

Families of Incarcerated African American Men: The Impact on Mothers and Children

by

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Abstract

Scores of research studies have demonstrated that African American men, more than any other men of differing races and ethnicities, are incarcerated at levels today higher than they were just 25 years ago. Other research has demonstrated that the combination of “Rockefeller” drug laws, disparities in sentencing, mandatory minimum sentences, and the inability to pay for qualified counsel all contribute to these high rates of incarceration as well as, in many cases, sentences that are disproportionately long for the crimes committed. What we know less about is the impact on the families of these men once incarceration takes place and this includes their wives, girlfriends, mothers, significant others and their children. This paper is an analysis of all of the aforementioned factors also including fiscal issues, schooling, visitation and the overall “collateral damage” of incarceration on families of incarcerated African American men. The analysis ends with policy proposals for decreasing the debilitation impact of incarceration on African American families in the 21st Century.

Keywords: African American Men; Incarceration; African American Children; African American Mothers; Culture; Economics

Introduction

Radical changes in crime control and sentencing has led to an unprecedented buildup of the United States prison system. Unbelievably, by the end of 2002 the number of inmates in the nation's jails and prisons exceeded two million inmates (Roberts 2004,1272). While the imprisonment rate varies widely by state we know that today there are approximately 2,266,832 prisoners in US jails and prisons.

Figure 1: World's Leading Jailer



<http://voiceofdetroit.net/2012/12/07/land-of-the-free-home-of-the-imprisoned/us-world-leading-jailer/>

Today's imprisonment numbers are five times as high as in 1972 and this surpasses that of all other nations around the world. The sheer scale and acceleration of U.S. prison growth has no parallel in western societies. Locking up young African American males who are grossly overrepresented in these numbers fuels this extraordinary prison expansion.

To put it another way, Jimmy Carter, the 39th President of the United States (1977–1981) speaking at the 50th Anniversary of the March on Washington (Aug 28, 2013) noted that from the time he left office in 1981 through 2013 some 835,000 African-American men went to prison --five times as many when he left office. This insight, these figures as chilling as they are, reveal the deep destructive claw removing African American men from their families and leaving behind wives, mothers and children.

Moving beyond incarceration itself, according to the US Bureau of Justice Statistics there are overall some 7 million American citizens in the grasp of the US Criminal Justice System—including in jails, prisons and under its supervision vis-a-vis probation and parole. A large percentage of them are African American men – approximately half.¹

Literature Review and Theoretical Frameworks

Scholars think about incarceration from many different perspectives. And, though in a paper of this length we would never be able to explore them all, we will consider a range of the scholarship that focuses on incarceration and the impact it has on families. One interesting measure of the impact of incarceration is perception. In a July, 2013 Gallup poll asking about the severity of the US Justice System and how it impacts the life chances of Americans some 68% of African American said that it was negative and devastating. Only 25% of Whites agreed (<http://bit.ly/11ak04y>).

Such a significant difference of perspective tells us a lot about how the two-worlds –one White, the other Black—see things. All of this is analyzed by sociologist Andrew Hacker in his riveting book *Two Nations: Black and White, Separate, Hostile, Unequal* (<http://amzn.to/15LxbLf>) which follows on the conclusion of the Kerner Commission where the finding was “Our nation is moving toward two societies, one black, one white—separate and unequal (<http://historymatters.gmu.edu/d/6545/>).”

Our argument in this paper is framed primarily by the race, class and gender paradigm which was largely developed by African American and multiracial feminists (Anderson 2001; Davis 1983; Hill-Collins 1994, 2004; King 1988; Zinn 2005). This theoretical paradigm rests on the assumption that systems of oppression and domination (i.e. patriarchy, capitalism, and racial domination) exist independently *and* are woven together in what Baca Zinn and Thornton Dill (2005) refer to as a matrix of domination. Furthermore, the race, class, and gender paradigm requires that the data be analyzed not only with attention to individual social locations but more importantly with attention to the inequality regimes (Acker 2006) that are based in the systems of patriarchy, capitalism, and racial domination.

As powerful an analytical tool as this framework is, one of the shortcomings of *the use* of the race, class and gender paradigm by other scholars is the tendency to focus on the individual level rather than the structural level. In other words, often the analysis focuses on the race, class, and gender of individual actors and how these status locations shape experiences. We focus our analysis on the structural level and the ways in which different systems of domination are mutually reinforcing: patriarchy is woven with racism (or race supremacy) both of which are woven with capitalism. For example, we are not focused on the social class or race of individual inmates, but instead examine the ways in which capitalism and the system of racial domination collude to cordon-off African American men from their families and communities in ways that devastate not only the families of these incarcerated men, but indeed entire African American communities, especially those Eugene Robinson (2010) terms “The Abandoned.” In short, the task before us involves beginning with the question of “why” the US incarcerates so many of its citizens. In getting to the “why” we begin to get closer to the impact of incarceration on families.

In Lois Pressers’s book *Why We Harm* (2013,108) trying to understand just that, she put it thus:

We want to control because we tell ourselves a tale of losing control—of being powerless in the face of menace--when we should rightly possess it. The right to control and the ever present threat of its disappearance are both especially salient in the American story... Proper people have power over other people. *Proper* people are people who are entitled to wield power: the logic is circular. The structural projects identified with mass incarceration, such as containing minorities or the poor, rely on similar discourses concerning power and powerlessness, as well as the simplified and downgraded essence of the population in question.

This is similar to the conclusion that Erik Olin Wright draws in his discussion of the relationship between communities with low human capital and the development of both ghettos and a system of mass incarceration.

