

A Roadmap to Research: Preventing Criminal Justice Involvement among Parents and Caregivers

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Executive Summary

Overview and Background

This report aims to inform research, practice, and policy by examining how incarceration affects parents and families and identifying key elements of a future research agenda in this area. The report draws on a comprehensive literature review, convenings with diverse stakeholders, and dissemination activities, as well as analysis of existing evidence and programmatic approaches, and a synthesis of input from our collaborators.

Key Findings

Our work highlights the need to shift from current criminal justice responses to preventive, family-centered alternatives. It identifies deflection as a critical first step in preventing justice system involvement for parents and caregivers and calls for the adoption of tailored, evidence-based interventions across the justice system that are rigorously evaluated. A national landscape analysis is recommended to map and assess the diversity of diversion and alternatives-to-incarceration programs. Beyond traditional outcome measures like recidivism, the findings stress the importance of tracking indicators related to family and child well-being and community health. There is a call to center families in the design and evaluation of programs, use participatory research to elevate lived experience, and invest in promising strategies that foster innovation and build future evidence. Finally, the work underscores the need to address upstream structural drivers of incarceration—such as poverty and systemic racism—by redirecting investments toward community supports that create the conditions for families to thrive.

Conclusion

This report outlines a research roadmap that centers families, elevates lived experience, and emphasizes both evidence-generating practice and structural change. By embracing innovative approaches and expanding how we measure success to include individual, family, and community-level outcomes, we can address social problems in new ways that promote well-being, equity, and long-term stability for all families.

Overview

Rigorous empirical evidence about alternative responses to criminal justice involvement for parents and caregivers is limited. For justice system alternatives to be realized as a front-end approach to preventing parental incarceration and keeping families intact, a framework or roadmap for how to move forward is needed. This roadmap should include, for example, elements that 1) inform our understanding of current alternative practices for parents and families; 2) provide guidance on the development and evaluation of models; 3) offer recommendations on who to involve (e.g., lived experience experts, practitioners, key stakeholders); and 4) highlight important components of research activities (e.g., evaluability assessments, research-practice collaborations, viable funding opportunities, community-centered research designs).

In the absence of a robust body of literature and a lack of agreement in the field about the features of alternative models and the language used to describe them, we worked to develop guidance for the research, practice, and policy communities on how to proceed with developing evidence in the area of alternative responses to justice system involvement for families. The purpose of this report is to present recommendations for developing a research agenda that informs evidence-based practices and policies that reduce incarceration and prevent justice system involvement among parents and caregivers. The report is organized into the following remaining sections: Background, Approach, Findings and Recommendations, and Discussion.

Background—Why Prevent Criminal Justice Involvement among Parents?

Nearly half of all Americans have had an immediate family member incarcerated and 1 in 20 people report ever having had a parent spend time in jail or prison.¹ More than half of individuals in state prisons (52%) and nearly two-thirds in federal prisons (63%) are

¹ Enns, P. K., Yi, Y., Comfort, M., Goldman, A. W., Lee, H., Muller, C., & Wildeman, C. (2019). What percentage of Americans have ever had a family member incarcerated?: Evidence from the family history of incarceration survey (FamHIS). *Socius*, 5, 1–45. <https://doi.org/10.1177/0002716208331123>

parents to children under 18.² As a result, an estimated 5 million children in the United States—approximately 7% of those living with a parent—have experienced separation due to parental incarceration.³ High rates of imprisonment in the United States have resulted not only in the incarceration of individuals, but of entire social groups—particularly people of color, those living in poverty, and individuals with low levels of education.⁴ Research has consistently found that parental incarceration is associated with negative outcomes including poor physical and mental health conditions in children,⁵ low levels of children’s academic achievement,⁶ disrupted parent-child relationships,⁷ economic instability and caregiver burden,⁸ and increased risk of intergenerational involvement in the criminal justice system.⁹

In response to the negative effects of imprisoning parents, efforts have grown in recent years to develop and evaluate strategies that mitigate the harm associated with parental incarceration and promote family well-being. For example, parenting programs have been designed for currently incarcerated fathers and mothers^{10,11} offering a range of interventions including parenting education,¹² support to increase parent-child contact

² Glaze, L. E., & Maruschak, L. M. (2010). *Parents in prison and their minor children*. Bureau of Justice Statistics. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=823>

³ Murphey, D., & Cooper, P. M. (2015). *Parents behind bars: What happens to their children?* Child Trends. <https://www.childtrends.org/publications/parents-behind-bars-what-happens-to-their-children>

⁴ Western, B., & Pettit, B. (2010). Incarceration & social inequality. *Daedalus*, 139(3), 8–19. https://doi.org/10.1162/DAED_a_00019

⁵ Turney, K. (2014). Stress proliferation across generations? Examining the relationship between parental incarceration and childhood health. *Journal of Health and Social Behavior*, 55(3), 302–319. <https://doi.org/10.1177/0022146514544173>

⁶ Turney, K., & Haskins, A. R. (2014). Falling behind? Children’s early grade retention after paternal incarceration. *Sociology of Education*, 87(4), 241–258.

