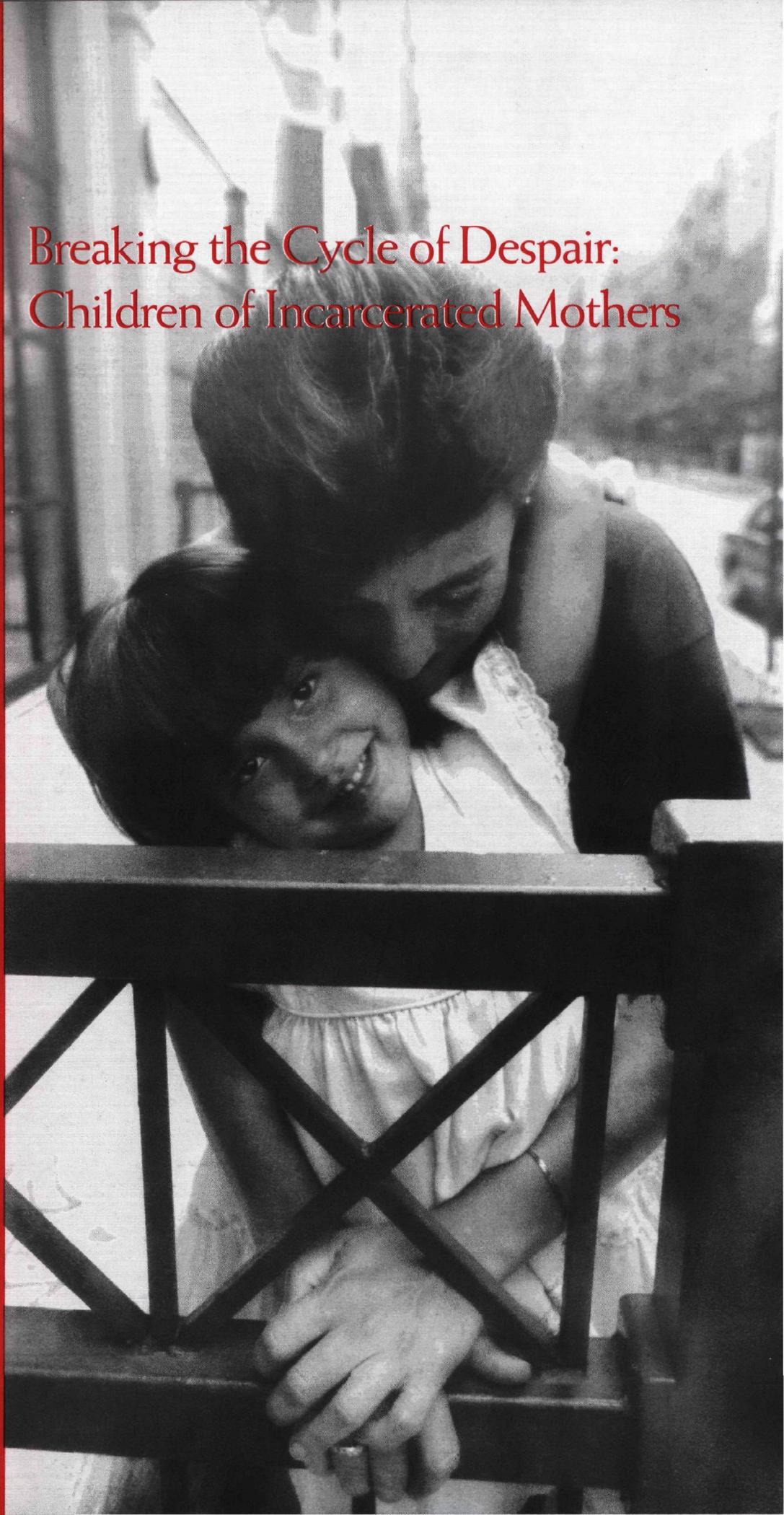


WOMEN'S  
PRISON ASSOCIATION  
& HOME INC.



150 Years Of Service

## Breaking the Cycle of Despair: Children of Incarcerated Mothers



## ACKNOWLEDGMENTS

Special thanks to the clients and staff of the Women's Prison Association. Our clients' devotion to their children inspired this pamphlet. The support and expertise of the WPA staff were invaluable in defining the issues and identifying opportunities for reform. Myra Ricard, Kate Shackford, Paula Merricks-Lewis, Lorna Gottesman, Lisa Rizzo and Sheila Clark were particularly generous in sharing their ideas and experiences.

