparents struggle on single or fixed incomes, making prison visits difficult. This is especially true for residents of Cook County; while 46 percent of people incarcerated in Illinois state prisons come from Cook, none of these prisons is located in the county, requiring family members to travel hundreds of miles for visitation.

Research shows that regular visits with their incarcerated parents not only improves children's outcomes but also increases the likelihood that their parents will stay out of the criminal justice system once released. However, security concerns and funding limitations mean visitation policies at jails and prisons across Illinois are inconsistent at best, creating additional trauma and stress for both children and parents.

Recognizing the scope of the challenge facing families across Illinois, state lawmakers created a Task Force on Children of Incarcerated Parents (HB 2649). This Task Force was charged with developing recommendations to address the challenges faced by families impacted by parental incarceration. Initially legislators and advocates introduced legislation creating a Bill of Rights for Children of the Incarcerated Parents modeled on efforts in Oregon and San Francisco. After input from stakeholders, the bill of rights was transformed into the guiding principles that would guide the work of the Children of Incarcerated Parents Task Force. The Task Force conducted its work from August 2019 to December 2020 under the leadership of State Representative Delia Ramirez with staff support from the Lieutenant Governor's Justice, Equity and Opportunity Initiative, and Cabrini Green Legal Aid. Over the course of nine meetings, it brought together impacted families, subject matter experts, researchers, stakeholders and state agencies to explore ways to address the needs of children and families impacted by incarceration and improve outcomes for children.

Task Force Guiding Principles

1. Children should be protected from additional trauma at the time of parental arrest.
2. Children should be heard, respected, and considered by decision makers when decisions are made about them.
3. Children should be considered when decisions are made about their parent.
4. Children should be cared for and provided access to support in the absence of their parent in a way that prioritizes their physical, mental, and emotional needs.
5. Children should be given an opportunity to speak with and see their incarcerated parent. The opportunity to touch should take into account security concerns.
6. Children should have access to local services and programs that can provide support to them as they deal with their parent's incarceration.
7. Children should not be judged, labeled, or blamed for their parent's incarceration.
8. Children should be able to have a lifelong relationship with their parents.

¹ The Annie E. Casey Foundation. (2016). *A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families, and Communities*. Baltimore, MD: Retrieved from <https://www.aecf.org/resources/a-shared-sentence/>

Throughout the course of the Task Force’s meetings, members collected hours of expert testimony, hundreds of pages of agency policies, surveys and interviews with law enforcement agencies, and candid community input on these challenges. The Task Force used this information to develop recommendations in seven areas, which are presented in this report.

1. Government Policies and Procedures
2. Training
3. Inter-Agency Communication and Collaboration
4. Support for Programming and Services
5. Interactions with Parents when Children are Present
6. Interactions During Visitation
7. Implementation and Enforcement

This report will provide context for the Task Force’s creation, grounded in best practices and research, along with recommendations and opportunities in the areas listed above. The members of the Task Force trust that the Governor and members of the Illinois General Assembly will use these recommendations to make swift, concrete and critical policy and practice changes. Moreover, we believe that investing resources in these recommendations will save the taxpayers of Illinois millions of dollars by reducing recidivism and addressing the social harms that result from punitive family separation caused by parental incarceration.

Background

Since the 1970s, incarceration rates in the United States have nearly quadrupled.² This massive increase in the prison population has disproportionately impacted communities of color, which already face higher rates of poverty and unemployment.³ The impact of 50 years of escalating sentencing policy and incarceration has created challenges spanning across generations and entire communities.

With nearly 56,000 adults incarcerated in Illinois jails or prisons in 2018, the most recent year for which data are available, Illinois ranks ninth in the nation with respect to the size of its incarcerated population. Combined with another 116,100 individuals who are under some form of community supervision, one in every 58 Illinois adults was actively involved with the corrections system in 2018.⁴ The incarceration rate for Black residents is nearly nine times higher than the rate for white residents. The “tough on crime” policies that helped balloon the country’s prison population have resulted in a myriad of unintended consequences, and children and families of the incarcerated bear this burden.

² Hamilton Project, Incarceration Rate in the United States, 1960-2012, https://www.hamiltonproject.org/charts/incarceration_rate_in_the_united_states_1960-2012

³ Nellis, Ashley (2016). The Color of Justice: Racial and Ethnic Disparity in State Prisons. *The Sentencing Project*. Retrieved from: <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

⁴ Correctional Populations in the United States, 2018. Bureau of Justice Statistics. Retrieved from: <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=7026>

An estimated 5 million U.S. children—7% of the child population-- have experienced the incarceration of a parent.⁵ The average child with an incarcerated parent is 8 years old, and nearly a quarter of them are under the age of 5.⁶ However, not all children are affected equally. One in nine Black children (11.4%) and one in 28 Latinx children (3.5%) have an incarcerated parent compared to one in 57 white children (1.8%).⁷ Considered an adverse childhood experience (ACE), parental incarceration is linked to poor outcomes across a number of domains, often extending into adulthood.⁸ Children with incarcerated parents are more likely than other children to experience poor health and unmet health care needs,⁹ as well as poor eating and sleep behaviors.¹⁰ Exposure to parental incarceration is also associated with greater mental health symptomatology, including depression, anxiety, and post-traumatic stress disorder;¹¹ lower educational attainment;¹² and higher rates of aggressive behavior,¹³ substance use, delinquency and justice system involvement.¹⁴ Children of incarcerated parents are at a greater risk to be disenfranchised from civic or political participation.¹⁵

⁵ Murphey, D., & Cooper, P. (2015). *Parents Behind Bars: What Happens to their Children?* Retrieved from:

<https://www.childtrends.org/wp-content/uploads/2015/10/2015-42ParentsBehindBars.pdf>

⁶ Mumola, C. J. (2000). *Incarcerated parents and their children*. Washington, DC: U.S. Department of Justice. Available at

<https://www.bjs.gov/content/pub/pdf/iptc.pdf>

⁷ Pew Charitable Trusts: Pew Center on the States. *Collateral Costs: Incarceration's Effect on Economic Mobility*. Washington, DC. 2010

⁸ Heard-Garris, N., Sacotte, K., Winkelman, T., Cohen, A., Ekwueme, P., Barnert, E.,...Davis, M. (2019). Association of childhood history of parental incarceration and juvenile justice involvement with mental health in early adulthood. *JAMA Network Open*, 2(9), 1- 11.;

Heard-Garris, N., Winkelman, T., Choi, H., Miller, A., Kan, K. Schlafer, R., & Davis, M. (2018). Healthcare use and health behaviors among young adults with history of parental incarceration. *Pediatrics*, 142(3), 1-9.; Foster, H. & Hagan, J. (2017).

