



TESTIMONY IN SUPPORT OF RAISED H.B. 7216

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Good afternoon Chairman Doyle, Chairman Kissel, Chairman Tong, Senator Winfield, Senator McLachlan, Representative Stafstrom, Representative Rebimbas and members of the Judiciary Committee:

I am Aileen Keays Yeager, Project Manager of the Connecticut Children with Incarcerated Parents, or "CTCIP", Initiative within the Institute for Municipal & Regional Policy at Central Connecticut State University. The CTCIP Initiative continually seeks to expand the understanding of children with incarcerated parents and their service needs through research, evaluation and outreach activities. Its mission is to improve the quality of supports for these children by using the various data and knowledge it gains to inform public policy and practice.

I am here to testify in support of Raised House Bill 7216, AN ACT CONCERNING FAMILY IMPACT STATEMENTS IN THE CASES OF DEFENDANTS WITH DEPENDENT CHILDREN.

As many of you know, bills similar to this have been raised in prior years. The difference this year is the research that has come out nationwide and locally on the impact of parental incarceration on children. The outcomes of this research implore this committee to consider legislation, again, which would ensure judges are provided relevant information to impose the most appropriate sentences for public safety and behavior modification while also minimizing the potential for harmful collateral consequences on Connecticut's children.

In 2014, Dr. Kristin Turney released findings from her research that demonstrated when demographics, socioeconomic status and familial characteristics were controlled for, parental incarceration was *independently* associated with:

- learning disabilities,
- attention deficit disorder and attention deficit hyperactivity disorder,
- behavioral or conduct problems,
- developmental delays, and
- speech or language problems.

As the author stated in her report, “results of this study suggest that children’s health disadvantages are an overlooked and unintended consequence of mass incarceration”¹.

Having an incarcerated household member has also been recognized as an adverse childhood experience (ACE) by the Centers for Disease Control and Prevention “that significantly increases the likelihood of long-term negative outcomes for children”². However, it is distinguished from other ACEs by its unique combination of trauma, stigma and shame³⁴.

Last year, *Justice Policy Journal* published findings from a CCSU/IMRP study performed by Dr. James Conway (CCSU), Dr. Ashley Provencher (Siena College) and me at the New Britain Courthouse. The purpose of the study was to explore the extent to which arrested caregivers’ absence creates needs in children’s lives. We addressed this issue by examining the percentages of children for whom caregivers reported regularly providing each of eight types of support. To complete the study, we interviewed caregivers arraigned at New Britain Superior Court who were represented by Connecticut Public Defender Services and held in lock-up. We surveyed 45 caregivers about the 108 children they provided care for in the month prior to their arrest. Results showed that more than 85% (86.3% for children of male caregivers and 96.4% for children of female caregivers) of children of both male and female caregivers received at least three types of support and 90% (89.9%) of children received at least three types of support from their arrested legal guardian(s)⁵.

¹ Turney, K. (2014). Stress Proliferation across Generations? Examining the Relationship between Parental Incarceration and Childhood Health. *Journal of Health and Social Behavior*, 55(3), 302 – 319.

² Fetelli, V. J., Anda, R. F., Nordenberg, D., Williamson, D., Spitz, A. M., Edwards, V., Koss, M. P., & Marks, J. S. (1998). Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study. *American Journal of Preventive Medicine*, 14(4), pp 245-258.

³ Bates, R. E., Lawrence-Wills, S., & Hairston, C. F. (2003). *Children and families of incarcerated parents: A view from the ground*. Chicago, IL: University of Illinois at Chicago, Jane Addams College of Social Work, Jane Addams Center for Social Policy and Research, Chicago, Illinois.

⁴ Raimon, M., Lee, A., & Genty, P. (2009). Sometimes Good Intentions Yield Bad Results: ASFA’s Effect on Incarcerated Parents and Their Children. In *Intentions and Results: A look back at the Adoption and Safe Families Act 121*. [Urban Institute Center for the Study of Social Policy, 2009].

