

Rise is a magazine by and for parents involved in the child welfare system. Its mission is to help parents advocate for themselves and their children.

Rise

ISSUE NUMBER 10, SUMMER 2008

BY AND FOR
PARENTS IN THE
CHILD WELFARE SYSTEM

Parenting from Prison

Incarcerated parents with children in foster care face many challenges staying connected. It can be difficult to access services, set up visits and reunite after release. Parents with sentences longer than 15 months are at risk of permanently losing their rights to their children.

In this issue, parents in prison write about their efforts to stay connected to their children in foster care despite their incarceration and to reunify after release.



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Signing Away My Son

I had to give up my rights because I'm incarcerated.

BY DEBORAH McCABE

I came to court that morning with my heart and my mind racing in time with one another. I was handcuffed as we traveled from the bowels of Bronx criminal court, arriving at a phonebooth-sized room where I was told to wait for my lawyer.

It was the day for me to sign those papers.

My son, Justin, was 8 then. For the first three years of his life, Justin had slept in my bed, curled up beside me. When I got locked up, my devastation at having to leave him was palpable to anyone I came in contact with. I could not speak his name without feeling a gut wrenching pain. Even to this day, almost 12 years later, I must mentally detach myself to cope with the pain of his absence in my life.

Five years into my sentence, I had to go to court to surrender my rights so Justin could be adopted. I still

had years to go and there was no one else to take him. Besides, I felt it would have been selfish to fight. He was with a family that loved him. I grew up in foster care and know how rare that can be.

An Unbreakable Bond

When I was first incarcerated, Justin's adoptive parents had reminded me of the unbreakable bond my son and I shared. I warned them that I wouldn't be home for a very long time. I told them to keep my son away from me. After all, he was only 3. I thought his memory of me would fade and his life might even turn out normal. Despite my protests, they allowed me to talk on the phone with Justin weekly and brought him to visit often.

Our visits during those initial years were painful but wondrous. When he saw me walk through the visiting room door, Justin would fly across the room and leap into my arms. His

face would light up and he would shower my face with kisses and wipe away my tears with his little hands. Each time it seemed as if he had grown a little bit, or changed in some small, almost imperceptible way. I still remember the sound of his voice when "mommy" changed to "mom."

Close Enough to Cry

Justin and I participated in the Summer Program and Family Reunion Program (FRP) at Bedford Hills Correctional Facility. God, how I lived for those visits. With the Summer Program, Justin came to the facility every day for five days. During those days, our relationship blossomed into something truly untouchable.

With FRP, we were able to spend two days and nights in a trailer within the bounds of the facility. We were a real family again. One day a basketball bounced and knocked out his naturally loosened two front teeth. Another

time I held his scrawny 6-year-old body in my arms and sang to him. He watched me sing so intently, staring up at me as if I was the sun, moon and stars all rolled in one.

It was at the end of one of those trailer visits that I finally got a glimpse of all the pain my baby felt. I asked him if he was ready to go and he actually stopped being strong for me and cried. I had not seen him cry until then, almost three years after my incarceration.

Missing Visits

But as Justin grew older, things between his foster family and me began to change. What once seemed an ideal relationship between a mother and surrogate mother slowly turned sour. I felt like his foster mother became jealous of our relationship.

Justin began missing every other visit. They made the excuse that Justin was impressionable and they didn't want him to visit prison. Then they told me that Justin had school or appointments. They didn't send him even when I arranged transportation.

On more than one occasion, Justin's foster mother told me that Justin got depressed after visits and acted out by being disrespectful or breaking his possessions. Those were little signs, she told me, that "maybe the visits aren't such a good idea." I felt that if he were allowed to see me more often, then it would not be so devastating to say goodbye. They told me they knew what was best for him and I was being selfish.

A Promise of Contact

In 2001, there was an order from the court for me to attend a hearing that would determine whether I would retain my rights to my son. By then, the law had changed. Children couldn't stay in care for years and years. A federal law called ASFA had been passed, saying that you can't have a child in placement for more than 15 out of 22 months. I had no family that could take Justin out of the system. My choices were: fight and have my rights terminated, or sign a post-adoption contact agreement and pray they'd keep bringing him to visit. I chose to sign.

During the adoption proceeding, we agreed that he would visit me seven times a year. Three visits were supposed to be trailer visits, plus I'd get phone calls, pictures, and letters. The lawyer made it sound so simple. She quickly handed me the papers to sign.

What I didn't know was that his family would soon disregard the promises they made in court, and at that time, post-adoption contact agreements were not legally binding in New York.

I have had only two visits with my son since I signed the adoption papers five years ago.

No Longer a Mother

I tried my best to hold my emotions in check that day, but I could feel the weight of what I was about to do bearing down on me. When I finally walked out those courtroom doors, my eyes were blinded by tears. I turned to say, "Maybe I'm not sure, maybe I'm making a mistake." My lawyer was already gone.

I felt like nothing, as if I allowed them to take away my reason for breathing. I was no longer a mother, because I no longer had the legal right to claim my own child. I was just a criminal now.

Shortly after the hearing, I realized what a mistake I had made. Justin's family stood me up for the next two visits that we had arranged. They also stopped calling.

I contacted the lawyer about undoing the adoption, but she told me it was too late. She said it was up to the adoptive parents to arrange visits and that she was sorry they hadn't brought Justin. "Yeah, I'm sorry too," I said.

Devastated

I was devastated. Visits with my son were what I looked forward to, what I lived for. How could I give up being his mommy? I became so depressed that I had to go on anti-depressants just to get myself out of bed in the morning.

I have had two visits since I signed the adoption papers five years ago. I have spoken to my son only five times on the phone. His family put a block on the phone so it couldn't accept collect calls. I offered to pay for calls but his adoptive mother wouldn't allow me to do so.

