

Ethical Dilemmas

12 Guiding Principles for Responding to the Needs of Children and Families Impacted by the Justice System in the Age of Technology



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The Ethical Dilemmas begin within....

“Knowing yourself is the beginning of all wisdom.”

– Aristotle



- What lenses are you wearing when you engage with children and families of the incarcerated?
- Which life experiences- revealed or unrevealed- color and shape your thoughts, feelings and reactions?

Do we unconsciously exempt children with incarcerated parents from the ethics of the day?

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Guiding Principle # 1

> Be Self Reflective

Which life experiences color and shade your thoughts, feelings and opinions? Your own children, grandchildren, absence of children?

> Know the difference between observation and interpretation

What you see is often different from what you interpret

> Ask yourself who you are identifying with?

This applies to ideas as well as people

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The Influence of Technology

- *We are subjected to more points of view and perspectives about this issue –in rapid formation-than ever before*



- *Our assumptions, beliefs, attitudes and interpretations are not only influenced by social media but we are more often subjected to the expectation of explaining or defending our point of view on these issues and do so without the forethought that old school document writing entails.*

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Action:

Provide Specific and LIVE Training and Reflective Supervision

- *The impact of assumptions and perspectives on work with children of incarcerated parents.*
- Feelings and reactions about the impact of parental justice system involvement on children and youth across a continuum of needs and circumstances.
- The importance of attachment to and the impact of trauma and toxic stress on brain development, behavior and child outcomes and including secondary trauma.
- Understanding of protective factors for children and how incarcerated parents , caregivers and service providers can contribute towards these.
- The underlying “ethical” dilemmas
- This cannot be as effectively accomplished in on-line training or supervision.

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Guiding Principle # 2



Always Include children of the incarcerated, their caregivers, incarcerated parents and formerly incarcerated parents in defining the problems and designing the solutions. They should have a place on every Board and Advisory Council and at every conference and meeting or table where their needs and concerns are discussed and planned for. They are the experts!

“ Nothing about us without us!”

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Why do we only “run it by” them?

“We will bring them in when we have a better idea of what we want to provide.” US City Planning Committee

“Families of the incarcerated are included as “the warm up act, the anecdotes and the sad stories instead of as the experts.”

Liz Gaynes, FCN Report 33, 2003

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The Dilemma of Inclusivity

Heterogeneity
Diversity
Shame & Stigma
Internet Information
The voices of young children
Competing agendas
Realities vs research

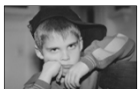


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Guiding Principle # 3



Honor the Themes and the Variations:
This is Not One Monolithic Group



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Children of the Incarcerated? Or Just Children?



Children of the Incarcerated like all humans are “all at once like all others, like some others and like no others.”

Adapted from
Emmanuel Larthey

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The Dilemma of Raising Awareness

Compared with their white peers, African-American and Latino kids are over seven and two times more likely, respectively, to have a parent incarcerated. Annie E. Casey Foundation 2017



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Action: Discuss Racial Disparities & Racism Honestly

BUT
Who’s story gets told and by whom?

AND
Be mindful of the need for emotional support as they tell their stories

AS Well AS Guidance for Social media and The need for confidentiality unless waived.

The Dilemma of Inaccurate Data at the Speed of Technology

Guiding Principle # 4 First Do No More Harm

Encourage the use of accurate and helpful statistics in portraying the needs of children and families of the incarcerated.



See Jim Conway's article from Central Connecticut State University-
"Seven out of ten? Not even close. A Review of Research on the Likelihood of Children with Incarcerated Parents Becoming Justice-Involved."

Preventing Intergenerational Incarceration vs. Promoting Child Well-being

"First do no more harm" expands on the belief that the intent to do good must outweigh the potential for harm and suggests that harm has already been done to these children because of justice system involvement. The use of inaccurate data and an over-focus on intergenerational incarceration, even when intended for good, does not outweigh the potential for doing more harm."

Adalist-Estrin, 2018

And , make the distinction between intergenerational crime and incarceration.

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The Dilemma of Research Interpretation

- Data set analyses
- Citing citations-dates matter
- Lack of specificity - mothers vs fathers
- Sub groups –child welfare
- Lack of ability to draw conclusions on causality
- Developmental interpretations-typical teens vs COIP
- Meaning/interpretations

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Guiding Principle # 5 Look Closely at the Research & always ask...why might this be true?

"Let's talk about why visits may be traumatic."

- But also, what we don't know about the trauma of separation
- The child's dependence on the accompanying adults for cues
- The ease with which a statement like this gets tweeted around the world.
- The ease with which this research is used to support the elimination of contact /in person visits.