We would also like to acknowledge and thank the service providers, counselors, social workers, lawyers, and others who work with incarcerated mothers. Their wisdom and dedication to women in prison and to their children is the foundation for our work.

Finally, thanks to John Mattingly and Pat Henry for reviewing the pamphlet and providing a fresh perspective.

This pamphlet was prepared by the Women's Prison Association and Home, Inc. with the support of The Annie E. Casey Foundation and the Florence V. Burden Foundation. Opinions expressed herein are those of the Women's Prison Association and Home, Inc., and do not necessarily represent the opinions of our funders.

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Photographs on the front and back covers courtesy of *New York Newsday*.



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# Breaking the Cycle of Despair: Children of Incarcerated Mothers

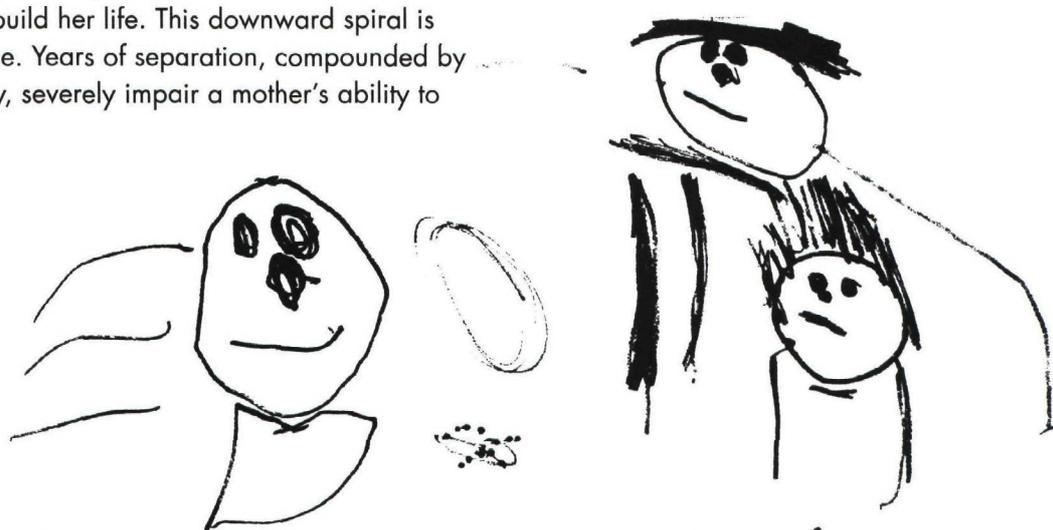
Nationwide, the population of women in prison has increased more than 20% in the last 3 years—more than threefold in the last decade.<sup>1</sup> Most women in prison are not violent criminals. They are substance abusers whose criminal behavior is integrally linked to their addiction. The majority are charged with drug offenses or drug-related property offenses. Over 75% of the incarcerated women are mothers, most with two or more children. They are often the primary caregivers for their children.<sup>2</sup> Nationally, it is estimated that, on average, 165,000 children daily are affected by their mothers' incarceration.<sup>3</sup>

Women in prison generally have a limited education, poor employment skills and histories of substance abuse. They are often single parents, who have sole responsibility for their children. Prior to the mother's arrest, the family typically survived on less than \$500.00 a month.<sup>4</sup>

Parental criminal justice involvement is a sign of a family deeply in crisis. For some families, the mother's imprisonment triggers this crisis. For most families, the criminal justice involvement is one more manifestation of the effects of substance abuse, poverty and domestic violence. In either case, criminal justice involvement is a reliable indicator of families and children in need.

For an already weakened family structure, a mother's imprisonment can be the final, lethal blow. As a family disintegrates, children experience a prolonged period of instability and uncertainty. Without her children, a mother loses her main incentive to rebuild her life. This downward spiral is rarely alleviated by a woman's release. Years of separation, compounded by the difficulty of integrating into society, severely impair a mother's ability to reconnect with her children.

■ **THE UNITED STATES SPENDS MORE THAN 3 MILLION DOLLARS A DAY TO IMPRISON ALL WOMEN INMATES.**

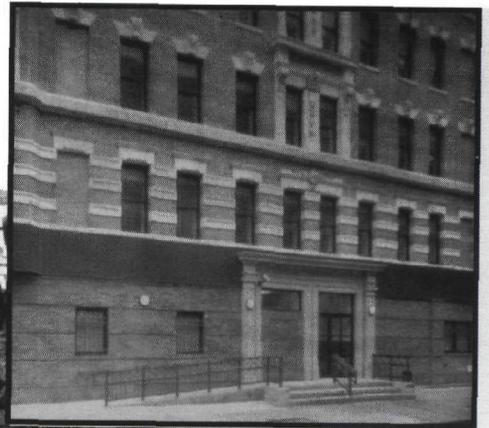


Alexa loves her mommy, brother, friends,  
Pancakes, blue, red, her aunt and Linda.