⁵ Conway, J.M., Provencher, A.J., & Keays Yeager, A. (2016). Impact of Caregiver Arrest on Minor Children: Implications for Use of Family Impact Statements in U.S. Courts. *Justice Policy Journal*,

The findings of this study capture the multiple, different and important types of support children are vulnerable to lose if that arrested caregiver is incarcerated. As you can see in the chart below, 87% of the children received financial support from the arrested caregiver, 86% received help with homework and personal problems, and 74% had been supervised by that caregiver when other adults were not around. Should these supports be lost then children's wellbeing will clearly be jeopardized.

Table 3 Percent of Children Receiving Support in the Month Prior to Caregiver's Arrest (N = 108 Children)

Type of Support	All (N = 108)	By Caregiver Gender		By Caregiver Guardianship		By Caregiver Living Arrangement	
		Male Caregiver (n = 80)	Female Caregiver (n = 28)	Legal Guardian (n = 79)	Non- Guardian (n = 29)	Living with Child (n = 55)	Not Living with Child (n = 53)
Financial support	87.0	82.5 [*]	100 [*]	89.9	79.3	90.9	83.0
Helping at least once a week with homework/projects ^a	86.4	81.0 [*]	100 [*]	81.0 [*]	100 [*]	92.9	80.6
Listening or helping with personal problems ^a	86.4	81.0 [*]	100 [*]	83.3	94.1	89.3	83.9
Talking with teachers, coaches, etc. ^a	81.4	73.8 [*]	100 [*]	76.2	94.1	92.9	71.0 [*]
Transportation at least once a week	79.6	76.3	89.3	81.0	75.9	94.5	64.2 [*]
Watching the child at least once a week	74.1	68.8 [*]	89.3 [*]	74.7	72.4	87.3	60.4 [*]
Government assistance	59.3	52.5 [*]	78.6 [*]	62.0	51.7	76.4	41.5 [*]
Care at least once a week for medical or special needs	25.0	22.5	32.1	29.1	13.8	32.7	17.0
At least 3 types of support	88.9	86.3	96.4	89.9	86.2	100.00	77.4 [*]

^a Percentages only include school-age children, age 6 and above (n = 59 children).

^{*} Indicates a statistically significant χ^2 test of independence comparing by caregiver gender, guardianship, or living arrangement

Studies show that a child's separation from their parent alone can cause trauma⁶, and that trauma and toxic stress early in life can disrupt brain architecture⁷. These changes negatively impact child development and have been shown to effect impulse control, cause

13(2). Available at

http://www.cjcj.org/uploads/cjcj/documents/jpj_impact_of_caregiver_arrest.pdf

⁶ Carrion VG, Weems CF, Bradley T. 2010. Natural disasters and the neurodevelopmental response to trauma in childhood: a brief overview and call to action. *Future Neurol.* 5(5):667-74

⁷ National Scientific Council on the Developing Child. (2005/2014). *Excessive Stress Disrupts the Architecture of the Developing Brain: Working Paper 3. Updated Edition.*

<http://www.developingchild.harvard.edu>

and effect learning, predictability, emotional regulation and reciprocal engagement⁸. If a child's wellbeing can be considered at sentencing, then when a term of imprisonment is not necessary for public safety or behavior change, the child's healthy development can and should be safeguarded.

Parents are, of course, responsible for their children in their role as parents. However, the state is also responsible for ensuring the safety, wellbeing and education of children. Therefore, when a child is facing the potential severe and lifelong negative health outcomes associated with having a parent in prison we argue that the state has a responsibility to consider such consequences and seek to prevent unnecessary harm while, of course, promoting public safety and holding the parent accountable for their action(s). Passage of this bill would ensure that judges are provided important information for determining the best sentence to safeguard the public, including children. Therefore we urge the committee to vote in favor of H.B. 7216.

Thank you for your time, I would be happy to respond to any questions.

⁸ Adalist-Estrin, Ann. (2014). Children with Criminal Justice Involved Parents: Training for WOCM Model Probation Officers and Case Managers. The National Resource Center for Children and Families of the Incarcerated.