

Gender Responsive Reentry Supporting Mothers and Their Children

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EMPOWERING MOTHERS FOR SUCCESS IN REENTRY.

Issue Statement

The unique needs and experiences of women with children are not reflected in Minnesota's state reentry approach or federal reentry approach. The number of women in the correctional system has been steadily rising, which means more women, many of them mothers, are returning to their families and communities without the programming and supports needed to successfully resume their roles as parent and provider. Minnesota must invest in a gender-responsive reentry approach tailored specifically to the needs of women with children.

Disclaimer: This policy brief focuses on women gender responsiveness and women mothers exclusively but does not imply that gender responsiveness best practice should be limited to binary services.

Understanding the Need for a Gender Responsive Approach

Mothers returning to their families and communities after incarceration need a gender responsive approach.

Historically, prison and reentry programming have been male-centric, and remain so today, which fails to address women's needs as mothers and the needs of their children. This makes it an ineffective approach for women because it does not address their pre- and post- incarceration realities.

[Gender responsiveness](#) refers to outcomes that reflect an understanding of gender roles, inequalities, and efforts to encourage equal participation and equal and fair distribution of benefits. In the [criminal justice system](#) gender responsiveness means understanding the differences in characteristics and life experiences that women bring to the criminal justice system, and adjusting practices in ways that appropriately respond to those conditions.

The number of women in the correctional system has been steadily rising. Between 2000 to 2020, the rate of incarcerated women has increased over 26%. In 2019, [898 women](#) were released from Minnesota's prisons, while 36,230 women were released from jail.

Women are more likely to be incarcerated for crimes based on [survival of abuse, poverty, and substance abuse](#). Women's drug use and other criminal behavior are more likely to be a result of interpersonal relationships and the associated behaviors of romantic partners. Women are more likely to have co-occurring substance use and mental health disorders, which increases the risk for [recidivism and relapse](#).



Increased Family Disruption

The bonds of family are more likely to be disrupted when mothers are incarcerated.

Mothers who are incarcerated are often placed further from their children due to lack of [correctional facilities for women](#). This [disproportionately](#) prevents children from being able to visit their mothers. Cost and quality negate some visit alternatives, such as virtual visits, from being effective and meaningful to children. Policies within correctional settings provide limited support for mothering, such as limitations on physical contact, limits on the number of children per visit, inflexibility of visitation hours, and the consideration of family visits as a privilege.

An examination of [2010 Bureau of Justice Statistics prison population data](#) found that a majority of children with incarcerated fathers live with their mothers (87%), while only 37% of children with incarcerated mothers lived with their fathers. When children are not able to live with a parent, they are placed with a relative or the foster care system. Collaboration between [prisons and child welfare agencies](#) is typically lacking. Incarcerated mothers of minor age children are [more likely](#) to have their parental rights terminated. The [1997 Adoption and Safe Families Act \(ASFA\)](#) requires a petition of termination of parental rights be issued for children who have been placed out of home 15 of the last 22 months, which is less than average prison sentencing for incarcerated mothers.

Impact on Children of Mothers' Incarceration

Having a parent who is incarcerated is a traumatic experience and is one of the Adverse Childhood Experience (ACEs). The [figure below](#) shows the relationship between early childhood trauma & difficulties later in life. Because children are more likely to have lived with their mothers prior to incarceration, the separation can be even more traumatic.

Children who are in out-of-home settings are more likely to develop [Adverse Childhood Experiences](#) (ACEs).

- ACEs are associated with higher risk of developmental delays, learning disabilities, antisocial behaviors, and difficulties with school engagement and performance.
- Children of incarcerated mothers experience feelings of shame and sadness, isolation, preoccupation with concern for parental well-being, and anger towards the parent, alternative caregivers, and the system.



Minnesota's Approach to Reentry

The unique needs and experiences of women with children are not reflected in Minnesota's state reentry approach or federal reentry approach.

Federal Reentry. U. S. Probation and Pretrial Services operates the state's federal [Prison and Reentry Education Program](#). [Reentry Court](#) is a distinct program that provides intensive supports using a multi-disciplinary approach. While available to both men and women, the [video](#) makes clear that women with children are not the primary target of the program.

State Reentry. Minnesota's [Community Supervision and Reentry Program](#) is administered by the Minnesota Department of Corrections (DOC).