Lori January 1995

■ IN JUNE OF 1994, THE NUMBER OF MEN AND WOMEN IN PRISON TOPPED 1 MILLION FOR THE FIRST TIME IN HISTORY. ON ANY ONE DAY THERE ARE MORE THAN 100,000 WOMEN IN JAIL OR PRISON.

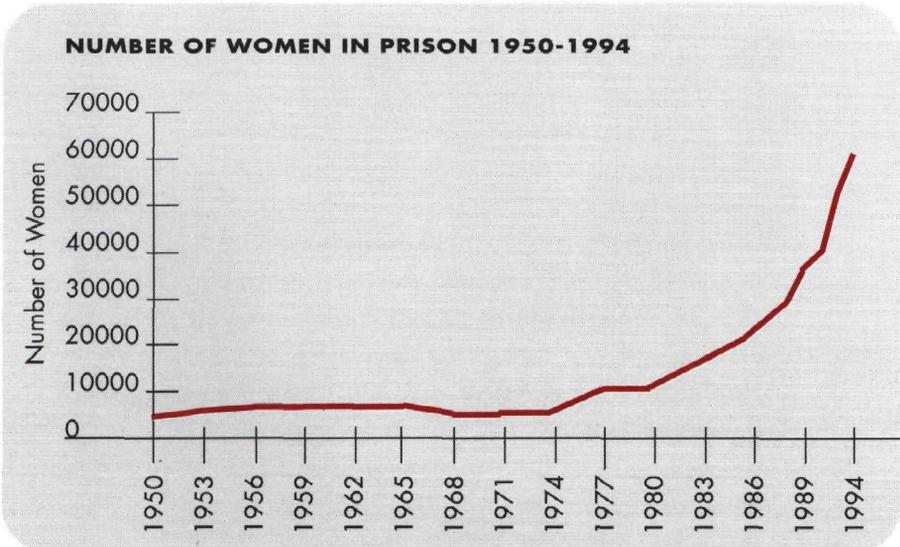
*The Sarah Powell Huntington House before and after renovation.*



Ultimately, children suffer the most. They love their mom, no matter the label society attaches to her. Children are usually between 7 and 12 years old when their mother is imprisoned.<sup>5</sup> As a result of their parents' incarceration, these children experience tremendous amounts of trauma, anxiety, guilt, shame, and fear. As children enter adolescence, their suffering frequently manifests itself in poor academic achievement, juvenile delinquency, gang involvement, violence and, eventually, adult criminal behavior—the final link in an intergenerational cycle of criminal justice involvement.

Although these predictions are alarming, the situation is not hopeless. If we are truly committed to protecting and nurturing children and families, we can break this cycle of despair. However, it will require a societal and governmental commitment to the following four principles:

- **Whenever possible, sentence mothers to community correctional alternatives and provide drug treatment and educational services which will enable them to live self-sufficient lives and take care of their families.**
- **As soon after arrest as possible, aid mothers in making plans for their children's care—with information, advice, and professional supportive services.**
- **Help women preserve and strengthen family bonds.**
- **Provide support to families when the mother returns home.**



Source: Timothy J. Flanagan and Kathleen Maguire, eds., *Sourcebook of Criminal Justice Statistics 1991*. US Department of Justice, Bureau of Justice Statistics. Washington, D.C. USGPO, 1992. The 1994 figures were released by the Department of Justice in a press release on Thursday, October 27, 1994 entitled, "State and Federal Prison Population Tops One Million."

# What Happens to the Children...

## WHEN MOM IS ARRESTED AND DETAINED

**ARREST:** During arrest, little attention is paid to the needs of the woman's children.

Approximately one in five children of incarcerated mothers witnesses his or her mother's arrest.<sup>6</sup> Even if not present at the arrest, the children will often reconstruct the scenario in their minds. On seeing a New York City policeman, one child asked, "Are you the policeman who arrested my mommy?"

Although 67% of the mothers in jail are primary caregivers for at least one of their children, the police rarely ask a woman whether she is responsible for any children.<sup>7</sup> After arrest, a mother is allowed few opportunities to make arrangements for her children's care, usually no more than a quick phone call to a friend or relative asking them to pick up the children.

