

# Parental Criminal Justice Involvement

# 3

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## Abstract

This chapter presents a review of the research on the experiences of families involved in the criminal justice system. We discuss parental incarceration and other forms of justice involvement through the lens of criminal justice system processing. We partition our essay into two stages: (1) an overview of the criminal justice system and its complexities, and (2) a description of criminal justice processing (i.e., arrest, charging and adjudication, and punishment) and the potential for effects on children, using policy interventions and reforms as salient examples. In so doing, we highlight the challenges families face prior to parental incarceration and shed light on the complexities of the criminal justice system that are often insufficiently appreciated in the research literature.

Children of incarcerated parents are at high risk for a variety of deleterious outcomes, including emotional and behavioral problems as well as reduced educational attainment (Andersen, 2016; Armstrong, Eggins, Reid, Harnett & Dawe, 2017; Christian, 2009; Hairston, 2007; Haskins

& Jacobsen, 2017; Murray, Bijleveld, Farrington, & Loeber, 2014; Poehlmann, 2005; Turney & Haskins, 2014; Wakefield & Wildeman, 2013; see additional chapters, this volume). Mass incarceration and surveillance as currently practiced in the USA is overwhelmingly repressive and is increasingly implicated in a host of racial disparities in health (Massoglia & Pridemore, 2015), childhood well-being (Wakefield & Wildeman, 2013), and labor market outcomes (Western & Pettit, 2005), among others (Brame, Bushway, Paternoster, & Turner, 2014; Phelps, 2017; Shannon et al., 2017; Turney & Haskins, 2014; Wakefield & Uggen, 2010; Bruns and Lee, this volume). Decreasing the harms faced by children of incarcerated parents is thus a key concern of researchers, practitioners, policy-makers, and community members alike.

In this chapter, we discuss parental incarceration and other forms of justice involvement through the lens of criminal justice system processing. We partition our essay into two stages: (1) an overview of the criminal justice system and its complexities, and (2) a description of criminal justice processing (i.e., arrest, charging and adjudication, and punishment) and the potential for effects on children, using policy interventions and reforms as salient examples. In so doing, we highlight the challenges families face prior to parental incarceration and shed light on the complexities of the criminal justice system that are often insufficiently appreciated in the research literature.

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## The Complexities of American Criminal Justice System(s)

Despite a well-established research literature documenting harms for children of incarcerated parents, reducing these harms is not clear cut. A necessary first step is estimating and understanding the effects of parental justice involvement on children well-being, yet there are many challenges in doing so. Such a research agenda requires accurately measuring the prevalence and character of parental justice involvement (Murphey & Cooper, 2015; Wildeman, 2009; Pettit, this volume), accounting for the family life and parent-child experiences that precede the justice involvement of a parent (e.g., Giordano, 2010; Siegel, 2011; Chap. 11, this volume; Chap. 9, this volume), isolating the influence of criminal justice contact from earlier experiences (Kirk & Wakefield, 2018), and differentiating among the many different forms of criminal justice contact that may affect children's health, well-being, and safety (Apel & Powell, 2019; Sugie & Turney, 2017). While other chapters in this volume delve more deeply into the details of estimating parental incarceration effects, here we simply suggest that contemporary research rarely distinguishes among different forms of justice involvement. Moreover, the data infrastructure challenges in doing so are largely insurmountable with currently available administrative and survey data sources in the USA (for more detail on these problems, see Kirk & Wakefield, 2018; Chap. 16, this volume). Many of these challenges also make it very difficult to design effective interventions that apply broadly to the children of people who become bound up in the criminal justice system.

### Measuring Parental Criminal Justice Contact

It is incredibly difficult to measure parental criminal justice contact with currently available data in the USA (see Chap. 2, this volume). There exists no entirely accurate count of the

number of children who have a parent with criminal justice involvement, although all available estimates using administrative data, surveys, or birth cohorts suggest the number is very large in an era of mass incarceration. Arrest by police is very common, for example. By the age of 23, the best available estimate finds that between 30 and 40% of adults have been arrested (Brame, Turner, Paternoster, & Bushway, 2011), with much higher arrest rates among Black men relative to other groups (Brame et al., 2014). Incarceration and felony conviction are also common; about 3% of the adult population in the USA had been incarcerated at some point and 8% of all adults have been convicted of a felony (Shannon et al., 2017). As with arrest, these estimates mask significant racial and spatial heterogeneity in the experience of incarceration and criminal justice conviction—while 8% of all adults have been convicted of a felony, over 33% of Black males have a felony criminal record, and these percentages vary significantly across states (Shannon et al., 2017; see also Pettit & Western, 2004; Pettit, this volume). Numbers like these suggest a similarly large number of children must also experience the consequences that flow from contact with an often hostile criminal justice system.

