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THE IMPACT OF INCARCERATION ON DETAINEES AND THEIR FAMILIES

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Abstract *Family connections are crucial for individuals re-entering society after serving their sentences. The support and stability provided by family members can help ease the challenges of finding employment, housing, and rebuilding social connections. Maintaining family connections while in prison can positively impact the emotional and psychological well-being of incarcerated individuals. Regular communication, visits, and support from family members can contribute to a more stable mental state. Parenting programs offered in prison can enhance parenting skills and foster positive relationships between incarcerated parents and their children. These programs aim to mitigate the negative impact of separation on both parents and children. Inmates who maintain strong family ties may be less prone to disciplinary issues within the prison system. The emotional support received through family connections can contribute to a more positive and constructive prison experience. Formerly incarcerated parents may face challenges in reestablishing their roles within their families. Building and maintaining positive relationships with children and other family members are essential components of successful reintegration. Policies that facilitate family connections during incarceration and offer programs for parenting and relationship-building can contribute to positive outcomes for both individuals and their families. This approach delves into the multifaceted dimensions of how parenting and family connections shape the experiences of incarcerated individuals and their families, exploring the psychological, social, and policy implications that underscore the importance of maintaining familial bonds throughout the criminal justice process.*

Keywords: ***incarceration; prison; social isolation; impact; family; release***

The context

Parenting and family connections play a significant role in the lives of individuals who are incarcerated and can have lasting effects both during their time in prison and upon release.

Researchers have just begun delving into the extensive repercussions of imprisonment that extend beyond the confines of prison walls. Noteworthy unintended outcomes identified thus far encompass the social disorganization of communities, diminished employment prospects for former prisoners, the redirection of funds away from educational institutions and the imposition of psychological and financial burdens on families. Families wield significant influence over various aspects of prisoners' lives, with family and parenting variables serving as pivotal predictors of criminal behavior across the life course. The deprivation of external relationships is regarded as the most distressing aspect of confinement for prisoners. Maintaining family contact is linked to lower rates of self-harm during incarceration. Post-release, families emerge as one of the most crucial factors impacting prisoners' rehabilitation.

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Regrettably, there has been minimal dedicated research on the families of prisoners. The impact of imprisonment on the families and children of those incarcerated is largely overlooked in academic studies, prison statistics, public policy, and media attention. Nevertheless, insights drawn from the backgrounds of prisoners indicate that their families constitute an exceedingly vulnerable demographic. Existing but limited research indicates that imprisonment can yield severe repercussions for partners and children.

Imprisonment of a partner can be emotionally devastating and practically debilitating. Loss of income, social isolation, difficulties of maintaining contact, deterioration in relationships, and extra burdens of childcare can compound a sense of loss and hopelessness for prisoner's partners. Unfortunately, prisoner's families have been studied almost entirely with reference to male prisoner's partners and wives. Limited research suggests that the impact on prisoner's spouses is generally more severe than on parents although parents and other family members can also suffer practical and psychological difficulties.

The mental well-being, social interactions, and educational opportunities of a child can be significantly influenced by having a parent in prison. The emotional distress and disruptions in family life, combined with the societal stigma attached to having a parent behind bars, can create a challenging environment for these children. Additionally, the financial strain resulting from the loss of a parent's income may exacerbate the difficulties they face. Some children with incarcerated parents may also encounter legal issues, such as the potential termination of parental rights due to extended stays in foster care or concerns about child support.

These children necessitate support from local, state, and federal systems to address their unique needs. Moreover, they may confront various additional hardships, including trauma associated with their parent's arrest, exposure to adverse childhood experiences such as witnessing violence in their communities or households, and involvement in situations involving drug and alcohol use/misuse.

Policy Implications

Policies that facilitate family connections during incarceration and offer programs for parenting and relationship-building can contribute to positive outcomes for both individuals and their families.

Recognizing the significance of parenting and family connections, policy interventions become imperative. Implementing and supporting policies that facilitate family connections during incarceration, including initiatives for parenting and relationship-building, can contribute significantly to positive outcomes for both individuals and their families.

