

Jane Addams College of Social Work

*The Bill of Rights for Children of Incarcerated  
Parents* Technical Assistance Project

Contextual Factors

Susan D. Phillips, Ph.D.  
1040 W. Harrison M/C 309  
Chicago, IL 60607  
suephi@uic.edu  
[April 25, 2008](#)





---

# Contextual Factors

The goal of *The Bill of Rights* technical assistance project is to help select groups identify and implement policy and practice reforms that will lead to changes in how individuals and systems respond to children of incarcerated parents (Phillips, 2008). These groups are located in the states listed in Table 1 below. They represent all regions of the U. S.

**Table 1. States Represented in *The Bill of Rights* Technical Assistance Project**

Arizona	Minnesota	Tennessee
Connecticut	Montana	Texas
Illinois	Pennsylvania	Washington
Massachusetts	South Carolina	

This brief report describes ways in which the states represented in *The Bill of Rights* project differ from one another. These include differences in the rate at which states' prison populations have been growing, the overall size of their prison populations, and the proportion of children with parents in prison. Other contextual differences include states' racial and ethnic group composition and differences in the general well-being of children. These differences could potentially influence the perceived need for reforms targeting children of incarcerated parents and the success of efforts to bring about changes.

## Differences in Rates of Prison Expansion

Throughout the U. S., prison populations have been growing rapidly since the 1980s. The rate of growth, however, varies from state to state. In the case of the states taking part in *The Bill of Rights* technical assistance project, in the past decade the annual average rate of growth was higher than the national average (3%) in Minnesota (6.7%), Montana (5.8%), Tennessee (5.7%), and Arizona (4.5%). The remaining states had slower than average growth, with Massachusetts experiencing a minimal average net loss of 1.4% annually (Table 2, Column A).

In every state, the rate of growth in the female prison population outpaced that of the male population. This is largely a function of the difference in the size of the female and male prison populations. Because the female population is dramatically smaller than the male population, it takes relatively fewer women to produce a greater percentage increase. Nonetheless, relative to other states taking part in the technical assistance project, Minnesota, Montana, and Tennessee had particularly high (>10%) annual average increases in female inmates in the past decade.

## Differences in Prison Population Size and Rate of Incarceration

By far, Texas has the largest number of people in prison. There are more than 150,000 men and 13,500 women in Texas prisons at any given time. This stands in stark contrast to Montana which incarcerates fewer than 4,000 men and women combined (Table 2, Column B).

The size of a state’s prison population is influenced by the size its overall population; i.e., one would expect to find more people in prison in large states (e.g., Texas) than in small states (e.g., Connecticut). For this reason, it is helpful to use a common metric when comparing states. This can be done by converting the number of people in prison in a state into the rate of people in prison per 100,000 residents of the state. Doing this, we find that Texas not only has the greatest *number* of prisoners, but also the highest *rate* of incarceration (691 men per 100,000 residents and 97 females per 100,000 residents) (Table 2, Column C). South Carolina and Arizona are distant seconds with approximately 520 men in prison per 100,000 residents. Arizona also has the second highest rate of incarceration for women (85 per 100,000).

Table 2. Rate of Prison Expansion and Incarceration by State

	A		B		C	
	Average Annual Percent Change in Inmate Population 1995-2005		Number of Inmates		Incarceration Rate per 100,000 Residents	
	All Inmates	Females	All Inmates	Females	All Inmates	Females
Arizona	4.5	7.3	31,411	2,896	521	85
Connecticut	2.3	4.3	13,121	1,489	373	43
Illinois	1.8	2.2	44,919	2,725	351	42
Massachusetts	-1.4	1.9	9,081	788	239	12
Michigan	1.9	1.4	49,546	2,111	489	41
Minnesota	6.7	10.8	9,281	604	180	23
Montana	5.8	12.2	3,509	354	373	75
Pennsylvania	2.7	3.1	42,345	2,029	340	32
South Carolina	1.7	3.8	22,464	1,514	525	64
Tennessee	5.7	12.2	26,369	2,022	440	66
Texas	2.2	5.5	159,255	13,506	691	97
Washington	4.1	6.3	17,320	1,455	273	45

Source: Harrison & Beck (2006)

## Rate of Parental Incarceration

Information from past studies can be used to estimate the number of inmates who are parents and how many children they have (Table 3, Column A). At any given time, nearly half a million children have

parents in prison in the states represented in *The Bill of Rights* project. As was the case with inmates, Texas has the largest number of children with parents in prison (179,734). Illinois and Pennsylvania are distant seconds with approximately 50,000 children who have incarcerated parents at any given time.

The relative rankings of the states change when the numbers of children of incarcerated parents are adjusted to account for differences in the size of the child population under age 18 in each state. The *rate* of parental incarceration is highest in Texas (2,698 children with incarcerated parents per every 100,000 children in the population), with South Carolina (2,321), Arizona (2,140) and Tennessee (2,018) relatively close behind.