Translating these estimates to a complete count of children who experience parental criminal justice contact is difficult. Surveys of incarcerated people show that most are parents (Glaze & Maruschak, 2008). Demographic estimates find that almost a quarter of Black children will experience the incarceration of a parent before the age of fourteen (Wildeman, 2009), and a recent survey finds that 7% of children (or about 5 million children) will have a residential parent incarcerated at some point during their childhoods (Murphey & Cooper, 2015). Importantly, the latter estimate is necessarily a large undercount because it excludes counts of parents who were not residential parents. Moreover, while there are a variety of estimates of the risk of parental incarceration, these estimates exclude the incarceration of other important family members (Lee, McCormick, Hicken, &

Wildeman, 2015) or different forms of criminal justice contact (arrest, pretrial detention in a jail, conviction, etc.) beyond incarceration.

### **Isolating the Effects of Parental Criminal Justice Involvement on Children**

As with estimates of the prevalence of parental justice involvement, there is significantly more research on parental incarceration relative to other forms of justice involvement. Studies link parental incarceration to a host of negative consequences for children's well-being, including household instability, mental health and behavioral problems, educational performance and attainment, and racial inequality in well-being (Andersen, 2016; Armstrong et al., 2017; Christian, 2009; Hairston, 2007; Wildeman, Haskins, & Poehlmann-Tynan, 2017), but much of the research on parental incarceration is unable to clearly distinguish the effects of having a criminally involved parent from those that flow from parental criminal justice contact (Giordano, 2010; Wakefield & Apel, 2017). As noted by Myers, Smarsh, Amlund-Hagen, and Kennon (1999), "most of the families affected by incarceration are at risk prior to the mother's first arrest" (p. 13).

### **Differentiating Between Various Forms of Parental Criminal Justice Contact**

Part of the difficulty in teasing out the effects of different forms and stages of parental justice involvement on children is the complexity within the American criminal justice system. The criminal justice "system" is not a system at all. It is many systems with many stages, operating across multiple jurisdictions, and—importantly—stages within the same jurisdiction may have little involvement with one another. A given location in the USA may be under the jurisdiction of multiple law enforcement agencies, including local, state, and federal courts, and may include a local jail, state prison, and/or federal

correctional facility. Depending on the location, probation supervision (a community sentence typically served in lieu of sentenced incarceration) and parole supervision (a community sentence typically served following incarceration) may be run by separate agencies. Similarly, correctional facilities may be under the administration of an entirely different agency than the one that will supervise former prisoners upon their release to the community.

Much of the research on parental incarceration highlights the size of the criminal justice system—and it is indeed a beast. But the size of the system(s) obscures the fact that the criminal justice system operates on many levels, in many stages, with little coordination among the stages. We thus use the label "criminal justice system" here because it is a common phrase (with a less well-understood scope) but note that it masks incredible heterogeneity in experiences.

Research on parental criminal justice contact today is commonly focused on one experience, incarceration. Yet such research is often either focused on incarceration in a state prison following conviction or cannot reliably differentiate between various forms of incarceration, including pretrial detention while awaiting case resolution, sentenced imprisonment in a state or federal facility, or sentenced incarceration in a local jail (for notable exceptions, see Sugie & Turney, 2017; Wildeman, Turney, & Yi, 2016). Moreover, the largest pool of people with incarceration experience is among the least studied. Here we refer to those who experience short incarceration spells in local jails. While the daily population of local jails is roughly half of the daily population held in prisons, this estimate is misleading. On any given day, about three-quarters of a million people are held in local jails but more than 11 million people pass through them on an annual basis (Minton & Zeng, 2016). Finally, despite the metaphor of the criminal justice system as a series of orderly stages, with punishment following case resolution in a criminal court, most people incarcerated in local jails have not been convicted of a crime and are instead awaiting trial or a plea agreement.

Thus, even restricting research to a seemingly well-defined experience like “incarceration” masks considerable variation. Incarceration may take place before or after trial, before or after a plea agreement, and in vastly different sorts of facilities. The conditions of confinement with respect to inmate culture, correctional policies, rates of mental health problems or communicable diseases, visitation policies and practices, and a host of other factors differ substantially across correctional institutions—and critically, all of these conditions are likely to influence the children of the incarcerated and are unmeasured in most research (Kreager & Kruttschnitt, 2018; Wildeman, Fitzpatrick, & Goldman, Forthcoming).