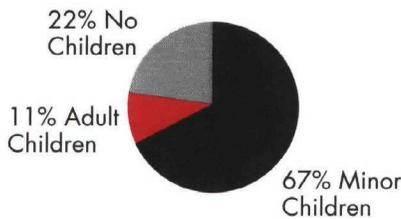
**DETENTION:** After arrest, very few children visit their mother while she is detained in jail.

On any one day, approximately 2,640 children in New York City have mothers in jail at the Rikers Island Rose M. Singer Center, the New York City jail for women. As soon as possible after the mother's arrest, the child needs to see his or her mother to be reassured that she is safe and unharmed. However, visiting at most jails, which house women who are detained awaiting trial or who receive a sentence of less than 1 year, is more difficult than visiting at a prison, which houses convicted felons.

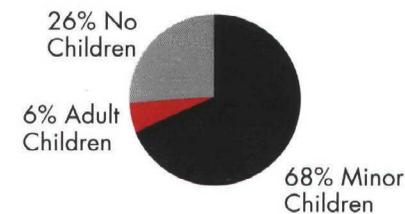
Unlike prisons, jails usually do not allow contact visits in which the inmate and visitor can touch. Instead, children must sit across a table from their parent, often separated by a glass partition. When children come to see their parent, they usually wait a long time in a large, crowded room with absolutely nothing to do. Very few jails offer play areas for children in the waiting room or visiting room. With steel fixtures and concrete, monochromatic walls, the visiting room is not conducive to quality interaction between parent and child. Although jails are located much closer to the child, visiting a woman in jail can be such an ordeal that only a few dedicated caregivers attempt it.

### NUMBER OF INCARCERATED WOMEN WITH CHILDREN

#### Women In Prison



#### Women in Jail



Sources: United States Department of Justice. (1994). *Survey of State Prison Inmates, 1991: Women in Prison*. NCJ-145321. Washington, D.C.: Bureau of Justice Statistics. United States Department of Justice. (1992). *Women in Jail 1989*. NCJ-134732. Washington, D.C.: Bureau of Justice Statistics.

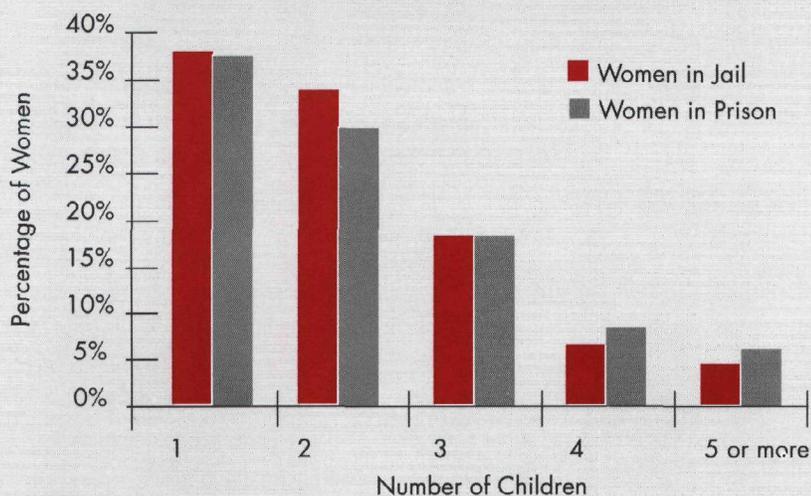
**PLANNING:** Upon arrest, parents must, under pressure, make placement decisions that will be pivotal in determining the quality of their children's care and whether the parents will maintain a relationship with their children.

If the mother is incarcerated, the children will need a stable, loving home with a caregiver who can help the children deal with their feelings about their parent's criminal justice involvement. Finding such a caregiver and equipping the caregiver with the resources he or she needs to provide for the child takes time and effort. The mother's isolation from her community and family undermines her ability to make a good decision.

Women are desperate for a home for their children. Most mothers rely on their extended family to take care of the children. Especially if the mother is a single parent, the grandparents usually assume responsibility for the children.<sup>8</sup> These caregivers often agree to look after the children with little information about how long they will be responsible for the children.

■ **"Brenda," age 11, and "Jane," age 9, spent four years in foster care while their mother was incarcerated. During those four years they moved four times, changed schools four times and lived with four different caregivers. They visited their mother only once.**

**NUMBER OF CHILDREN PER INCARCERATED MOTHER**



Sources: United States Department of Justice. (1994). *Survey of State Prison Inmates, 1991: Women in Prison*. NCJ-145321. Washington, D.C.: Bureau of Justice Statistics. United States Department of Justice. (1992). *Women in Jail 1989*. NCJ-134732. Washington, D.C.: Bureau of Justice Statistics.