⁷ Arditti, J. A. (2012). *Parental incarceration and the family: Psychological and social effects of imprisonment on children, parents, and caregivers*. NYU Press.

⁸ Western, B., & Pettit, B. (2010). Incarceration & social inequality. *Daedalus*, 139(3), 8–19. https://doi.org/10.1162/DAED_a_00019

⁹ Wildeman, C., & Wakefield, S. (2014). The children of the incarcerated. *The Future of Children*, 24(1), 55–77. <https://doi.org/10.1353/foc.2014.0002>

¹⁰ Loper, A. B., Clarke, C. N., & Dallaire, D. H. (2019). Parenting programs for incarcerated fathers and mothers: Current research and new directions. In Eddy, J. M., & Poehlmann-Tynan, J. (Eds.). (2019). *Handbook on children with incarcerated parents* (Chapter 13). Springer International Publishing. <https://doi.org/10.1007/978-3-030-16707-3>

¹¹ Dallaire, D., & Shlafer, R. (2018). Programs for currently and formerly incarcerated mothers. In C. Wildeman, A. R. Haskins, & J. Poehlmann-Tynan (Eds.), *When parents are incarcerated: Interdisciplinary research and interventions to support children* (pp. 83–107). American Psychological Association.

¹² Eddy, J. M., Martinez Jr, C. R., Burraston, B. O., Herrera, D., & Newton, R. M. (2022). A randomized controlled trial of a parent management training program for incarcerated parents: Post-release outcomes. *International Journal of Environmental Research and Public Health*, 19(8), 4605.

and communication,¹³ and services for incarcerated pregnant women and women with infants.¹⁴ Other examples include programs that focus on formerly incarcerated fathers returning from prison or jail,^{15,16} and child-centered programs, such as youth mentoring for children of incarcerated parents that address the specific needs of young people impacted by parental incarceration.¹⁷

Although programs and practices for justice-impacted families continue to advance,¹⁸ the harmful effects of mass incarceration on both parents and children persist, and in many cases, are intensifying. Importantly, there remains a notable lack of evidence on what effectively reduces or prevents these harms from impacted families.¹⁹ The dearth of knowledge in this area, combined with incarceration's strong association with social and economic disadvantages and family disruption, has prompted calls for a reimagined criminal justice system that address the underlying conditions that have made incarceration the default response to many of society's most pressing challenges.²⁰

This call includes the use of alternative responses to incarceration or justice system involvement where people are diverted from having law enforcement interactions or remain in (or are released to) community settings who would otherwise be incarcerated. To date, numerous program and policy options exist that use an alternative response, including deflection, diversion, and alternatives-to-incarceration. However, most existing

¹³ Charles, P., Poehlmann, J., Kerr, M., Jensen, S., & Pritzl, K. (2023). Supported remote video visits for children with incarcerated parents in the United States. *Current Issues in Criminal Justice*, 35(4), 473–493.

¹⁴ Martin, B. E., Bates, R., Kelleher, K., & Boch, S. (2025). Incarcerated at birth: An integrative review of prison nurseries in the United States. *The Journal of Perinatal & Neonatal Nursing*, 39(2), 100–108.

¹⁵ Charles, P., Muentner, L., Grade, G., & Eddy, J. M. (2023). Assessment of feasibility and acceptability of the Pathways for Parents After Incarceration Program. *Family & Community Health*, 46(S1), S52–S65.

¹⁶ Eddy, J. M., & Burraston, B. O. (2018). Programs promoting the successful reentry of fathers from jail or prison to home in their communities. In C. Wildeman, A. R. Haskins, & J. Poehlmann-Tynan (Eds.), *When parents are incarcerated: Interdisciplinary research and interventions to support children* (pp. 109–131). American Psychological Association.

¹⁷ Stump, K. N., Kupersmidt, J. B., Stelter, R. L., & Rhodes, J. E. (2018). Mentoring program enhancements supporting effective mentoring of children of incarcerated parents. *American Journal of Community Psychology*, 62(1–2), 163–174.

¹⁸ Council of State Governments Justice Center. (2024). *Evidence-Based and Promising Programs and Practices to Support Parents Who Are Incarcerated and Their Children and Families*. <https://csgjusticecenter.org/publications/evidence-based-promising-programs-practices-support-parents-incarcerated>

¹⁹ Matz, A. K., Mayzer, R., & Herberholz, M. (2022). *Interventions pertinent to children of incarcerated parents: A review of systematic reviews*. University of North Dakota Scholarly Commons. <https://commons.und.edu/cj-fac/5>

²⁰ Western, B. (2019). *The challenge of criminal justice reform*. Square One Project. <https://squareonejustice.org/paper/the-challenge-of-criminal-justice-reform/>

models and evidence on their effectiveness are derived from studies focused on issues or populations that are not specific to the needs of parents and their children or are focused on approaches (like probation) where a person's parenting status is overlooked. In response, we set out to lay the groundwork for a research agenda that can guide future efforts in this area.