Minnesota's [Community Supervision system](#) consists of 3-parts: 1)

- [34 counties](#) representing 21 jurisdictions delivery correctional services under the Minnesota Community Corrections Act (CCA, [Minn. Stat. §. 401](#))
- DOC provides adult felony probation and supervised release supervision in the 53 counties that are not part of the Minnesota CCA.
- 24 counties use County Probation Officers under the responsibility of county's chief judge and are supervised by the county's court services director.

Reentry Services and Resources centers on [Statewide Transition Coalitions](#) whose aim is to engage with community partners and increase access to resources, programs and services for people impacted by incarceration. Prior to release, "adult offenders" are provided a 250-page [Adult Pre-Release Handbook](#), covering areas such as housing, education, transportation, family and employment. The handbook is clearly not written with women, yet alone mothers in mind.

In 2008, Minnesota implemented the [Comprehensive Offender Reentry Program](#) – a pilot **case management** program targeting mostly men. Participants worked with their prison caseworkers and community supervision agents to develop strategies to prevent recidivism and bridge the gap between prison and release. The [National Institute of Justice](#) rated the program as "promising".

Gender Responsive Approaches

Gender responsive reentry begins long before the formal reentry process starts. Gender responsive programming starts prior to sentencing, begins day one of incarceration, during the transition period, and after reentry. Successful reentry requires wraparound services in the community to ensure that women and their children receive a continuum of supports once they are released.

The National Institute of Corrections [Gender Responsive Project](#) funded research to study the needs and risks specific to justice involved women. Central to success is identifying and programming for reentry issues upon entry. The [research](#) suggests that women are more amenable to intervention while incarcerated than men and as a result experience lower recidivism rates. Programming includes:

- Drug and alcohol programs that recognize that women's substance abuse often co-occurs with trauma and mental health problems. Mental health programs that assess mental health problems at intake, develop and implement treatment and transition plans that address how care can be ongoing in the community after release.
- Victimization programs that educate women about abuse and trauma so that they can recognize it within their own lives and also be taught positive ways to cope with the aftermath of their victimization.
- Relationship programs that foster and enhance women's healthy connections and relationships with their children, family, and other positive people of support.

The National Institute of Justice recommendations for female reentry and justice responsive programs makes [nine specific recommendations](#) that contribute to successful reentry, including

peer recovery support, employment and skills training, housing assistance and maintaining family bonds.

Assessments need to be done to ensure women are receiving intervention specific to their needs. The [Women's Risk and Needs Assessment \(WRNA\)](#) is the only validated, peer-reviewed risk and need assessment developed for women involved in the justice system.

Caseworkers must engage incarcerated parents early and often, from the time of arrest until release ([U. S. Children's Bureau](#)).

As with all reentry, supporting mothers in supporting their children while incarcerated leads to better outcome upon re-entry. Developing familial support and services while incarcerated alleviates many external stressors leaving mothers more time to focus on their children. The [U. S. Children's Bureau](#) bulletin: *Child Welfare Practice With Families Affected by Parental Incarceration*, provides an array of best practices for supporting and strengthening the mother-child relationship.

- Interagency collaboration, using multidisciplinary teams, must include regular contact with correctional staff. The benefits of using multidisciplinary teams, including teams with [peer mentors](#), are: 1) improved health including mental, physical, reproductive, and chemical; 2) aid in family reunification, and 3) aid accessing basic needs, safe housing, transportation, education, and employment.
- Mothers must be afforded participation in case planning and Child in Need of Protection or Services (CHIPS) hearings, supported in having ongoing and meaningful visitation with their children, and supported in maintaining their parental rights.

Policy Position Statement

Creating holistic, gender responsive reentry programs is essential to support women with children in their transition back to their children and communities. Gender responsive reentry begins long before the formal reentry process starts, — prior to sentencing, day one of incarceration, during the transition period, and after reentry. Successful reentry requires wraparound services in the community to ensure that women and their children receive a continuum of supports once they are released.

For these reasons, we believe Minnesota must build on the success of the bipartisan [Healthy Start Act](#), which allows the DOC to place women who are pregnant or immediately postpartum into community alternatives, by creating a gender-responsive reentry program designed specifically for women with minor aged children.

- The program should adhere to the recommendations coming of the National Institutes of Corrections Gender Responsive Project, National Institute of Justice, and U. S. Children's Bureau.
- The approach should emphasize interagency collaboration, multidisciplinary teams, case management, peer support, and a continuum of supports including assistance in parenting and in accessing basic needs, safe housing, transportation, health care, education, and employment.
- The [Task Force on Justice Involved Women and Girls](#) should be re-formed to aid in this effort.

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