In the case of labor power, a person can cease to have economic value in capitalism if it cannot be deployed productively. This is the essential condition of people in the ‘underclass’...above all [they lack] the necessary means to acquire the skills needed to make their labor power saleable. As a result they are not consistently exploited...the underclass consists of human beings who are largely expendable *from the point of view of the logic of capitalism.*

Like Native Americans who became a landless underclass in the nineteenth century, *repression rather than incorporation is the central mode of social control directed toward them*. Capitalism does not need the labor power of unemployed inner city youth. The material interests of the wealthy and privileged segments of American society would be better served if these people simply disappeared. However, unlike in the nineteenth century, the moral and political forces are such that direct genocide is no longer a viable strategy. The alternative, then, is *to build prisons and cordon off the zones of cities in which the underclass lives* (Wright 1997,153).

There isn't a better way to put it when we look at the larger picture of massive incarceration in the US and try to explain this to others. Furthermore, Wright's perspective in particular reinforces our argument that the burdens of mass incarceration are disproportionately born by Robinson's "abandoned."

As noted above, incarceration is a serious and understudied problem in the African American community. The United States incarcerates more citizens than any other industrialized nation in the world. In terms of the total prison population, although African Americans (men and women) make up approximately 13% of the U.S. population, *African American men* make up nearly *half of all inmates*, throughout the criminal justice system (Tonry 2008).

And while both Presser (2013) and Sykes (1956) have made valiant attempts to *explain* this "culture of incarceration" in the US, it is Tonry's 2007 presidential address to the American Society of Criminology that hits the nail on the head in terms of offering a clear reason why we live in a "Culture of Incarceration" in America.

American governments do things to their own citizens that are unimaginable in most other Western countries, and Americans support those policies, too. Capital punishment, sentences for life without the possibility of parole (LWOP), mandatory minimum sentences measured in decades, and prosecution of children as if they were adults are as little known in other Western countries as are rendition, torture, and places like Guantanamo. The aims of this article are to explain why human-rights concerns that powerfully animate the criminal justice policies of most Western nations are so weak in early twenty-first-century America, and why black Americans bear the brunt of those policies. Governments in the end can operate only within the "boundaries of political permission" that citizens set. Abu Ghraib, Guantanamo, rendition, and waterboarding fall within the boundaries permitted by American political culture.

So do capital punishment, sentences of life without the possibility of parole, three-strikes laws, decades-long mandatory minimums, and prosecutions of children as if they were adults. All of these policies, foreign and domestic, operate as if on the premise that the individual human beings they affect need not be regarded with empathy and respect.

When we published our first book on African American families (2007), we included a discussion, indeed an entire chapter, on incarceration. During the process when the manuscript was undergoing review, several of our scholarly peers questioned why we would include this lengthy discussion in a book on African American families. Our research revealed that until our book this type of chapter had been absent from any discussion of African American families.

What we did not connect in our first book, and we only later explored in our most recent book on African American families (2012) was how DEEP the cordoning off process has been and how significant a role it plays in furthering the schism between African Americans and communities at the ends of the social class spectrum. That is, the impact of the familial collateral damage growing from mass incarceration on the African American Family is hard to capture in a brief paper but suffice to say that this familial collateral damage can be seen and felt in several different ways by African American families and their communities.

The devastating effects of incarceration on the African American family (see Swan 1981) as well as to the African American community got overlooked in previous studies of African American families and yet it is such a vital piece to our understanding of so many social problems and can provide the key link to developing realistic and effective solutions.

In this paper we will highlight the role that incarceration plays in contributing to intimate partner violence (IPV), HIV/AIDS, low marriage rates and the risk for incarceration among the children of inmates as well as providing for their care.

Methods

Methodologically, the data for this chapter come from two previous research projects that we conducted in the 2000s that examined the impact of incarceration and IPV on African American families. In the first study, conducted in 2004 and 2005, we interviewed 50 men and women who were living with IPV. We conducted half of the interviews in a mid-sized southern city and the remaining in a mid-sized city in the upper Midwest. The majority of the men and women we interviewed were couples, though for obvious safety reasons, the interviews were conducted separately. In some cases the couple was still living together and in other cases they were separated and living apart. Three of the men we interviewed for this project were in jail at the time of the interview.

Subjects for this study were recruited based on their interaction with services for families living with IPV. About half of the women we interviewed were living in a shelter at the time of the interview. About half of the men were enrolled in a county run batterer intervention program. The remaining subjects were receiving services from a county pilot project designed to assist families living with violence to be able, based on their desires, to remain in contact and co-parent their children. Social workers helped families to develop safety plans and all members of the family received regular counseling and appropriate interventions.

Data were collected using semi-structured interviews that mimicked life-histories. Each subject was asked to begin by talking about the family in which they grew up, their first dating relationships, and the details of their current or immediately former relationship. Subjects disclosed hundreds of acts of violence as well as child sexual abuse, prostitution and substance abuse. Additional information on sampling and measurement as well as findings from this study have been reported in a variety of places, including (Hattery and Smith 2007, Hattery 2008, and Hattery and Smith 2012).

We conducted a second study in a mid-sized city in the South East in 2008 in which we interviewed 25 men returning from prison. Subjects for this project were recruited through a re-entry program designed to assist people leaving jail or prison in their transition back into the “free world.” Much like the previously mentioned study, data were collected using semi-structured interviews. Subjects were asked to begin by talking about the families they grew up in, their first “trouble with the law” and the events that landed them in prison. Subjects disclosed hundreds of crimes, mostly drug and property crimes, though we did interview two convicted sex offenders. Time in jail or prison ranged from about a year to more than 35 years across one’s lifetime. Two of the men we interviewed had served individual sentences of 12-15 years. At the time of the interview subjects were living in a variety of circumstances including with family--- typically mothers, but also in some cases with wives---and in homeless shelters. Some were employed, though many were not. The majority disclosed continued substance abuse. Additional information on sampling and measurement as well as findings from this study are reported in Smith and Hattery 2010.

