

Policy Report | 2/12/2015 | Riley Hewko (republished)
Importance of DOC Visitation

DOC Policy Support

The State of Washington Department of Corrections (DOC) policy for visitation “recognizes the vital role families play in the re-entry process and will support offenders in maintaining ties with family, friends, and the community.”¹ Policies require that the facility provide a secure and welcoming space for visitors and provide a “child friendly environment with toys and games suitable for interaction by family members of all ages.”²

Social Science Support

Studies have shown that maintenance of family ties during incarceration, especially through in-person visits, is one possible means of lessening the negative impact of incarceration on families and children.³ Research shows that when children of incarcerated parents have strong, healthy relationships with others, they cope better with the loss of their parent and exhibit fewer problematic behaviors.⁴ One well cited-report shows how working together, with supportive parents and caregivers, children have the best outcomes:

Although the most important relationship to develop and maintain is probably that which exists between child and their incarcerated parent, a supportive relationship with another parent, caregiver, mentor, or other adult in the community may lead to similar benefits in the child’s life. Such benefits can, in turn, contribute toward healthier families and communities across the nation.⁵

Additionally, maintaining a connection between the child and incarcerated parent was shown to further help children by better allowing them to express their emotional reactions to separation from the parent; promoting a more realistic understanding of the circumstances; maintaining existing relationships in order to contribute to an eventual, successful family reunification; improving recidivism rates; preserving important connections; and reducing child anxiety by knowing their parent is safe.⁶

Visiting allows children to actually see their parents and be assured that they are safe.⁷ Without this contact, children may begin to view their parents as strangers and believe that their parents neither love nor care about them.⁸ One study found that children who were told about their parent’s incarceration in an open, honest and age-appropriate manner and children who reacted with loneliness, rather than anger, to the separation from their parents, were slightly more likely than other children in the study to have secure, positive perceptions of their caregivers.⁹

From the voices of youth, we find that although their parents may be less than perfect, the love that they have for their parents is as real and strong as any other child’s. The loss

experienced by these children when their relationships are severed is real. This loss is one that we should be concerned about since there is significant evidence that maintaining contact with one's incarcerated parent improves a child's emotional response to their parent's incarceration and supports parent-child attachment as well as lowers the likelihood of recidivism among incarcerated parents.¹⁰ In the infamous book, All Alone in the World: Children of the Incarcerated, written by Nell Bernstein, a young person says: "There was so much emphasis on me, supposedly, that they forgot about her... [w]hat would have helped me most is compassion for my mom."¹¹

Further, evidence based research shows it is in the best interest of children to remain in phone and visitation contact with their parents while they are in prison as the parent and child will be able to maintain ties and it will bolster the child's well-being and healthy development; reduce the trauma of separation; and where appropriate, assist families in reunification after their parent's release.¹² It will also help correct frightening images children may have about their incarcerated parent's circumstances.¹³ Finally, it allows children to learn that they are not alone – by seeing other children visit their parents, it helps children learn that their situation is not unique and that there are other families like their own.¹⁴

Importance of DOC Visitation from Legislature

The Legislature recognized maintaining family ties could lessen the negative impact of incarceration on families and children.¹⁵ For ten years, the legislature has enacted legislation in response to significant evidence that maintaining contact with one's incarcerated parent improves a child's emotional response to their parent's incarceration and supports parent-child attachment, while lowering the likelihood of recidivism among incarcerated parents and reducing chances of intergenerational incarceration.¹⁶

¹ DOC 450.300, Department of Corrections Policy, Visits for Prison Offenders, 2 (2015), available at <http://www.doc.wa.gov/policies/files/450300.pdf> (last visited 2/07/2015).

² *Id.*

³ La Vigne et. al., *Examining the effect of incarceration and in-prison family contact on prisoners' family relationships*. Journal of Contemporary Criminal Justice, 21 (4), 314-335 (2005).

⁴ La Vigne, et. al, *Understanding and Addressing the Needs of Children with Incarcerated Parents*, Urban Institute Justice Policy Center Research Report, 14 (2008).

⁵ *Id.*

⁶ Lynne Reckman and Debra Rothstein, Am. Bar Ass'n, *A Voice for the Young Child with an Incarcerated Parent*, (Jan 9, 2012), available at: <http://apps.americanbar.org/litigation/committees/childrights/content/articles/winter2012-young-child-incarcerated-parent.html> (last visited 11/23/14).

⁷ *Id.*

⁸ *Id.*

⁹Poehlmann, J., *Representations of Attachment relationship in children of incarcerated mothers*, *Child Development*, 76 (3), 679-696 (2005). (Data were collected from 54 children ages 2-7 whose mothers were incarcerated).

¹⁰ *Supra* note 9.

¹¹ Nell Bernstein, *All Alone in the World: Children of the Incarcerated*, 71 (2005).

¹² See Mary Ellen White, Eric Albers, and Christina Bitonti, *Factors in Length of Foster Care: Worker Activities and Parent-Child Visitation*, *Journal of Sociology and Social Welfare*, Vol. XXIII, No. 2, 75–84. (June 1996); Inger P. Davis, John Landsverk, Rae Newton, and Williams Ganger, *Parental Visiting and Foster Care Reunification*, *Children and Youth Services Review*, Vol. 18, Nos. 4, 5, 363–382. (1996); Judge Leonard P. Edwards, *Judicial Oversight of Parental Visitation in Family Reunification Cases*, *Juvenile and Family Court Journal* (Summer 2003).

¹³ Ann Adalist-Estin, *Why Maintain Relationships?*, The National Resource Center on Children and Families of the Incarcerated at Rutgers-Camden, Children of Prisoners Library, Facts and Issues: CPL 102 (2003). Available at

<http://nrccfi.camden.rutgers.edu/resources/library/children-of-prisoners-library/> (last visited 11/24/14).

¹⁴ *Id.*

¹⁵ Substitute H.B. 1284, 63rd Leg., Reg. Sess. (Wash 2013); *see also* Creasie, Finney, Hairston, *Focus on Children with Incarcerated Parents: An Overview of the Research Literature*, Annie E. Casey Foundation (2007) (explaining generally it is in the best interests of the child to maintain contact with their incarcerated parent), *available at*

<http://www.f2f.ca.gov/res/pdf/FocusOnChildrenWith.pdf> (last accessed 2/8/2015); *See also* Substitute H.B. 2680, 61st Leg., Reg. Sess. (Wash 2010). H.R. 1422, 60th Leg., Reg. Sess. (Wa. 2007); *see also* RCW 74.04.800 (requiring the secretary of social and health services to adopt policies encouraging familial contact between children and incarcerated parents); RCW 72.09.495 (requiring the secretary of corrections to adopt such policies). *See also* *Children of Incarcerated Parents*, Final Report of the Oversight Committee (June 30, 2006).

¹⁶ *Id.*