

Prisoners' Families: The Forgotten Victims *

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Someone's kicked the bottom out of your world and you are falling through this black tunnel and you've got nothing to put your feet on. It's a harrowing experience, the emotions you go through, it was like a kaleidoscope.

– A prisoner's wife

In 2005, approximately 2.2 million people were committed to custody resulting in an all-time high prison population for the United States. The figures show few signs of abating. As a result, an ever-increasing number of families find themselves with the experience of having a family member in prison and many of them are in touch with the criminal justice system for the first time.

THE CRIMINAL JUSTICE PROCESS AND PRISONERS' FAMILIES

It is not possible to fully understand the total vulnerability experienced by the families of people in prison by only looking at the prison system. The prison forms but one part of a criminal justice system and the process through which the families of an accused person find themselves marginalized, silenced and treated as 'guilty by association' (Carlson and Cervera, 1992; Codd, 1998; Fishman, 1988, 1990; Silverstein, 2001). Indeed, these individuals become extensions of the 'criminal' label, viewed by correctional officials as prisoners' families, rather than individual members of a family who, through no fault of their own, find themselves intrinsically linked to someone in prison. This association renders them vulnerable to a system that, while ostensibly there to protect the public, differentiates the general public and legitimate victims from offenders' families – the forgotten victims. The lack of public understanding and the largely unsympathetic media coverage place additional strain on families, some of whom find themselves hounded by media at their homes or having to move their children to different schools to avoid victimization or harassment.

Prisoners' children are at particular risk. Over 1.5 million children per year are estimated to have a parent in prison and the impact of this experience can have long-lasting effects (Codd, 1998; Jamieson and Grounds, 2002; Murray, 2007). For a child, the arrest of a parent or sibling means a central

figure in their lives has suddenly – and often inexplicably – been taken away from them. Many arrests take place in the home and in the middle of the night when the police are able to surprise the suspect. In these situations it is important to consider the experience from the perspective of a child whose home is abruptly, noisily and sometimes aggressively entered by the police, who then take away one of their parents. For example, a prisoner's child stated with respect to their mother's arrest: "When the police came, I thought I was never going to see her again".

An experience such as this can then lead to possible antipathy towards other figures of authority such as teachers and prison officers (Jamieson and Grounds, 2002; Murray, 2007). Furthermore, the arrest marks the beginning of a complicated and often lengthy experience, characterized by uncertainty – something with which children in particular have difficulty coping. Negative media coverage that demonizes the offender as an 'evil monster', hounding by the press and off-putting reactions of people around them are particularly distressing to children. All of this can have a detrimental effect on children, for example, threatening their educational performance and future life-chances. Many children experience bullying or teasing, and while they are often worried about their teachers' prejudices, they frequently still want to be able to talk with teachers or an appropriate support person about what is going on.

For parents, what to say and when to speak to their children about their possible incarceration is one of the hardest issues they have to face. Many find the task too daunting and choose to make up stories instead. They, along with their children, need advice and support to help them through the experience, but most never receive that kind of specialist help. Moreover, the uncertainty and distress caused by being processed through the criminal justice system adds to people's feelings of vulnerability. In court, the defendant's relatives receive none of the, albeit meagre, support or protection given to the victims of crime. Particularly unnerving for the families of both the victim and the defendant is the fact that they often find themselves seated together in the public gallery, where they sit as prey to the frequently unscrupulous behaviour of the media, hungry for the latest salacious crime story. Some families even have to go into hiding to escape the Press (Jamieson and Grounds, 2002; Murray, 2007). Perhaps the most difficult part of the criminal justice process for the families of those inside is that they must listen to accounts of people they love that are beyond their recognition:

We didn't recognize in any of the things we heard or saw in the son or brother we knew. We know that he wasn't perfect, but we recognized nothing in him of what we were being asked to accept.

– A prisoner's family member

Once the accused is remanded or sentenced to custody, the family has no right to see them in court, and are left to fend for themselves, both practically and emotionally. Many families find their lives dominated by what is happening around them as they then try to face the consequences, such as stigma, shame, isolation, financial hardship, guilt and stress. The very reasons for their needing help and support, namely their experiences and feelings of shame and stigma, often prevent them from asking for help. At present there are very few organizations offering specialist support to prisoners' families and many of these are small voluntary groups usually set up by someone who has been through the experience. Each year a number of people try to start up new groups. However, due to the complexities of getting such an organisation established and the recognition of the enormity of the task ahead, many fail to come to fruition.

Parents of prisoners, in particular, try to find answers as to how their child came to be imprisoned by looking at themselves, thinking they must be to blame. A prisoner's father remarked, "I thought to myself, well I have fallen by the wayside here, am I to blame for this, is my wife to blame for this?".