Maternal imprisonment, economic marginality, and unmet health needs in early adulthood. *Preventive Medicine*, 99, 43-48.; Mears, D., & Siennick, S. (2016). Young adult outcomes and the life-course penalties of parental incarceration. *Journal of Research in Crime and Delinquency*, 53(1), 3-35.

⁹ Turney, K. (2017). Unmet health care needs among children exposed to parental incarceration. *Maternal and Child Health Journal*,

21(5), 1194-1202.; Turney, K. (2014). Stress proliferation across generations? Examining the relationship between parental incarceration and childhood health. *Journal of Health and Social Behavior*, 55(3), 302-319.

¹⁰ Jackson, D. & Vaughn, M. (2017). Parental incarceration and child sleep and eating behaviors. *Journal of Pediatrics*, 185, 211- 217.

¹¹ Heard-Garris, N., Sacotte, K., Winkelman, T., Cohen, A., Ekwueme, P., Barnert, E.,...Davis, M. (2019). Association of childhood history of parental incarceration and juvenile justice involvement with mental health in early adulthood. *JAMA Network Open*, 2(9), 1- 11.

¹² Turney, K. & Goodsell, R. (2018). Parental incarceration and children's wellbeing. *The Future of Children*, 28(1), 147-164.

¹³ Wildeman, C. (2010). Paternal incarceration and children's physically aggressive behaviors: Evidence from the fragile families and child wellbeing study. *Social Forces*, 89(1), 285-309.

¹⁴ Mears, D., & Siennick, S.(2016). Young adult outcomes and the life-course penalties of parental incarceration. *Journal of Research in Crime and Delinquency*, 53(1), 3-35

¹⁵ Lee, H., Porter, L. C., & Comfort, M. (2014). Consequences of Family Member Incarceration: Impacts on Civic Participation and Perceptions of the Legitimacy and Fairness of Government. *The Annals of the American Academy of Political and Social Science*, 651(1), 44-73. doi:10.1177/0002716213502920

The impact of parental incarceration extends to those caring for children with an incarcerated parent. Many children with incarcerated parents live with grandparents or other family members, or in foster care. These children typically live at least 100 miles from their incarcerated parent.¹⁶ Caregivers may experience both emotional and financial strain, which can adversely impact communication and visitation.¹⁷ (Increased visitation is associated with improved parental conduct while incarcerated and lower rates of recidivism after returning to the community).¹⁸

Several states have made efforts to address parental incarceration and the impacts it has on children and families in areas of policy and programming. In 2003, the San Francisco Children of Incarcerated Parents Partnership published a Bill of Rights for children of incarcerated parents,¹⁹ outlining the unique needs and rights of children experiencing parental incarceration. The partnership represented a coalition of social service providers, representatives of government bodies, advocates and others who work with or are concerned about children of incarcerated parents and their families. While the group disbanded after 10 years, partner organizations carry on the work. They continue to monitor implementation of policies reflective of the Bill of Rights, centered on the needs of children themselves.

Similarly, Washington state passed the “Children of Incarcerated Parents Bill”²⁰ in 2013 to promote family reunification between incarcerated parents and their children. Oregon also enacted the Bill of Rights of Children of Incarcerated Parents in 2017,²¹ to protect these children’s constitutional rights and provide children with basic rights at the time of arrest and during the incarceration of a parent. State leaders also declared a state of emergency because of the high numbers of children with incarcerated parents, stating that Oregonians had a “moral imperative” to “protect and nurture” these children until their parents were returned to their communities. Both Oregon and California have also enacted legislation to create alternative or diversion programming for parents or legal guardians of minor children charged with a nonviolent crime.²² Alternatives to incarceration allow parents to participate in treatment and/or programming while centering the parent-child relationship and even allow the parent to remain in the home with the child in some cases.

¹⁶ La Vigne, N., Davies, E., & Brazzell, D. (2008). “Broken Bonds: Understanding and Addressing the Needs of Children with Incarcerated Parents.” Washington, D.C.: *The Urban Institute*: https://www.urban.org/research/publication/broken-bonds-understanding-and-addressing-needs-children-incarcerated-parents/view/full_report

¹⁷ Arditti, J., & McGregor, C. (2019). A family perspective: Caregiving and family contexts of children with an incarcerated parent. In M. Eddy and J. Poehlmann-Tynan (Eds.) *Handbook on children with incarcerated parents: Research, policy, and practice* (117-130). New York, NY: Springer.; Poehlmann-Tynan, J. (2016). Children’s contact with incarcerated parents. *Focus*, 32(2), 13-17.

¹⁸ De Claire, K., & Dixon, L. (2017). The effects of prison visits from family members on prisoners’ well-being, prison rule breaking, and recidivism: A review of research since 1991. *Trauma, Violence, & Abuse* 18(2): 185–99.; Mitchell, M., Spooner, K., Jia, D., & Zhang, Y. (2016). The effect of prison visitation on reentry success: A meta-analysis. *Journal of Criminal Justice*, 47, 74–8.; Cochran, J. (2012). The ties that bind or the ties that break: Examining the relationship between visitation and prisoner misconduct. *Journal of Criminal Justice* 40(5), 433–440.

¹⁹ San Francisco Children of Incarcerated Parents Partnership, 2005.

²⁰ WA-HB1284 was signed by the governor on April 25, 2019.

²¹ OR-SB241 was signed by the governor on June 22, 2017.

²² CA-SB394 was signed by the governor on October 8, 2019; OR-HB3503 was signed by the governor on August 12, 2015; WA-SB6639 was signed by the governor on March 26, 2010.

Methodology

In order to address the unique needs of the approximately 186,000 children in Illinois (6% of children statewide – or one in 20 children) who have experienced parental incarceration,²³ the Task Force on Children of Incarcerated Parents was created by HB 2649.²⁴ Introduced by State Rep. Delia Ramirez, HB 2649 drew upon the work done by Lurie Children’s Hospital researchers, a report by the Annie E. Casey Foundation,²⁵ the San Francisco Children of Incarcerated Parents Partnership,²⁶ and data from the Women’s Justice Institute’s Gender Informed Practice Assessment.²⁷ The bill was originally intended to enact a Bill of Rights similar to those referenced above. Conversations with stakeholders ultimately led to the creation of a Task Force designed to research and report on the scope of parental incarceration and its enduring effects, using the guiding principles of the original bill of rights as a framework for the work of the Task Force. With a better understanding of current practice in Illinois and best practices across the country, it was hoped the Task Force could make recommendations to make real and lasting positive changes for children and families of the incarcerated.

Signed into law by Governor J.B. Pritzker in August of 2019, the Task Force included 25 statutorily required members, including state and local law enforcement, the adult and juvenile correctional systems, legislators, members of the academic community, individuals who had been incarcerated, and children of incarcerated parents. A full list of Task Force members can be found on appointments.illinois.gov.