Interpreting the Research

1. Murray, Farrington, Sekol and Olsen found that children of incarcerated parents were twice as likely to exhibit antisocial behaviors and other mental health problems as their peers. (2009)
2. Children of incarcerated parents are more likely to experience both insufficient sleep and poor nutrition. The diets of children with incarcerated parents tended to consist of more fast food, sweets, soda and salty snacks, relative to children without a parent in prison. The risks for poor nutrition and sleep were similar whether the incarcerated individual was the mother or the father. (Jackson, 2017)
3. The impact of paternal incarceration was more significant in the group of families that least expected it.
(Turney 2017)

Parental Incarceration Included as an ACE

Adverse Childhood Experiences Study

Growing up experiencing any of the following conditions in the household prior to age 18 led to many negative health and behavioral outcomes later in life.

- Recurrent physical or emotional abuse or neglect
- Sexual abuse
- An alcohol and/ or drug abuser in the household
- An incarcerated household member
- Someone who is chronically depressed, mentally ill, institutionalized, or suicidal
- Mother is treated violently
- One or no parents

The ACE Study is an ongoing collaboration between the Centers for Disease Control and Prevention and Kaiser Permanente. Led by Co-principal Investigators Robert F. Anda, MD and Vincent J. Felitti, MD.

There are no facts only interpretations Friedrich Nietzsche

“So when we talk about a child losing a parent to incarceration and we are interpreting the ACES literature only through a child maltreatment lens, the meaning that gets made (intentionally or not) is that children of incarcerated parents are maltreated children, harmed by their parents and thus better off without them. If however, the parents who are in prison or jail are seen as potential supports for these children, as buffers from the toxicity of the stress, then a different meaning is made of the loss. It becomes more profound and less dismissible.”

Adalist-Estrin, A. White House Remarks 2014

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Guiding Principle # 6
Connect with and Apply Other Research

Connecting with the literature on:

- Racism in systems
- Attachment as protective
- Trauma
- Toxic Stress
- Resilience

But why aren't we?

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The Dilemma of Seeing Them As Like Other Children and Parents

Persistent Fear and Anxiety Can Affect Young Children's Learning and Development and change brain architecture.

Scientists now know that chronic, unrelenting stress in early childhood, caused by abrupt separation from caregivers, extreme poverty, or parental depression, for example, can be toxic to the developing brain in the same way as witnessing violence changes brain architecture.

Parents are most often the buffers from this stress.

Center on the Developing Child, Harvard University, 2008

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Also, Recognize the Toxic Stress on a Continuum of Criminal Justice System Involvement

Common Stress Points for Families

- Arrest : Fear, Confusion, Panic
- Pre trial/ Trial : Anxiety, Frustration
- Sentencing: Hopelessness, Helplessness
- Initial Incarceration : Abandonment, Stigma, Loyalty Conflict, Worry
- Incarceration Stage 2: Resentment, Balance, Idealization
- Pre-release: Fear , Anxiety, Anticipation
- Post-Release: Ambivalence, Chaos

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The Dilemma of Resilience

“Risk factors are not predictive factors because of protective factors.”

David Satcher, M.D.

Former U.S. Surgeon General



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Guiding Principle # 7
Honor the Protective Factors

- Primary attachments
- Other adult bonds
- Skills-confidence
- Emotional competence
- Faith, hope, ability to find meaning
- Influence, participation



Action: Openly discuss the challenge of highlighting resilience without shooting funding in the foot. These children are doing well....but.

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Caregivers as Protective Factors: Proximal day to Day Relationships

“The Collateral Consequences of Incarceration...the Effects on Caregivers of Children of Incarcerated Parents”

(Turanovic, Rodriguez and Pratt (2012)

- financial hardship
- shame and stigma
- elevated levels of emotional stress,
- additional strains placed on interpersonal relationships
- increased difficulty in monitoring and supervising children.
- This was true for all caregivers (mothers/grandparents,etc.)

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The Dilemma of Seeing Beyond Recidivism Reduction Guiding Principle # 8 Incarcerated Parents as Protective Factors for Children



And technology and the ease of access to charges and trial information, affects responses in the community. You do not have to say negative things about the parents –if you think it, children sense it.

Seeing Incarcerated Parents as Protective Factors

Action: involve the incarcerated parent in the work you do with the children/families.