**OF THE WOMEN WITH MINOR CHILDREN, THE MAJORITY LIVED WITH AT LEAST ONE CHILD AT ARREST**



As a result, children may be left with caregivers ill equipped to meet their emotional or basic material needs. Overburdened caregivers may seek other relatives to assume responsibility for the child, causing instability for the child. Intra-family disputes damage the mother's relationship with her children and her children's healthy development. Because they often have little contact with either the children or the caregiver, women in prison often feel helpless to aid in parenting their children.

Women who were not primary caregivers for their children before they went to prison also need help planning if they are to be reunited with their children upon release. More than 80% of the mothers plan on living with their children when they are released.<sup>9</sup> The children have waited and prayed, sometimes for years, for their mother's return. For many women, regaining custody of their children is a motivation to stay sober and rebuild their lives. However, rebuilding the relationship takes considerable time and effort. Waiting until the mother is released only further disconnects the mother from her child.

**WHEN MOM IS INCARCERATED**

**QUALITY OF CHILD'S CARE:** The children of incarcerated mothers experience tremendous instability and uncertainty while their mother is imprisoned.

The "average" child of an incarcerated mother will move at least once and will live with at least 2 different caregivers while his or her mother is in prison. Approximately 14% of the children will move two or more times and 11% will have three or more different caregivers. More than 50% of the children will live apart from their brothers and sisters. Maternal incarceration causes between 19% and 25% of these separations.<sup>10</sup>

**CONTACT:** Although it is critical for the children to see their mothers regularly while she is in prison, approximately 50% will not visit their mother.<sup>11</sup>

The frequency of visits is the most important factor for determining whether the family will be reunited once the mother is released.<sup>12</sup> Frequent contact allows both the mother and the child to view each other realistically and prevents them from developing over-inflated expectations of how wonderful life will be when they are reunited. Seeing each other often also enables them to heal the damage to their relationship caused by the mothers' criminal justice involvement. Furthermore, if women do not maintain contact with their children while in prison, they may permanently lose the right to parent their children.

A lack of contact between the mother and child undermines the child's

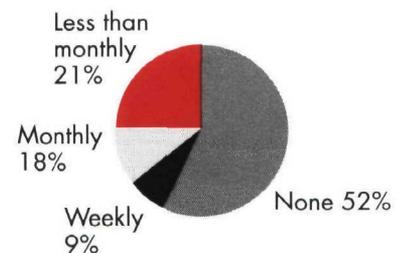
Sources: United States Department of Justice. (1994). *Survey of State Prison Inmates, 1991; Women in Prison*. NCJ-145321. Washington, D.C.: Bureau of Justice Statistics. United States Department of Justice. (1992). *Women in Jail 1989* NCJ-134732. Washington DC.: Bureau of Justice Statistics.

ability to overcome the trauma caused by the mother's arrest and incarceration. Visits allow children to discuss their emotional reactions to their mother's criminal justice involvement, which they may not be allowed to do elsewhere. The children are often too ashamed to confide in their friends or classmates. The children's shame isolates them and prevents them from relying on others.

Even when children remain with their family, they frequently are unable to discuss their mother's arrest and incarceration. Embarrassed by the mother's criminal actions, the family discourages the children from talking about their mother. Both the family and the mother, in an attempt to protect the children, often lie to the children about their mother's whereabouts. They tell the child that the mother is in the hospital, or overseas, or in college. Nevertheless, children usually know or learn the truth. Ironically, efforts to protect the children actually prevent them from overcoming their trauma because they are unable to discuss their fears and concerns.

Finally, children have vibrant imaginations and their perceptions of prison are often considerably worse than the reality. Some children even imagine that their mother is dead. Honesty about the mother's whereabouts and frequent visits alleviate children's fear about their mother's well-being.

#### PERCENTAGE OF MOTHERS WHO RECEIVE VISITS



**OBSTACLES TO VISITATION:** The location of correctional facilities, the changing rules for visitation, and concerns about the effect visiting a prison might have on the children, prevent children from having regular contact with their mother.

Source: United States Department of Justice. (1994). *Survey of State Prison Inmates, 1991: Women in Prison*. NCJ- 145321. Washington, D.C.: Bureau of Justice Statistics.

Because most correctional facilities are located in rural regions and most inmates come from urban centers, women are frequently sentenced to facilities far away from their homes and children. For example, many women from New York City will serve their sentence in upstate New York. The trip to visit a mother imprisoned at Albion Correctional Facility in upstate New York is grueling for caregivers and children. They must travel nine hours, often by bus, to get to the facility. Further, since few families can afford a hotel for the night, they must also travel another nine hours home.