Approach

We used two primary strategies in our work to ensure the inclusion of diverse perspectives and sources of information. First, we conducted a literature review and synthesized the findings. Second, we organized a series of learning exchanges to engage numerous stakeholders and get feedback on the initial findings. These took the form of a 1) researcher convening, 2) national presentation and webinar, and 3) series of research workgroup meetings with subject matter experts.

Literature Review

We conducted a review of the literature to improve our understanding of what is known from research about alternatives for parents and caregivers. The review included peer-reviewed journal articles, book chapters, and gray literature. Academic databases, Google, and Google Scholar were used to capture relevant materials.

Learning Exchanges

Researcher Convening

In September 2024, a day-long researcher convening was held in Chattanooga, Tennessee, at the offices of First Things First (FTF), a non-profit organization and Office of Juvenile Justice and Delinquency Prevention (OJJDP) Family-Based Alternative Justice grantee (FBAJ) that supports fathers involved in child support and legal systems. The meeting focused on family-based justice and alternatives-to-incarceration for parents and caregivers, with the goal of identifying research gaps and gathering expert input on rigorous and relevant approaches for future evidence-building in this area. The event brought together 24 participants, representing a range of perspectives, including individuals with

expertise in research, direct practice, lived experience, policy, and advocacy. Attendees included grantees from OJJDP's Family-Based Alternative Justice Program as well as representatives from universities, research institutes, foundations, and community-based organizations. The convening's main activities included a review of current research, presentations from four OJJDP-funded programs, collaborative brainstorming sessions to identify critical questions for the field, and in-depth discussions on the types of evaluations, measures, and data needed to advance research on diversion and alternatives-to-incarceration for parents and caregivers.

Presentation and Webinar

To disseminate emerging findings and engage broader audiences, we conducted two presentations in late 2024 focused on family-based alternatives-to-incarceration for parents and caregivers. In November, we participated in the OJJDP National Conference on Youth Justice in Washington, D.C., presenting as part of a five-person panel titled "Family Matters: Family-Based Alternative Justice Programs." During this session, we shared preliminary insights from the September 2024 researcher convening on this topic. Building on that momentum, we then hosted a webinar in December 2024 titled "Advancing Family-Based Justice: Research Insights on Alternatives to Incarceration for Parents and Caregivers." The webinar featured a summary of the current research landscape, highlights from the convening, and a facilitated discussion with participants about next steps for advancing research in this field. In addition to gathering feedback on our developing ideas, a key goal of the webinar was to initiate a research workgroup and lay the groundwork for a 2025 series of meetings aimed at identifying priority research questions, core data elements, and evaluation strategies.

Research Workgroup Series

In 2025, we convened a three-part research workgroup series with scholars whose expertise spans parental incarceration, child and family well-being, and the broader impacts of justice system involvement on families. The purpose of these meetings was to build on the initial questions and findings generated during the Researcher Convening and to further explore key research priorities. Discussions focused on identifying critical

questions to guide future studies, determining appropriate research designs and methodologies, and outlining the types of research collaborations needed to support this work. The workgroup also generated input for identifying potential funding pathways, contributing directly to the development of a roadmap for a robust and actionable research agenda.

Findings and Recommendations

Alternative Approaches to Justice System Involvement

There is wide variation in the types of alternative responses to incarceration and justice system involvement for both the general population and specialized groups, including parents and caregivers, because of differences in state and local jurisdiction laws, guidelines, and community practices. In addition, some alternative approaches to involvement in the criminal justice system, notably for parents, are simply new(er) to the field. As such, the evidence base about alternative programs for parents and caregivers has yet to be fully established.

As such, we begin with a brief description of the primary alternative responses used in the field, organizing the information into two categories that capture the central elements of alternative approaches: 1) deflection and 2) diversion and alternatives-to-incarceration. In some cases, deflection, diversion, and alternatives-to-incarceration are conceptualized as distinct programs or models, whereas other times (especially with diversion and alternatives-to-incarceration), the terms are used interchangeably. To further complicate matters, while diversion is generally used pre-trial before a conviction is entered to help individuals avoid a criminal record, there are jurisdictions where an individual can be convicted but avoid a prison sentence. In such cases, diversion programs may still offer an alternative-to-incarceration option, such as community supervision and/or treatment. An example is the Utah Alternatives to Conviction Track (U-ACT) which is a voluntary post-guilty plea diversion program that provides rehabilitative services to

selected individuals.²¹ Upon completion of the U-ACT program (which includes intensive supervision, U-ACT team meetings, and substance use and mental health treatment), the person will either have their charge dismissed or they will be sentenced to probation instead of incarceration. Unsuccessful program completion results in sentencing. In other cases when a person is convicted and sentenced, an alternative-to-incarceration approach provides partial confinement or early release, allowing a parent to leave the physical confines of prison or jail to complete their sentence in the community instead.