His adoptive father told me once that I shouldn't complain because I wouldn't be able to be his mother again until my release. Once they sent a letter telling me I was lucky

that they didn't send him back. I remember being in foster care and being "sent back" and I hope he never knows what that feels like.

The last time I saw Justin was in 2003. He was 9 years old. Two weeks ago he turned 14.

Still Trying

I call my son once a month. My advocate is able to place the call for me. It is rare for the woman who answers not to hang up when she hears my voice on the other end. If I am blessed to reach my son by

phone, my advocate allows me extra time because she knows I only get to parent him for an about an hour each year.

I used to write him but he said he never got one letter. I used to send him things for his birthday but the store would refund my money after they sent it back.

I have two pictures of Justin, taken after the two trailers we had together. His smile is big and bright. The happiness he experienced just being with me shows.

I keep a journal for him. I have made him a scrapbook. And I am faithful in disappointing myself monthly with my phone calls. I hope he feels my love.

Does He Know Love?

When I do talk to Justin on the phone, I tell him to be respectful and grateful to all the people who love him.

The last time I spoke to him was more than a year ago. He was turning 13. In the first few minutes of our conversation he sounded apprehensive. I reminded him that I love him and that we may not have the opportunity to speak or see each other for a while.

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ILLUSTRATION BY ODESSA STRAUB

He tries not to hurt my feelings by speaking too fondly of his adoptive family but I want to know if he knows love and affection. At 13 he sounded like he was still a very innocent teenager, much more so than I was.

My son's adoptive parents don't seem to realize how much they have hurt us both by keeping us apart. Still, I am very grateful to his adoptive parents for loving him, taking him when there was no one else, giving him the life I couldn't give, instilling good values in him, allowing him to have a childhood and protecting him.

Hoping to Reconnect

I hope to have the chance to be a mom to Justin again. I might go home in 9 months or 18 months, and when I do, I hope to reestablish a relationship with my son. I believe that no matter how old you are, you always need a mother's love.

I can hear how much he misses me when I talk to him. He always asks me when I am coming for him. Justin told me that he calls the toys he received from me his "special toys." He said he doesn't play with them but saves them so they won't break. My little brother did the same thing with toys from my mom when he was in foster care.

Two years ago, my sister was allowed to see my son and made a video. In it, Justin said he loved me, missed me and couldn't wait for me to get out. He asked if I was saving him that birthday cake he never came to get. (The Children's Center here provides cake if your child is coming for a birthday.) Mind you, it had been years since I told him about the cake. I felt like he was asking me if I still loved him and was saving my love for him.

Last time we spoke, Justin told me that he was going to arrange a way to see me the following week. I gave him numbers to call and my address, but I haven't heard from him yet.

A Second Chance

New guidelines for supporting incarcerated parents.

Most child welfare agencies want to see that a parent is connected to her child, working to improve her parenting abilities and active in advocating for her family. However, the circumstances of prison life make it very difficult for incarcerated parents to show caseworkers that they are committed to reunifying with their children.

Barriers to Connection

Prisons are often located far from where the child is living, and caregivers find it difficult or expensive to make the trip. When they get to prison, the search process and visiting rooms are not child friendly.

Most incarcerated parents can only make collect calls, so it's hard for incarcerated parents to talk to their children or the caseworker. Some agencies do not accept collect calls, and many children are living with caregivers who cannot afford to accept those expensive phone calls.

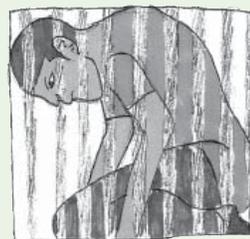


ILLUSTRATION BY ASHLEY FRANCES

Many times parents are unable to attend court dates or case conferences because they are not transported from prison. Finally, the parent is often required by the court to take parenting classes or drug treatment, but the waiting lists may be long.

Because of these barriers, the court or the caseworker may see the parent as not trying to reunify, even though the parent may be unable to comply with the service plan because of her circumstances.

What Is "Reasonable"?

Child welfare agencies are required by federal law to make "reasonable efforts" to help parents reunify with their children. In 1980, in the federal Child Welfare Act, there was a provision that child welfare agencies had to help families reunify and had to show the courts proof that they'd made "reasonable efforts" to reunify the family before filing for a termination of parental rights (TPR). But that law did not specify what constitutes "reasonable efforts."

In 1997, Congress passed the Adoption and Safe Families Act (ASFA), which said that child welfare agencies must file to terminate parents' rights if a child has been in care 15 of the past 22 months. Again, Congress did not define "reasonable efforts."

That leaves parents, especially incarcerated parents,

vulnerable. Some agencies will say, "We tried but we couldn't" or "We provided assistance." Caseworkers have gone to court and said, for example, that the parent failed to find adequate housing, so the agency is filing for TPR. But the parent didn't find housing because she's in prison!

Guidance to the States

The good news is that the federal government recently passed the Second Chance Act, which provides funding and guidance to states around re-entry for prisoners. The bill calls on the Department of Justice to collaborate with the Department of Health and Human Services to define the best practices for supporting connections between children and their parents while the parents are in prison.

Three elements seem to constitute "reasonable efforts": 1) Efforts to support a parent-child bond, such as visiting and phone contact. 2) Opportunities for parental self-improvement, such as parenting classes. 3) Efforts to support parent involvement in the child's well-being, such as participation in court dates or case planning conferences. I'm working with state advocates now on recommendations to guide these agencies in developing a set of best practices.

Best Practices

One successful effort has been New York City's Children of Incarcerated Parents Program (CHIPP), which is run by the Administration for Children's Services (ACS). It brings children in foster care to visit their parents in prison. The number one factor in TPR is that the parent-child bond is nonexistent because staying connected is so difficult. CHIPP makes the visit free and less complicated.

Another state that's interesting is Vermont, which recently introduced state bills that would require agencies to establish policies and procedures at every step of process, from arrest to release, that take into account the needs of children.