Beyond variation at the institutional level, research on parental criminal justice contact is often insufficiently attentive to large variations in the form and character of justice involvement across places. States, for example, vary considerably in the level and character of criminal punishment. In 2015, the imprisonment rate ranged from a low of 132 per 100,000 in Maine to a high of 776 per 100,000 in Louisiana (Carson & Mulako-Wangota, 2017; Kirk & Wakefield, 2018). Other states have relatively small prison populations but rely heavily on probation surveillance (Phelps, 2017). Contact with police and the accumulation of legal debt represent still other forms of justice involvement that may prove consequential for child well-being and vary considerably across state, city, and even neighborhood lines (Brame et al., 2011; Harris, Evans, & Beckett, 2010).

Finally, there is little systematic research on the effects of parental arrest, conviction, or community supervision on children, though a number of contemporary and classic works on related matters are instructive (Arditti, 2012, 2015; Braman, 2004; Dallaire & Wilson, 2010; Giordano, 2010; Hagan & Palloni, 1990; Kirk & Sampson, 2013). The long-term effects of parental criminal justice contact for children are also less widely understood. This presents a limitation considering that not only are millions of people currently incarcerated or supervised on parole or probation, but an estimated 19 million American residents have a felony conviction (Shannon

et al., 2017). Such convictions erect barriers to employment, housing, and education assistance and impose a host of formal and informal social disabilities that extend long after formal contact with the criminal justice system has ceased (Lageson, 2016; Manza & Uggen, 2006; Olivares, Burton, & Cullen, 1996; Wakefield & Uggen, 2010).

Having offered a broad overview of the complexities of American criminal justice system(s), we now turn to a brief overview of salient issues for families involved in each stage of the system. In so doing, however, we remind the reader that some stages of the system are the subject of the lion’s share of research attention (e.g., incarceration in state prisons) while others remain almost total black boxes (e.g., the conditions of confinement) and unmeasurable with current data sources.

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## Criminal Justice Processing and Families

### Arrest

The arrest of a parent is a first step that, for some, becomes a much longer path into the criminal justice system. Yet even arrest is likely preceded by numerous interactions with agents of the criminal justice system. Families with members who later become incarcerated are often subject to repressive policing practices in their neighborhoods, and many people experience multiple stops by police before being formally arrested (Langton & Durose, 2016). Similarly, few people are incarcerated during their first contacts with the justice system (Apel & Powell, 2019), and children of incarcerated parents likely experienced numerous interactions with police, courts, or other criminal justice actors prior to the incarceration of a parent.

Still, if we think of arrest as the first formal interaction with the criminal justice system, it is worth underscoring that the uncertainty, fear, and instability of this experience can be particularly traumatic for children. Although law enforcement has a responsibility to ensure that the

children of arrested parents are cared for, many police departments do not have protocols to safeguard children when their parent is arrested. Additionally, little attention is paid to the emotional trauma, distress, and fear that may result from witnessing a parent's arrest, interacting with armed police officers, the sudden removal of a parent, or arranging caregiving arrangements following parental arrest (e.g., Dallaire & Wilson, 2010; Poehlmann-Tynan, Burnson, Runion, & Weymouth, 2017). This, in combination with the limited resources of local child welfare agencies (hereafter CWS), can lead to a chaotic and traumatic experience for the child (Berger, Cancian, Cuesta, & Noyes, 2016; International Association of Chiefs of Police [IACP], 2014).

A number of organizations have developed practices to account for the intersection of child welfare and parental arrest, but the implementation and effect of them is limited and largely unknown. For example, in 2014, the IACP developed a set of recommendations intended to assist law enforcement agencies in developing policies and procedures to safeguard children when their parents are arrested. These arose from a series of focus groups conducted with federal, state, local, and tribal practitioners that had experience in law enforcement, child welfare, children's mental health, and children with incarcerated parents (IACP, 2014). The overarching recommendation states that "officers will be trained to identify and respond effectively to a child, present or not present, whose parent is arrested in order to help minimize potential trauma and support a child's physical safety and well-being following an arrest" (IACP, 2014, p. 8). Additionally, recommendations call for collaboration between law enforcement, CWS, and other key agencies to minimize trauma experienced by the child whose parent is arrested. Other resources have been developed along similar lines. For example, several toolkits for law enforcement describe the implementation of parental arrest policies, most notably those developed and distributed by the Bureau of Justice Assistance and the Urban Institute through a series of webinars and other publications (IACP, 2015; Kurs, Peterson, Cramer & Fontaine, 2015).