Chaired by Rep. Ramirez, coordinated by the Office of Lieutenant Governor Juliana Stratton and hosted by Cabrini Green Legal Aid, the Task Force held a series of nine meetings between September 2019 and December 2020. Each meeting was designed to explore a subject important to the Task Force and build consensus around final recommendations.

Initial meetings included subject matter experts including: Dr. Amy Dworsky, Research Fellow at Chapin Hall; Dr. Nia Heard-Garris, Pediatrician and Researcher at the Ann & Robert H. Lurie Children’s Hospital at Northwestern University; Alexis Mansfield, Senior Advisor at the Women’s Justice Institute; and Andria Goss, Director of the Early Childhood Project at the Erikson Institute. These witnesses gave testimony about the impact the trauma of parental incarceration can have on children and family members as well as effective practice and programming in other parts of the country. Task Force members were given opportunities to directly question experts and tap into their experience and knowledge in relevant fields.

State agency leaders also had opportunities to present current practice and efforts around ensuring positive interactions between parent and child during detention and incarceration. Task Force members from the Illinois Law Enforcement Training and Standards Board, Chicago Police Department, Illinois Department of Corrections, Cook County Sheriff’s Office, and Illinois Department of Children and Family Services gave testimony and answered questions for members of the Task Force. Each presented current practice in their agency and illuminated policy around visitation, interaction, and other relevant points of contact between child and parent.

²³ The Annie E. Casey Foundation. (2016). *A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families, and Communities*. Baltimore, MD: Retrieved from <https://www.aecf.org/resources/a-shared-sentence/>.

²⁴ IL-HB2649 passed the House of Representatives unanimously on April 11, 2019.

²⁵ The Annie E. Casey Foundation, 2016.

²⁶ San Francisco Children of Incarcerated Parents Partnership. (2005) *Children of Incarcerated Parents: A Bill of Rights*. Retrieved from: https://8b71cc7f-8b7d-4301-a44b-1733913d4914.filesusr.com/ugd/73a5ec_83e372f34c154ffb99d9725a95ec1918.pdf

²⁷ Benedict, A., & Benos, D. (2016). *The gender informed practice assessment (GIPA): Summary of findings & recommendations*. Washington, DC: National Resource Center on Justice Involved Women.

The Task Force used later meetings to process and discuss what they had learned. This included opportunities for small group work, broader discussion and consensus building around what would become the recommendations included in this report. Members were also presented with a draft copy of this report to review and reflect upon and the authors made additional changes to accommodate the participants' feedback.

Rep. Ramirez and CGLA presented preliminary recommendations to approximately 20 representatives from Mikva Challenge's Juvenile Justice Council, a group of teens focused on public policy change, some of whom were impacted by parental incarceration. They provided feedback and offered additional recommendations for policies, programming and implementation strategies. These recommendations were in turn shared with the larger Task Force and integrated into the report.

During the fall of 2020, Rep. Ramirez and Task Force staff conducted a final round of meetings with Task Force stakeholders with a specific emphasis on listening to feedback from law enforcement. This feedback was incorporated into the final content of this report which was presented to the Task Force in November 2020. A final vote on the content was taken in December 2020. Agendas and minutes for all formal meetings of the Task Force, including record of attendance and roll call votes, can be found on the Lieutenant Governor's website.

Key Findings & Recommendations

1. Government Policies and Procedures

State agencies lack information regarding each other's policies. The multiple agencies serving families separated by incarceration – including law enforcement, corrections and child welfare -- acknowledge they have a wide range of policies and procedures and lack communication loops with their counterparts in other agencies to share information (see finding number three). This means that families are often left to navigate systems on their own amid shifting landscapes as parents move through different stages of their incarceration—from jail to prison to reentry back into their community.

The Illinois Department of Corrections (IDOC) limits the physical contact that incarcerated parents can have with their children—typically to one hug at the beginning and end of the visit. However, the Illinois Department of Juvenile Justice, which separated from IDOC as a new agency in 2006, and confines young people until age 21, does not enforce this limitation. The inconsistency creates confusion among family members and can be discouraging for some during a prison visit. Geography and resources also play a part in these disparities. While Cook County Jail provides face-to-face visits for parents who go through a rigorous screening process, many small counties outside of Cook lack the resources to provide in-person visits between jailed parents and their children.

Task Force members from state agencies made it clear they wanted more information about the full landscape of current Illinois laws governing issues around family contact and arrest procedures. Many members, for instance, were unaware of the recently passed Best Interest of the Child Act, which allows individuals to present their status as a child's primary caregiver as a mitigating factor during their sentencing. The lack of awareness of this law begs the question of what other statutory obligations agencies may have missed due to resource or other constraints.

The variation across agency policies affecting Illinois families, combined with a lack of transparency even among those enforcing them, makes it difficult for children and caregivers to navigate the system, much less trust it. Teens from Mikva Challenge also expressed concern that agencies working on these issues are not in direct communication with children of incarcerated parents and that policies lack consistency in both design and application.

Best Practices

Several states have increased transparency around policies and procedures related to incarceration by making them available to other state and local agencies and to incarcerated individuals and their families. In Minnesota, the Washington County Sheriff's Office website includes information about child visitors as well as photographs of the facility and a link to a Sesame Street video about coping with parental incarceration.²⁸ The San Francisco Sheriff's Department website translates information about visiting jail with a child into seven languages. A number of states including Pennsylvania, New Jersey and Texas have created handbooks and resource guides geared towards family members of incarcerated individuals.²⁹ Model Practices for Parents in Prisons and Jails, a report prepared by Urban Institute researchers for the National Institute of Corrections, recommends that visitation policies and procedures be available on a correctional facility's website and that correctional facilities establish a phone line dedicated to questions about these policies and procedures.³⁰

Recommendations

- a) **The State of Illinois should conduct an audit of local and state policy and procedures concerning children of incarcerated parents**

Mikva Youth Voice

"It sounds good on paper...but how is it being put in place?"

Task Force members -- much less impacted families -- struggled to fully grasp how all of the agency policies affect families of incarcerated individuals at all points -- from the moment of arrest, throughout their incarceration, to the time of their release. In order to ensure increased communication among agencies, a state liaison for policies impacting children of incarcerated parents should be appointed to facilitate communication among different local and state agencies going forward.

The state should summarize the findings of this audit in a publicly available, accessible report, which can guide future policy and practice decisions. The report should be published both electronically on the state's website and hard copies should be made available in county jails and state prisons. Additionally, a clear, concise version should be created for young people and families. This audit will boost transparency and become a resource for agencies, stakeholders, and families that can help those impacted by incarceration better navigate the system.

The report should include concrete metrics for monitoring programs and defining success. In keeping with the Task Force's guiding principles that children should have access to services, programming, and, most importantly, their parents, additional transparency for families will help ensure that the system is accessible and navigable during a traumatic time.