When we say to policymakers, "Poor children are being punished for their parents' mistakes," they listen. There's now a strong willingness in Congress to recognize that families affected by incarceration need support, and the Second Chance Act's focus on parents and children is a monumental opportunity to change how the child welfare and prison systems treat families.

Released but not Reunited

Getting my son home has been more stressful than I imagined.

BY CHRYSTAL REDDICK

My beautiful 4-year-old son was removed from my care when I was arrested. I was so devastated. It was 42 days until I saw him again.

For the first few days, I wasn't able to make any calls and I didn't know anything about where Brandon was or how he was doing. That drove me crazy.

I could only think, "My child has only been with my mom, my daughter and me in his entire life. Who has him now? Is he eating? Is he sleeping? Is he being abused? Will he forget me?" I was especially concerned because Brandon has Down's Syndrome and requires special care.

How Could I Prove Myself?

I did not know my rights or responsibilities at all. I knew I needed help because I saw what direction my case could go in. I had a long history of drug abuse and a criminal record related to my addiction. My daughter, who is now 20, lived with my mother for most of her life. Plus, I'd been investigated for neglect not long before my arrest. That case was closed, but I knew it wouldn't look good.

All the judge and lawyers knew about me was what they read on a piece of paper. I could just imagine the attorneys laughing among themselves about my criminal record. How could I make them see that I was a woman with a child she loved more than life?

Fortunately, Rikers Island has a program called WINGS that gives parents information about their rights. Staff from the ACS Office of Advocacy also came in to explain how to get visits with children in foster care through the Children of Incarcerated Parents Program (CHIPP). Like me, the average person might think that once they are arrested, they no longer have the right to see their child or to have a say in any



ILLUSTRATION BY ODESSA STRAUB

It's been four months now since I was released. I have completed my service plan in full. I don't understand why my son is still in the system.

decisions made regarding the child. This is so not true! A parent has rights even within the prison walls.

Even so, it was almost impossible for me to advocate for my son while I was in jail. No one at his foster care agency accepted collect calls and the officers didn't care that 2 p.m. was the only time to reach his social worker. There were so many doors shut in my face that discouraged me.

Back in Touch

Finally I began to see my son once every two weeks through CHIPP.

My visits with Brandon were great. They gave me the strength to keep fighting. At 5 years old, Brandon is a bright eyed, handsome young boy. He's affectionate and inquisitive. He's delayed in speech and gross motor skills—he's just getting potty trained now, for example. He says only a few words. But I understand what he wants and needs.

At our visits, I played with Brandon and read to him. In between visits I missed Brandon so much.

Luckily, I had a reasonable judge. I

wrote to him constantly from jail. I reasoned with him about giving me another chance. In my letters I tried to spark his interest in my kids' well-being and my situation as a single parent. He took interest in my kids and asked me to bring pictures. Instead of giving me the maximum time in jail, he sentenced me to three years of probation. I am truly thankful for that.

'Mommy's Coming Home!'

The day I was told to pack my things, I screamed at the top of my lungs, "Brandon! Mommy's coming home!" Nothing was going through my head but "When am I gonna see my son?"

A few days after my release, I met with my attorney and the caseworker. We went over the service plan and my visitation schedule. I started off with one visit a week. I was grateful for that.

I had to complete a parenting class for children with special needs, a CPR class and random drug testing. I also started taking anger management classes on my own.

I knew I had some work to do. I immediately began looking for a job and hit the law library to educate myself. I also reached out to a support program called the Women's Prison Association (WPA) and my attorney and stayed on the internet, learning about what I would need to do.

Consistent, not Aggressive

Still, I never thought the process of getting Brandon home would be this emotional and stressful.

Foster care agencies are supposed to assist you with the process of reunification. But they don't always do that, or do it well. The caseworker assigned to my case has only worked at the agency for a year. I have a problem with that. She has so much power over what happens to my son

'You Can Turn This Around'

I overcame my addiction to bring my daughter home.

and me, but she doesn't know as much about the system as she should. It's frustrating watching her make mistakes with my case while I suffer.

I've learned that a person who really wants her child back must be consistent and polite with the important players in their case. They can use everything against you. They can cancel your visits and give bad reports to the judge.

Looking back, I was so very aggressive when I met the caseworker. She wouldn't talk to me, she never smiled or asked me questions. That bothered me. By the time I was released from Rikers, I had a reputation at the agency of being angry and rude. Every time I met with the workers, there was tension in their voices.

My lawyer also thought I came on too strong. I called my attorney with questions on a daily basis. Even though I was told to sit back and let her fight the case, I was not satisfied with that.

Baby Steps

It's been four months now since I was released. I have completed my service plan in full, submitting at least nine clean drug tests. I don't understand why Brandon is still in the system.

It will be a year that he's been in care by the time I see the judge next, and that court date is not about ending the case, just extending my visits. I feel that, after a year, we should have progressed way further than this. My attorney says we have to take baby steps.

This last month I've been feeling more positive because I've moved to a program run by WPA called Sarah Huntington House, which helps formerly incarcerated mothers reunite with children in the system. I think this will help me get through to the agencies that are making this process so very difficult. I feel blessed.

I think about my son every day. I see those yellow buses pass my house. I wonder if Brandon's bus driver is driving safely. It's a bit much to have your child taken away. I'll never give up. I see the big picture: I'll be reuniting with my son one day soon.

In 1998 I was pregnant with my daughter when I was arrested for possession of crack cocaine. I was given a conditional release to go to a drug treatment program but for a long time I could not get it right. First I ran away from that program. Then, when I was let out on bail to give birth, I purchased some crack while I was bringing her home from the hospital and started using again.

When she was 6 months old, she went into foster care. Honestly, I felt relieved because I knew I wasn't doing right with Ebony.