Finally, other sources of secondary data inform the arguments in this paper, including data from the US Census, the Bureau of Justice Statistics, and research conducted by Pew Charitable Trust.

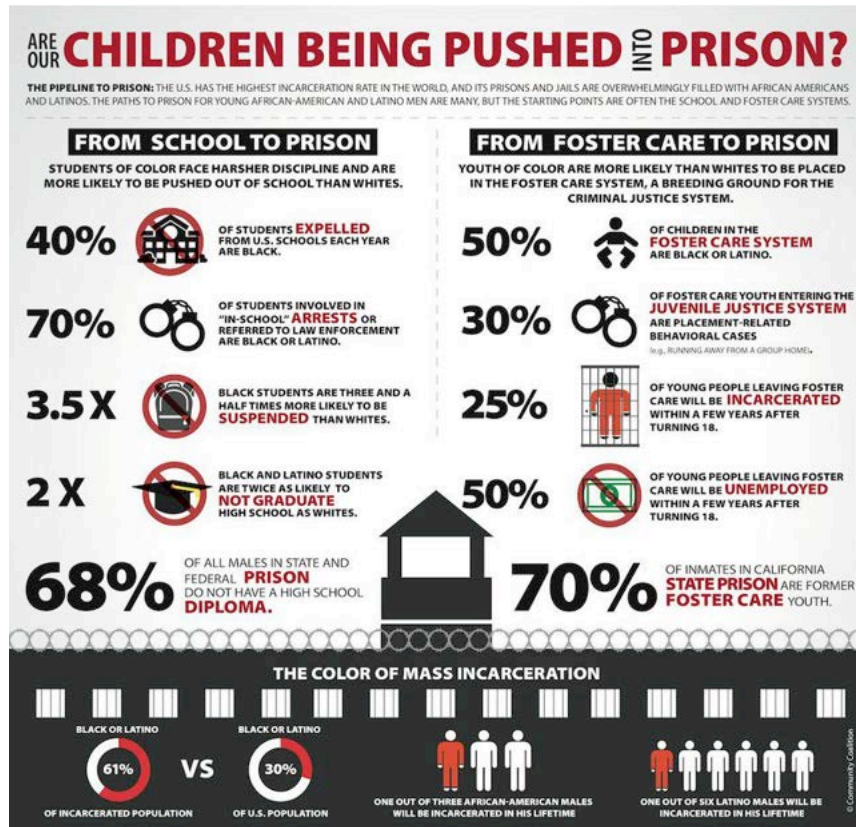
Findings

On any given day, 1 million African American men are in prison, and many more are in jail or under the supervision of the criminal justice system (e.g., parole, probation, electronic monitoring, etc.). On any given day, 250,000 children have a mother in prison and 1.5 million children have a father in prison; thus, literally millions of African American families experience the very real consequences of the impact of incarceration.

We pay special attention to the children of incarcerated parents and herein the fathers. There is no single story that describes what it is like for a child to have a parent who is incarcerated. In a PEW Charitable Trust report from 2010 we learn that there are approximately 2.7 million children with a parent in prison and that this figure accounts for 1 in 9 (or nearly 400,000 based on US Census calculations) African American children.² These children bear the indelible stigma of having an incarcerated parent and for our analysis no father at home. The majority of work on the negative effects on children as a result of a fathers' incarceration deals with parent-child separation that leads to behavioral problems (Sack 1977).

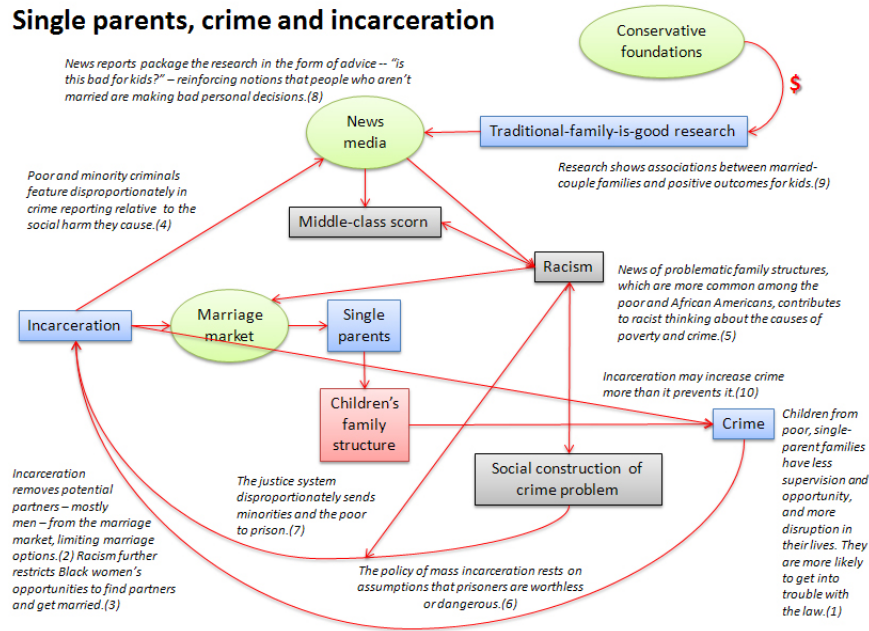
The effect, impact, of imprisonment that former President Jimmy Carter talked about is that mass incarceration has had a profound effect on the family life of African Americans - caught in the web of the criminal justice system (Western and Wildeman. 2009:222). The real tragedy of this family disruption is that the African American children with an incarcerated father are themselves more likely to end up in prison after the age of 18. More research is needed here in that the "school-to-prison pipeline" studies take a glib sound-bite to try an explain a very complex problem.³

Figure 2



When a father goes to prison, obviously the care of his children is relegated (if it hasn't been already) to other relatives, most often women in his life.