²⁸ <https://www.co.washington.mn.us/2452/Visiting-Information-for-Children-Visits>

²⁹ http://www.pacwrc.pitt.edu/Curriculum/305EngagingIncarceratedParents/Ap/Ap06_HndbkFrFmlyFrnds_%20Final.pdf; <https://www.state.nj.us/corrections/pdf/OTS/InmateFamilyResources/UnderstandingNJDOCPrisonSystem.pdf>; https://www.tdcj.texas.gov/documents/General_Information_Guide_for_Families_of_Offenders.pdf

³⁰ Peterson, B., Fontaine, J., Cramer, L., Reisman, A., Cuthrell, H., Goff, M... Reginal, T. (2019). Model practices for parents in prisons and jails: Reducing barriers for families while maximizing safety and security. Washington, DC: Bureau of Justice Assistance (BJA) and the National Institute of Corrections (NIC).

https://www.urban.org/sites/default/files/publication/100531/model_practices_for_parents_in_prisons_and_jails_0.pdf

2. Training

Law enforcement, corrections, and child welfare agencies lack the extensive training needed to most effectively serve families of justice-involved individuals. Based on testimony and input from stakeholders, the Task Force understands that most law enforcement agencies across the state receive some training on how to handle potentially traumatic situations in which children are present. The Illinois Law Enforcement Training and Standards Board (ILETSB) develops training and standards and curricula for all law enforcement and corrections officers with the exception of the Illinois State Police (ISP). This training recommends that a child welfare specialist be present at the time of arrest to address the needs of children throughout the process. However, written testimony from ILETBSB confirms that officers are not trained on the specific policies of their home agency until after they have graduated from the academy and are already in the field. This suggests that while ILETBSB standards apply to officers, they still begin their jobs with an incomplete knowledge of local policy and practice. Even at the state level, ISP has explicitly said “our greatest challenge is training.” ISP recommended that officers receive training on “the emotional and financial trauma caused [to] children of incarcerated parents and their families.” This shows that there is more that can be done to prepare troopers for interactions with children and families at potentially traumatic times.

Moreover, while the ILETBSB trains sheriffs who work at county jails, it does not work directly with the Illinois Department of Corrections staff. Task force members from IDOC agree that their staff “should be trained and educated on family-centered practices in a correctional center to raise awareness of the trauma that may be created due to the separation of a parent and his/her child.” However, they cite numerous time and funding limitations as barriers to implementation. Youth from Mikva Challenge suggested that children of incarcerated parents themselves should be involved in the development of the curriculum, and share their experiences during in-person training for law enforcement and correctional officers.

Task Force members and stakeholders, including law enforcement members that were interviewed, expressed specific concerns regarding training. There are concerns that training on these issues is not being administered on a continual basis in law enforcement agencies and is often just available during the academy. This can lead to training being a check mark that must be crossed off rather than helping create a culture, policy, and practice shift on how to interact with families and children involved in the justice system. Furthermore, leadership within law enforcement agencies was perceived as critical to ensuring new training and policies are implemented and enforced. Support from leadership was consistently identified as both a potential barrier to implementing the Task Force’s training recommendations but also an opportunity for more effective implementation if strong support was attained.

Some members of the Task Force expressed concern that law enforcement agents may be over trained in matters that are perceived by law enforcement as being outside of the scope of their work and expertise. For example, while crisis intervention and trauma-informed training can be highly effective, there is a concern that officers are being asked to be social workers, a role that they have not been adequately prepared for. Furthermore, some argued that placing these kinds of expectations on officers to act as social workers is not optimal and asked whether better outcomes could be produced for families and children if these roles were filled by social work and behavioral health experts instead of law enforcement. There was general openness to exploring “co-responder” models to most effectively respond to children and families interacting with law enforcement. Furthermore, there were also concerns raised about the significant coordination and resource challenges that would need to be overcome for “co-responder” models to be actualized.

The facts presented to the Task Force suggest that training has been identified as an important and necessary step to properly equipping law enforcement, corrections officers, and all system stakeholders to be effective and mindful when dealing with children and families. The facts also suggest that there is room to improve the training available to these stakeholders.

Best Practices

Communities in Delaware, Florida, and North Carolina have embraced trauma-informed continuum of care models and incorporated trauma-informed practices into training for law enforcement, corrections, and child welfare agencies.³¹ Training should incorporate the voices of staff and those directly impacted by incarceration and should ensure that topics such as self-care, fatigue and vicarious trauma are addressed.³² Partnering with local organizations to design and implement training may reduce costs. Tip sheets with practice recommendations are also available to help staff from child welfare or other agencies navigate working with those impacted by parental incarceration.³³

Recommendations

- a) **ILETSB should prioritize trauma-informed practice training in curricula designed for all officers who receive their training**
- b) **Training for law enforcement and corrections officers should include concrete scenarios around arrest and visitation and officers who demonstrate successful engagement with the materials should be prioritized for duty related to children and families**
- c) **Include young people in the development of such scenarios and training modules**
- d) **Training must be done on a continual basis with support from leadership**
- e) **Explore co-responder models, including those that leverage trained community stakeholders**

Mikva Youth Voice

“We feel youth should have input. Who better to talk about trauma training and the experiences that they’ve gone through more than a child?”

The ILETSB is currently re-evaluating its curricula and will release new standards in 2020. In keeping with the Task Force’s principle to minimize trauma for children and families, **these standards, or an addendum to be released as soon as possible, should include trauma-informed training for all officers.** The ILETSB should also interview children who have witnessed their parents being arrested, or been arrested themselves, to inform the development of these standards.

Trainings of law enforcement and correctional officers should be concrete, include specific arrest scenarios and, in the case of prisons and jails, assist officers in facilitating reunification and visitation. While all law enforcement and correctional officers should receive comprehensive training on trauma-informed practices, those working on tasks specifically related to visitation or that involve contact with families should also be selected based on their aptitude for empathetic contact and demonstrated success putting training into practice. Youth involved with the Task Force underscored the importance of making sure that officers “do their job effectively, as well as do the job with their whole hearts.”

³¹ https://cpeip.fsu.edu/Creating_a_Trauma_Informe_State/TraumaShowcase.pdf;
<https://www.tn.gov/content/dam/tn/dcs/documents/health/aces/building-strong-brains-tn/Building%20a%20Trauma%20Informed%20System%20of%20Care%20Toolkit.pdf>

³² Peterson, Fontaine, Cramer, Reisman, Cuthrell, Goff... Reginal, 2019

³³ <https://youth.gov/sites/default/files/COIP-TipSheet-Prison-Staff-508.pdf>;
https://www.childwelfare.gov/pubPDFs/parental_incarceration.pdf

In order to produce a policy and practice shift in the way law enforcement agencies engage with families, **training must be done on a continual basis with support from leadership**. Ongoing training that reinforces new policies and practices is critical to implementing reform. Securing the support of agency leadership in implementing ongoing training is necessary to ensure that resources are prioritized, and training requirements are enforced.