When I look back today, I think, "Oh my God. I can't believe that was me." It's horrible how much I lied and connived. I was just so heavy into my addiction. I was in care as a child and, when I was 12, got involved in drugs with my mother. It was all I knew.

Praying for Strength

Soon after my daughter was removed, I got locked up. I got out in October and was back in jail in January. By then, I wanted to stop using but did not know how. I prayed, "God, I'm too stupid to get clean on my own." I knew I needed to be locked up in order to strengthen my mind.

I went upstate to Bedford Hills Correctional Facility and by the time I got there I was more alert because I had been in jail for months and my system was clear. I said to myself, "I'm going to start communicating with the agency." I could relate to my daughter's struggle and, once I stopped using, I was committed to getting her out of foster care.

My daughter had been in care a year and a half at that point. I asked for reports and pictures of my daughter, but I never got visits. She was 3 years old when I saw her again.

Fighting Termination

While I was locked up, the agency filed to terminate my parental rights, and when I came home it was in progress. I told the caseworker, "I don't know what you're talking about. This is not abandonment! I wrote you letters!"

The worker said, "Wanda, if you see the process as stretching between A and Z, you're at M right now. You can still turn this around."

I said, "No, *you* still have a chance to turn this

around. What do you need me to do?"

I didn't have a struggle with the agency after that. I was compliant and had workers that worked with me. I graduated from drug treatment, took parenting classes, found my own apartment and found preventive services. My grandmother was my backbone through it all. She supported me when I didn't believe in myself.

Slowly Reconnecting

When I began visiting, my daughter couldn't stand my living guts. She was afraid, and she was really not nice. She wouldn't talk to me, she'd scream when I got near her. She'd sit under the desk for the whole visit, or keep running out in the hall to see her foster mother. I would keep reading, "And the bear said..." and if she looked at me I'd say, "Hello, Ebony." Of course I went home and cried.

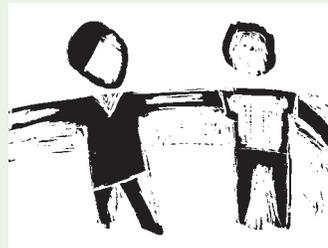


ILLUSTRATION BY RISE

We got closer when we had weekend visits. I could do little things like wipe her face and do her hair and put on her shoes. When I could sleep with her next to me I felt really connected with her. I'm very emotional, and when her little hand

would touch my leg, it would send chills through my body.

A Mother and Advocate

Today my daughter is 10 and she is an amazing little girl. Her former foster mother is still part of our lives. Her foster mom and I don't always agree—she thinks I'm too strict, and I think she lets my daughter stay up too late eating anything. I'm big on boundaries because I didn't get any when I was a child.

My daughter spends the summer with her foster mother because I'm getting my college degree in psychology and working as a parent advocate at the Brooklyn Family Defense Project, which represents parents in court and supports parents by assigning a lawyer, social worker and parent advocate to each case.

As a parent advocate, I say, "You can sit on this side of the desk if you do what you need to do. Once you recognize the part you play, it's going to be easy. We're going to walk right through this and get your child home."

—Wanda Chambers

Stopping the Clock

Many parents in prison are at risk of losing their rights permanently.

BY YOUSHELL WILLIAMS

Many parents who are locked up in prison do not know their rights and have a hard time advocating for their families from behind bars. To find out how incarcerated parents can stay connected to their children, I spoke with Philip Genty, a law professor at Columbia University.

Q: What rights do incarcerated parents have?

A: While incarcerated, you have a right to be involved in planning for your child's care. You have a right to be present for court proceedings involving your children. The caseworker should talk to you about your child's needs and about who might be able to take care of your child. You also have a right to visits. In New York, the state guideline is that children in foster care should be brought to visit a parent in prison at least once a month.

Incarcerated mothers automatically have those rights. Incarcerated fathers have to be recognized as the child's father to have those rights. Establishing paternity is not enough. The father also has to show that he has been involved.

A problem for fathers is that child welfare agencies often rely on the mother for information about the father. So if a child goes into care while the father is incarcerated, the mother might say, "I don't know where he is," and the father may not find out what happened until it's too late. Fathers need to maintain connections to their children. Fathers should also know that they have to contact the agency directly. They can't have their mother or another family member argue on their behalf. That won't count.

Q: How do incarcerated parents get services?

A: To get the visits and services

you're entitled to, start by talking with your caseworker. Your relationship with the worker is critical, because the worker controls access to your child and makes important decisions about what happens in your case. If you're not getting what you need from a caseworker, speak to the supervisor and work up the chain of command.

In New York, Children's Services (ACS) also has an Office of Advocacy to help parents. They have a special number that accepts collect calls: 212-619-1309. ACS' Children of Incarcerated Parents Program, called CHIPP, arranges visits. You can call the toll-free hotline at 212-487-9698.

There's no guarantee that anything will work the way it's supposed to. It's important to be as aggressive as possible about getting visits and attending court dates. You don't want to be antagonistic, but you want to be well

Incarcerated parents are often invisible, so you want to try to be as visible as possible to your caseworker, judge, lawyer, and the agency.

informed and consistent about saying, "This is something that's supposed to happen. I'm concerned about my child and I'm going to keep on top of it." The worst thing is to get discouraged and start giving up. That can be misread as a lack of interest, and that can start you down the path toward losing your children permanently.

Q: How do incarcerated parents reunify with their children when they're released?

A: That depends on the reasons the parent went to prison. If the convic-

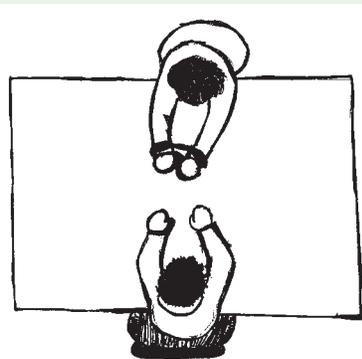


ILLUSTRATION BY VITA AYALA

tion was related to substance abuse, then the system might direct the parent to get treatment, and if it's related to violence, the system might insist on something like anger management. Parents should try to get those programs while they're in prison, and document it, so they can show the caseworker what they've done.