Figure 3 – Single Family & Incarceration



Though the majority of African American children whose father is in prison are cared for by their mothers, and somewhat less often by their grandmothers, too many of these children end up in foster care (Smith, Dorothy 2013; Pecora 2005). Among children with a father in prison, African American children are 7 times more likely to be in foster care than children of other race or ethnicity (Sokoloff 2003).

Many foster care homes are overcrowded, underfunded and many of those homes are single family units struggling to make ends meet. The McCuiston Foundation working with Evy Kaye Ritzen undertook a study in Baltimore and found that among foster care children, 12-18 months after they aged out of foster care:

- 27% of the males and 10% of the females were incarcerated
- 33% required public assistance
- 37% had not finished high school.⁴

The Intergenerational Cycle of Prison

As noted, there are many negative outcomes for children with a parent in prison, including an increased risk for poverty, problems in school, particularly an increased risk for dropping out of school, and instability in their home lives (Hairston 2009). When their father goes to prison, 88% of children will live in single-parent households headed by their mothers, 10% will live with other relatives and 2% will be in foster care (Glaze and Maruschak 2008).

Clearly, having a parent in prison creates stresses and challenges for children that put them at increased risk for entering the criminal justice system themselves. It is estimated that when a child's mother is incarcerated (75% of these children's father was also incarcerated, Glaze and Maruschak 2008) they are six times more likely to enter the juvenile or adult justice system themselves (Chesney-Lind 1998).

I've been a social worker for a long time and it's heartbreaking when I see our kids grow up in foster care and go from group home to juvenile hall, to jail and then to prison. And, I see their children come into the foster care system, and the generational cycle starts again. (Annie Casey, 2011:5)

Marriage

African Americans have the lowest rate of marriage of all racial/ethnic groups (Hattery and Smith 2012). Our concern here is not a moral one, but rather one based on both data and publically expressed desire to marry. First of all the data. Blacks and whites married at the same rate until about 1960. By 1970 there was a 10 percentage point difference in the likelihood of every marrying and by 2000 Blacks were almost half as likely to ever marry as whites. And, perhaps more notable is the fact that almost half of African Americans never marry.

And, though there are many factors that contribute to lower rates of marriage in the Black community (see Hattery and Smith 2012 for a lengthy discussion of this), children in single parent, (almost always) female-headed households, are poor.

In fact, today 75% of African American children are born to single mothers and 40% of these families fall below the poverty line. So, for very practical reasons we are concerned about the extremely low rates of marriage among African Americans.

Secondly, perusing magazines like *Essence* or watching television shows like *The Steve Harvey Show*, one constant theme expressed by African American women is the desire to marry and the denigration of Black men whom they claim refuse to marry. During late 2013 this debate emerged in the blog-o-sphere around Beyonce's recent album and her 2008 hit "Put a Ring on It" with Black women bloggers claiming that Beyonce's lyrics were not in fact endorsing traditional gender roles but rather a call to Black men who are committed partners to actually "pull the trigger" and enter into a legal marriage.

Given both the data and the expressed desire for marriage, low rates of marriage in the African American community are of concern. As noted, there are many factors that contribute to low rates of marriage, including under and un-employment and homicide (Burton 1990; Hattery and Smith 2012), but a significant contributor is incarceration. Simply put, incarceration removes men from the community often for long periods of time and almost always during the typical years for marriage (18-34). And, though some of these men would have been deemed "unmarriageable" for other reasons, including under or un-employment, long prison sentences make marriage a virtual impossibility.

Additionally, for those men who did marry, incarceration disrupts marriages and often results in divorce. Incarceration is extremely resource intensive for spouses on the outside who must travel long distances for visits, pay hefty fees for telephone calls, and support and care for the family alone. When sentences are very long, many couples choose to divorce, saving not only the resources, but allowing the non-incarcerated partner to move on and enter other relationships.

All of these disruptions to marriage also, we note, disrupt parenting relationships as well. So, the impact of incarceration on children is significant. Unlike spouses who can choose to divorce, incarcerated parents must figure out how to arrange for the care of their children during their incarceration and they must develop strategies for parenting from prison. This is especially important if their sentences mean that they will someday return home.

HIV/AIDS

African American women are the fastest growing group to be diagnosed with HIV/AIDS. And, just as with marriage rates, though there are a variety of causes for this, one of them is the incarceration of their male partners. Almost a third of all African American men in prison are there for drug convictions. Certainly not all of these men are IV drug users, nor do they all enter prison HIV positive. However, not all states test for HIV/AIDS when inmates are admitted. Even among those who do for reasons of medical confidentiality do not segregate HIV positive inmates, though they do use this information to determine appropriate medical protocols, including dispensing of HIV medications.

According to the Bureau of Justice Statistics, 1.4% of the inmates entering prison are HIV positive (Maruschak 2012). As one can imagine, a prison is perfectly designed for HIV transmission. Not only are men having sex with men (consensually and non-consensually), but fights are very common and the tool most used besides the fists are shanks. Thus, exposure to blood is significant. Its difficult to estimate how many men are infected while incarcerated but its clear that HIV transmission is occurring. When men leave prison and resume sexual relationships with women on the outside these women are at risk for contracting HIV. Like the gift that keeps on giving, incarceration is a contributor to the trend that African American women constitute the fastest growing population contracting HIV.

Intimate Partner Violence

Very little attention, if any, is given to the impact of incarceration on family life, and even less is given to the role that incarceration plays in intimate partner violence (IPV). Very few if any scholars have focused on the relationship between incarceration and IPV other than to note that women who are incarcerated are disproportionately likely to have been victims of gender based violence, including rape, sexual assault and domestic violence (Islam-Zwart 2004). In research we conducted for several books (Hattery and Smith 2007; Hattery 2008; Hattery and Smith 2012) we interviewed 50 battered women and abusive men. Among the African American men and women in the sample, one of the themes that emerged and that distinguished them from their white counterparts, was the role that incarceration played in the violence.