A handful of jurisdictions have adopted policies that emphasize interagency collaboration between police and child welfare, including New Haven, Connecticut; Charlotte-Mecklenburg, North Carolina; Boston, Massachusetts; and San Francisco, California. These policies are written agreements explicitly noting each agency's intentions, roles and responsibilities, and services they can/will provide, such as working together prior to an arrest of a parent, responding to arrests when child placement becomes an issue, providing emotional—as well as problem solving—support for both children and families following the arrest of a parent, and/or arranging follow-up visits to ensure that temporary caregivers are providing suitable care for the child. Certainly, this work is not easy. The challenges to interagency collaboration and understanding agency cultures are highlighted in the Urban Institute's *Toolkit for Developing Parental Arrest Policies* (Kurs et al., 2015).

Although policies and dissemination documents designed to reduce stress among children are cause for optimism, we could find no rigorous evaluations of whether the adoption of these policies has improved outcomes for children. Further, there are reasons to be concerned about tightening the link between police and child welfare agencies. Interagency cooperation may ensure child safety in the short term (during parental arrest, for example) but could create longer term harms by increasing spillover involvement with the child welfare system. Just as the previous research connected increasing maternal incarceration to foster care caseloads (Johnson & Waldfogel, 2004), more recent work highlights how interagency cooperation can combine to produce more punitive outcomes for both parents and children (Edwards, 2016; Edwards, Forthcoming).

In much the same way that bringing police officers into schools had the effect of criminalizing adolescence and increasing racial disparities in criminal justice referrals from high schools (e.g., Hirschfield, 2018), recent work on police-child welfare connections raises similar concerns. Edwards (2016) finds that states with more punitive criminal justice systems (and less

generous welfare supports) are also more likely to remove children from their families. In later work, Edwards (Forthcoming) finds that areas with high arrest rates have higher rates of police referrals to child welfare agencies, with important implications for inequality.

We raise these concerns to underscore the importance of studying the downstream consequences of parental arrest, even if that arrest does not result in criminal conviction or incarceration. American policing more broadly is under greater scrutiny today than ever before, and it remains to be seen how changes in policing practices and partnerships with child welfare influence long-term outcomes for children.

## Courts and Sentencing

Much like the movements begun to reform policing practices with respect to children during parental arrest, similar arguments have been made regarding criminal justice processing, with a particular focus on the rights and needs of children with respect to sentencing decisions (UNICEF, 1989, as cited in Boudin, 2011). Although these movements led to meaningful reform in other countries as well as in some US states, it remains the case that under most sentencing guidelines, the “children of the convicted are essentially considered irrelevant third parties to sentencing” (Boudin, 2011, p. 93).

The influence of shifts in sentencing policy at the dawn of the prison boom on children of incarcerated parents is relatively easy to observe. From 1986 to 1996, for example, following the enactment of mandatory minimums, the number of women incarcerated for drug offenses in state facilities increased by 888%, compared to 129% for non-drug-related offenses (Christian, 2009; Kruttschnitt, 2010). Increased incarceration of women for drug offenses reflects, in part, that mandatory minimum sentences “tie the hands of judges and corrections professionals and increase the chances that families will be torn apart and children put at risk” (Drug Policy Alliance, n.d.). Given the negative impact that mandatory minimum sentencing laws have on parents and their

families, many youth advocates have urged states to amend these laws (as many have), or at a minimum to take the presence of children into consideration during sentencing (Christian, 2009).

Fortunately, some progress has been made, which can be seen through a handful of family court programs. Family courts take into consideration whether the individual is a parent during the sentencing process. A sampling of these for which outcomes have been examined is listed on the National Institute of Justice’s CrimeSolutions.gov. CrimeSolutions.gov is an evidence-based database that reviews and rates evidence on criminal justice interventions and policies. An example is the Family Drug Court in Tulsa, Oklahoma, reviewed and rated as “Effective.” The Family Drug Court (FDC) is a specialized court that handles cases of child abuse and neglect involving substance abuse by either the parent or caregiver. By following the family dependency court model, the FDC adheres to its core components: convening as a team prior to the incarcerated parent’s court hearing to discuss the case, focusing on both the welfare of the child and the needs of the incarcerated parent, utilizing random drug screenings and positive/negative reinforcement, and ensuring collaboration and training across agencies (Brook, Akin, Lloyd, & Yan, 2015).