In states where there is more than one women's correctional facility, such as New York, inmates are transferred many times. One mother was detained at Rikers Island until she was sentenced to three years in prison. During her 3 years in the state prison system, she was transferred 6 times. For security reasons, neither the family nor the inmate is notified before or after the state moves an inmate.

Each facility has different rules for visitation and these rules are constantly changing. At Bedford Hills Correctional Facility, the family can visit on any day during the week, but only every other weekend.

■ **After traveling for an hour from New York City, a foster care caseworker arrived at the prison at 11:30 a.m. with three small children to visit their mother. As a security measure, everyday from 11:00 to 1:00 p.m. the facility counts the inmates. Until count has "cleared," inmates are not allowed to move from one area to another. Thus, the children's mother could not come down to the visiting room. The caseworker was faced with a choice of waiting 1 1/2 hours or disappointing the children.**

At Taconic Correctional Facility, right across the street from Bedford, the family can only visit on weekends and holidays. Foster care caseworkers and families are often confused by these rules.

Caring for the children places an immense financial and emotional burden on the caregivers. These families, most of whom are poor themselves, often cannot afford either the cost or time involved in transporting the child for visits.

In New York, state law requires foster care agencies to bring children in foster care to visit only if the mother is incarcerated within 50 miles of the child. Despite this mandate, some caseworkers are reluctant to bring the children to visit even at nearby facilities. Only repeated phone calls and advocacy on the behalf of the mother persuade these caseworkers to bring the children for visits. Few women in prison are able to exert this type of pressure.

Parents, relatives and foster care caseworkers are often afraid of the impact visiting a prison will have on the children. These fears are not supported by existing research. Although children usually display short-term reactions prior to, during and after the visits, these reactions do not last more than a week. Preparing the child for the visit and visiting regularly can alleviate many of these problems. In addition, visiting rooms can be designed to make visiting more pleasant for the children. For example, Bedford Hills Correctional Facility has a special area in the visiting room for children. It is brightly colored and equipped with toys.

## **WHEN MOM IS RELEASED**

**OBSTACLES TO REUNIFICATION:** The difficulty of transitioning into the community, compounded by family conflict, can prevent the mother from living with her children when she is released.

The pressures on women exiting the correctional system are overwhelming. Women are often homeless, penniless and struggling to remain drug free. They receive little pre- or post-release planning or support to help them reunite with their family.

The period of time directly following the woman's release can be difficult for the mother, the child, and the caregiver as they work to redefine their relationship to one another. Mothers and their children do not know each other anymore. Women often complain that their child will not come to them if the current caregiver is there. If children are living with relatives, mothers must convince the related caregivers that they will maintain their sobriety and lead crime-free lives. Even then, relatives are sometimes unwilling to relinquish custody of the children. When grandparents have been caring for the children, generational conflicts often frustrate reunification efforts.

For those parents who gave formal custody to the caregiver or whose children are in foster care, regaining legal custody can be a long and difficult battle. The decisions are never easy, particularly if the mother and child have not had contact for a long period of time. The courts must balance a child's need for permanence and stability against a parent's desire to raise her own child and the benefit to the child of living with his or her natural parent.

**REUNIFICATION:** The mother and child face considerable challenges even after they are reunited.

Once the children are returned to the mother, the problems do not end. Guilt and shame often cause mothers to have difficulty setting limits for their children. Children fear that their mother will relapse or leave. Some children are afraid that, if they misbehave, their mother will send them away. Still other children seek attention by exploiting their mothers' inability to set limits. This situation can be stressful for everyone. One mother said that when she refused to allow her son to watch a program on television he screamed, "I want to go back to my other parents."

As any parent knows, raising children is hard work. The mother's criminal justice involvement and her separation from her children further complicate this task. After a brief "honeymoon" period, the pressures of resuming care for her children place a tremendous, and often unexpected, strain on the mother. In addition to redefining her relationship with her children, the mother is constantly struggling to maintain her sobriety. With limited resources, the mother must also provide her children with the basic necessities of food, clothing and shelter. Finally, the mother must not only nurture her children, but also continue to rebuild her own life.

## THE CONSEQUENCES

The children of women in prison have a greater tendency to exhibit many of the problems that generally accompany parental absence including: low self esteem, impaired achievement motivation and poor peer relations. In addition, these children contend with feelings like anxiety, shame, sadness, grief, social isolation and guilt. The children will often withdraw and regress developmentally, exhibiting behaviors of younger children, like bedwetting.<sup>13</sup>

As the children reach adolescence, they may begin to act out in anti-social ways. Searching for attention, pre-teens and teens are at high risk for delinquency, drug addiction and gang involvement. As adults, the children of incarcerated parents are five times more likely than their peers to end up in prison.

