

If dad is in prison, will his children end up in foster care?

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Past research has shown numerous adverse effects of parental imprisonment on children. In the United States, studies have found that paternal imprisonment is associated with children's poor school performance; behavioral and mental health problems; crime, delinquency, and criminal justice contact; and worse health, including higher rates of obesity for girls and greater infant mortality, than children without an incarcerated parent.¹ One possible consequence that has received relatively little research attention to date is how parental incarceration affects children's risks of foster care placement. Foster care is an important experience, for children because it is a form of instability, and for society because of the costs associated with administering out-of-home care. Prior research on the relationship between parental incarceration and foster care has focused solely on maternal incarceration, and has generally not considered whether parental incarceration is a causal factor in foster care placement.

This article describes new research that addresses these gaps by: (1) providing an explanation for how paternal incarceration may increase placement of children in foster care; (2) conducting strong causal tests of this relationship; and (3) investigating possible mechanisms by which it might work.² This study uses data from Denmark.

Parental incarceration and children's foster care placement

Past research on the relationship between parental imprisonment and children's foster care placement in the United States has focused on mothers and shown that incarceration of mothers, often the primary or only caregiver, results in a higher likelihood of their children being placed in foster care.³ This has been especially true following the implementation of the Adoption and Safe Families Act of 1997, which requires that states terminate parental rights when children have been in foster care for 15 out of the past 22 months. Because these children cannot be reunited with their parents and are also unlikely to be adopted, they tend to remain in foster care until they reach the age of majority, increasing caseloads.

How could paternal incarceration affect foster care placement?

Since fathers are much less likely than mothers to be their children's primary (or only) caregiver prior to incarceration, it is unlikely that their imprisonment would have a direct effect on children's foster care placement. Indeed, studies have shown this to be the case.⁴ However, there are a number of indirect pathways through which paternal incarceration could raise the future risk of children's foster care placement, even years after the original conviction, by increasing household instability. We focus on four such mechanisms: (1) changes in family finances and resulting material hardships for households; (2) changes in maternal well-being and support from friends and family; (3) new maternal romantic relationships; and (4) consequences of incarceration that negatively affect paternal parenting skills.

Financial instability

The financial instability and related problems faced by a mother as a result of her children's father's incarceration seem particularly likely to increase the risk of children's foster care placement. While the negative consequences of a criminal record on employment are well documented, it is only recently that researchers have demonstrated that this decrease in earnings, when combined with the increased risk of a romantic relationship ending, dramatically decreases fathers' financial household contributions.⁵ This decrease in turn increases the likelihood of welfare receipt, material hardship, and housing instability, including homelessness.⁶ These factors could increase the risk of foster care placement by, for example, putting families in contact with official institutions such as with welfare receipt, or by greatly disrupting family stability such as with homelessness.

Maternal well-being

Women whose partners are incarcerated are likely to experience elevated levels of mental health problems.⁷ Incarceration of a partner also often decreases the level of in-kind and financial support received from friends and family.⁸ Since issues such as maternal depression have negative consequences for parenting behaviors, this combination of mental health problems and declines in social support may well lead to worse parenting behaviors, and in turn to a higher risk of foster care placement.

Changes in romantic relationships

Incarceration of a father has been found not only to increase the likelihood of a romantic relationship ending, but also to increase the probability that the mother will find a new romantic partner.⁹ Although there are increasing signs

that women who have had a nonmarital birth may in fact “move up” in terms of partner quality when they find a new romantic partner, the presence of a social father in the household after incarceration of the biological father has been linked with higher risk of child abuse.¹⁰ This suggests that a new relationship could also increase the probability of children’s foster care placement.

Diminished ability of fathers to parent

Beyond changes affecting the mother and her household as a result of paternal incarceration, imprisonment has also been found to have a number of relevant negative effects on incarcerated fathers. For example, recently incarcerated fathers are less likely to be positively involved with their children.¹¹ These fathers are also more likely to use violence against their children’s mothers, and to experience problems with both mental and physical health. Since these factors decrease formerly incarcerated fathers’ ability to positively contribute to the lives of their children, they could well increase children’s risk of foster care placement.

Need for more research on causality

Even given these four plausible mechanisms by which paternal incarceration could result in an increased risk for children’s foster care placement, there are many observed and unobserved differences between those families that have experienced paternal imprisonment and those that have not, and these differences could explain any observed changes in foster care placement. To assess whether paternal incarceration causes an increase in children’s foster care placement, it is necessary to control for these differences.