In general, a caseworker and the courts will require the parent to establish a safe home for the child after her release and show she's set on reunification. A mother has to

then an agency is required to file for termination.

There are exceptions to that, like if the child is in foster care with a relative (called "kinship care"), or if the agency can show that it's not in the child's best interest to be adopted. In New York, guidelines say that if the parent will be out of prison within 6 months of the ASFA deadline and able to reunify quickly after that, the agency does not have to file.

But if an incarcerated parent can't be released and reunify within 1-2 years, it's important to find someone outside of the foster care system who can take the child long-term, or to find a relative who can become the child's kinship foster parent. Otherwise, you can lose your rights permanently.

A parent should also show the caseworker that the parent and child have a very strong connection and it would not be good for the child if the parent was not in the child's life. The key is to stay in very regular contact with your child through letters, phone calls, cards, and presents to the child, and to keep your worker informed about parenting classes or other programs that you're doing.

Document everything you do. Keep a log with the dates of phone calls to your child and caseworker, keep copies of letters, keep certificates from programs. Showing a sustained interest in your child can keep a termination case from being filed or help you win.

The problem for incarcerated parents is that they're often invisible, so you want to try to be as visible as possible to your caseworker, judge, lawyer, and the agency. Make sure everyone involved in the case understands that your commitment to your child is very high.

Q: Under what circumstances can a parent lose her rights to her children?

A: The thing that's very difficult right now is federal legislation called the Adoption and Safe Families Act (ASFA). It says that if a child is in foster care for 15 out of 22 months,

Raising My Voice for Parents Inside

Advocating to change a law's impact on prisoners.

BY PAULETTE NELSON, AS TOLD TO LYNNE MILLER

When I was locked up, I left my son with family, but he was removed from their home because of neglect. It was two months before I found out where my son was. It was four months until I heard his voice again. In prison, most of the time there's no one to help you with a child welfare case. If you don't know your rights, you're screwed.

Finally I met with a social worker who told me, "Listen, you have to get it together or they can take your son in 15 months." She explained the ASFA law to me. ASFA is a federal law stating that a child welfare agency worker has to file to terminate your parental rights if your child is in foster care for 15 out of 22 months.

Crying Together

When she told me about ASFA, I was scared. I went back to my dorm and shared my feelings with my bunkie. She said, "Oh, God, I have children in care, too." She started crying and crying, and we were crying together.

Word travels fast in jail. We were in a big dorm with 50 women on one side. I'll tell you, the sound of 50 women crying is horrendous.

But since I've been released, I've learned a lot more about ASFA and about incarcerated mothers. 75% of women in prison have children. 11,000 children in New York state have mothers in prison. Can you imagine the sound of 11,000 children crying for their mothers?

Getting Educated

While I was in prison, I got parenting and anger management classes and voluntarily entered treatment once I got out. I stayed on top of my lawyer and I made sure I was heard in court.

You know how it is. The judge, the lawyers—they all have their heads down, talking gibberish you don't

understand, but you can stand up and be polite. I said, "Excuse me, your Honor, can I speak?" Of course, the judge told me to sit down, but I was able to ask, "Why am I here? What's going on? What can I do?"

To them, it was an easy case because my sentence was short and I was eager to get services and get my son back. Still, my son was 12 when I got locked up and he's 14 now. He's coming home in a few months.

An Advocate for Prisoners

Since my release, I've also gotten involved in advocacy. I went to the Correctional Association of New York's Women in Prison Project and got involved with a program for women who have been released, called ReConnect. Basically ReConnect empowers us to speak out against injustice.

The advocacy work I'm doing has made me aware that there are people outside of prison who are fighting for our rights.

That led me to join the Coalition for Women Prisoners, a statewide group with 1,000 members from 100 organizations. Anyone who is concerned about making sure prisoners' needs are met can join. We work on changing policies and writing bills. We're trying to amend the ASFA law—to change it so it doesn't hit incarcerated parents or parents in drug treatment so hard.

Our strategy is to convince the New York state legislature to make



meet and talk about the bill. If the committees agree it should become a law, they vote for it to go to the floor where everyone votes on it.

Our bill was introduced and passed in the Assembly. Now we need a Senate strategy.

Talking to Power

This spring, I worked as Community Outreach Educator. I organized people to go to Albany for Advocacy Day. That's when 300 concerned individuals, including formerly incarcerated men and women, went to talk with 180 legislators.

ILLUSTRATION BY ROSA PERIN

Some people we talked to support our bill. We also faced people who said, "Why should incarcerated mothers have a right to visits with their child?"

We told them, "It affects children. The separation can lead to mental health issues and behavior problems, and if those children are in foster care, you're paying money for that. If a child is in care or gets adopted, you're paying for that, too."

Some people can really connect to your story. But many people are thinking about the money only.

'I'm Not Alone'

The advocacy work I'm doing has made me aware that there are people outside of prison who are fighting for our rights. I don't feel so helpless anymore.

It's so stressful to lose your child and go through these mental issues as a result. I felt good knowing: "There is help. I'm not alone." And I know that nothing is going to change if you don't speak out.

changes in how it carries out ASFA. Every state can make adjustments to ASFA. Some states are harsh toward parents in prison—they treat a sentence as a reason to file for termination of rights. Some say that incarceration alone is not a reason to terminate. Others go further—under

certain conditions, they allow incarcerated parents more time to reunify because of the barriers they face in prison. That's what we'd like to see in New York.

We can make that happen by passing a bill in the legislature. Basically you get a group together of people who want to change the law, and that group talks to an Assemblyman or Senator who agrees with the change. That person writes a bill to change the law and different committees

Special Delivery

Letters help me connect to my kids.

