



# Daughters Beyond Incarceration

In collaboration with The Southern Poverty Law Center; Navigate NOLA; VOTE;  
Robert Jones, community activist; and We Got Us Now



**SPLC**  
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NAVIGATE NOLA



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*Present*

## **Louisiana's Children of Incarcerated Parents: an issue brief with policy recommendations**

October 4, 2019

Measures across and interconnected with multiple systems that serve or impact Louisiana's children of incarcerated parents must be implemented so that the parent-child connection remains as continuous and positive as is feasible during and throughout the incarceration of the parent.

Per **Dr. Danielle Wright** (Director of Navigate NOLA<sup>1</sup>), promoting a positive and continuous parent-child relationship in spite of parental incarceration is beneficial for both the child and their incarcerated parent.

- Maintaining the parent-child relationship in tact reduces the trauma associated for the child, and in turn, can mitigate the risks associated with parental incarceration which include: poor education outcomes, juvenile-justice involvement, physical and mental health issues, strained social and familial relationships, and being subjected to exclusionary discipline practices in schools (e.g., suspensions, expulsions, and unilateral transfers to alternative schools).
- Maintaining a continuous parent-child relationship intact is an incentive for positive decision making for parents during incarceration. Additionally, parents who remain in continuous contact with their child during incarceration are less likely to return to prison. Despite negative societal notions, many incarcerated parents desire to have a healthy relationship with their children. Both **Norris Henderson** (Executive Director of VOTE) and **Robert Jones** (Community Activist and father of DBI Co-Founder, Robresha “Bree” Anderson) have spoken candidly about their experiences with parenting while incarcerated, and a central theme from their narratives is that having their children be a constant fixture in their lives inspired them to be their absolute best selves despite the circumstances they encountered during incarceration.

### **Policy Recommendations: a multi-system, research-based, and child-sensitive approach to legislative and administrative agency reforms on behalf of Louisiana's children of incarcerated parents**

Recommendation 1: Create a state governmental commission for Louisiana's children of incarcerated parents: There are existing governmental agencies that have been designed to address the needs of children who have experienced various forms of parental separation (e.g., foster care). However, at current in Louisiana, there is no state governmental body designed to address the needs of the **94,000+** children in the state who are impacted by parental incarceration.

DBI and its collaborators therefore recommend that the Louisiana Office of the Governor create a perpetual commission that seeks to study the impact of parental incarceration on children, and also work with policy makers and systems that serve or impact such children, to propose the implementation of child-centered policies, and monitor the implementation of those policies.

The commission should include current and former children of incarcerated parents in Louisiana; current and former incarcerated mothers and fathers incarcerated in Louisiana; representatives from state agencies who encounter children of incarcerated parents (e.g., the Louisiana Department of Health; the Office of Juvenile Justice; the Louisiana Department of Education; Louisiana Department of Children and Family Services; the Children's Cabinet, Office of the

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<sup>1</sup> For more information on the work of Dr. Danielle Wright and Navigate Nola, visit <http://www.navigatenola.com/>.

Governor); and the Louisiana Department of Corrections. The commission should remain child-centered, and therefore be permanently chaired by advocacy organizations that specifically serve children of incarcerated parents in Louisiana.

The commission should publish an annual report on various metrics (to be determined by the commission) and proposals in response to these metrics—a data informed approach— of Louisiana’s children of incarcerated parents.

Recommendation 2: Implement multi-systemic policies that reduce the trauma associated with parental incarceration, from the moment of arrest and throughout incarceration:

*FROM THE MOMENT OF ARREST:*

**Child-sensitive arrest legislation and policies.** For children of all ages, witnessing the arrest of a parent can be a life-altering, socially and emotionally traumatic experience. According to data analyzed by the National Survey of Child and Adolescent Well-Being (NSCAW), a 2010 national study conducted by S.D. Phillips and J. Zhao<sup>2</sup> found that children who witnessed an arrest of a household member were 57% more likely to encounter post-traumatic stress disorder (PTSD) symptoms than children who had not witnessed such an event.<sup>3</sup> For children who witnessed the arrest of a household member, and recently witnessed the arrest of a parent, the child had a 73% greater likelihood of developing symptoms of PTSD.<sup>4</sup>

To address the trauma that ensues from a child witnessing the arrest of the parent, “in 2014, the International Association of Chiefs of Police issued a detailed and comprehensive model protocol<sup>5</sup> that includes - whenever possible- avoiding the use of force and handcuffing the parent/caregiver in front of the child, allowing the parent/caregiver to make arrangements for the child, talking to the child in age-appropriate ways, and making arrangements for any children not present about whom the arrested parent/caregiver alerts the officer.”<sup>6</sup>

Accordingly, DBI and its collaborators will meet with city council members in Louisiana’s three most heavily-populated cities— New Orleans, Baton Rouge, and Shreveport, and draft and propose the passage of child-sensitive arrest ordinances requiring the police departments in these three cities to develop arrest policies that minimize the trauma incurred by children witnessing the arrest of a caregiver, and train its officers on these policies. The ordinance should further require police departments to collect data on the number of persons arrested in their respective parishes who are parents to children under 18, or youth with disabilities under the age of 23.