Any changes to training requirements must also take the availability of resources into account. As stated throughout this report, Task Force members expressed concern that most state and local agencies lack the resources they would like to achieve their goals. This is especially true outside of Cook County. The state should reinvest in training across Illinois for correctional and law enforcement agency actors at all points of contact with children and families to reduce trauma in the present and improve outcomes in the future.

The limitations of simply increasing training should also be recognized and **“co-responder” models, including those that leverage trained community stakeholders, should be explored**. While there are significant barriers under our current system that is not designed for this kind of cooperation and differentiation of roles, investments should be made to explore whether these models could produce better outcomes for children and families.

3. Inter-Agency Communication and Collaboration

Inter-agency communication and collaboration rarely occurs and must improve. To effectively minimize harm to children and families of the incarcerated, agencies must move from information sharing to intentional coordination and collaboration. This collaboration will have the added benefit of increasing overall understanding of processes across the system for staff and, consequently, families as well.

Today, state agencies responsible for working with incarcerated parents and their children are siloed and independent. Even where opportunities for coordination and synergies exist, the lack of communication across agencies means that families miss out on opportunities to receive the best services the state can offer.

The consequences of this lack of coordination can be harsh. For example, the Department of Children and Family Services (DCFS) is statutorily required, absent good cause, to request that the State’s Attorney file a petition to terminate parental rights if a child has been in foster care for at least 15 of the last 22 months. Termination of parental rights means that a biological parent no longer has the right to care for or contact their child, and their child also does not have the right to visit their biological parent until they turn 18. For incarcerated parents, the most-used basis to terminate parental rights is failure to make reasonable progress on a child welfare service plan (e.g. participate in parenting classes or substance abuse treatment). It is very challenging to comply with service plans while in prison, due to lack of programming in prisons. While agencies require certain programming to comply with DCFS requirements, lack of communication means that some requirements may be literally unattainable for those who are incarcerated. Inter-agency collaboration would also help DCFS better understand an incarcerated parent’s noncompliance and prevent unnecessary and traumatic termination of parental rights.

Best Practices

Washington, Oregon, and California have all taken steps to improve data sharing across agencies via inter-agency oversight and advisory committees that examine inter-agency policies and procedures related to parental incarceration, and may offer recommendations for improvement.³⁴ In New York City, the Osborne Association provides direct family support as well as resource fact sheets and other easily digestible materials to help families identify public and local non-profit resources available for assisting children.³⁵ The San Francisco Children of Incarcerated Parents Partnership uses Memoranda of Understanding to define collaborative partnerships and increase inter-agency accountability.³⁶ States such as Kentucky and Florida are working to mitigate the impact of inter-agency involvement on families by adopting the One Family, One Judge Model which assigns all cases affecting a family to a single judge. This model, which streamlines access to services and resources for affected families, may prove particularly beneficial for children and families involved in both the child welfare and criminal justice systems.

Recommendations

- a) **Develop a central hub or clearinghouse for agencies to better coordinate and share information which can also be used to better inform families and the public**
- b) **Develop formalized inter-agency communication channels and feedback loops**
- c) **Develop a data sharing model with the goal of helping families stay physically closer together**

Mikva Youth Voice

“Mandatory meetings with other agencies should be a part of their job description.”

Develop a central hub or clearinghouse for agencies to coordinate and share information about services for children of incarcerated parents and their family members. This would help improve the ability of agencies to connect children and other family members with needed resources. The central hub should be regularly updated, have a periodic reporting requirement, and include contact information so that impacted families can be directed to the appropriate agency for more information. This information should lead to the development of a flow chart that maps which agencies are responsible for which services. This would greatly benefit families and agency staff.

The state should create feedback loops across agencies via communications tools (ex: Slack channels) or standing work groups charged with implementing this Task Force’s key recommendations. Impacted youth recommended a mandatory annual meeting of agency representatives to ensure inter-agency coordination and accountability to the goals of improving service for children and families of incarcerated parents, and that at least two types of engagement (i.e., in-person meeting and Zoom calls) be offered so all agencies can participate.

Finally, data sharing across agencies may help keep incarcerated parents and their children closer together. While keeping up-to-date family information across state agencies with different areas of contact with a family on file can be difficult, having a centralized database into which multiple agencies feed information may make it easier to incarcerate parents in facilities as close as possible to their children and other family members. Families should be presented with the choice of enrolling in the centralized database, and be advised of any risks of enrollment.

³⁴ Nickel, J., Garland, C., & Kane, L. (2009). *Children of incarcerated parents: An action plan for federal policymakers*. New York: Justice Center. https://csgjusticecenter.org/wp-content/uploads/2012/12/Children_Incarcerated_Parents_v8-2.pdf

³⁵ <http://www.osborneny.org/resources/see-us-support-us-toolkit/>

³⁶ Thureau, 2015

Centralizing information and creating opportunities for feedback loops and information sharing among state agencies will ultimately increase the likelihood that the needs of children of incarcerated parents are considered when decisions are made. This is consistent with the Task Force's guiding principles and critical to the success of these children in the future.

4. Support for Programming and Services

Existing services are under-resourced or inadequate to successfully reunify families. An array of services are available to incarcerated parents, their children and other family members. IDOC and the Cook County Sheriff's office offer parenting classes at state prisons and the county jail, respectively. Likewise, DCFS and nonprofit organizations offer family counseling, mental health and substance abuse treatment, as well as assistance accessing SNAP and other government benefits. Yet these services are often underfunded and can be underutilized because of poor communication between staff, agencies, and even state leaders.

In Illinois prisons, participation in programs is constrained by very restrictive eligibility requirements, limited space and staffing shortages. Most prisons have waitlists for programs such as substance abuse treatment that have proven to reduce recidivism. Moreover, many families fear that participating in these very programs can make it harder for them to reunite with loved ones because they may believe participation implies they aren't prepared.

Some programs are operated by volunteers from nonprofit organizations that lack a stable source of funding. For example, the Reunification Ride that takes children and families from Chicago to the state's women's prisons relies on donations made to Cabrini Green Legal Aid.

Best Practices

Efforts to provide programming to incarcerated parents and their families vary widely across the nation, depending on resource availability, geography and facility type. Programming for incarcerated parents may focus on areas such as parent skills training or relationship building. Researchers stress the importance of applying a gender lens when designing and implementing programs for parents because mothers and fathers experience unique needs.³⁷ In Pennsylvania, the Allegheny County Jail's Family Support Program embeds contact visits between parents and children within a gender-specific parenting program. This is important because incorporating parent-child interactions into a parenting program may lead to improved parent attitudes and behaviors.³⁸ Program curriculum should be evidence-based and cross referenced with requirements of child welfare and other agencies to best support the success of the incarcerated parent.³⁹ Collecting data from participants prior to, during, and after program completion, and tracking growth in program participation, can help demonstrate a need for continued funding.⁴⁰

³⁷ Cramer, L., Goff, M., Peterson, B., Sandstorm, H. (2017). Parent-child visiting practices in prison and jails: A synthesis of research and practice. Washington, DC: Urban Institute.