Deflection

Deflection refers to pre-arrest interventions that occur before police interaction, although deflection sometimes includes law enforcement partnerships, e.g., 911 calls get routed to community-based teams, police departments fund deflection services, and teams of specially trained police and community partners work together.^{22,23} In some cases, police serve as the primary referral mechanism for deflection, while in other cases fire departments and emergency medical services act as the bridge to treatment services.²⁴ The practice of deflection is relatively new in the U.S. and was coined by the Treatment Alternatives for Safe Communities' (TASC) Center for Health and Justice as a way to distinguish the “get-off-the-justice-system-ramp” preventive approach from traditional diversion strategies.²⁵

Deflection is characterized by several key features: 1) interaction occurs before arrest and charges are filed; 2) participation is voluntary; 3) it is first responder oriented (which sometimes includes law enforcement); 4) community practice partnerships are necessary; and 5) it aims to address underlying health, social, and economic

²¹ United States District Court, District of Utah. (n.d.). <https://www.utd.uscourts.gov/utah-alternatives-conviction-track-u-act#:~:text=The%20Interagency%20Agreement%20provides%20a,or%20termination%20from%20the%20program.>

²² Sawyer, W. (2020, July 27). *Visualizing the racial disparities in mass incarceration*. Prison Policy Initiative. <https://www.prisonpolicy.org/blog/2020/07/27/disparities/>.

²³ Widgery, A. (2023, August). *The legislative primer series for front-end justice: Deflection and diversion* [Report]. National Conference of State Legislatures. <https://www.ncsl.org/civil-and-criminal-justice/the-legislative-primer-series-on-front-end-justice-deflection-and-diversion>

²⁴ Charlier, J., & Reichert, J. (2021, January). Introduction: Deflection: Police-led responses to behavioral health challenges. Illinois Criminal Justice Information Authority. <https://icjia.illinois.gov/researchhub/articles/introduction-deflection--police-led-responses-to-behavioral-health-challenges>

²⁵ Charlier, J. (2015, September). Want to reduce drugs in your community? You might want to deflect instead of arrest. *Police Chief Magazine*. https://www.policechiefmagazine.org/wp-content/uploads/Policyreform_September2015.pdf

disadvantages.²⁶ Deflection programs often focus on providing substance use disorder and mental health disorder treatment, but may include a range of services including detoxification services, housing assistance, case management, transportation assistance, and support groups. Other terms for deflection include “pre-arrest diversion, pre-bookings diversion, law enforcement diversion, first responder diversion, co-responder teams, crisis intervention teams (CITs), civil citation programs, and mobile crisis teams”.²⁷

Based on our review, there are few if any deflection programs in the United States specifically designed for parents and caregivers despite the growing number of deflection programs for the general population that are likely (but only coincidentally) serving parents and caregivers.²⁸

A key recommendation for future practice, policy, and research is the adoption of evidence-based deflection programs tailored to the specific needs of parents and caregivers. These adapted programs should then be evaluated to assess their implementation and effectiveness.

Preventing justice system involvement at the front end of the continuum—before a person is arrested, and then charged, convicted, and incarcerated—is essential to reducing justice system contact and supporting family stability whenever it is safe and feasible to do so. As such, a key recommendation for future practice, policy, and research is the adoption of evidence-based deflection programs tailored to the specific needs of parents and caregivers. These adapted programs should then be evaluated to assess their implementation and effectiveness.

²⁶ Consalo, M. (2024). The model law enforcement officer and other first responder’s deflection act: National blueprint for creating successful deflection programs across the country. *University of Missouri–Kansas City Law Review*, 92(3), 555–592.

²⁷ Legislative Analysis and Public Policy Association. (2023, July). *Deflection: A national snapshot of first responder deflection programs for people with substance use disorder*. <https://legislativeanalysis.org/wp-content/uploads/2023/07/Deflection-Fact-Sheet-FINAL.pdf>

²⁸ Legislative Analysis and Public Policy Association. (2021). *Deflection programs: Summary of state laws*. <https://legislativeanalysis.org/wp-content/uploads/2021/07/Deflection-Programs-Summary-of-State-Laws.pdf>

Diversion and Alternatives-to-Incarceration

Defined broadly, diversion programs offer options after arrest but before adjudication to avoid incarceration. Diversion typically involves prosecutors, courts, or probation officers who, in partnership with community services, reroute people away from the justice system. To date, most states (i.e., 44 states and the District of Columbia) have instituted diversion programs, many with population-specific models in state statute. “The most popular legislation in this area includes diversion for people with substance use disorders, mental health needs, a history of serving in, or active service in the military, and charges related to domestic relations.”²⁹

Estimates vary on how many diversion and alternative-to-incarceration programs exist in the U.S. for parents and caregivers depending on how they are categorized and counted. For instance, the Prison Policy Initiative estimates that 12 states and the federal prison system have mitigation laws and diversion programs designed to help parents and caregivers maintain parent-child connections and lasting relationships.³⁰ Other estimates suggest that 19 states plus the District of Columbia have instituted diversion and/or alternative-to-incarceration programs.³¹ This said, new or informally established initiatives may be emerging or are already operating in local jurisdictions across the country but remain undocumented in any formal way. For example, staff from the Dane County Diversion Program and Drug Court Treatment Program in Madison, Wisconsin, recently participated in a Sesame Street in Communities’ training that drew on materials from the “Little Children, Big Challenges: Incarceration” initiative. These resources, developed by the nonprofit behind Sesame Street in partnership with researchers, were designed to support parents, caregivers, and children affected by incarceration (H. Flanagan, email communication, June 27, 2025).³² Although not a formal family-based drug diversion

