



## CLE Presentation Resources | 03/14/2025 | D'Adre Cunningham Special Issues Affecting Parents in Jail and Prison

**INTRODUCTION.** Incarcerated parents and their children are at higher risk of losing their relationships forever. Children with incarcerated mothers are a greater risk of experiencing CPS (state) removals than children with incarcerated fathers. About 15-20% of children entering into court-monitored foster care placements have an incarcerated parent.<sup>1</sup> Thus, practitioners are urged to invest more attention to incarcerated parents and their children because the consequences for those sentenced imprisoned or jailed for lengthy periods can be devastating to their family.

### **WHAT WE DO (WDA IPP's WEBSITE HIGHLIGHTS):**

[WHAT'S THE RESEARCH SAYING? & LITERATURE](#)

[TIPS & ACTIVITIES FOR PARENTS & CHILDREN DURING VISITS & VIDEO CHATS](#)

[ORGANIZATIONS WORKING ALONGSIDE INCARCERATED PARENTS](#)

[WASHINGTON-BASED COMMUNITY SUPPORTS FOR PARENTS & CHILDREN](#)

[PRACTICE TOOLS FOR DEFENDERS TO VISIT CLIENTS IN JAIL OR PRISON AND MORE](#)

[VISITING JAILS AND PRISONS INFORMATION FOR MINORS](#)

### **WHY WE DO WHAT WE DO? PREVENTING FAMILY SEPARATION**

- Trauma of Separation - The Institute for the History of Psychiatry at Weill Cornell (2018), [http://psych-history.weill.cornell.edu/pdf/Trauma\\_of\\_Separation.pdf](http://psych-history.weill.cornell.edu/pdf/Trauma_of_Separation.pdf).
- Luke Muentner and Pajarita Charles. *Family reunification after fathers are released from prison: Perspectives on children's adjustment*. Family Relations, 2022. <https://onlinelibrary.wiley.com/doi/pdf/10.1111/fare.12739>.
- *Women in Prison: Seeking Justice Behind Bars*, Report of the U.S. Commission on Civil Rights, 2020, 223-227. <https://www.usccr.gov/files/pubs/2020/02-26-Women-in-Prison.pdf>. Public Briefing, <https://www.usccr.gov/reports/2020/women-prison-seeking-justice-behind-bars>.
- Edwards, F., Wakefield, S., Healy, K., & Wildeman, C. (2021). *Contact with Child Protective Services is pervasive but unequally distributed by race and ethnicity in large US counties*. Proceedings of the National Academy of Sciences, 118 (30). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8325358/pdf/pnas.202106272.pdf>. Correction to article published July 19, 2021, <https://www.pnas.org/doi/ful/10.1073/pnas.2116639118>.
- Jones, A., Buntman, F., Ishizawa, H. et al. *The Mental Health Consequences of Parental Incarceration: Evidence from a Nationally Representative Longitudinal*

*Study of Adolescents through Adulthood in the United States*. Am J Crim Just (2022).  
<https://doi.org/10.1007/s12103-022-09689-2>

**WDA IPP LEGAL RESOURCES FOR SPECIAL ISSUES AFFECTING PARENTS IN PRISON AND JAIL:**

- *Special Issue: Access to Family Court*  
[Procedural Due Process for Incarcerated Parents at Trial](#) (civil cases)  
[Right to Counsel at Public Expense in Certain Child Custody Cases](#)  
[Family Law Legal Assistance for Incarcerated Parents in WA](#)  
[Motion for Court Appointed Counsel in Family Law Case](#) (where no categorical right exists)
- *Special Issue: The SRA & Parenting in Community*  
[Parenting Sentencing Alternative](#)  
[Community Parenting Alternative](#)  
[Exceptional Mitigated Circumstances- Family or Parenting](#)
- *Special Issue: Services*  
[Resources for Setting Up Services in Jail or Prison](#)
- *Special Issue: Establishing Parentage*  
[Practical Tips for Criminal Defenders with Parents Facing Incarceration](#)
- *Special Issue: Child Safety Planning*  
[Making Child Caregiving Arrangements While Incarcerated](#)
- *Special Issue: Contact Visits*  
[Visiting Information](#) (Washington State facilities)  
[Carceral agency denial of parent-child visits](#)<sup>2</sup>
- *Special Issue: Postconviction (No-Contact) Orders*  
[Motion to Amend \(Post-conviction\) No-Contact Orders](#)  
[Preventing Restrictive Sentencing Conditions \(Other than Contact\)](#)  
[Preventing Restrictive Sentencing Conditions \(Contact Ban\)](#)

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<sup>1</sup> See National Resource Center on Children & Families of the Incarcerated (NRCCFI). CHILDREN AND FAMILIES OF THE INCARCERATED FACT SHEET. Rutgers University (2014), 1-2, <https://nrccfi.camden.rutgers.edu/resources/fact-sheets/> (Last visited 3/10/25).

<sup>2</sup> WDA IPP's Resource Attorney has additional resources for challenging DOC denial of parent-minor child visits. Go to the "Need Help" link and complete the intake form, found here: <https://defensenet.org/case-support/incarcerated-parents-project/ipp-need-help/>.