PACER CENTER
ACTION
INFORMATION SHEETS

Communication with the Corrections System: What Should Parents Know?

A brief guideline for parents of children with mental health, behavioral, cognitive, or learning disabilities

If your child with mental health, behavioral, cognitive, or learning disabilities is referred to court, juvenile detention, or adult corrections, you can play a key role in making things go as smoothly as possible. As a parent, you can provide essential information that will help your child receive appropriate assistance, including the special education services to which he or she may be entitled. Your involvement, understanding, and communication skills can greatly affect how your child will manage during this time.

The corrections system can seem intimidating. As a parent, however, you have a right to know what is happening and how you can help your child. Communication is not always easy. You may feel angry, worried, or ashamed if your child is involved with the corrections system. Remember that how you express your frustration and concerns will determine how effective you will be in helping your child.

You can be most influential if you are seen as part of the solution. If you indicate that you want to work with the police, the court, and the corrections system to help your child, most staff will feel positive about working with you.

Above all, give information about your child's disability or mental health needs to the corrections system as soon as you can.

What kind of information is important to share?

- Your child's Individualized Education Program (IEP)
- Your child's mental health diagnosis, medications, and how the disability might affect his or her behavior
- Your past efforts in seeking help for your child at school and in the community
- Any recent issues at home, school, or in the community that may have been especially difficult for your child and affected his or her behavior

What information should be shared or sought—and when?

- If your child is arrested, tell authorities immediately if he or she has a disability that may affect how he or she understands or answers questions from the police.
- If your child has a disability that causes certain behaviors when he or she is stressed or frightened, call the police station immediately and explain these challenges. Try to go to the station as soon as possible.
- If your child is charged with a crime, find out if he or she is eligible for the services of a lawyer (a public defender) through the court. If your child is not eligible, find an attorney who is familiar with juvenile law. Send information about your child's educational, mental health, learning, or behavioral issues to the attorney as soon as possible.
- If your child will appear before a judge, prepare a statement for the court about your child's disability and needs. You may give a copy to your lawyer and the judge before the hearing. Inform them about what you will do differently as a parent to prevent this problem from happening again. Make sure the information is short and to the point. In addition, ask teachers, counselors, employers, therapists, and anyone else who knows and likes your child to send the court a letter describing their positive experiences with your son or daughter. If appropriate, also ask your child to prepare a short statement that includes some reference to feeling remorse and being willing to change his or her responses.
- If your child is sent to an out-of-home correctional placement, contact the facility's special education director in advance. Send a copy of your child's latest IEP, psychological evaluation, anmedication information from your child's health provider.
- Tell the facility's education director and its special education teacher that you would like to be part of the IEP team meetings, either by phone or in person. Additionally, let them know you would like to learn about your child's activities, any problems he or she may be having, and what staff are doing to address these issues.
- If your child has a history of suicide attempts or severe depression, make sure the facility is aware of that

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information and that your child's mental health issues are addressed in the IEP.

- If your child uses medication, bring it to the facility and obtain a written agreement about its administration and use.
- If you know that someone who has been a bad influence or a problem in your child's life is also in the facility, let the staff know so they can plan accordingly.