In Romania, according to the Applying Regulations of Law no. 254/2013 on the execution of sentences, prisoners under open regime have the right to up to six visits per month, whilst prisoners on semi-open and closed regime can receive up to five visits each month, and the prisoners on maximum security are allowed up to three monthly visits. The visit duration is between 30 minutes and two hours. Children over the age of 14 can visit their imprisoned parent without being accompanied by an adult. Although every prison has a specially designated space for visitation, most of these are unfriendly for family members and children can even be traumatized or can fantasize over the grim conditions in which their parent live (Arditti, 2003)[1]. Families do not have the opportunity to spend time alone with the prisoner. Visitation areas are shared by all those who visit at a certain time. Prisoners have the right to conjugal visits "if they have a definitive sentence or are on remand; they are married or are in a marriage-like partnership, have not had the permission to leave the prison in the last three months, have not had a disciplinary sanction in the last six months (or the last 30 days in the

[1] Arditti, J. A. (2003). Locked doors and glass walls: Family visiting at a local jail. Journal of Loss and Trauma: International Perspectives on Stress and Coping, 8(2), 115-138;

case of prisoners on remand), and are actively attending educational, psychological and social work programs, or are going to work" [Article 145 paragraph 1, a)-e) of the Applying Regulations of Law no. 254/2013]. The conjugal visits are solely for heterosexual couples and have a maximum duration of three hours or of 48 hours if the couple is newlywed. The conjugal rooms are usually former cells refurbished with a bed, table, TV set, and a mini-fridge. The austere aspect of these rooms and the fact they are labelled "intimate room" on the outside door suggesting these visits are solely for sex can be perceived as degrading or it can impede partners on the outside who are more timid to apply for such visit. Regarding other types of contact, prisoners have the right to make phone calls on daily basis. However, the prisoners on maximum security regime are allowed to have only three phone calls per day with a total duration of 30 minutes, whilst prisoners on open, semi-open, and closed regime are allowed to have up to 10 phone calls per day with a total duration of 60 minutes. The phone calls are paid by the prisoners. The right to send or receive letters is not limited (Foca, Liliana, 2017)[1].

Although parental imprisonment occurs throughout Europe, the Romanian context is of particular significance because of the country's very long custodial sentences (Durnescu, 2017)[2]. The increased length of time parents spend in prison does not only add to the economic burdens of prisoners' families but also leads to fewer contacts between the children and their imprisoned parents (Poehlmann, Dallaire, Booker Loper, & Shear, 2010)[3], thus negatively affecting the parent-child relationship.

Effects of imprisonment on children and their families

An extensive body of research on children of prisoners has emerged especially since 2000, pointing to the detrimental effects of parental imprisonment (Robertson et al., 2016). Disruptions in parent-child relationships have been found to cause mental health problems in children, such as depression, anxiety, or tantrums (Murray & Murray, 2010). For some children, witnessing parental arrest has been shown to lead to experiencing intense emotions such as shock, confusion regarding what has happened and why and, later on, anger towards the imprisoned parent or towards authorities (Codd, 2008; Phillips & Zaho, 2010)[4]. From a behavioural point of view, adolescent children of prisoners were found to join gangs and engage in antisocial behaviour, alcohol and drug consumption or abuse (Murray, Farrington, & Sekol 2012)[5]. Children were also found to be stigmatized by their peers for having a parent in prison (Murray & Farrington, 2006)[6]. Also, school problems, such as poor grades,

[1] Liliana Foca, (2017), The Effects of Family Relationships on Children of Prisoners – A Study of Romania, The University of Huddersfield April 2017, Retrieved from https://eprints.hud.ac.uk/id/eprint/34570/1/Liliana%20Foca%20FINAL%20THESIS.PDF ;

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[6] Idem;

unlikelihood of graduation from high school, or school dropout, have been associated in the literature with parental imprisonment (Huynh, Bussell, & Lee, 2015)[1].