²⁹ Widgery, A. (2023, August). *The legislative primer series for front-end justice: Deflection and diversion* [Report]. National Conference of State Legislatures. <https://www.ncsl.org/civil-and-criminal-justice/the-legislative-primer-series-on-front-end-justice-deflection-and-diversion>

³⁰ Ruth, E. (2023, February 27). How 12 states are addressing family separation by incarceration – and why they can and should do more. Prison Policy Initiative. <https://www.prisonpolicy.org/blog/2023/02/27/caregivers/>

³¹ Family-Based Justice Center. (n.d.). *Legislation & programs*. <https://familybasedjusticecenter.org/html/legislation-programs.html>

³² Schlafer, R. J., Wanous, A. A., & Schubert, E. C. (2017). Statewide dissemination of Sesame Street resources for families affected by incarceration. *Health Promotion Practice*, 18(2), 298–305.

program, it highlights the varied and informal ways courts may be exploring and expanding parent-child-centered diversion efforts. The unique characteristics of each program or initiative, including who it serves, how it operates, and when it is delivered makes it difficult to track and understand these efforts, creating additional barriers to conducting research about them.

Mitigation differs from other diversion efforts in that it requires a judge to consider a person's parental or caregiver status at sentencing, while diversion laws often offer (or require) parents and caregivers a range of services in the community (e.g., parenting skills classes, substance use disorder treatment, employment readiness support, case management). Many diversion programs include corrections-based components too though, including electronic monitoring, home confinement, and intensive community supervision. Alternative-to-incarceration models vary widely in definition and can refer to 1) diversion from incarceration (but after someone pleads guilty or is found guilty) or 2) partial confinement programs that allow early release from incarceration to serve a part of the sentence in the community. Washington state's Correctional Sentencing Alternative (CPA) program is an example of a partial confinement or early release model.³³

A valuable next step would be a landscape analysis or program mapping of U.S. diversion and alternatives-to-incarceration programs for parents and caregivers to systematically identify, map, and describe which programs exist, how they function, who they serve, and where they are located. This should include mitigation laws, deflection, diversion, and alternative-to-incarceration models, as well as population-specific programs such as those that serve pregnant or new mothers.

³³ Washington State Department of Corrections. (n.d.). Community Parenting Alternative (CPA). <https://doc.wa.gov/corrections/hearings-sentencing/sentencing/sentencing-alternatives/community-parenting-alternative-cpa>

Given the inconsistent and often confusing use of terminology in the field, a valuable next step would be to build on the work of the Family-Based Justice Center³⁴ to conduct a systematic landscape analysis or legislative and program mapping of U.S. alternative approaches for parents and caregivers to identify, map, and describe which programs exist, how they function, who they serve, and where they are located. This should include mitigation laws, deflection, diversion, and alternatives-to-incarceration models, as well as population-specific programs such as those that serve pregnant or new mothers. This landscape analysis could draw from a national survey conducted with local and state corrections authorities, be housed in an academic or similar research institution, be updated on a regular basis, and be further developed to include a dashboard interface where program and legislative data useful for research, practice, and policy purposes could be stored and publicly accessed. This information could facilitate the development of collaborations, assist in identifying program gaps, and inform the design of future research studies.

Literature Synthesis

The evidence on programs designed to support justice-involved parents and caregivers and their children is not only limited in the number of studies conducted but is largely fraught with methodological limitations. Indeed, “Unfortunately, very little empirical research has considered the potential effects of alternatives to incarceration for child well-being in the USA”.³⁵ This said, below is a summary of our findings available to date accompanied by recommendations for next steps.

Of the available evidence, some research points to promising outcomes from diversion and alternatives-to-incarceration models including increased connections between parents and family members and the community, lower costs to states and localities, and increased engagement with often needed community-based services (e.g.,

³⁴ Family-Based Justice Center. (n.d.). *Legislation & programs*. <https://familybasedjusticecenter.org/html/legislation-programs.html>

³⁵ Goldman, A. W., Andersen, L. H., & Wildeman, C. (2019). Can alternatives to incarceration enhance child well-being? In J. M. Eddy & J. Poehlmann-Tynan (Eds.), *Handbook on children with incarcerated parents: Research, policy, and practice* (pp. 237–248). Springer.

substance use treatment, mental health treatment, parenting supports).³⁶ An example of cost savings is the state of Washington's pre-arrest and pre-booking police diversion program which has been shown to cost the government \$3,045 less per participant compared to programming as usual with the benefits.³⁷ Other findings point to positive impacts on foster care outcomes with children being less likely to be placed in foster care³⁸ or children spending substantially less time in foster care compared to non-participating families.³⁹ Programs within correctional settings that support family connections, such as those allowing infants to reside with their incarcerated mothers, have also been shown to strengthen secure attachments between parents and their infants.⁴⁰

While a few U.S. states have operated alternative programs for justice-involved parents longer than others, and preliminary evidence suggests promising outcomes, rigorously designed studies remain noticeably lacking. Washington state, for example, launched the Parenting Sentencing Alternative (PSA) program in 2010, offering an alternative option to parents who committed a nonviolent offense.⁴¹ The two PSA models consist of the Family and Offender Sentencing Alternative (FOSA) and the Community Parenting Alternative (CPA). FOSA is a court-based sentencing option for defendants who have been charged with an offense for which their potential sentence could be incarceration for a period over one year. Instead of serving time in jail or prison, eligible participants may spend up to 12 months in community custody with mandated treatment and programming. In contrast, CPA is a prison-based option for eligible incarcerated parents, allowing them to serve up to the final 12 months of their sentence under electronic home monitoring in their home or another approved residence (i.e., partial

³⁶ Id.