³⁸ Tremblay, M., & Sutherland, J. (2017). The effectiveness of parenting programs for incarcerated mothers: A systematic review. *Journal of Child and Family Studies*, 26, 3247-3265.

³⁹ Peterson, Fontaine, Cramer, Reisman, Cuthrell, Goff... Reginal, 2019

⁴⁰ Peterson, B., Cramer, L., Kurs, E., & Fontaine, J. (2015). *Toolkit for developing family-focused jail programs: Children of incarcerated parents project*. Washington, DC: Urban Institute. <https://www.urban.org/sites/default/files/publication/53726/2000255-Toolkit-for-Developing-Family-Focused-Jail-Programs.pdf>

Programs can also provide support and resources to the children and families of the incarcerated. Initiatives such as Project Avary in California and Forever Family in Georgia provide mentoring and support for children and teens impacted by parental incarceration. Additionally, programs such as Girls Embracing Mothers in Texas, Know Me Now in Oregon, Aid to Inmate Mothers in Alabama, and Place4Grace in California support incarcerated parents, their children, and caregivers by facilitating in-person visitation that may not otherwise be feasible. Connecticut, Delaware, New York, Ohio and Washington have all appropriated funding for kinship navigator programs to provide services and support to the caregivers of children with incarcerated parents.⁴¹

Recommendations

- a) **County Sheriffs and IDOC should build programming for incarcerated parents and their families**
- b) **The state should develop social-emotional programming for children and parents coping with incarceration**
- c) **The state must do more to provide programs and services that support family reunification during and post incarceration**

Mikva Youth Voice

“How is “support” defined?”

County Sheriffs and IDOC should build programming for incarcerated parents and their families to facilitate healthy rehabilitation and family reunification after incarceration. Examples include parenting classes, mentorship programs and substance abuse treatment. Efforts should also be made to increase community awareness of what services are available, how to access them, and whether service utilization may adversely affect an incarcerated parent’s future ability to regain custody of their child(ren). Agencies that serve children of incarcerated parents should explore opportunities to partner with nonprofits and community groups to create new ways to support families.

The state should create a program to provide social and emotional support to both incarcerated parents and children who do not or cannot maintain contact during incarceration. Not all families can connect or reconcile, which can lead to anxiety, depression, and maladaptive behavior. Such a program should make free therapy or support groups available to children of incarcerated parents.

Finally, the state must do more to provide programs and services that support family reunification during and post incarceration. Task Force stakeholders representing both law enforcement and community agreed that this is a significant gap in support services for families post incarceration. This includes increased investments in reentry services but also, specifically, mental health and support services that help families deal with the trauma of parental incarceration.

The Task Force believes that the recommendations regarding improving “inter-agency communication and collaboration” referred to earlier in this report will lead to more efficient use of resources and can help improve access and impact of the types of programming discussed here.

⁴¹ <https://www.grandfamilies.org/Topics/Kinship-Navigator-Programs/Kinship-Navigator-Programs-Summary-Analysis>

5. Interactions with Parents when Children are Present

Studies have shown that arresting a parent in front of a child has a lifelong impact. Children who witness a parent's arrest immediately experience mental and physical health problems including anxiety, sleep disruptions and irritability. In the long term, witnessing the arrest of a parent can lead to increased distrust of law enforcement and authority figures and generational trauma. Continued exposure to a parent being handcuffed or aggressively handled during court proceedings and visitation can further traumatize children.

Law enforcement policy and practice at the time of arrest with a child present must be consistent and transparent across Illinois. The ILETSB currently offers basic training on how officers should interact with children when a parent is arrested. Illinois State Police (ISP) has model policies, but it is unclear how widely they are practiced by ISP or any local police departments. (Task force members asked to see the specific training provided by ILETSB but were informed that the exact contents cannot be publicly disclosed because training is tied to the state certification exam. However, summaries of the types of training officers receive were provided to the Task Force by ILETSB).

Chicago Police Department (CPD) members informed the Task Force that officers try to avoid handcuffing adults in front of children whenever possible. While a common practice, CPD officials could not confirm if this was an official policy. Unfortunately, the Task Force did not receive input from any other local law enforcement agencies, so policies and practices around handcuffing outside of Cook County are unclear. More information and transparency will be critical to ensure that children's wellbeing is considered at the time of arrest.

Best Practices

Jurisdictions across the country have policies and protocols pertaining to arresting parents in the presence of children.⁴² The San Francisco Police Department has a Children of Arrested Parents policy that emphasizes the importance of considering the presence of children in the home when planning arrests or obtaining search warrants.⁴³ Arrest protocols deter the use of police equipment or weapons and provide a framework for interaction with children during arrest. This includes allowing children to speak with their parents, only handcuffing parents out of children's sight, and using age-appropriate language to explain to children what is happening. Officers are trained to look for signs of the presence of children during arrests and ask the individual being arrested if they are responsible for any minor-aged children. Officers are also trained to attempt to identify alternative caregivers for any children present and to provide information relayed by parents directly to the family and child service workers. Checklists and field cards outlining arrest procedures are available for officers.

Two Connecticut communities—Manchester and Waterbury—adopted the Responding to Children of Incarcerated Caregivers Together (REACT) model, which calls for social service providers to offer psychological support and case management services during arrest to minimize trauma and increase inter-agency collaboration. Police officers offer a phone number to connect families with mental health services if a social service provider is not present. The model emphasizes cross-training between departments to deepen procedural understanding and requires staff to report on their roles in interventions. Data and feedback are then used to inform future practices.

⁴² Thureau, L. (2015). *First, do no harm: Model practices for law enforcement agencies when arresting parents in the presence of children*. Washington, DC: Office of Justice Programs Diagnostic Center. https://strategiesforyouth.org/sfysite/wp-content/uploads/2012/09/First_Do_No_Harm_Report.pdf

⁴³ <https://strategiesforyouth.org/sfysite/wp-content/uploads/2014/10/SFPD.pdf>

Recommendations

- a) **Law enforcement policies and procedures for arrests in the presence of children should be publicly available and transparent**
- b) **These policies and procedures should be consistent across the state**
- c) **Law enforcement should receive extensive training to minimize trauma to parents and children during all interactions**

Mikva Youth Voice

“A lot of people will be like ‘don’t talk to my kid, don’t touch my kid,’ so if there’s a certified social worker there to pull the child aside...I think it would be a great way to mitigate or offset some of the factors later on in life. Because once you see someone get arrested, it affects you.”