BY DERRICK ALEXANDER

Celebrating holidays and birthdays with my family has always been important to me. When I was a child, my parents were able to make our special occasions memorable.

One Christmas, my parents played a trick on my sister and me. My mom and dad acted as though we wouldn't be able to exchange too many gifts that year. I scouted the house to find gifts hidden away but couldn't find any. My sister and I prepared ourselves for a meager celebration.

On Christmas morning, when I peeked under the tree, it seemed rather bare. Mom and Dad acted unenthusiastic—until my dad slipped away and returned with many unexpected gifts: a bike, a videogame, clothes, games and shoes. My sister and I were so shocked and surprised and appreciated our gifts even more.

My wife and I actually replayed that special moment with our own two daughters. My children shared the same sparkle in their eyes I'd had as a child. I was definitely a proud father at that moment.

Far From My Children

Now that I'm incarcerated, though, holidays are difficult moments for my family and me. My wife and children live down South now and can't visit me in upstate New York too often. As I prepare for the holidays without them, I feel a great sadness and enter a period of stagnation and depression. The contrast between what I could have at home and the activities my current environment has to offer

is painful. I know my family suffers too. A missing parent severely dampens the fun of birthdays and holidays.

I very much appreciate the occasional visit I have with my family, although they end with a bit of depression for us all because they remind us of our separation. I try not to let my spirits stay down for long, and I try to use my time in prison to mature and grow so I can be a better father.

Encouraging Letters

In the long months between visits, we stay close by mail. I am a bit of an artist so I try to express my love and commitment to my family through my work. I write my children encouraging letters decorated with pictures

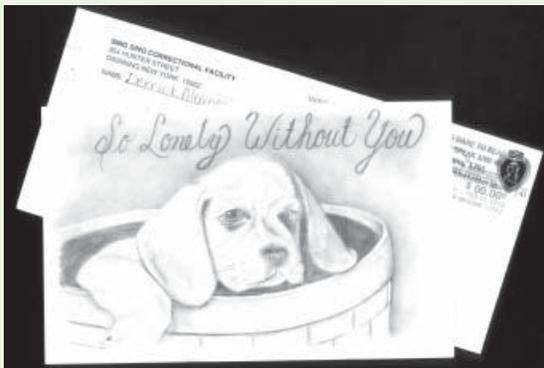


ILLUSTRATION BY DERRICK ALEXANDER

related to my topic. I take great care with my cartoons and drawings, and my daughters seem to truly enjoy our correspondence. My letters have even encouraged them to write and send their artwork to me.

It lifts my spirits when my children express themselves to me through their artwork. I see them following in my footsteps in a positive way. Although my imprisonment has impacted us all, I'm proud that we've found a way to express our love and commitment and to keep ourselves optimistic.

Full Time

Weekend visits and picnics

BY JEROME GREEN

I've been locked up since before my son Jehar was born. I came into prison in August, 1996. After two years, by following hundreds of rules, I got to go on "family reunion visits" with my wife. We could spend a whole weekend together, alone.

When I found out my wife was pregnant, I was happy but nervous about being a father from prison.

But Jehar is a true blessing. He brightens my days. Now he is 7 and he is very bright and willing to learn. Jehar plays the drums, is a big helper around the house, is a big fan of Sponge Bob and loves to read, write, ride his bike and take pictures. He is a really nice child.

Cards and Visits

It's hard being in prison while Jehar

is home. I can't take him to the park or read to him at night. We usually have visits twice per month and we make the very best of them. I also write to my son a minimum of four days per week and send cards, gifts, whatever I can to make my presence felt.

During visits, my son runs to me and jumps into my arms. We hug. I kiss his forehead and then grab his hand and head over to my wife. We all sit down and talk. I ask my son questions like, "How is school?" and if the playroom is open, I'll let him go for a little while so that my wife and I can talk. (It drives him crazy to see other little kids playing without him.)

Our visits go smoothly, but leaving hurts a lot. It's a hurt I can't even put into words.

Our Magical

Special games keep my daughter

BY ANTHONY ISAACS

When I walked in my front door every evening, I'd look forward to smiles and laughter from my precious little girl, lit up in anticipation of our magical airplane rides.

"Sweetheart, are you ready for take-off?" I'd say.

"Yes, Daddy."

"This is the flight tower—Airplane Princess is clear on runway two!"

My daughter would jump with joy. I'd catch her and lift her up—mak-

ing airplane sounds: rumm rumm. With her arms extended, she'd laugh and laugh as I ran with her up and down the room.

That Diamond Glean

The sad and confused look on my daughter's face as she walked through the prison visiting room door for the first time grabbed at my heart. Even at 7 years old, my daughter knew it was out of the ordinary that her daddy was in this strange place. One look around the olive-drab room, with the officers rigidly on display, and

for 40 Hours

make it easier to be a father.

A Father's Love

Even though I'm locked up, I'm trying to give Jehar what I didn't have as a child—a dad in my life. I needed a dad to tell me, "You can be anything," and to protect me. I needed someone to show me love and affection. Instead, I received the opposite.

I feel sure about myself as a father, because I know I'll never do what was done to me as a child. I know child beating is not the answer. I know children need to be loved and listened to. They need attention and affection. They need to be able to share the good and bad with their parents. I never sat down or went for a long walk and talk with my father, but I know those talks are important.

I treat my son like a little prince. I tell him he's very smart, loved and blessed. I encourage him to do his best. My son seems confident in his

actions.

Having a Ball

Twice a year we have weekend visits, staying together as a family in a trailer. It feels good to be a full-time parent for 40 hours. My son and I play outside together, regardless of the weather. We bake cakes and cook a decent meal. I get to see Jehar sleep. He rises early and I make him hot tea. I spoil him but I also discipline him while we're together.