³⁷ Washington State Institute for Public Policy. (2024, December). *Police diversion (pre-arrest and pre-booking). Adult Criminal Justice*. <https://www.wsipp.wa.gov/BenefitCost/Program/1062>

³⁸ Andersen, S. H., & Wildeman, C. (2014). The effect of paternal incarceration on children's risk of foster care placement. *Social Forces*, 93(1), 269–298.

³⁹ Oregon Department of Human Services. (2021). *Family Sentencing Alternative Pilot Program: Report to the Senate and House Committees on Judiciary*. https://www.oregonlegislature.gov/citizen_engagement/Reports/Joint%20Family%20Sentencing%20Alternative%20Pilot%20Project%20Report%201_1_2021.pdf

⁴⁰ Goshin, L. S., Byrne, M. W., & Blanchard-Lewis, B. (2014). Preschool outcomes of children who lived as infants in a prison nursery. *The Prison Journal*, 94(2), 139–158.

⁴¹ Aguiar, C. M., & Leavell, S. (2017). A statewide parenting alternative sentencing program: Description and preliminary outcomes. *Smith College Studies in Social Work*, 87(1), 78–93. <https://doi.org/10.1080/00377317.2017.1248629>

confinement). Participants must remain at home for most of the day unless they have prior approval for essential activities such as employment, childcare, medical appointments, or treatment programs. Early findings from a 2017 evaluation showed that CPA participants had significantly fewer felony convictions within two years of release compared to a control group of non-participants.⁴² To our knowledge, no outcome research has yet been completed on the FOSA program. However, a dissertation study currently underway at the University of Chicago is using a rigorous research design to examine recidivism and other outcomes among FOSA participants (D. Nemschoff, personal communication, April 23, 2025).

The second state with a long-standing program is Oregon, which began the Oregon Family Sentencing Alternative Pilot Program (FSAPP) in 2015 in five counties serving parents and caregivers with prison sentences for nonviolent offenses. Parents and caregivers can remain in the community and participate in intensive supervision, treatment, and programming for families. A legislative summary describes the program's promise in reducing the length of foster care stays, as well as lowering recidivism and revocation events.⁴³

A third state worth highlighting is Oklahoma's Women in Recovery (WIR) model, an intensive outpatient alternative option for eligible mothers at risk of serving a long prison sentence that began in 2009.^{44,45} Evaluation findings, based on reports from children of mothers who participated in the alternative sentencing program, were compared to those whose mothers were released from prison at the end of their sentence. The results showed improvements in externalizing behavior problems, parental trust, communication, reduced feelings of parental alienation, and stronger parent-child attachment.⁴⁶

⁴² Aguiar, C. M., & Leavell, S. (2018). A statewide parenting alternative sentencing program: Description and preliminary outcomes. In *Children of incarcerated parents* (pp. 77–92). Routledge.

⁴³ Oregon Department of Human Services. (2021). *Family Sentencing Alternative Pilot Program: Report to the Senate and House Committees on Judiciary*. https://www.oregonlegislature.gov/citizen_engagement/Reports/Joint%20Family%20Sentencing%20Alternative%20Pilot%20Project%20Report%201_1_2021.pdf

⁴⁴ Family & Children's Services. (n.d.). *FCS' women in recovery celebrates a decade during 28th graduation*. <https://www.fcsok.org/fcs-women-in-recovery-celebrates-a-decade-during-28th-graduation/>

⁴⁵ George Kaiser Family Foundation. (n.d.). *Women in recovery*. <https://www.gkff.org/program/women-in-recovery>

⁴⁶ Fry-Geier, L., & Hellman, C. M. (2017). School aged children of incarcerated parents: The effects of alternative criminal sentencing. *Child Indicators Research*, 10(3), 859–879.

Although these findings are encouraging, concerns have been raised that warrant careful consideration as new models are developed and implemented. Insights from the extensive literature on traditional probation and parole can also help inform both program design and research strategies. For instance, the earlier someone is diverted from the justice system, the more likely they will avoid the cascading effects and collateral consequences that often accompany downstream challenges that result from the trauma of police encounters, public stigma and shame, financial burdens, employment problems, and denial of public benefits.⁴⁷ Research that accounts for variation in diversion and alternatives-to-incarceration models reflecting different points of intervention along the justice system continuum (i.e., earlier versus later) is sorely needed.