Imprisonment of a parent can also affect those remaining to care for the children and should be taken into consideration, since children's outcomes most often depend on the extent of caregivers' wellbeing (Arditti, 2012; Dennison, Foley, & Stewart, 2005)[2]. As with the children, their non-imprisoned mothers were found to experience mental health problems, such as depression and anxiety (Bocknek, Sanderson, & Britner IV, 2008; Cassidy, Poehlmann, & Shaver, 2010)[3]. Also, women who are partners of prisoners were found to be victims of social stigma, being blamed for having known of or even having contributed to their spouses' crimes. However, the most prominent effect of parental imprisonment on caregivers in the literature is experiencing acute stress due to family financial strain and overburden (Jones & Wainaina-Wozna, 2013; Lowenstein, 1984; Philips et al., 2006)[4]. In families where the imprisoned parent is the mother, the children are most often cared for by their maternal grandparents (Arditti & Few, 2006; Baker, McHale, Strozier, & Cecil, 2010; Parke, 2003)[5] who were found to be unprepared to handle the children's maladjustment to parental imprisonment.

One of the primary arenas where the influence of parenting and family connections manifests is within the prison environment itself. The emotional and psychological well-being of incarcerated individuals is intricately linked to their familial ties. Research indicates that regular communication, visitation, and emotional support from family members contribute significantly to a more stable mental state among inmates. Incarcerated parents often grapple with the challenge of maintaining meaningful relationships with their children. Parenting programs implemented within prison settings aim to address this concern by enhancing parenting skills and fostering positive interactions between incarcerated parents and their offspring. These programs become essential tools in mitigating the negative impact of separation on both parents and children. Furthermore, the presence of strong family ties has been associated with a reduction in disciplinary issues within the prison system. Inmates who maintain close connections with their families are less prone to engaging in disruptive behaviors, highlighting the rehabilitative potential of familial support.

Examining children of prisoners holds significance for various reasons. Firstly, given the limited research on Romanian children in this context, studies are crucial for informing social policies and practices regarding how these children navigate parental imprisonment, understanding their strengths and needs. Secondly, from a criminological standpoint, research

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indicates an elevated risk of antisocial behavior in such children, potentially contributing to a rise in the overall prison population. Consequently, comprehending the circumstances of these children is vital for shaping policies aimed at preventing juvenile delinquency within this specific demographic. Thirdly, from an economic angle, parental imprisonment correlates with family economic strain and lower school achievement, negatively impacting children's future employment prospects. This economic strain can perpetuate the social exclusion of prisoners' children and families, emphasizing the need for interventions to mitigate these adverse outcomes. One effective approach involves evidence-based social programs focused on the labor market inclusion of vulnerable groups. From a developmental viewpoint, the separation caused by imprisonment can disrupt the child-parent bond, leading to lasting negative emotional and psychological consequences. In essence, parental imprisonment has multifaceted and long-term effects, not only for the children and their families but also for communities and society at large.

Effects of imprisonment on the relationship between prisoners and their outside partners

For a prisoner's partner, incarceration meant that a key source of emotional and practical support was taken away. Partners had to adjust to an absence of childcare support and parenting assistance. Stress was further heightened if the partner had to care for older or unwell family members.

Physical separation can lead to emotional distancing between prisoners and their partners. The inability to share daily life experiences and physical closeness can strain the emotional connection.

Limited communication options, such as restricted visitation hours and monitored phone calls, can hinder effective communication and contribute to misunderstandings. Imprisonment often results in the loss of the incarcerated individual's income, placing financial burdens on the family left behind. This economic strain can lead to stress and difficulties in maintaining a stable household. If a prisoner is a parent, their absence can disrupt family dynamics, leaving the remaining partner with added responsibilities. Children may experience emotional challenges and behavioral changes due to the absence of a parent.

Families of prisoners may face social stigma, leading to isolation and judgment from their communities. This societal judgment can affect the mental well-being of the outside partner and family members. Partners of prisoners may find themselves navigating complex legal processes, including visitation rights, parole hearings, and reintegration into society. Negotiating these challenges can be emotionally and logistically demanding.