Hence, one of the unique contributions that our work makes to the literature on IPV is the attention we pay to the role that incarceration plays. And, though the relationship between incarceration and IPV should hold for men of any racial or ethnic identity, it is particular impactful in African American families because of the sheer number of Black men who are incarcerated.

Nearly one-third of all Black men will spend some portion of their lives being incarcerated and thus understanding the role that incarceration plays in IPV in the Black community is critical (see, in particular, Hattery and Smith 2007, Hattery 2008, and Hattery and Smith 2012).

Though none of the abusive men we interviewed had been incarcerated for violence they perpetrated against their wives and girlfriends, which is consistent with the very low rates of incarceration for intimate partner violence nationally (Hattery and Smith 2012), among those who had been incarcerated, mostly for drug offenses and property crimes, their time in jail or prison contributed to their abusive behavior when they returned home. The primary mechanism that links incarceration and IPV is jealousy. While men are incarcerated, as noted above, their wives and girlfriends have to conduct their daily lives and strategize how to take care of themselves and more often than not their children on their own. Understandably, they develop new friendships and begin to rely even more heavily on others for help; watching the children, assisting with errands, and home and car maintenance. Certainly some women do engage in sexual activity with other men while their partners are incarcerated, but even for those who do not, but who develop friendships with men, these relationships are a source of jealousy for their partners who return home only to find new people hanging around. Thus, for couples who were engaged in IPV before the period of incarceration it is likely to continue after release, and for those who weren't, it is often triggered by the incarceration and begins upon release.

There are three specific ways in which the high rates of incarcerating African American men can lead to violence in their homes. The first is that time in prison can, quite simply, socialize men to be more violent and most importantly to solve conflict with violence. Learning to fight in prison teaches both violence as a conflict resolution strategy and it reinforces the strategy that to the notion of a “real” man, in essence to be masculine, can be demonstrated through violence.

Second, men (and women) exiting prison face huge barriers to employment. Because it is legal for employers to ask about felonies and about periods of incarceration, and because they can legally refuse to hire ex-offenders, and often do, it is very difficult for men coming out of prison to find stable employment. When they can't, they fail as breadwinners—or even as basic contributors—and, this can lead to violence in their relationships and homes.

Third, and perhaps less obvious, is the fact that incarceration puts strains on intimate relationships. Men who are locked up have hours and hours each day to think and one of the things they worry about is whether their wives and girlfriends are waiting for them and being faithful to them. Similarly, as committed as wives and girlfriends may be, depending on their circumstances and the length of the incarceration, they may move on with their lives.

They may simply become interested in someone who is present! Or, more likely they need to find a partner with whom they can share the household expenses—they need a man to help provide for them—and this practical concern may lead to them seeking and entering into new romantic relationships.

Whether real or imagined, the jealousy that can arise when men are incarcerated can come home with them. And, when it does, especially when there are signs that either his wife or girlfriend has started a new relationship or even formed friendships with other men this can be a “trigger” to violence; this was illustrated to us by Wanda and Chris, both of whom we interviewed. At the time we interviewed them, Chris was incarcerated for making violent threats against Wanda, his long time, live in girlfriend, and her children. In addition to making verbal threats, he was finally arrested when he took a gas can and poured gasoline around their home threatening to burn it down.

Chris had been in and out of jail and prison across their 20 year relationship, mostly for drug convictions and felony assault---as a former boxer Chris often got in fights when he was drinking or using drugs. During his periods of incarceration, Wanda makes friends with other men who continue to call her and come by after Chris is released back into the “free world.” On a typical evening or weekend when Chris is “out,” other men call and drop by “their” house to see Wanda. This was a major trigger for Chris. He was jealous. When he tried to physically assert what he saw as “his right to his woman,” Wanda “reminds” Chris that he because he was not the breadwinner in the household—based on his frequent incarcerations as well as a disability—he had no claim to enforce the “rules.”

My house. I'm paying all the bills. I'm talking about rent, gas, light, phone, cable, everything. Everything. Everything. I even buy his deodorant, okay? So who are you? 'I don't want nobody around my woman.' All this and that, this and that. 'What you want with my woman? Don't be calling my house!' But this is his house he say. I'm like, I said, 'mother fucker, this ain't your damn house. This is my mother-fucking house! You can get the fuck out!' So now I'm mad. Now I'm like get the hell out.

The long and short, then, is that many of the problems that plague African American men—unemployment, wage discrimination, and incarceration to name a few—impact families in yet another way: increased rates of intimate partner violence.

Successful Reentry and the Role of Family

We argued extensively in *Prisoner Reentry and Social Capital* (2010) that social capital is a critical predictor of successful reentry or its converse, recidivism. Social capital is important for several reasons: (1) enabling family reunification, (2) predicting the former inmate's ability to find housing, and (3) it is critical in a former inmate finding employment. In short, when inmates return to the free world they have many strikes against them legally and in terms of perception; former inmates are frequently denied access to public housing, they face bans on holding a driver's license, if they are drug felons they are banned from all forms of social welfare, and because it is legal to ask on job applications if one has ever been convicted of a felony they face serious employment discrimination.

Social capital is all about networks and connections, and thus a recently released inmate who has sufficient social capital will be able to rely on friends and family members to provide a place to live and a strong reference for employment. Also, if he or she has maintained contact with family during this period of incarceration family reunification will also be facilitated which can aid in both housing and finding a job. In fact most social scientists who do post-prison research agree on this all-important point (Travis 2005) and thus it is important to understand the barriers to maintaining contact with family members while incarcerated and the stresses that maintaining meaningful contact put on the family members.

We provide an illustration of the "costs" associated with maintaining social capital: travel and phone calls.