Other research highlights the complex realities families face when parents are diverted from incarceration and remain in the community with their children. Some parents avoid important family or school events out of fear of surveillance from law enforcement,⁴⁸ while others report immense difficulties meeting the complex demands of legal issues, supervision conditions, drug testing, and employment or educational requirements, all while trying to offer care and support to their children.⁴⁹

Future research on preventing parental incarceration through diversion should include assessments of outcomes that go beyond mere recidivism to capture the full scope of family and child well-being that reflects healthy families and thriving communities.

To capture the full scope of family and child well-being that reflects healthy families and thriving communities, future research on preventing parental incarceration through diversion should include assessments of outcomes that go beyond mere recidivism. Moreover, research on the collateral consequences for family members of individuals on

⁴⁷ Wang, L., & Quandt, K. R. (2021, July 20). *Building exits off the highway to mass incarceration: Diversion programs explained*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/diversion.html>

⁴⁸ Goffman, A. (2009). On the run: Wanted men in a Philadelphia ghetto. *American Sociological Review*, 74(3), 339–357.

⁴⁹ Schlafer, R. J., Phelps, M. S., Karbeah, J. M., & Scott, A. (2023). Parents on probation: custody, co-residence, and care of minor children during community supervision. *Journal of Offender Rehabilitation*, 62(7), 391–410.

probation or parole reveals a sobering picture, one marked by significant stress, destabilization, and far-reaching effects on family life that remain poorly understood and likely underestimated.⁵⁰ A research roadmap for implementing and evaluating efforts to prevent justice system involvement among parents must extend beyond individual outcomes and be grounded in a family-centered approach—both in the design and testing of diversion and alternatives-to-incarceration programs.

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Finally, there are key warning signs from parallel literatures on probation and parole that raise critical questions about how the U.S. should proceed in efforts to reduce mass incarceration, maintain public safety, and meet the needs of economically and socially disadvantaged communities without widening the footprint of the criminal justice system. For example, the traditional use of probation, which mirrors many of the diversion strategies increasingly used with parents and caregivers, has been criticized as yet another version of punitive treatment. Phelps argues that “the sociolegal literature on probation suggests that while probation is often framed or intended as a prison alternative, in practice probation expands the “net” of formal social control” (p. 52) and paradoxically, acts as a net-widener.⁵¹ In the absence of major investments in community infrastructure, empirically-driven efforts to prevent parental involvement in the criminal justice system while supporting their ability to thrive, will be ineffective. A two-pronged research approach should guide future work in this area: develop evidence-based alternatives that

⁵⁰ Comfort, M. (2016). “A twenty-hour-a-day job”: The impact of frequent low-level criminal justice involvement on family life. *The Annals of the American Academy of Political and Social Science*, 665(1), 63–79.

⁵¹ Phelps, M. S. (2013). The paradox of probation: Community supervision in the age of mass incarceration. *Law & Policy*, 35(1-2), 51-80.

simultaneously reduce justice-system interactions and incarceration for parents but also build the foundational blocks needed for their communities to flourish.

A two-pronged research approach should guide future work in this area: develop evidence-based alternatives that simultaneously reduce justice-system interactions and incarceration for parents but also build the foundational blocks needed for their communities to flourish.

Investments in behavioral and mental health services, workforce supports, parenting and family services, affordable housing, and other resources, should receive equal treatment both in the design and evaluation of efforts to prevent parental involvement in the criminal justice system.

Learning Exchange Findings

We engaged in three learning exchange opportunities including a researcher convening, presentations, and a research workgroup meeting series. Drawing on these activities, we identified several prominent themes with key takeaways for future consideration in developing a roadmap for research on diversion and alternatives-to-incarceration for parents. The three primary themes are: 1) Research and Measurement Best Practices, 2) Human-Centered Research, and 3) Upstream Solutions to Justice.

Research and Measurement Best Practices

Data Sharing and Collaborative Practices. When designing studies, draw on collaborative relationships, and use consistent measures across studies, sites, and time to strengthen and amplify evidence whenever possible. When feasible, share resources, information, and findings widely so as to expedite the implementation and further testing of strategies that demonstrate early promise and to reduce the duplication of efforts by other researchers.

Program Mapping. Use a “mapping” approach that includes visual representation of diversion and alternatives-to-incarceration models and their evidence. A systematic cataloging of programs that includes who is served in a family, how an individual is

referred, what eligibility and exclusion criteria are used, what services are included, and how services are delivered (community or corrections-based). Such a mapping is critically needed to improve our understanding of what is being offered, where, to whom, and under what conditions to inform plans for coordinated research activities that link local implementation efforts to larger scale research studies.

Measures of Success Beyond Recidivism. Use comprehensive, inclusive measures that account not only for traditional, individual-level outcomes like recidivism, but broader markers of success, too (e.g., child wellness, community engagement, family relationships, family stability, education, housing, employment, behavioral and mental health). Measuring key structural domains that influence the success of justice-involved individuals is essential for guiding stakeholders toward policies and practices that improve overall well-being, not just reduce justice system involvement.

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Numbers and Narratives. Use diverse research methods that balance quantitative and qualitative approaches to capture outcomes and patterns, as well as the context behind the numbers. Engage community members with lived experience in the storytelling process for relevance and validity but do so ethically to ensure fair, meaningful, and equitable collaboration.