Community service in Denmark

An expansion of courts’ use of community service in Denmark provides us with the opportunity to test the causal effect on foster care placement of being sentenced to between 30 and 240 hours of work that a judge determines contributes to society rather than prison. In 2000, changes in Danish law resulted in a large increase in the use of community service, particularly for misdemeanors, simple violence (such as bar fights resulting in only minimal injuries), and drunk driving and other traffic offenses. By comparing offenders sentenced immediately before and after the community service reform, we are able to isolate the effects of incarceration compared to community service.¹²

Did paternal incarceration in Denmark cause higher foster care placement?

We find strong evidence that paternal incarceration caused higher rates of foster care placement among Danish children in the three years after conviction. The differences between those with incarcerated fathers and those with fathers sentenced to community service is statistically significant, and the effect size is large. The results suggest

that incarceration increases foster care placement risks by between 4 and 6 percentage points; since the risk of placement for children of fathers in the sample sentenced to community service is six percentage points, this difference represents a dramatic increase.

Our findings suggest that the risk of foster care placement is just as high for children in the period immediately following their father’s release from prison as it was while he was imprisoned. They also suggest that interventions designed to reduce foster care placement by providing support to these families during fathers’ incarceration could be effective if the support is provided during the immediate imprisonment and post-release periods.

Our findings also suggest that community service reduces foster care placement compared to incarceration only when the father was not living with the children before conviction. This may mean that parents who were living together prior to the father’s incarceration are better able to withstand the negative effects of that incarceration.

Of the four possible mechanisms that we explore by which the relationship between paternal incarceration and risk of children’s foster care placement could operate, we were able to test only two of them, given the available data. These were family finances, and maternal romantic relationships. Our results suggest that, at least in Denmark, the effect of paternal imprisonment on children’s foster care placement is not driven by changes in family finances or changes in family structure. This may be because Denmark offers generous public benefits that help protect children and families from the effects of either of these types of changes, an issue discussed in more detail below.

Discussion

Our results show that for Danish children, having an incarcerated father is associated with large and statistically significant increases in the risk of children being placed in foster care in the three years following conviction. We find an effect only for children who do not live with their father at the time of conviction, suggesting that families with both parents living together prior to the father’s incarceration are more resilient to the negative effects of paternal incarceration, while children with nonresident fathers who become imprisoned may be doubly disadvantaged. We also find effects only for those children whose fathers were convicted for crimes for which they would have been eligible for community supervision if sentenced after the 2000 reform, providing strong evidence that paternal incarceration causes higher rates of foster care placement among children. Finally, our analyses suggest that at least for Danish families, neither changes in family finances nor changes in romantic relationships for mothers significantly affect the relationship between paternal incarceration and the probability of children’s foster care placement. We identified two other factors that may mediate this relationship, though we were

not able to assess them in this study: maternal well-being and paternal parenting skills.

Although the change in the use of community service in Denmark provides a unique opportunity to assess the causal relationship between paternal incarceration and placement of children in foster care, and the results of our assessment are extremely consistent, nonetheless our study does have a number of limitations.

First, because few mothers are incarcerated in Denmark, we were unable to estimate the effects of maternal incarceration on foster care placement, which would provide a more complete picture of the risks of parental incarceration on children's placement in foster care. Second, because the crimes for which community service can be applied are relatively minor, our results may not be generalizable to families experiencing paternal incarceration for more serious offenses. Third, we were able to test only two of our four potential mediators of the relationship between paternal imprisonment and the risk of foster care placement for children.

Two final limitations of our study concern some perplexing results regarding mediation and whether paternal residence prior to incarceration matters, and the generalizability of our findings to the United States. These concerns are related, as our thoughts on confounding results inform our assessment of generalizability.

We tested two of our four proposed mechanisms, and found that neither mediated the relationship between paternal incarceration and foster care placement. Although this finding was initially perplexing, we concluded that in Denmark, where generous public benefits help keep households in a stable financial position, neither of the mechanisms we tested should have substantially increased foster care placement.

A second odd finding, that the effects of paternal incarceration on children's foster care placement is concentrated among families where children are not living with their fathers prior to sentencing, is initially harder to explain. There is, however, one explanation that appears plausible and again highlights differences between Denmark and the United States. Although Denmark provides generous public benefits, we would still expect that mothers raising children without a resident father would be in a more precarious financial position compared to mothers raising children whose father was temporarily away from the home due to imprisonment (none of the fathers in our sample were given sentences longer than one year).¹³ In Denmark, foster care carries much less stigma than it does in the United States, and most placements occur with parental permission. This is in striking contrast to the United States, where few if any foster care placements happen with the consent of the parents. It is plausible that in Denmark, a mother who is more marginalized than her peers might choose to have

her child temporarily placed in foster care during a time of particular stress.

Of course, there is no way of knowing with certainty how to explain these unexpected findings. The combination of this uncertainty with known differences between the United States and Denmark in the criminal justice, foster care, and welfare systems casts doubt on the generalizability of these Danish findings to families in the United States.