In warm weather, the prison holds picnics and families come and spend a nice day. There's gifts, games, decent food, dance contests. It's a day when Jehar and I can run around and have a ball. That's the hardest parting for him. He's usually pissed off that I can't come home, although no sooner than he's in the car he's out cold, dead tired.



Jerome and his son, Jehar

PHOTO BY JEROME GREEN

World

close while we're apart.

any child would get a creepy feeling.

To ease her fear, I smiled and said, "This is the flight tower—Airplane Princess is cleared for takeoff on runway two!" Her face lit up as she dove into my arms.

Since I've been in prison, I've tried to reassure my daughter that she can still expect her daddy to treat her with love. Even though I am locked behind these walls, it is my responsibility as a parent to give my daughter comfort and provoke that diamond gleam in her eyes.

Bits and Pieces

My daughter is still very confused about why her daddy is not home with her, and why she has to come to this scary place to see me.

Over the years I've told my daughter bits and pieces about why I am not at home to tuck her in bed at night. When I explain, "Daddy is at a place where people who do bad things are sent," she just tilts her head and says, "OK, Daddy."

Her only question is, "But Daddy, when can you come back home? I

miss you!"

The first time she asked, I had to really think about how to answer her. I was honest and told her, "I don't know yet. But even if I'm not home with you, I will always have you in my heart, and you'll always get your own letters from me."

My daughter seemed to smile at the thought of receiving her own mail from the mailman, and that calmed the questions for a while.

A Special Game

I cheated a little with my daughter, though. I told her that whenever she needed to speak to me, she only needed to whisper three soft words, "One with Daddy," and I'll hear her voice. I said I'd do the same to her, and when we got together on visits, we would exchange stories about what we'd said to each other.

I don't know if she believed me, but our game helped us grow together and keep our bond through the empty movement of time.

Bonding from Behind Bars

How to stay connected despite incarceration.

BY JOANNE CARROLL

For the past six years I have been facilitating the “Foster Care and Child Custody” workshop at Bedford Hills Correctional Facility in upstate New York, where I’ve been an inmate since 2001.

Many parents in prison whose children are in foster care are at risk of losing their rights permanently because of ASFA, a federal law that requires agencies to file to terminate parents’ rights if their children have been in care for more than 15 of 22 months. In our group we encourage each other to stay connected to our children and fight for our parental rights.

Mothers tell their stories of how their children entered into foster care. Often drugs played a major role. Once the moms become incarcerated and the drugs leave their system, they begin to see the impact of their choices on their lives and their children’s lives. Unfortunately, ASFA’s 15-month clock has already begun its countdown.

Parenting from Prison

There are many ways incarcerated parents can show the system that they care about their children. They can take services such as parenting classes, and pursue their GED or take college classes to show that they are striving toward self-improvement.

Parents can make their visits with their children fun by playing, reading, hugging and kissing their children, and letting them know their mommy loves them. They can contact the foster care caseworker and ask questions about their children, like, “How is my child doing in school? Are there any behavioral issues I should know about? Do you have any suggestions that will help me to help my children



ILLUSTRATION BY EMILY DIMAN

through this traumatic time?”

Parenting a child from prison is challenging. But through letters, phone calls and visits, it’s possible to build a positive relationship. I tell parents, “Always do your best not to play the victim role, which upsets children who may feel abandoned by their parent. Instead, tell your children what you are doing in prison, where you work, and if you are in school.”

When parents can stay in touch, children learn that what happened is not their fault and that they are loved.

Our Children Need Us

It’s important to children to stay in touch with incarcerated parents. Our children are innocent victims in our crimes. When we are incarcerated, the children are traumatized. They feel abandoned. If children lose touch with their parents, they grow up

wondering if their parents loved them, or why they went away.

When parents can stay in touch, children learn that what happened is not their fault, that they are loved, and that they can learn from their parent’s mistakes. By being a positive role model to her children while in prison, an incarcerated mother teaches her child that if Mom can make the best out of a bad situation, they can too.

Unfortunately, it can be very difficult for parents in prison to stay connected to their children. Parents with long sentences or who are facing TPR can lose hope for a brighter future. They become depressed and angry at the system or themselves and lose the incentive to strive for self-improvement.

Painful Choices

For many, the only way to stop that 15-month clock is to find a relative or friend to take their children out of the system. But as a result of drugs, or other aspects of their lifestyles

In general, if you make a conditional surrender agreement before TPR, and allow someone you’ve chosen to adopt your children, you have more control over what happens to them. You can also make a post-adoption contact agreement.

Through those agreements, a court can require the adoptive parents or a case worker to continue to bring your children to visit you. In New York, those agreements are now court-enforceable, as long as a judge agrees that visits are in the child’s best interest.

Still, in many states, contact agreements are not legally binding. Sadly, there is usually no penalty if an adoptive family does not stay in contact with the biological parent. I have seen women make an agreement, only to have contact with their child end six months later.

Information and Options

I am proud that my workshops are informative, and it upsets me that so many of the mothers here with children in the system have no idea what ASFA is. I wish that caseworkers and parents’ attorneys would take the time to explain ASFA so parents can advocate for their families.

I also wish there were better options for all incarcerated parents—contact agreements that adoptive parents had to stick to, more adoptive parents so that children don’t bounce from home to home in the system after a TPR, and exceptions to ASFA for parents in prison.

Many times parents’ rights are permanently terminated because of a relatively short sentence. I hope that caseworkers, judges and legislators can stop punishing children for their parents’ crimes and find ways to help parents and children stay connected.

Pen Pals

My dad got locked up. Our letters keep us close.

BY STEVISHA TAYLOR

When my father got thrown in jail, I was heartbroken. I lived with my father (my mom had dropped off because of drug use) and now I was being cheated of him. My aunt and grandparents thought not seeing him until I was 18 was the best for me, and the courts agreed. Since then, I've had to wake up each day with the hurt of knowing I will not see my father. But the amazing thing is that my dad has always been in my life.