There are other programs and legislative reform efforts that have sought to reduce the carceral footprint by diverting parents from incarceration and toward community sentences (Human Impact Partners and Free Hearts, 2017, 2018; Myers et al., 1999). Some of these efforts are homegrown. For example, the Parenting Sentencing Alternative, passed into law in Washington State in 2010, allows judges to impose a 12-month community custody for eligible caretakers of children (see Chap. 16, this volume; Washington State Department of Corrections, 2017). Others have been influenced by national-level efforts. For example, the National Institute of Corrections developed Children of Incarcerated Parents, an interagency working group, to provide guidance to governments wishing to implement policy and practice

reforms. Their work has led to a handful of family-focused justice reforms for convicted parents, some of which have dealt with the sentencing context (Council of State Governments, 2013; Feig, 2015; see Christian 2009 for a discussion).

Despite such advances in various court practices, policies, and legislation, sentencing reforms and diversion programs based on parental status remain rare, and it is uncommon to find rigorous evaluations of them. In our search for promising programs and reforms, we found few evaluations, but we were also struck by the emphasis on the “low-hanging fruit” of criminal justice populations. The Family Drug Court described above is a good example; it provides sustained support services and has been rated as effective by an outside evaluator—yet it is restricted to a small population of incarcerated women (those with abuse or neglect cases as a result of substance abuse). Thus, it remains the case that criminal courts largely ignore the interests of children, and parents are often sentenced to jail or prison, contexts that make maintaining connections to children difficult (Christian, 2005).

### **Incarceration and Reentry**

A relatively large research literature documents the harmful effects of parental incarceration on children (see Armstrong et al., 2017; McKay et al., 2018; Myers et al., 1999; Naser & Visser, 2006; Wildeman, Haskins, & Poehlmann-Tynan, 2017), and a parallel research literature in criminal justice highlights the importance of maintaining family connections for reducing misconduct while incarcerated and recidivism once released (see Cochran, 2012, 2014). Many corrections officials understand that families are an important part of their work in theory, but institutions vary greatly with respect to whether or not maintaining these connections is a core institutional goal in practice.

As described in Chap. 13 and elsewhere in this volume, a variety of programs have been developed to support parents on both the inside

and the outside of correctional facilities. Programs may include parent education, wherein parents learn effective parenting techniques; enhanced visitation, such as allowing children and parents to have long visits or even live together at prison while receiving support and counseling, relationship-building visitation activities, parent counseling and training, nursery programs, and support groups (Loper & Tuerk, 2006; Wildeman, Haskins, & Poehlmann-Tynan, 2017; Loper, Clarke, & Dallaire, this volume). Parents involved in some of these programs reported increased awareness of the importance of fatherhood, better parenting skills, and increased contact with their children, all of which can potentially increase a child’s well-being and decrease the incarcerated parent’s likelihood of recidivating (Harrison, 1997; McKay et al., 2010; Robbers, 2005; Skarupski et al., 2003). Unfortunately, the bulk of research on parenting programs do not include designs (e.g., RCTs) that allow for confident statements about program effectiveness (Armstrong et al., 2017; Loper & Tuerk, 2006).

As one salient example, the U.S. Department of Health and Human Services’ (HHS), as part of the Responsible Fatherhood, Marriage and Family Strengthening Grants, funded the Incarcerated and Reentering Fathers and the Partners (MFS-IP) initiative. The MFS-IP initiative was designed to build collaboration between the criminal justice system and human service agencies to provide services to incarcerated fathers, their children, and their extended families, with a focus on strengthening the bond between father and child. While this is a step in the right direction, across the country, there are only 12 MFS-IP sites (i.e., grantees). Grantees are given the opportunity to select the curriculum they want to implement, which typically focuses on topics such as “the importance of father involvement, communication with children and other family members, child development, discipline techniques, and anger management” (McKay et al., 2010, p. 2).

Programs implemented during the initiative have included, but are not limited to, *Active Parenting Now*, *24/7 Dads*, *InsideOut Dad*, and

*Basic Parenting*. Despite the promise of the MFS-IP, evidence regarding the effectiveness of these programs is limited, illustrating the great need for more evaluation research on parenting programs, and particularly with this population. For example, although prior to the MFS-IP, *Active Parenting Now* was evaluated through a quasi-experimental design, found to be “effective,” and listed on the NREPP, the actual version implemented by the New Jersey Department of Corrections during the MFS-IP was an adapted version that to our knowledge has yet to be evaluated (McKay et al., 2010).