Table 3. Parents in Prison and Children in of Inmates

	A			B	C		
	Estimated No. of Children with Incarcerated Parents <sup>1</sup>			Child Population Under 18 <sup>2</sup>	Estimated Rate of Parental Incarceration (per 100,000 children)		
	Fathers	Mothers	Total	No.	Fathers	Mothers	Total
Arizona	31,195	4,350	35,545	1,660,729	1,878	262	2,140
Connecticut	12,725	2,236	14,962	883,005	1,441	253	1,694
Illinois	46,160	4,093	50,253	3,415,834	1,351	120	1,471
Massachusetts	9,073	1,183	10,256	1,541,405	589	77	665
Minnesota	9,493	907	10,400	1,304,663	728	70	797
Montana	3,452	532	3,983	219,263	1,574	242	1,817
Pennsylvania	44,106	3,047	47,153	2,988,706	1,476	102	1,578
South Carolina	22,919	2,274	25,193	1,085,464	2,111	209	2,321
Tennessee	26,636	3,037	29,672	1,470,649	1,811	206	2,018
Texas	159,449	20,285	179,734	6,661,902	2,393	304	2,698
Washington	17,356	2,185	19,542	1,573,148	1,103	139	1,242

<sup>1</sup> Estimates were obtained by multiplying the number of male inmates (i.e., all inmates – female inmates) from Table 2 by .547 and the number of female inmates by .653. This yields the estimated proportion of state inmates who are parents of minor children (see Mumola, 2000). The estimated number of children can then be calculated by multiplying the result for men by 2 (the average number of children per father in prison) and the result for women by 2.3 for women (Johnston, 1995).

<sup>2</sup> Source: Annie E. Casey Foundation (2007).

## Differences in the Racial/Ethnic Composition of States' Child Populations

The states represented in *The Bill of Rights* project also differ with respect to the racial/ethnic composition of their populations (Table 4). This is important because it represents differences in the stakeholder groups and decision makers that partnerships may need to involve in planning and carrying

out change efforts. For instance, tribal authorities may need to be engaged in efforts to secure the rights of Native American children with incarcerated parents and immigration authorities could be important players in states with a substantial immigrant population.

Among the states represented in *The Bill of Rights* project, South Carolina (58%), Tennessee (21%) and (to a lesser extent) Illinois (18%) have a disproportionately high proportion of Black children in comparison to the U. S. average (15%). Washington is notable for its Asian population (6% [not shown]) and Montana (10%) and Arizona (5%) have proportionately large Native American populations. Texas (44%) and Arizona (40%) also have large Latino populations, including above average proportions of children of immigrants (i.e., children who are themselves foreign-born or reside with at least one foreign-born parent). At the same time, 6 of the 11 states represented in this project have White populations that exceed the U. S. average (58%). These include Connecticut (67%), Washington (68%), Tennessee (71%), Massachusetts (73%), Minnesota (79%), and Montana (82%),

Table 4. Characteristics of Child Population

	Race/Ethnicity (%)					Children of Immigrants (%)
	White	Black	Native American	Hispanic	Other	
Arizona	45	4	5	41	5	28
Connecticut	67	11	<1	16	6	18
Illinois	56	18	<1	20	6	22
Massachusetts	73	8	<1	12	7	22
Minnesota	79	6	1	6	8	12
Montana	82	4	10	4	0	3
Pennsylvania	75	14	<1	7	4	8
South Carolina	58	34	<1	5	3	7
Tennessee	71	21	<1	5	3	30
Texas	38	12	<1	45	5	21
Washington	68	4	2	15	11	13
US	58	15	1	20	6	21

Source: Annie E. Casey Foundation (2008)

## Differences in Indicators of Child Well-being

States represented in *The Bill of Rights* project differ with respect to indicators of child well-being. Table 5 lists state rankings published by Kids Count, a project of the Annie E. Casey Foundation (<http://www.kidscount.org/datacenter/databook.jsp>). These rankings take into account multiple indicators of child well-being including low birth weight babies, teen births, high school drop out rates, child poverty and so forth. Lower ranked states (#1, #2, etc.) perform better on these indicators than higher ranked states.

States represented in *The Bill of Rights* project include some of the highest and lowest ranked states in the country. Connecticut, Minnesota, and Massachusetts are among top five best ranked states; whereas Tennessee (#43) and South Carolina (#46) are among the poorest performing states.

Table 5. *Kids Count* Ranking

State	Rank	State	Rank
Arizona	36	Montana	29
Connecticut	3	Pennsylvania	21
Illinois	26	South Carolina	46
Massachusetts	5	Tennessee	43
Minnesota	1	Texas	37
		Washington	13



## References

- Annie E. Casey Foundation (2007). *2007 KIDS COUNT Data Book*. Retrieved 4/08 from <http://www.kidscount.org/datacenter/databook.jsp>.
- Harrison, P. M. & Beck, A. J. (2006). *Prisoners in 2005* (NCJ 215092). DC: Bureau of Justice Statistics.
- Johnston, D., & Gabel, K. (1995). Incarcerated parents. In K. Gabel & D. Johnston (Eds.), *Children of Incarcerated Parents*. NY: Free Press.
- Mumola, C. (2000). *Incarcerated Parents and Their Children* (NCJ 182335). DC: Bureau of Justice Statistics.
- Phillips, S. D. (2008). *Making The Bill of Rights for Children of Incarcerated Parents a Reality: Evaluation Report*. Chicago: University of Illinois, Chicago. Jane Addams College of Social Work.