The Task Force received policy documents and guidance for officers from the Illinois State Police and testimony from the Chicago Police Department. In general, we understand that all officers are given training on how to handle situations involving children at the time of arrest and that, when practicable, they avoid situations where children are present at all. Despite its efforts, the Task Force continues to have a limited understanding of law enforcement policies outside of Chicago. We also do not know how agencies address incidents where procedures were not followed. To that end, law enforcement policies and procedures regarding arrests in the presence of children should be publicly available and transparent. By posting policies, law enforcement can not only improve relationships between law enforcement and communities but increase trust with families experiencing incarceration.

What we do know about law enforcement policies at the time of arrest around the state suggests that there are inconsistencies across agencies in policy and practice. Law enforcement should work to make policies relating to children at time of arrest consistent across the state. As a statewide law enforcement agency, the Illinois State Police could serve as a leader in this effort. These policies should also have clear enforcement mechanisms, such as disciplinary consequences when a law enforcement officer needlessly points a gun at a child or arrests a parent when their child is present.

Law enforcement should also receive more extensive training on handling situations involving children to minimize trauma to the parent and the child during all interactions when children are present including arrest, court proceedings, and visitation. This training should include opportunities for officers to increase their knowledge of restorative justice practices. Law enforcement should strive to follow the ILETSB’s recommendation for a specialist or social worker to be present at every law enforcement interaction when it is anticipated that children will be present.

The Task Force recognizes that training resources for agencies across the state are limited. For this reason, consistent policy combined with regular updates to statewide training curricula can go a long way toward better equipping both officers and community members with skills and knowledge to minimize negative outcomes for children with incarcerated parents. Consistency across law enforcement agencies will also help address the Task Force’s first principle, that children should be protected from additional trauma at the time of parental arrest.

6. Interactions During Visitation

Visitation practices, while essential, vary widely across the state. Research demonstrates that in-person visits can benefit both incarcerated parents and their children. It can improve parents' behavioral outcomes in jail and prison and reduce recidivism after release.⁴⁴ Children who maintain a close relationship with their incarcerated parent are less likely end up in the criminal justice system later in life.⁴⁵

In practice, visitation policy varies widely across Illinois prisons. All prisons are equipped with video visitation capacity. In recognition of the fact that in-person visits—which ideally allow for physical contact—have been shown to have more positive long-term outcomes,⁴⁶ some IDOC facilities offer opportunities for more intensive interaction between children and parents. The reunification wing at the Decatur Correctional Center allows mothers to spend time reading, watching TV, and doing activities with their visiting children. IDOC also facilitates the “Day with Dads” initiative, which gives incarcerated fathers an opportunity to participate in day-long events with their children that promote father-child bonding. Additionally, IDOC has worked to make some of its visitation rooms more family-friendly and less starkly institutional. However, efforts to improve visitation are constrained by resource and space limitations, meaning that the Department cannot meet the demand. Moreover, IDOC facilities are often located in rural areas that are difficult for many families to reach in order to take advantage of existing visitation programs.

A significant challenge for incarcerated parents and their children has been restrictions on visitation. The Cook County Sheriff's office conducts an assessment of each parent who applies for contact visits with their children and considers such factors as their placement within the jail (security level), the nature of their pending charges and their prior conviction history. Furthermore, parents must complete a parenting class to qualify for contact visits; contact visits are not an entitlement. A study by researchers at the University of Chicago's School of Social Service Administration and Chapin Hall at the University of Chicago found that mothers incarcerated in Logan Correctional Center face numerous barriers to maintaining relationships with their children, including the inability of family member to transport children to the prison and a host of visitation-related rules.

Visitation in jail facilities across the state also varies significantly from county to county. Forty of the 92 jails in Illinois solely offer video visitation and 41 jails offer no visitation at all. Because counties range widely in size and resources, the programming available to detainees at these jails is similarly inconsistent. In more resource-challenged jails, few opportunities for programming and visitation exist. Due to the inherently transient nature of jail populations, many sheriffs appear to be reluctant to invest in facilities or staffing to facilitate more positive visitation experiences. Some sheriffs also believe that jails are not structurally suitable to build family friendly visitation rooms and that children may be further traumatized by security clearance procedures that are required during visits.

⁴⁴ Cramer, L. et al. (2017). *Parent-Child Visiting Practices in Prisons and Jails*. Urban Institute.

⁴⁵ Ibid.

⁴⁶ Ibid.

The state's largest jail, located in Cook County, provides some programming to incarcerated parents. In September of 2019, the jail partnered with Chicago Beyond, the Chicago Children's Museum and Lurie Children's Hospital to build a trauma-informed parenting program for incarcerated fathers that culminated in a trip to Navy Pier in which five fathers and their children participated. The jail also built child-friendly visiting spaces for incarcerated mothers. Jail officials acknowledge the low participation rate in the fathers program and cite the need for greater awareness and outreach to families in order to ensure the success of such efforts.

Best Practices

Because in-person visitation is not feasible for all families, all forms of parent-child communication are important.⁴⁷ In Pennsylvania, the Allegheny County Jail offers coaching for parents prior to and after phone calls. Coaches provide support and advice to parents as they speak to their children, to other individuals, or to officials in agencies that affect their children, such as schools or the Department of Human Services. Programs such as Operation Storybook, Bedtime Stories Behind Bars, the Messages Project, and Making Reading Memories, allow parents in jails and prisons across the country to record a story and send it to their children. Photo Patch Foundation is an application that allows children to send their parent photos, drawings, and mail online.

The facility's physical environment is important for how children and parents experience in-person visitation. Jails in Allegheny County, Pennsylvania and Washington County, Minnesota have made their lobbies more family-friendly by reducing noise levels, making resources available and offering a separate check-in for children and families. Staff training can include methods for reducing trauma for parents and children during visits, such as modeling how to empty pockets rather than searching children or having on-duty staff out of uniform during visitation. Because transitioning into and out of visits can help ease anxiety and minimize trauma, providing extra resources to children as their parents enter and exit and allowing parents to debrief post-visit can be helpful. Decorating the visiting room, providing opportunities for structured and loose play, and incorporating family feedback can also improve visits. Spaces used for other purposes may be converted into family-friendly visitation rooms by bringing in carpets, pictures, toys and activities for each visit.

Some facilities offer enhanced visitation programs for incarcerated parents and their children. These programs, typically supported by partnering nonprofit organizations, often provide visitation opportunities for contact between incarcerated children and their parents that extend beyond the confines of the visitation room. For example, Hour Children places children whose mothers are incarcerated with host families during long weekends over the summer. The host families transport the children to and from the New York State Bedford Hills and Taconic Correctional Facilities to visit their mothers.