Travel: Using New York as the empirical example, a state that incarcerates tens of thousands of individuals, demonstrates the severe costs.⁵ Departing from the Port Authority Bus Terminal in central Manhattan using the Flamboyant Bus Service traveling on thruways to upstate prison facilities—including Green Haven, Fishkill, Attica, Auburn, Collins, Livingston, Orleans, Five Points, Monterey, Elmira, Southport, Great Meadows (Comstock), Greene, Willard, Cayuga, Gowanda, Groveland, Albion, Wende, Wyoming and Sing Sing—the price of the ticket is in the neighborhood of \$50.00 round trip. Children do not ride free and their tickets range from \$15.00 to \$25.00 per child. And, depending on the location of the prison may take 7 or 8 hours each way.

Phone Calls

Long distance phone calls have been in the news lately as the Federal Communication Commission (FCC) after decades of stalling finally addressed the exorbitant fees inmate families had to pay for long distance telephone calls or what professor Jackson (2005) calls “deeply inequitable pricing schemes.” (p.264) Most state departments of correction engage in contracts with phone providers like AT&T which charge exorbitant per-minute fees that are split between the prison and the phone company. Often family members are charged \$4 to connect the call and 70 cents per minute to talk with their incarcerated loved one. A 15-minute call is thus \$15-16. Given that most inmates, especially those serving long sentences, come from poor families, it is nearly impossible to understand how families maintain any contact when someone is incarcerated.

In itself, returning home is difficult for the male who now most likely has a felony. If travel to distant prisons and scarce resources constrained or even prevented family visits this makes returning home all that more difficult. Visher (2013,12) reports that frequent visits by family members make reentry a positive experience and can likely cut down on recidivism. Visher also reports the following, making reentry a complex post-prison experience to navigate:

...family members have the potential to serve as both positive and negative influences. Family contact after release may also lead to negative outcomes for released prisoners and their families, particularly in cases where family members do not serve as positive or prosocial influences and in cases where relationships are strained or unstable. For example, family contact after release may be linked to increased interpersonal conflict and higher rates of emotional difficulties. It is important to note, however, that the majority of research on family and reentry has examined family contact and support generally without distinguishing between the distinct types of relationships that exist within families.

What is to be Done?

A good starting point to the question of “what is to be done” is with the proposals by Attorney General Eric Holder during his tenure. Mr. Holder dropped the gauntlet in terms of challenges to the existing legal structure of mandatory minimum sentences. For brevity sake here is what Mr. Holder has proposed. For the past four decades or so, since the inception of the Rockefeller Drug Laws, sentences were determined by a grid. For example in New York State in 1973 the law required a mandatory minimum sentences of 15 years to life imprisonment for possession of more than 4 oz (112 g) of a hard drug such as heroin or cocaine. State judges had to abide by these guidelines even if they disagreed with the length of the sentence (Fortner 2013).

Mr. Holder’s proposal is that these mandatory minimum sentences for non-violent crimes be removed. In his address before the American Bar Association, August 12, 2013 he had this to say about mandatory minimum sentences:

We will start by fundamentally rethinking the notion of mandatory minimum sentences for drug-related crimes. Some statutes that mandate inflexible sentences – regardless of the individual conduct at issue in a particular case – reduce the discretion available to prosecutors, judges, and juries. Because they oftentimes generate unfairly long sentences, they breed disrespect for the system. When applied indiscriminately, they do not serve public safety. They – and some of the enforcement priorities we have set – have had a destabilizing effect on particular communities, largely poor and of color. And, applied inappropriately, they are ultimately counterproductive. This is why I have today mandated a modification of the Justice Department’s charging policies so that certain low-level, nonviolent drug offenders who have no ties to large-scale organizations, gangs, or cartels will no longer be charged with offenses that impose draconian mandatory minimum sentences. They now will be charged with offenses for which the accompanying sentences are better suited to their individual conduct, rather than excessive prison terms more appropriate for violent criminals or drug kingpins.⁶

We need to rally support for Mr. Holder's proposal.

As we have argued elsewhere, we need to develop successful drug and alcohol treatment facilities. The majority of drug offenders who are sentenced to prison are never provided treatment. Entering prison and returning to the "free world" as an addict offers little hope for lowering recidivism rates. And, coupled with the "three strikes you're out" laws, our prisons are filled with African American men doing life sentences, being warehoused, for nothing more than having three possession convictions (Hattery and Smith 2010).

As we have argued throughout this paper, we need to ensure, where it is desired, the maintenance of contact between incarcerated individuals and their families. We see at least two policy changes that would assist this: (1) housing inmates as close as is possible to their home communities and (2) eliminating the profit-making system of exorbitant fees for phone calls. Today any American with a cell phone can make unlimited long-distances phone calls for no additional fee. This is the world we live in, let's extend it to the families suffering through the period of a family member's incarceration.

Lastly, we acknowledge the need to support children of incarcerated parents. There are pilot programs that provide children the opportunity to visit their parents, mostly mothers, in prison. Many of these programs also include parenting skills courses as well. During visits, social workers can be working on positive parenting. This would likely reduce recidivism as well as mitigate the negative consequences of incarceration on the children left behind. We highlight the work of social service groups like New Hope in Tulsa, Oklahoma. This organization provides social support, tutoring, mentoring, college preparation courses, and sports for young boys and girls who have a parent or parents in prison. (<http://www.newhopeoklahoma.org>)

Conclusion

Sociologists, for example, like William J. Wilson who is credited with reinvigorating the fight against poverty, in similar ways to economist John Kenneth Galbraith's (1958) influential book on affluence read by President John F. Kennedy that push started the "war on poverty" prior to Kennedy's assassination Friday, November 22, 1963⁷ did not see incarceration in poor African American families as critical for understanding urban poverty.

We do not criticize these social scientists for missing the critical links between family disruption and incarceration but what is decisive is that the prison boom was well on its way by the 1980's (Wildeman 2009), corresponding with the research on African American families showing signs of instability (see Burton 2007).