Guiding Principles in Action for Supporting Incarcerated Parents As Protective Factors

Advocating for removing the barriers to in person visits & low cost phone calls

- Video visits can play an important role in relationships but not replacing in person and contact visits
- Technological age is redefining “Face to Face.”
- The cost of all electronic communication for families is exorbitant and interferes with coping.
- Tablets are beginning to be used to keep kids connected.
<http://thefamilyroom.biz>

Promoting Parental Identity

- Inclusion in IEP and Case Planning
- Visiting contexts
- Visit support –before and after
- GED and College



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The Dilemma of Service Delivery Guiding Principle # 9 Advocate for Purposeful Programs and Relevant Supports Within Wider Systems

Service Variations

- Purposefully: Programs designed specifically for COIP
- Incidentally: Programs serving at risk children/youth that include COIP
- Universally: Programs serving all children with COIP unknown
- Peripherally: Programs serving IP or Caregivers with children benefitting
- Not Serving

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The Dilemma of Evidenced Based National Youth Listening Session: No More Grief Groups

- Offer counseling only if it includes relevant support
- Be real about racism and mass incarceration
- Stop feeling sorry for us
- Know the layers of the pain
- Let us help each other
- It is not always about role models (mentoring vs seeing our parents)
- Visiting parents in prison is very painful but essential (NRCCF and AIR 2016)



Very few evidenced based program models are designed for or normed on children and families of the incarcerated and are experienced by families as irrelevant.

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The Dilemma of Identifying the Children



Guiding Principle # 10

Create an atmosphere of safety and trust for children and families of the incarcerated in programs, practices and policies.

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Invisible by Choice Impact of Shame and Stigma

“ Relatives ...feel forced to hide from the shaming gaze of others...Leading them to withhold information and avoid connections that may help them.”

Families Shamed by Rachel Condry 2007



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The Dilemma of Truth

Provide caregivers and IP with support to help children cope including tools to tell age appropriate truths to children about their incarcerated parents whereabouts.

What are the policy implications of this for your program?

How can we better advocate for dismantling internet based -fee for service-felony charges/criminal history sales

See *Surveys, Records, and the Study of Incarceration in Families*. Geller, et.al. in *Tough on Crime, Tough on Families*. Wakefield & Wildeman.2016



Referrals vs Outreach vs Marketing

Asking to give vs. asking to get



“Is Incarceration an issue for your family? We may have resources to help.”

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Guiding Principles in Action: Books on the shelves and posters on the walls

Use books and materials about children of incarcerated parents in your work with the youth or family. Connecting with literacy programs, public libraries



The Dilemma of Garnering Support

Guiding Principle # 11

Challenge Media Portrayals: Technology makes this urgent

- The public needs to see different faces and hear varied stories to fully comprehend the heterogeneity of this population.
- The intergenerational cycle vs child well being.
- The savior's from the other side of town
- We need to challenge the media when they only want the most severe stories and in using the intergenerational narrative
- Words matter: inmate & visitation but also identify and target and fractured families and family failure.

The Dilemma of Joining Forces

Guiding principle # 12: Collaborate!



“Cross the river in a crowd and the crocodiles won’t eat you”

African Proverb

Challenge: Now that children of the incarcerated are being focused on in many and varied settings how can we work together to combat conflicting agendas and other obstacles that interfere with effective program and policy development?

Technology: Combatting the uses that create barriers for children and families while using it for the good of advocacy & policy development.

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The Guiding Principles in Print



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From Alain Bouregba

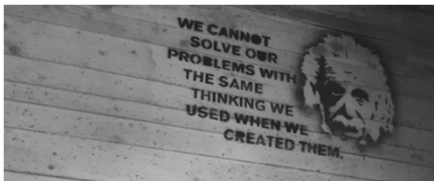
- Good principles are not enough to ensure good practice, and right intentions do not necessarily ensure right actions.
- Being mindful of the best interests of the child is appealing and claiming to do so is legitimate (but) the conditions of right actions are determined by the time spent trying to understand the child in front of us and analysing the specific situation that he or she is confronted with.
- Child welfare and education professionals should be wary of “prêt-à-penser” or “one-size-fits-all” types of action and, no matter what field they are working in, should favour actions which are made-to-measure.
- A caring approach and critical reflection are two key qualities for child welfare and education professionals—the only two qualities which allow a professional to define the interests of a child.

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Reminding me of...

“Think of these children as you would your own, but never forget that they’re not...if they were yours, you would not ...focus on the floor of crimelessness... as if it were the ceiling. And, the fact that they are disproportionately black and brown makes it less common for those in power who are not, to see them as their own.” Vince Schiraldi, Columbia School of Social Work

Take Home Message



NRCCFI at Rutgers Camden



- Disseminating accurate data
- Training, inspiring, preparing and connecting those working in and around the field
- Guiding family strengthening policy and practice
- Including the families in defining the problem and designing solutions

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