■ **17.2% OF THE WOMEN IN PRISON LIVED IN A FOSTER HOME, AGENCY, OR GROUP HOME WHILE GROWING UP.**

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## Breaking the Cycle of Despair...

■ **MORE THAN 46% OF THE WOMEN IN PRISON REPORTED THAT THEY HAVE ANOTHER FAMILY MEMBER, SPOUSE, MOTHER, FATHER, SISTER, BROTHER, WHO WAS INCARCERATED.**

The interconnected nature of criminal justice involvement, family disintegration and child abuse/neglect demonstrates that the criminal justice system and the child welfare system must work together to meet the needs of these families. We are currently making a substantial investment in both systems with a very poor payoff. Depending on whether the woman is in prison or jail, it costs between \$32,000 - 59,000 a year in New York to incarcerate a woman. We are locking them up not because they are dangerous, but because they use or sell drugs. Each child placed in foster care costs another \$25,000 a year. Despite this tremendous investment, the current system has been ineffective at addressing the causes of criminal justice involvement, substance abuse, poverty, child abuse/neglect and domestic violence. Further, through the pain we inflict on children of incarcerated mothers, we are contributing to the next cycle of "bad outcomes."

**Adoption of the following four principles by criminal justice and child welfare systems can begin to reverse this cycle:**

***When possible, sentence mothers to community correctional alternatives and provide drug treatment and educational services which will enable them to lead self-sufficient lives and take care of their families.*** Prison is very expensive and should be reserved for the very few women who present a danger to society. Community-based programs should provide drug treatment, education, vocational development, and services to increase a mother's ability to parent her own children. Programs like the Hopper Home Alternative to Incarceration Program (operated by the Women's Prison Association) demonstrate that it is quite possible to punish women, while keeping them close to home and giving them the tools to live a more productive life.

As a part of the 1994 Crime Bill, Congress passed the Family Unity Demonstration Project Act, which establishes several community correctional facilities where offenders, who are the primary caregiver for their children before incarceration, can live with their children. The Act provides a unique opportunity to experiment with a criminal justice approach that prevents the parents from engaging in future criminal activity while, at the same time, reducing harm to their children. Although the Act was passed, Congress must still appropriate funding for the project and localities must apply for the federal grants.

***As soon after arrest as possible, aid mothers in making plans for their children's care—with information, advice, and professional supportive services.*** After arrest women need information on their rights, responsibilities and options to be able to make responsible choices. Some written materials have already been created, such as *The Foster Care Handbook for Incarcerated Parents: A Manual of Your Legal*

*Rights and Responsibilities*, which was written by the Inmate Foster Care Committee at Bedford Hills Correctional Facility and highlights New York State law. The criminal justice system should distribute informational materials to parents as soon after arrest as possible.

The Women's Prison Association is working in association with the Volunteers of Legal Services to provide information seminars and legal assistance to women who are planning for their children's care. This is one example of how desperately needed legal and social services might be provided to women at a low cost.

**Help women preserve and strengthen family bonds.** Whenever possible, women should be placed in correctional facilities close to their families. Visitation is not a privilege for the inmate, but rather a right for her family and a benefit to society. If mothers are not with their children, they should be able to call and see them frequently. We must provide transportation and make access to the prison easier for children and their caretakers. The state should standardize and/or publish the visitation rules at all of the prisons to make it easier for families to visit. Visitation hours should be realistic. At least one day a week, there should be extended visitation hours that allow a child to come after school.

## Love

Andre loves his mommy, grandma, his brother, lunch and blue.

Michael loves his brother, mommy, grandma  
pancakes and yellow.

Zenilda loves Alexa, Mommy, cookies, to put  
the napkins down, pink and friends  
at school.

Anthony loves mommy, grandma,  
oatmeal and red.

Prison and jail visiting rooms should be designed to accommodate children. Also, mothers and children need counseling and support to deal with their separation from each other. The Children's Center at Bedford Hills Correctional Facility provides a wonderful model for how to help women in prison maintain family ties and enable children to visit regularly in a warm, nurturing, supportive atmosphere.