The MFS-IP example is repeated across a variety of correctional policies and practices with the goal of providing parenting support to incarcerated parents. There has been an increasing number of such efforts but, as noted by Armstrong and colleagues (2017), the increase in programming has not been accompanied by an increase in rigorous evaluations of the programs. Instead, more often than not, interventions are implemented with little prior research on whether the intervention is effective within any sample. Further, if research is conducted, the methodological rigor of the study is low, and reliable and valid conclusions cannot be drawn on program effectiveness.

Reentry supports are similarly haphazard. The Urban Institute has conducted a handful of studies on reentry and the challenges associated with reentry. For example, in their longitudinal reentry study—*Returning Home: Understanding the Challenges of Prisoner Reentry*—the importance of family was continuously stressed (Visher & Courtney, 2007). Moreover, La Vigne, Visher, & Castro (2004) found that during interviews with formerly incarcerated individuals, approximately four to eight months after release, a majority indicated that family support was the most important factor keeping them out of prison. Similarly, Visher, La Vigne and Travis (2004) note that “the greatest resource in reentry planning is the family” (p. 7). Despite these findings, families may bear a heavy burden during the reentry period, often performing services and supports that should arguably be provided elsewhere (Comfort, 2016).

Although individuals who maintain family ties while incarcerated, and successfully reunite with their families once released, are less likely to recidivate (Arditti & Few, 2008; Naser & Visher, 2006; Petersilia, 2003), the correctional system often provides few supports for this process. Individuals released from prison face multiple challenges, but a basic one involves transitioning from one stage of the system to another. Recall that moving from prison to parole supervision often involves moving from the control of one bureaucracy to another and that agencies often do not coordinate with one another. For people reentering the community, the lack of continuity between stages of the criminal justice system results in fragmented service delivery, a factor that may play a role in the return of some men and women back to prison or jail.

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## Conclusion

In this chapter, we have offered a brief primer on the complexities of criminal justice contact and the implications of that complexity for children of justice involved parents. As sociologist David Garland pointed out long ago, the “schizophrenic” nature and contradictions evident in criminal justice today may arise in part because pieces of one system rarely act in coordination with one another (Garland, 2001). In highlighting these gaps, we hope to make several points clear. First, a full accounting of the impact of parental criminal justice contact for children requires an understanding of all stages of the system. Such an accounting is substantially complicated by the various levels of the justice system (i.e., federal, state, and local), large differences in the settings and conditions of confinement (e.g., prisons versus jails), and a lack of specificity on what harms flow from which stage of the system (e.g., arrest versus felony conviction).

Second, by highlighting reforms and interventions at each stage, we note that each such effort represent examples of criminal justice practitioners both partnering with outside



organizations or experts that specialize in child or parent well-being and moving beyond their core institutional and bureaucratic goals. Reform and intervention strategies of this nature offer prospects and perils. The prospects of the reforms described here and in this wider volume are clear—they aim to reduce the carceral footprint, prioritize the rights and needs of children, and reduce harm. We are enthusiastic about them but we stress that the perils are many, beginning with the reality that criminal justice system(s) are spectacularly ill-suited for addressing social and familial problems related to childhood well-being. Police officers are not social workers, court officials are not trained in family functioning, and corrections administrators will always be most interested in securing people safely and efficiently. The main challenges to intervention, then, are often simply that the goals of the criminal justice system rarely align with those of organizations more focused on child well-being. Changing the culture of law enforcement agencies, involving child welfare agencies without unduly increasing foster care caseloads, diverting parents from prison while also treating what may have brought them to court in the first place are difficult tasks—doing all of these things at once within a series of systems that have not historically worked well together is immensely challenging.

Finally, we wish to highlight how simply reducing incarceration may not yield large gains in child well-being. People who end up in prison are often struggling mightily—with poverty, mental illness, substance abuse, violence, and trauma—long before they come into contact with an arresting officer, judge, or correctional officer. Their children are often struggling right along with them. The research evidence highlighting that mass incarceration has been a failure, especially for children of incarcerated parents, is strong. Yet, we should be mindful of what takes its place as we move forward to best serve the needs of the children who are the focus of this volume.

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