When a prisoner is released, reintegration into family life can be challenging. Both the prisoner and their partner may have changed during the period of incarceration, and adjusting to new roles and routines can be difficult. Both the prisoner and their outside partner may experience psychological strain due to the challenges of incarceration. Feelings of guilt, anxiety, and depression can be prevalent on both sides.

What should be done?

The impact of parenting and family connections extends far beyond the prison walls, becoming particularly pronounced during the challenging process of reintegration into society. Family support becomes a cornerstone for individuals grappling with the myriad challenges of finding employment, securing stable housing, and rebuilding social connections.

Studies consistently demonstrate a correlation between strong family support and lower rates of recidivism. Families act as crucial stabilizers, offering emotional and practical support that reduces the likelihood of individuals returning to criminal activities after release. Recognizing the importance of family connections becomes pivotal in breaking the cycle of

incarceration and reoffending. Formerly incarcerated parents encounter the formidable task of reestablishing their roles within their families. The ability to build and maintain positive relationships with children and other family members emerges as a critical component of successful reintegration. The support and understanding of family members play an instrumental role in this complex process. Moreover, families function as a bridge between the individual and the broader community. Positive family connections contribute to the formation of a supportive social network, alleviating the isolation that some individuals may experience post-release. This social support becomes an indispensable element in the broader tapestry of successful rehabilitation.

To protect the relationship between detained persons in prisons and their outside families, states can implement various measures and policies.

Efforts to mitigate the effects often involve support systems such as counselling services for families, programs facilitating communication, and initiatives to assist with the reintegration of prisoners into family life upon release. Recognizing and addressing these challenges is crucial for maintaining the well-being of both prisoners and their outside partners.

It is advisable to consider the following aspects:

- Establish and maintain regular visitation programs that allow detained individuals to spend time with their families. Flexible scheduling and extended visiting hours can help maintain family connections.
- Provide accessible and affordable means of communication, such as phone calls, video calls, and written correspondence, to facilitate ongoing contact between detainees and their families.
- Offer support services for families of detainees, including counselling, guidance on navigating legal processes, and assistance in dealing with the emotional and financial challenges that may arise during the period of detention.
- Implement parenting programs within prison settings that allow detained parents to maintain and strengthen their relationships with their children. This can include parenting classes, family counselling, and educational programs.
- Provide detainees with education and training programs that enhance their skills and increase their chances of successful reintegration into society. This can contribute to family stability upon release.
- Focus on rehabilitation efforts that address the root causes of criminal behaviour. Additionally, offer comprehensive re-entry support programs to help detainees transition back into family life and society smoothly.
- Ensure that detainees and their families have access to legal assistance and information about their rights, including visitation rights, family reunification processes, and potential parole opportunities.
- Design and maintain facilities with family-friendly environments that are conducive to positive interactions between detainees and their children. Consideration should be given to the well-being of families during visitation.
- Develop community-based programs that facilitate the involvement of detained individuals in family and community activities, even from within the prison setting. This could include community outreach programs and involvement in educational initiatives.
- Implement awareness campaigns to address social stigma associated with having a family member in prison. Reducing stigma can contribute to the social integration and support for families of detainees.

By adopting a holistic approach that encompasses both the needs of the detained individuals and their families, states can contribute to the preservation of family relationships during periods of incarceration and promote successful reintegration into society upon release.

In conclusion, the impact of parenting and family connections in prison and on release is profound and multifaceted. From influencing the emotional well-being of incarcerated individuals within prison walls to serving as a bedrock for successful reintegration into society, familial bonds play a pivotal role. Recognizing and fostering these connections not only contribute to the well-being of individuals and families but also hold the key to breaking the cycles of incarceration and recidivism. In the broader discourse of criminal justice, the centrality of family cannot be overstated, urging policymakers and practitioners to prioritize initiatives that strengthen and support these critical relationships.

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