Additionally, we underscore the point that Comfort (2009) makes about "secondary prisonization," where the intimate female partners of these incarcerated men through visits to the prison take on the mores and culture of the prison themselves becoming "quasi inmates." Like their intimate partners incarcerated they, too, become institutionalized and dehumanized while making visits to the prison.

Finally, it is important that we also remember that a prison sentence today is all about punishment, not rehabilitation and that punishment in the form of long prison sentences has contributed significantly to the destabilization of African American families (Roberts 2004; Sykes 1956; Lerman 2012).

References

- Acker, Joan. (2006). *Class Questions Feminist Answers*. Lanham, MD: Rowman & Littlefield
- Adams, Bert. (1988). "Reuben Hill and the State of Family Sociology." *Journal of Comparative Family Studies* 19,345-359.
- Adams, Bert. (1988a). "Fifty Years of Family Research: What Does It Mean?" *Journal of Marriage and the Family* 50,5-17
- Andersen, Margaret. (2011). "Restructuring for whom? Race, class, gender, and the ideology of invisibility." *Sociological Forum* 16,181–201.
- Annie Casey Foundation. (2011). *When A Parent is incarcerated: A primer for social workers*. <http://www.aecf.org/resources/when-a-parent-is-incarcerated/>
- Banks, Richard. (2012). *Is Marriage for White People?: How the African American Marriage Decline Affects Everyone*. Plume Publishers.
- Becker, Gary. 1975. *Human Capital: a Theoretical and Empirical Analysis, with Special Reference to Education* (2d ed.). New York: National Bureau of Economic Research Distributed by Columbia University Press.
- Burton, Linda and Melinda Tucker. (2009). "Romantic unions in an era of uncertainty: A post-Moynihan perspective on African American women and marriage." *The Annals of the American Academy of Political and Social Science* 62, 132-148.
- Burton, Linda. (2007). "Childhood Adultification in Economically Disadvantaged Families: A Conceptual Model" *Family Relations* 56, 329-345.
- Chesney-Lind, M. (1998). "Women in prison: From partial justice to vengeful equity". *Corrections Today* 60, 66-73.
- Collins, Patricia Hill. (1994). "Shifting the center: Race, class, and feminist theorizing About motherhood." In *Mothering: Ideology, experience, and agency*, ed. E. Glenn, G. Chang, and L. Forcey, (pp.-45–66). New York: Routledge.
- Collins, Patricia Hill. (2004). *Black Sexual Politics: African Americans, Gender, and the New Racism*. New York: Routledge.

- Comfort, Megan. (2009). *Doing Time Together: Love and Family in the Shadow of the Prison*. Chicago: University of Chicago Press.
- Comfort, Megan. (2003). "In The Tube At San Quentin: The 'Secondary Prisonization' of Women Visiting Inmates." *Journal of Contemporary Ethnography*, 32, 77-107.
- Davis, Angela. (1983). *Women, Race, and Class*. New York: Vintage Books.
- Fortner, Michael. (2013). "The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws." *Studies in American Political Development*, 27, 14-35.
- Foster, Holly. (2012). "The strains of maternal imprisonment: Importation and deprivation stressors for women and children." *Journal of Criminal Justice* 40, 221–229.
- Frank, Robert. (2008). *Richistan: A Journey Through the American Wealth Boom and the Lives of the New*. NY: Crown Business.
- Frazier, E. Franklin. (1939). *The Negro Family in the United States*. Chicago. Chicago: University of Chicago Press, 1939.
- Frazier, E. Franklin. (1932). *The Negro Family in Chicago*. Chicago: University of Chicago Press.
- Galbraith, John Kenneth. (1958). *The Affluent Society*. Boston: Houghton Mifflin..
- Geller, Amanda, Irwin Garfinkel and Bruce Western. (2011). "Paternal Incarceration and Support for Children in Fragile Families." *Demography* 48, 25–47.
- Glaze, Lauren and Laura M. Maruschak. (2008). *Parents in prison and their minor children*. Bureau of Justice Statistics Special Report. Washington, D. C.: U.S. Department of Justice Office of Justice Programs, 2008.
- Hattery, Angela and Earl Smith. (2007). *African American Families*. Thousand Oaks, CA: Sage.
- Hattery, Angela and Earl Smith. (2012). *African American Families Today: Myths and Realities*. Lanham, MD Rowman and Littlefield, 2012.

- Hattery, Angela J. and Earl Smith. (2010). *Prisoner Reentry and Social Capital: The long journey to reintegration*. Latham, MD: Lexington Books, 2010.
- Hattery, Angela J. (2008). *Intimate Partner Violence*. Lanham, MD: Rowman & Littlefield.
- Hairston, Creasie Finney. (2009). *Kinship Care When Parents are Incarcerated: What we know, what we can do*. Annie Casey Foundation.
- Islam-Zwart, K. A., and Peter W. Vik. (2004). "Female Adjustment to Incarceration as Influenced by Sexual Assault History." *Criminal Justice and Behavior* 31.521-541.
- Jackson, Steven. (2005). "Ex-Communication: Competition and Collusion in the U.S. Prison Telephone Industry." *Critical Studies in Media Communication* 22, 263-280.
- King, Deborah. (1998). "Multiple jeopardy, multiple consciousness's: The context of a black feminist ideology." *Signs* 14, 42-72.
- Kozol, Jonathan. (2001). *Ordinary Resurrections: Children in the Years of Hope*. New York: Harper Perennial..
- Lerman, Amy. (2012). *The Modern Prison Paradox: Politics, Punishment, and Social Community*. New York: Cambridge..
- Maruschak, Laura. (2012). *HIV in Prisons, 2001-2010* (NCJ 238877). Washington, DC: Bureau of Justice Statistics. (<http://www.bjs.gov/>).
- Massey, Douglas and Nancy Denton. (1993). *American apartheid: segregation and the making of the underclass*. Cambridge, Mass.: Harvard University Press..
- Mukamal, Debbie. (2004). *After Prisons: Roadblocks to Reentry A report on State Legal Barriers Facing People with Criminal Records*. New York: Legal Action Center.
- Qian, Zhenchao, (2013). *Divergent Paths of American Families*. US2010 Discover America in a new century. NY: Russell Sage Foundation..
- Pager, Devah. (2003). "The Mark of a Criminal Record." *American Journal of Sociology* 108, 937-975.