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<sup>2</sup> Phillips, S.D., & Zhao, J. (2010). The relationship between witnessing arrests and elevated symptoms of posttraumatic stress: Findings from a national study of children involved in the child welfare system. *Children and Youth Services Review*, 32, 1246 – 1254.

<sup>3</sup> <http://strategiesforyouth.org/sfysite/wp-content/uploads/2014/09/CHDI-Arrest-Protocol-CT-Inst.-for-Mun-Reg-Policy.pdf>

<sup>4</sup> *Id.*

<sup>5</sup> <https://www.bja.gov/Publications/IACP-SafeguardingChildren.pdf>

<sup>6</sup> <http://www.osborneny.org/news/city-council-passes-child-sensitive-arrest-bill-taking-important-steps-to-safeguard-children/>.

Similar legislation was recently passed by the New York City Council in August 2019— Intro 1349 (Child Sensitive Arrest Bill), requiring the New York City Police Department to implement child-sensitive arrest policies. This legislation was supported by DBI collaborator **Ebony Underwood** (Founder and CEO of *We Got Us Now*)<sup>7</sup>.

#### *DURING AND THROUGHOUT PARENTAL INCARCERATION*

**Family-sensitive policies for Louisiana’s correctional facilities to facilitate in-person visitation between children and their parents.** DBI and its collaborators propose that Louisiana Department of Corrections (LDOC) implement policies for jails and prisons that collectively aim to keep incarcerated parents in contact with their children, and aim to mitigate the trauma experienced by children as the result of their parent’s incarceration. Such measures include: (a) permitting incarcerated parents to wear regular clothing during visitation with their children; (b) providing adequate notice in advance of a visitation, to prospective visitors, of all of the requirements that need to be met to facilitate visitation; and (c) ensuring that the intra-state location of the children is prioritized in determining the location that the parent will be incarcerated.<sup>8</sup>

**Eliminating barriers to communication with incarcerated parents.** DBI and its collaborators propose that Louisiana state lawmakers pass legislation in the 2020 Session to eliminate all fees associated with telephone calls made to and from people who are in jail or prison. In August 2018, New York City became the first city in the nation to eliminate fees associated with “inmate phone calls.”<sup>9</sup> This ordinance was supported by *We Got Us Now*. In June 2019, the state of Connecticut grew one step closer to becoming the first state in the nation to provide cost-free telecommunication services to incarcerated persons.<sup>10</sup> DBI proposes that Louisiana lawmakers follow suit— millions of dollars in the state are generated by phone calls to persons in jail or prison, and in 2016, Louisiana ranked 43th out of the 50 states in affordability of a 15 minute call to a correctional facility.<sup>11</sup>

DBI and its collaborators further propose that LDOC establish a digital alert system to notify families of incarcerated parents of: (a) the status of the parent, including their mental and physical well-being, and whether the parent is eligible for visitation; and (b) the status of the conditions of the correctional facility in which the parent is located.

**Trauma-informed practices in all of Louisiana’s public schools.** To ensure that any school personnel that interacts with children of a parent who was recently-arrested or is incarcerated, is mindful of the child’s traumatic situation, DBI and its collaborators recommend that the Louisiana Department of Education adopt and incorporate the *Handle With Care* model— a

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<sup>7</sup> For more information on Ebony and *We Got Us Now*, visit <https://www.wegotusnow.org/>.

<sup>8</sup> DBI ultimately advocates for de-incarceration.

<sup>9</sup> *New York City jail inmates can now make free phone calls*. The Wall Street Journal (May 1, 2019) <https://www.wsj.com/articles/new-york-city-jail-inmates-can-now-make-free-phone-calls-11556743962>.

<sup>10</sup> *Free prison calls could finally be coming to Connecticut*. The Intercept. April 2, 2019. <https://theintercept.com/2019/04/02/connecticut-free-prison-calls/>

<sup>11</sup> *Louisiana State Prison phone rates and kickbacks*, Prison Phone Justice, <https://www.prisonphonejustice.org/state/LA/> (last viewed Oct. 3, 2019)

trauma-informed policy implemented by the West Virginia Center for Children’s Justice<sup>12</sup> to ensure that children impacted by parental arrest are properly served in their school settings. DBI and its collaborators recommend that LDOE expand the *Handle With Care* model to include not just children impacted by parental arrest, but also children impacted by a negative experience associated with their parent’s incarceration (e.g., a child learning that they are no longer able to visit their parent after waiting for an extended period of time to do so).

**Parental training during and throughout incarceration.** DBI and its recommenders propose that the LDOC identify parents/caregivers in correctional facility custody, and provide parenting-training courses during incarceration. DBI offers an evidenced-based parent training curriculum that critically incorporates the experiences of children of incarcerated parents.



*“[O]ne of the challenges I silently faced my whole life was thinking one day I would get a call saying my father died in prison. Every time I got off the phone with my dad I think it traumatized me more because I always felt like it was going to be the last call I get from him.”*  
Bree Anderson, DBI Founder and Co-Director, and daughter of Robert Jones

<sup>12</sup> *Handle With Care*. West Virginia Center for Children’s Justice. <http://www.handlewithcarewv.org/handle-with-care.php> (last viewed October 3, 2019).



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A full policy brief: Louisiana's Children of Incarcerated Parents, will be produced in Fall 2019