⁴⁷ Peterson, Fontaine, Cramer, Reisman, Cuthrell, Goff... Reginal, 2019

Recommendations

- a) **Contact visitation between children and incarcerated parents should be a right**
- b) **All jails across the state should have visitation options**
- c) **IDOC should provide more phones to parents who are incarcerated**
- d) **IDOC should do everything it can to ensure individuals are housed as close to their home communities as possible**
- e) **Visitation rooms in all correctional facilities should be child-friendly**
- f) **IDOC should provide programming to help parents and children process visits**
- g) **The state should provide additional funding to support enhanced visitation**

Mikva Youth Voice

“Once you get a child’s perspective of a child’s situation, it helps a lot...if you’re coming from their shoes, you can get a way better chance of getting your recommendation through. And it makes us feel heard.”

A guiding principle in these recommendations was stated by Mikva Challenge youth: “Visitation should be a right and not a reward.” Research and best practices have shown that contact visitation between incarcerated parents and children can, if done correctly, improve both parent and child wellbeing. Additionally, contact during visitation should not only be allowed but encouraged by correctional staff, except when a parent has a history of using violence against a child. Children should feel free to hug and touch their loving parent.

While video visitation is not ideal, all parents should have the opportunity to visit with their children and other family members while incarcerated. This can be made easier by providing basic visitation options at all jails and increasing the number of functioning phones available to parents in prison. Working to ensure that parents are incarcerated in IDOC facilities as close to their home communities as possible will help reduce trauma and encourage rehabilitation. Parents’ ability to be visited by family should not be dependent on the county in which they were arrested.

The experience of visiting an incarcerated parent can be traumatic for children. Consequently, visitation rooms in all correctional facilities should be child friendly. It is also important to identify programming that can help incarcerated parents and their children process visits in a way that facilitates the healing process.

The Task Force recognizes that many jails have limited resources to facilitate or even allow for visitation. The state must prioritize visitation in all correctional settings by providing adequate resources to counties and DOC. The state should consider playing a larger role in shaping local and statewide visitation policies and the related resource allocation.

7. Implementation and Enforcement

Implementation and enforceability of rights identified in a bill of rights were primary concerns expressed by stakeholders during the early legislative stages of HB 2649, the legislation which created this Task Force but was initially presented as a Bill of Rights for Children of Incarcerated Parents. As a result, this Task Force was formed to develop the principles of the bill of rights into guidance and actionable recommendations.

The Task Force recognizes that the recommendations outlined in this report require additional resources, legislative and administrative action, and continued support to be successfully implemented. The scope of the challenge to address the needs of children of incarcerated parents touches agencies charged with law enforcement, corrections, and family services, as well as hundreds of thousands of stakeholders across the state. It is not fair to agencies, children or their families to expect these recommendations to be implemented without further support and engagement.

With so many disparate agency actors involved, it will be important to have centralized leadership and coordination to bring together these stakeholders, guide implementation, provide transparency, and enforce compliance when necessary.

Recommendations

- a) **The state should establish a standing Commission on Children of Incarcerated Parents to coordinate agencies and implement the recommendations of this Task Force**
- b) **The Commission should include members representing relevant agencies and stakeholders**
- c) **The Commission should be transparent and issue annual reports about its progress and the state of policy and practice in the state**
- d) **The Commission should be provided statutory enforcement powers to ensure that its policy and practice changes are implemented appropriately**

The state should establish a standing Commission on Children of Incarcerated Parents to implement and coordinate the recommendations of the Task Force. This commission should be housed at the Department of Human Services (IDHS), which has been an active participant in the Task Force's work and engages with many of agencies and stakeholders mentioned in our work. Because taking a family-oriented approach to helping Illinois residents is essential to the agency's mission and its contributions to the Task Force's work, IDHS will be an ideal convener and coordinator of the continuing work to help children of incarcerated parents.

The Commission should include, but is not limited to, representatives from relevant law enforcement agencies, Illinois Department of Corrections, the Department of Children and Family Services, local government family services agencies, appropriate non-profit service providers and stakeholders, and individuals who have been directly impacted by policies relating to children of incarcerated parents. These actors have had, and should continue to have, critical input into the direction of statewide policy on children of incarcerated parents.

This Commission should provide transparency around implementation by providing an annual report to the Governor and General Assembly of its work and progress. This report should detail changes in policies, new programming, efforts to reduce trauma to children, parents, and families, and any other relevant updates to its work. This transparency will help state leaders continue to support efforts to improve how children of incarcerated parents are treated.

The Commission should be provided with statutory mechanisms to enforce the policies it develops in order to ensure implementation and compliance. Unfortunately, implementation of recommendations as large in scope as these is always a challenge. This Task Force recognizes that change takes time and buy-in, but also believes that it is important that the recommendations and approaches outlined in this report are implemented. In the past, some task forces have come together, made recommendations, and then disbanded without effectively changing the status quo. Empowering this commission with some sort of enforcement mechanism will help ensure that change does occur.

Conclusion

If Illinois had a city composed of all its residents impacted by parental incarceration, that city would be larger than Rockford. As a state, we have failed to adequately consider the long-term damage that results from the separation of children and their parents due to incarceration, its scope and its effects on all of our communities. The recommendations contained in this report take the initial steps necessary to correct this long-standing oversight.

The Task Force has heard from experts in the field about the impact that incarceration has on children and their development. It has heard from state, county, and local agencies who directly interact with children at time of arrest, throughout the court process, during incarceration, and during decision making over custody. These experts and practitioners provided invaluable insight into what children, parents, and families can expect as they engage with the system as it exists and operates today.

The Task Force also heard from adults and youth, parents and children, who have been impacted by incarceration, both as parents and as children. It heard about the trauma of having a child present at arrest and the difficulty of trying to visit a loved one in prison. Testimony was offered on the uncertainty of not knowing how to access programming or resources to stay in touch with your child and the hardship—psychological and financial—that comes from having a parent absent from the household. The Task Force also internalized how important it is to have those impacted at the table to find solutions.

The recommendations made in this report are the result of 18 months of hard work, the input of dozens of individuals from state agencies, nonprofits and the public. They are concrete steps that will help address the dearth of knowledge in this space among state actors and the public. These recommendations provide achievable ways of improving how Illinois treats some of its most vulnerable populations and can create lasting good that will benefit everyone in Illinois.

We, the members of the Task Force on Children of Incarcerated Parents, urge Governor J.B. Pritzker, House Speaker Chris Welch, Senate President Don Harmon, and members of the General Assembly to take up these recommendations and provide an opportunity for children and parents to maintain loving bonds during the traumatic and challenging time of parental incarceration.

All minutes and materials pertaining to the Task Force on Children of Incarcerated Parents can be found on the Lieutenant Governor's website:

<https://www2.illinois.gov/sites/ltg/issueslist/Children-Incarcerated-Parents/Pages/default.aspx>

