

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/tough-on-kids-and-their-families>

Public Facing Advocacy Writing

Whenever a family member is incarcerated, the entire family suffers. The May issue of *The ANNALS of the American Academy of Political and Social Science* (the ANNALS) features [a series of articles](#) that shed light on the effects of criminal justice policy on families when an adult member enters the system. Tough on Crime, Tough on Families? does a great job of laying out the general details: the immediate effect of incarceration for spouses and partners such as fines, fees, and loss of income and the lasting effect that parental incarceration has on children such as mental health and behavioral issues, homelessness, and grade retention. The series aims to inform advocates and policymakers on the effects the justice system has on families, but researchers would be well served to also focus on how families are affected when their children are also involved in the juvenile justice system.

While the adult system is far from perfect perhaps even far from good there are notable inequities between adult and juvenile prison that affect families differently. The ANNALS series notes that families of incarcerated adults are burdened with heavy fees, but their ability to visit their loved ones is far less constrained than it is when young people are incarcerated. Adults in prison can spend time during visits with anyone they want immediate and extended family, significant others, or friends. Additionally, most adult prisons have very frequent and flexible times for people to come to the prison for visits.

Yet, when young people are entangled in the juvenile justice system, their families are limited in their ability to actively support them. Policies limit not only the amount of time and opportunities for family visitation in juvenile prison, but also constrain the number and type of family members allowed to visit youth while they are incarcerated. In some instances, families many of whom are poor are charged child support fees while their children are incarcerated. This presents a confusing juxtaposition for parents, where they are stripped of their custodial duties but still held financially responsible.

A family's inability to stay active in the lives of their children and youth should be cause for concern especially given the research. Vera's Center on Youth Justice [found](#), for example, that young people who spend time with their families while incarcerated have fewer fights and do better in school; indeed, [children generally fair better](#) when their parents are actively engaged in school, demonstrating the necessity of parental involvement in a child's day-to-day life. There is less research on how spending time with their incarcerated youth affects families, but we do know that when juvenile prisons take a family-oriented approach to their policies, the chance that an incarcerated youth's siblings ever get involved with the juvenile justice system is reduced.

To improve advocates and policymakers awareness of the effects that incarceration has on families, researchers need to focus on more than incarcerated adults. The field requires more research on the impact on family structures when a kid gets in trouble. We need more data on what the positive impact can be for kids in the justice system when their family is provided with opportunities to be actively involved. Armed with this information, justice agencies can act confidently and create policies that allow for greater visitation and greater freedom benefiting kids, their parents and guardians, siblings, families, and communities.

PUBLICATION

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