All of these problems are compounded by the lack of basic information given to prisoners' families at each stage of the process, which frequently leaves them in the dark as to what is happening, and unaware of the availability of help and support. Yet, maintaining strong family and community ties is one of the most significant factors that can affect the likelihood of further offending after release (Fraser and Squiers, 1998; Silverstein, 2001; Petersilia, 2003). If the destructive impacts of imprisonment are to be reduced so that the prisoner is less likely to re-offend, it is critical that, wherever possible, the prisoner is able to maintain their links with both family and the community.

A review of the literature relating to recidivism and family ties in the U.S. supports the notion that the quality of a prisoner's relationships with his partner and the degree of influence which partners can bring to bear can be pivotal in his decision to desist. Despite this, little is done to support,

sustain or strengthen family relationships while the prisoner is incarcerated. We live in a society which considers itself to be one that cares for its less fortunate members – a core principle of any religious doctrine – yet it would seem that for many, prisoners' families are undeserving of sympathy or support. Does the paucity of support available present a challenge to church congregations to address the needs of those with a family member in prison? What answer is available to the question "Is the church the first place or last place to which a family in trouble will turn?"

THE PRISON SYSTEM

Let us now turn to the prison system itself, and the interface between prisons and the visitors to them, on whom the prisons so readily depend.

The day-to-day work of the prison system is governed by a series of standing orders that relate to their operations. It is one of the roles of the prison system to ensure that the socially harmful effects of a prisoner's removal from normal life are minimized and that his contacts with the outside world are maintained (Fraser and Squiers, 1998; Petersilia, 2003). Outside contacts should therefore be encouraged between a prisoner, his family and friends. However, these connections are rare.

The importance of visits to prisoners is widely acknowledged (Brooks-Gordon and Bainham, 2004). Family visits provide prisoners with support and thus contribute to the safety and stability of the prison. It is highly desirable for the stable running of a prison and for the ability of the prisoner to lead a law-abiding life after release that he should be accommodated as near to his home and community as possible. The problem of holding prisoners in remote locations far from their homes and potential visitors often times emerges as a factor during prison disturbances and behavioural problems.

I argue for the need to strike a balance between custody, care, and justice, if the prison system is to achieve its goals of protecting the public, preparing prisoners for release and treating prisoners as well as the people visiting them with humanity. However, as with so many aspects of prison policy, external political considerations affect the opportunity for family contact in the prison system. Families find themselves caught in situations outside their control or understanding, but which have potentially enormous consequences for them. These difficult situations include, for example, changes in policy led by government dicta that emphasises security and

punishment rather than rehabilitation. Moreover, the degree of discretion afforded to prison wardens along with the subsequent variation in the application of operational procedures, practices and policies between different facilities not only centralizes power over the daily functions of the prison but it fails to take into account the impact such discretion will have on prison visitors.

There is very limited information made readily available to families that can help direct them to appropriate services, support or financial assistance. As a result, many families face the period of a loved one's imprisonment unaware of any services that may be available to them. The vulnerability of prisoners' families is aggravated by their love for the person in prison and their feelings of loyalty to the prisoner. Many feel an obligation to visit, yet are given little, if any, information to help them prepare for the stressful experience of visiting. For example, many families have costly, arduous journeys to the prison, which could involve several changes of transport often with young children in tow. On arrival at the prison, they may have to wait a considerable amount of time before going in, while many prisons still do not have a visitors' centre or waiting area. The visiting process itself is frequently stressful, and many families find prison procedures and attitudes of correctional staff demeaning. More disturbing, is that the visit experience is unnatural, in that often neither party – prisoner and visitor – want to worry the other by discussing what is actually on their mind. "We would talk about how we are both coping. But I don't tell him everything. I don't want him worrying" (a prisoner's wife).

With respect to children, the prison visit is a stark reminder of how imprisonment simultaneously punishes prisoners' families. It is essential that prisons attempt to meet the needs of children by providing suitably staffed, as well as equipped play areas, holding family days, and ensuring some mechanism that allows a meaningful relationship to develop between an imprisoned parent and their child. Meeting the needs of prisoners' children also benefits the other visitors who do not want to be constantly disrupted by the presence of bored or unsettled children.