Cards and Letters

For as long as I can remember, he has written to me. I was about 5 when I started sending him pictures I drew. I was 8 when I started writing. Most of the time we wrote about us not being able to see each other. I sent him a letter just about every



ILLUSTRATION BY KAROLINA ZANESKO

other week. He'd tell me that he cared about me, that he loved me.

My father tells me that jail is a hard-knock life. He writes to me about his life before jail, too. When my father was growing up, his father would beat on him and his brother and their mother. He had lots of hard

times—with his family and with growing up black when life for blacks in this country was even rougher. Then when he messed up, he got thrown in the dink.

I tell my father all my secrets. When I'd tell him about my mom using drugs, he would be upset and say that he was sorry that he was not there for me. When I told him about me being hurt at home, he was furious. When I went into foster care, I let him know. But there was nothing he could do but tell me to be strong and hold on.

A Chance to Be Together

These years of writing and talking have bonded my father and me.



Sometimes I cry when we talk because I miss him. Other times I tell him about my life and he just listens.

Learning about my father's experiences has left me angry, but it's also made me want to make my life better, to finish school and go to college and succeed, for myself, my father and now, for my child.

I will be so happy when my father is out and we will be able to form a life together. Of course I have my worries. But at least we will spend father-daughter time together. Whatever happens, I will just be happy that after so much time apart, we have the chance to be together as a family.

Trying to Forgive

I'm angry at my father for spending my childhood behind bars.

BY ANTWAUN GARCIA

I have seen my father go to jail so many times it's not even funny.

When my father was doing his thang selling on the streets, I didn't have a problem with it. I saw it as my father did: the only way to survive.

I was 6 or 7 the first time I saw my father get arrested. As the police clipped those silver bracelets on my father, tears ran down my face. I wanted to jump in and free him, but all I could do was stand there, not moving an inch.

Keeping His Cards

All the cards and letters my father ever wrote me from prison, I kept. When I missed him, I reread the letters and would picture him saying

those words to me.

On my 11th birthday my aunt gave me a card from my father. There was a rose on the outside. Inside it said, "I'm sorry, Son... I wish I could see your face smiling as you blow out those candles."

I put my head back and felt the tears fall to my ears. I groaned in silence so no one would hear me.

My father would write at the bottom to respond. But I never did. I didn't know what to say. I didn't want to say I was fine, when I wasn't.

Out of Touch

Soon the letters stopped, and as I got older, I felt like I didn't care for

him anymore. I thought, "Screw him, he isn't here for me now, so I don't need him in the future."

When he finally came out of jail, it had been four years since we'd communicated. I was 17 and my sister Shante was 8.

When I saw him get off the bus, I wanted to run and hug him like I used to as a child, but then my anger came over me and it told me to just chill and lay back. I called his name, and he turned and saw me. He was happy. I could see it in his face. He gave me a hug, but my arms paused a moment before hugging back. I thought, "Let's just see how the day goes."

Good Feelings

As the day went on, my feelings changed. I was having fun with him. We chilled in the crib and talked and laughed as we used to. Seeing the way he and my sister played reminded me of how we used to wrestle on the bed and play basketball in the streets. Those are the days I miss most, the days when I was his son and he was my father.

Since then I've tried to forgive my father. While I can never forget the past, I want to have him in my life without being angry.

Teen stories are reprinted from Represent, a magazine by and for youth in foster care.

ABOUT **Rise**

Rise is a magazine by and for parents who have been involved with the child welfare system. Its mission is to provide parents with true stories about the system's role in families' lives and information that will help parents advocate for themselves and their children.

Stories in this issue were written by prisoners supported by the Osborne Association's services at Sing Sing Correctional Facility and by the Children's Center at Bedford Hills Correctional Facility. You can call the Osborne Association's family support line at 1-800-344-3314. Other stories

were written by participants in the Child Welfare Organizing Project (CWOP), an advocacy and self-help program that teaches parents about their rights. For more information about CWOP, call (212) 348-3000. Teen perspective stories appeared in *Represent*, a magazine by and for youth in foster care, which is published by Youth Communication. See www.youthcomm.org for more information.

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'I'll Never Give Up'

I lost my rights but not my girls.

BY BLISS EDWARDS

After I'd been in prison for two years, my two daughters were placed in foster care. They had been shifting back and forth between my aunt and sister. My aunt suffered from some medical issues and my sister had three children of her own. Eventually, they could no longer take care of my daughters, especially since I still had nine years to do. They contacted social services because we had no other family to take the girls.

voluntarily giving up my rights with conditions. I felt like my world was crumbling down and I was defeated.

One Hour a Month

I decided to give up my rights with the condition that my sister or their father still would be able to bring them to visit me. Unfortunately, my sister got ill and their father has not come. However, I have been fortunate enough to continue seeing my children. The caseworker arranged it so that if I call and schedule a visit, she will bring them once a month for an hour. Although an hour is not much time it is better than not seeing them at all.

It is important to never give up hope and to take advantage of every opportunity. I make the best out of that one hour a month and I maintain my relationship with my daughters through mail that is scanned by the caseworker. I want my children to know I love them. I also want to teach them to be the best that they can be.

Heartbroken and Helpless

Once the child welfare system got involved, I was so stressed out. My girls were shipped around and split up. I wasn't allowed to have their addresses or phone numbers. I was also served with court papers stating I had 15 months to get my children out of foster care or else I would be charged with neglect and would permanently lose my rights.

There was nothing I could do. I had no family or friends who could take them and I had time to do. My heart was broken and I felt helpless.

I kept going back and forth to court, hoping for a miracle. I dragged out my court case for almost a year. Unfortunately, I was stuck between having my rights taken away or

I hope that, although I've lost my rights, we will never be too old to be a family together. I will never give up hope or the fight to see and know my two beautiful daughters.

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