- Pecora, Peter, et. al. (2005). *Improving Family Foster Care: Findings From the Northwest Foster Care Alumni Study*, Seattle, WA: Casey Family Programs, March 14, 2005: 2, www.casey.org/Resources/Publications/NorthwestAlumniStudy.htm, 2005.
- Pew Charitable Trusts: Study on Attitudes
<http://bit.ly/1o2g0KF>; <http://bit.ly/1pJfHv5>
- The Pew Charitable Trusts: Pew Center on the States. (2010). *Collateral Costs: Incarceration's Effect on Economic Mobility*. Washington, DC.
- The Pew Charitable Trusts: Pew Center on the States. (2010a). *One-In-One Hundred*. Washington, DC.
- Presser, Lois. (2013). *Why We Harm*. New Jersey: Rutgers Press.
- Putnam, Robert. (1995). "Bowling Alone." *Journal of Democracy*, 6, 65-78.
- Richie, Beth. (2012). *Black Women, Violence, and America's Prison Nation*. New York: NYU Press.
- Roberts, Dorothy. (2004). "The Social and Moral Cost of Mass Incarceration in African American Communities." *Stanford Law Review* 56, 1271-1305
- Robinson, Eugene. (2011). *Disintegration: The Splintering of Black America*. New York: Anchor.
- Sack, William H. (1977). "Children of imprisoned fathers." *Psychiatry*, 40, 163-174.
- Sampson, Robert. (2012). *Great American City: Chicago and the Enduring Neighborhood Effect*. Chicago: University of Chicago Press,.
- Sharkey, Patrick. (2014). "Spatial Segmentation and the Black Middle Class." *American Journal of Sociology* 119, 903-954.
- Smith, Dorothy Ruiz. (2013). *Incarceration of African American Mothers and the Impact on Children and Grandmothers*. Presentation at Conference Contemporary African American Families: Achievements, Challenges, and Empowerment Strategies for the Twenty-first Century, Sponsored by The Africana Studies Department at UNC Charlotte, October 16th.

- Sokoloff, Natalie. (2003). "The impact of the prison industrial complex on African American women." *Souls* 5, 31-46.
- Sykes, Gresham. (1956). *Crime and Society*. New York, Random House, 1956.
- Swan, Alex. (1981). *Families of Black prisoners: Survival and Progress*. Boston: G.K.Hill..
- Tonry, Michael. (2008). "Crime and Human Rights: How Political Paranoia, Protestant Fundamentalism, and Constitutional Obsolescence Combined to Devastate Black America" – The American Society of Criminology 2007 Presidential Address. *Criminology* 46 no. 1, 1-34.
- Travis, Jeremy, Bruce Western and Steve Redburn (ed) (2014). *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: National Academy of Science Press. <http://bit.ly/1kfNuIb>
- Travis, Jeremy. (2005). "Families Left Behind: The Hidden Costs of Incarceration and Reentry." Urban Institute Justice Policy Center, Washington DC: Urban Institute.
- Visher, Christy. (2013). "Incarcerated Fathers: Pathways From Prison to Home." *Criminal Justice Policy Review* 24, 9-26.
- Western, Bruce and Christopher Wildeman. (2009). "The Black Family and Mass Incarceration." *The ANNALS of the American Academy of Political and Social Science* 621, 221-242.
- Wildeman, Christopher. (2009). "Parental Imprisonment, the Prison Boom, and the Concentration of Childhood Disadvantage," *Demography* 46, 265–80.
- Willie Charles and Richard J. Reddick. (2010). *A New Look at Black Families* Lanham, MD: Rowman & Littlefield Publishers..
- Willie, Charles. (1989). *Caste and Class Controversy*, 2nd edition. Rowman & Littlefield Publishers.
- Zinn, Baca and Bonnie Thornton Dill. (2005). "Theorizing Differences from Multicultural Feminism." Pp. 23–28 in *Gender Through the Prism of Difference*, edited by Pierrette Hondagneu-Sotelo, Maxine Baca Zinn and Michael A. Messner. New York: Oxford University Press.

Endnotes

¹ Carson, Ann and Daniella Golinelli, 2012, *Prisoners in 2012 - Advance Counts*. Bureau of Justice Statistics (Office of Justice Programs, U.S. Department of Justice) <http://www.bjs.gov/content/pub/pdf/p12ac.pdf>

² The Pew Charitable Trusts: Pew Center on the States. (2010). *Collateral Costs: Incarceration's Effect on Economic Mobility*. Washington, DC, p. 3

³ American Academy of Pediatrics, Committee on School Health, "Out-of-School Suspension and Expulsion," *PEDIATRICS* (Vol. 112 No. 5, Nov. 2003)

⁴ <http://www.frtv.org/tag/foster-care/#sthash.938kgKsv.dpuf>

⁵ Brian Mann, 2013, "How prisons became the North Country's normal." A journalist explores the prison boom in upstate New York. <http://bit.ly/1daZ9DA>

⁶ <http://www.justice.gov/iso/opa/ag/speeches/2013/ag-speech-130812.html>

⁷ Galbraith, John Kenneth. 1958. *The Affluent Society*. Boston: Houghton Mifflin.