Despite the fact that the prison system readily acknowledges the importance of visits both to the prisoners' morale and prison stability, there still appears to be an inherent prison culture which sees prisoners' families as at best a resource, and at worst a threat to security or a nuisance. The treatment families receive by officers and gate staff can dramatically

impact the prison visiting experience. Prison policy often increases the family's emotional vulnerability to the demands of the prisoner. Some types of incentives and earned privileges should be formed on the premise that families obligingly meet the 'rewards' on offer. However, because they do not want to let the prisoner down, many prisoners' families cope silently with the pressure of making an extra visit or providing clothes, possessions and private cash, even though it might be more than they can manage. Conversely, a prisoner's correctional level designation can change rapidly, thus altering their entitlement to familial visits. However, the family may not be informed of this change before arriving for a visit of one or two hours only to be told that it will only last for half an hour – if they are permitted to visit at all. Such changes might be reasonable from the prison's point of view, but the family may well have spent several hours getting to the prison expecting a longer visit.

The same issue applies when a prisoner has been placed on a closed (no contact) visit. Security measures and anti-drug strategies, while ultimately in everyone's best interest, frequently disregard the position of families. A prisoner who fails a drug test will generally be put on closed visits, but it is rare for the prison to give families advance notice of this change in status. This kind of information is vitally important to families, especially if they are planning to bring children with them on the visit. Many families choose not to visit at all under closed conditions, so as not to subject their children to this form of visitation. While it would be wrong to suggest that families do not bring drugs into prison on visits, they may be doing so as a result of extreme psychological and emotional pressures of having a loved one incarcerated. Fear over what might happen to the prisoner or even to their children should they fail to comply and bring drugs causes some individuals to obey such requests. However, it is problematic to suggest that *only* prisoners' families bring drugs into prison.

THE WAY FORWARD

There is no question that prison visits provide a real opportunity for quality contact between prisoners and their families. However, the more visitors are prepared to visit, the greater the chance that visits will be positive experiences. The prison system should publish a general information leaflet giving guidance to prison visitors. However, prison information is primarily

left to the voluntary sector to ensure such material is both written and made available to families, if provided at all. More information on preparing children for visits is absolutely essential. I suggest that correctional services create a kind of Visitors' Charter that calls for the following minimal standards of treatment:

- Clear, up-to-date information should be made available to all visitors to prisons prior to their first visits and whenever procedures or circumstances change;
- All prison staff who come into contact with visitors should receive training on the issues facing prisoners' families and on general customer relations;
- The needs of children visiting prison should be recognized and appropriate provisions made;
- Visitors should be consulted about visit provisions and facilities;
- A complaints procedure should be drafted and made readily available to all visitors; and
- Visits should be organized in such a way as to allow the best possible contact between prisoners and their visitors.

Families should also have access to a dedicated information person at every prison that can help with their queries and concerns. In the absence of such a post being created at all prisons, it is worth considering, at least in the short term, whether there is a role here for the Prison Chaplaincy, and what issues this would raise both for chaplains and families. For chaplains, their existing responsibilities already more than fill the time available. Therefore, I suggest that either chaplains' assistants and/or volunteers be trained to assist in this manner. It may be more amenable to families of other faiths, those with no religious affiliations and those with an antipathy to any church-based provider of services who may be reluctant to seek help of the prison chaplaincy to be served by a dedicated volunteer.

Our model of justice regards offences as being committed against the state thus failing to recognize the needs of either victims or the families of offenders. So what would be required to ensure that the needs of prisoners' families were automatically included in the responsibilities of the prison system and other criminal justice agencies? The concept of restorative justice sees crime as a fundamental violation of people and

interpersonal relationships. It recognizes that crime harms both victims and the community, who are all in need of restoration. The family of an offender should be considered a primary or secondary victim, as well as witnesses who are also directly affected. Restorative justice attempts as far as possible to put right the wrongs, to restore relationships, to mend and to heal the damage caused by the offender (Zehr, 1990; Escholz *et al.*, 2003). The concept engenders hope for the future. Within this model, the families of prisoners would be recognized as an indispensable part of the process. Their vulnerability would be reduced by their acceptance as important to the prisoner, as suffering because of the offender's actions and as being part of the community.

Furthermore, the community and the criminal justice system should recognize families as a positive resource in the fight against crime. They should be given the opportunity to be involved throughout the prisoner's sentence – in the induction program, sentence planning and preparation for release courses. It is only by seeing families in this way that their own vulnerability will be minimized and the prisoner be given an improved chance of leading a law-abiding life on release. Until then, families will continue to live in the shadows of the offender's action, marginalized by a system that depends on them, ostracized by the community around them, and vulnerable to the many pressures and demands put upon them.

ENDNOTES

- * An earlier draft of this article was featured as an Editorial on the website *Illinois Prison Talk* (www.illinoisprisontalk.com) in September, 2006. This website provides a valuable discussion forum and resource hub for Illinois prisoners and their families. The revised and edited version presented here is printed with the permission of the author and *Illinois Prison Talk*.

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