***Provide support to families when the mother returns home.***

It does not happen easily, but supportive services make a big difference. The Women's Prison Association's Sarah Powell Huntington House reunites families that otherwise would probably have remained separated. Huntington House helps women overcome the logistical "Catch 22," where women cannot get housing because they do not have their children and they cannot get their children because they do not have housing. Huntington House also provides a nurturing and safe environment for the family to work through the challenges of living together as a family.

We do not have to spend a lot of money to see tangible results. These four principles should serve as benchmarks against which the child welfare and the criminal justice systems review their current policies. Child welfare and criminal justice professionals must collaborate with each other, learn each other's systems, and share responsibility for meeting the needs of these families and children. Working together, we can make a difference.

■ **FROM 1983 TO 1989 THE NUMBER OF WOMEN IN JAIL INCREASED 138%, THE NUMBER OF WOMEN IN PRISON INCREASED 214%. DURING THE SAME TIME PERIOD THE NUMBER OF ADULT ARRESTS OF WOMEN ONLY INCREASED 33.6%.**

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1 According to the Bureau of Justice Statistics the number of women in prison in 1984 was 19,205. In 1991 the number of women in jail was almost 40,000. In 1994, the number of women in prison passed 60,000. Timothy J. Flanagan and Kathleen Maguire, eds., *Sourcebook of Criminal Justice Statistics 1991*. U.S. Department of Justice, Bureau of Justice Statistics. Washington, D.C.: USGPO, 1992. The 1994 figures were released by the Department of Justice in a press release on Thursday, October 27, 1994 entitled, "State and Federal Prison Population Tops One Million."

2 Id.

3 Johnston, D. (1993), *How Many Children of Offenders are There?* Pasadena, California: Pacific Oaks Center for Children of Incarcerated Parents. This study calculates the number of children of incarcerated parents using the following formula: number of women incarcerated in the United States x .70 (the estimated mean percentage of women who have minor children) x 2.4 (the mean number of children per woman).

4 *Survey of State Prison Inmates, 1991: Women in Prison. Women in Jail 1989*. Task Force on the Female Offender. (1990) *The Female Offender. What Does the Future Hold?* Arlington Virginia: The American Correctional Association.

5 Virginia Commission on Youth. (1992), *The Study of the Needs of Children Whose Parents are Incarcerated*. Richmond, Virginia: Author.

6 Johnston, D. (1993). *Jail Visiting Room Environments*. Pasadena, California: Pacific Oaks Center for Children of Incarcerated Parents.

7 United States Department of Justice. *Women in Jail 1989*.

8 Virginia Commission on Youth. *The Study of the Needs of Children Whose Parents are Incarcerated*.

9 United States Department of Justice. *Women in Jail 1989*.

10 Johnston, D.(1993). *Report No. 13. Effects of Parental Incarceration*. Pasadena,California: Pacific Oaks Center for Children of Incarcerated Parents.

11 United States Department of Justice. *Survey of State Prison Inmates, 1991: Women in Prison*.

12 Virginia Commission on Youth. *The Study of the Needs of Children Whose Parents are Incarcerated*.

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## **WOMEN'S PRISON ASSOCIATION AND HOME, INC.**

The Women's Prison Association and Home, Inc. (WPA) is a nonprofit agency working to create opportunities for change in the lives of women prisoners, ex-prisoners and their families. WPA provides programs through which women acquire life skills needed to end involvement in the criminal justice system and to make positive, healthy choices for themselves and their families.

In existence for over 150 years, WPA maintains a tradition of public information and advocacy designed to ameliorate jail and prison conditions for women. WPA also strives to increase public awareness of and support for effective, community-based responses to crime.

### **PROGRAMS**

WPA has been at the forefront of services and advocacy for women involved in the criminal justice system and their children. Through the following programs, WPA continues to break new ground in helping families chart their futures.

■ The ***Sarah Powell Huntington House*** is our transitional residence for homeless mothers leaving prison or jail who seek to reunite with their children. Huntington House provides intensive counseling, parenting skills training, and family support services to help women rebuild their families. *The Huntington House Children's Center* offers child care for infants and preschoolers as well as after school and weekend enrichment programs for older, school-aged children.

■ The ***Hopper Home Alternative to Incarceration (ATI) Program*** is a residential and reporting program which provides case management, referrals, and intensive supervision to women who would otherwise be in jail or prison. While helping mothers gain the skills necessary to end drug use and criminal involvement, *Hopper Home Family Services* work to keep families together through foster care prevention and family reunification.

■ The ***Transitional Services Unit (TSU)*** provides pre-release planning, comprehensive case management, and HIV/AIDS services. The TSU helps incarcerated and newly released women plan for the future and obtain health care, housing, and other services for themselves and their children in the community.



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