

Family Impact Statement

A Family Impact Statement is beginning to be used around the country during the sentencing phase to provide judges with information concerning the likely outcomes for the minor children of a convicted defendant, with whom the children have a significant relationship, including economic dependence. Our organization, Arkansas Voices for the Children Left Behind, is a 14-year old, non-profit, statewide agency, originally funded by the Winthrop Rockefeller Foundation, and dedicated to the well-being and positive outcomes for children of parents involved in the criminal justice system, from arrest to re-entry. We are the only organization in the state dedicated solely to these children and families.

In the current case of _____, she is the mother of three minor-aged children, 15, 8, and 6. If she is incarcerated, her daughter will be placed in guardianship with her paternal grandparents, _____, and her two sons will be placed with their maternal uncle and aunt, _____. Although both homes are very appropriate, safe, and loving, the two boys will be separated from their older half sister, and the boys will have to change schools, moving from the only school they have known since the ages of three, to a different school in Rogers, as that is the home of their uncle and aunt. The economic impact on these relative caregivers will be severe, as in the case of both relative caregivers, there are limited resources to spread to the care of these children.

Every effort will be made to sustain contact with their mother during her incarceration, but we all understand these disruptions to their lives will have long-lasting effects, and the shame and stigma of a mother's incarceration follows the children. The families have received a great deal of education from us as to how to talk with the children and to provide the truth. We will also be able to facilitate visits with the mother at the Benton County Jail and the Department of Community Correction in Pine Bluff. As the sentencing for a first-time offender for the crime that she is accused is typically a one-year to 18-month sentence, it will be important for these children to sustain access to their mother who will likely be returning to them in a one and one-half year time frame.

However, if any consideration can be given to an alternative to incarceration, such as probation, intensive day-reporting, assignment to a women's drug treatment (outpatient) program in the area, or electronic monitoring or other possible ways to keep this mother at home with her children, working, giving back to the community, but without removing her from her home, we would gladly help to facilitate any such plan. Arkansas Voices has an office in Fayetteville at 28 South College St., and staff that will work with Mrs. _____ in whatever manner the court might want to outline as her consequence.

We have been successful in working with other mothers for whom the judges have considered the needs of the children and kept the mothers within the community while being carefully supervised and attending community-based programs designed to help the offender. We have been advised that you can contact Judge _____ or Judge _____, each of whom has considered our recommendations, with positive outcomes.

We hope you will take our offer into consideration, and know that we offer this Family Impact Statement with the utmost respect for your decision-making and the goals of the criminal justice system you represent in your courtroom.