Despite these limitations, our study does make key contributions to the body of research on the consequences of parental incarceration for children. We identify potential pathways by which paternal incarceration could increase children's likelihood of foster care placement, even years after the original conviction. Although the more direct mechanisms for the effects of maternal imprisonment may be easier to observe than those for paternal incarceration, it still seems plausible that paternal imprisonment may harm children. Our use of Danish data allows us to apply rigorous methods and illustrate that paternal incarceration does indeed have an independent effect on children. Future research should continue in this area, to determine whether the causal effects of paternal incarceration are limited to foster care placement, or have other detrimental effects on children. ■

¹For results on paternal incarceration and school performance, see: J. Hagan and H. Foster, "Intergenerational Educational Effects of Mass Imprisonment in America," *Sociology of Education* 85, No. 3 (2012): 259–286; for behavior and mental health, see: A. Geller, C. E. Cooper, I. Garfinkel, O. Schwartz-Soicher, and R. B. Mincy, "Beyond Absenteeism: Father Incarceration and Its Effects on Children's Development," *Demography* 49 (2012): 49–76; for crime, see: M. E. Roettger and R. R. Swisher, "Associations of Fathers' History of Incarceration with Sons' Delinquency and Arrest among Black, White, and Hispanic Males in the United States," *Criminology* 49 (2011): 1109–1147; for obesity, see: M. E. Roettger and J. D. Boardman, "Parental Imprisonment and Gender-Based Risks for Increased BMI: Evidence from a Longitudinal Study of Adolescents and Young Adults in the US," *American Journal of Epidemiology* 175 (2012): 636–644; for infant mortality, see: C. Wildeman, "Imprisonment and Infant Mortality," *Social Problems* 59 (2012): 228–257.

²This article draws on S. H. Andersen and C. Wildeman, "The Effect of Paternal Incarceration on Children's Risk of Foster Care Placement," *Social Forces* 93, No. 1 (September 2014): 269–298.

³C. Swann and M. S. Sylvester, "The Foster Care Crisis: What Caused Caseloads to Grow?" *Demography* 43 (2006): 309–335.

⁴Swann and Sylvester, "The Foster Care Crisis."

⁵For employment consequences, see D. Pager, "The Mark of a Criminal Record," *American Journal of Sociology* 108 (2003): 937–975; for relationship dissolution, see M. Massoglia, B. Remster, and R. D. King, "Stigma or Separation? Understanding the Incarceration-Divorce Relationship," *Social Forces* 90 (2011): 133–155; for decreased financial contributions by fathers, see A. Geller, I. Garfinkel, and B. Western, "Incarceration and Support for Children in Fragile Families," *Demography* 48 (2011): 25–47.

⁶For welfare receipt, see: N. F. Sugie, "Punishment and Welfare: Paternal Incarceration and Families' Receipt of Public Assistance," *Social Forces* 90 (2012): 1403–1427; for material hardship, see: O. Schwartz-Soicher, A. Geller, and I. Garfinkel, "The Effect of Paternal Incarceration on Material Hardship," *Social Service Review* 85 (2011): 447–473; for housing, see: A.

Geller and A. W. Franklin, "Paternal Incarceration and the Housing Security of Urban Mothers," *Journal of Marriage and Family* 76 (2014): 411–427.

⁷See, for example, M. Comfort, *Doing Time Together: Love and Family in the Shadow of the Prison* (Chicago: University of Chicago Press, 2008).

⁸K. Turney, J. Schnittker, and C. Wildeman, "Those They Leave Behind: Paternal Incarceration and Maternal Instrumental Support," *Journal of Marriage and Family* 74 (2012): 1149–1165.

⁹For union dissolution, see for example Massoglia, Remster, and King, "Stigma or Separation?"; for new romantic partners, see K. Turney and C. Wildeman, "Redefining Relationships: Explaining the Countervailing Consequences of Paternal Incarceration for Parenting," *American Sociological Review* 78 (2013): 949–979.

¹⁰For "moving up," see S. H. Bzostek, S. S. McLanahan, and M. J. Carlson, "Mothers' Repartnering after a Nonmarital Birth," *Social Forces* 90 (2012): 817–841; for risk of child abuse, see H. Foster and J. Hagan, "Incarceration and Intergenerational Social Exclusion," *Social Problems* 54 (2007): 399–433.

¹¹Turney and Wildeman, "Redefining Relationships."

¹²See Andersen and Wildeman, "The Effect of Paternal Incarceration on Children's Risk of Foster Care Placement," for a detailed description of the methodology used.

¹³This logic would likely not apply in the United States, where sentences tend to be longer.