Interdisciplinary and Cross-Sector Participation. Invite participation in research activities not only from those who use different methods but from across disciplines and sectors. Perspectives from disciplines such as criminology, law, public health, education, social work, human development and family studies, economics, and psychology, can be important to developing effective solutions. Additionally, representatives from government agencies, non-profit organizations, academic institutions, community groups, healthcare providers, and legal systems can help ensure that approaches to program development,

research design, and translation of findings align across different contexts and contribute to effective solutions.

Human-Centered Research

Innovation. Fund programs and research with built-in flexibility to evaluate interventions that are innovative, emerging, and community-informed but may lack substantial evidence. Such Evidence-Generating Practices or EGPs are key to building the next generation of Evidence-Based Practices or EBPs. Prioritizing only established EBPs risks overlooking emerging or community-driven solutions that have not yet been formally evaluated, ultimately slowing the development of alternative strategies responsive to new or evolving challenges.

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Centering the Community. Ensure community-centered work forms the basis of research plans and activities. Emphasize participatory action research throughout the process designating individuals with lived experience as co-researchers, not merely participants. Co-researchers should include those directly involved in the criminal justice system, as well as family members and allies who can help to amplify the voices of those with direct justice-system experience.

Emphasize participatory action research throughout the process designating individuals with lived experience as co-researchers, not merely participants.

Upstream Solutions to Justice

Underlying Conditions. Alongside research on diversion and alternatives-to-incarceration, it is essential to address the underlying conditions that perpetuate

inequality and disadvantage, factors that often drive justice system involvement in America. Alternative models often provide individuals with much-needed community resources that address personal needs, such as behavioral and mental health care. An important next step is to move further upstream to address structural problems deeply embedded in the social fabric of economically and socially disadvantaged communities where justice system involvement is overrepresented. These structural drivers of justice system involvement are characterized by economic insecurity, low paying jobs, housing instability, systemic racism, inaccessible healthcare, and low-quality education. Investments in community infrastructure that promote restorative change in families' lives will go a long way toward preventing incarceration and other justice system involvement and improving community health and well-being.

Alongside research on diversion and alternatives-to-incarceration, it is essential to address the underlying conditions that perpetuate inequality and disadvantage, factors that often drive justice system involvement in America. Investments in community infrastructure that promote restorative change in families' lives will go a long way toward preventing incarceration and other justice system involvement and improving community health and well-being.

Conclusion

Parents and caregivers involved with the criminal justice system today must navigate a complex web of policies and procedures that significantly hinder their ability to fulfill their role as primary caretakers of their children. While large swaths of the United States utilize diversion and alternatives-to-incarceration approaches with specialized populations and the general public, far less has been developed or rigorously evaluated for parents and caregivers. Evidence about what works, for whom, how, and under what circumstances is largely lacking in research, policy, and practice discourse.

Building on the existing efforts of the Litmus Program at New York University Marron Institute, which provides training and technical assistance for family-based alternatives, we set out to identify guideposts for a research agenda in this area. Drawing from our literature review and the input of diverse experts in the field, we have crafted a roadmap with key features we believe to be important to future research in this area. Several of the key takeaways include:

- ✓ **Adopt and tailor evidence-based deflection programs** to meet the unique needs of parents and caregivers, and ensure they are rigorously evaluated for both implementation and effectiveness. Deflection is the first step to preventing criminal justice involvement.
- ✓ **Conduct a national landscape analysis** to systematically identify, map, and describe diversion and alternatives-to-incarceration programs, including those targeting specific populations (e.g., pregnant or postpartum individuals).
- ✓ **Expand outcome measures beyond recidivism** to include indicators of child and family well-being, community health, and structural equity.
- ✓ **Center families in program design and evaluation** by grounding research using a family-focused framework to ensure that justice-impacted individuals are supported holistically.
- ✓ **Invest in Evidence-Generating Practices (EGPs)** by funding and evaluating innovative, community-driven interventions that may not yet have formal evidence but show strong potential.
- ✓ **Use participatory action research methods** that position people with lived experience as co-researchers and collaborators throughout the research process.
- ✓ **Pursue a two-pronged research agenda** that (1) reduces justice system involvement for parents and caregivers and (2) strengthens community conditions needed for families to thrive.
- ✓ **Address upstream structural drivers of incarceration**—such as poverty, housing insecurity, and systemic racism—by redirecting investments toward community

infrastructure that promote safety, stability, and health for parents, children, and families.

It is our intention for these recommendations to help advance knowledge, guide investments, and shape policy and practice decisions about families at risk of justice system involvement with the larger aim of promoting holistic health and well-being across American communities.

[Litmus](#), a program of the NYU Marron Institute of Urban Management, promotes innovation in the public sector, with the goal of strengthening agencies' capacity to gather insights, make data-driven decisions, and seamlessly integrate evaluation into routine practice. The program works with public agencies and the people they serve to develop and test new ideas for improving performance, collaborating with them on proof-of-concept implementations that range from low-cost adjustments to existing practices to large-scale transformation projects.

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