

# THE INTERSECTION OF INCARCERATION & CHILD SUPPORT: A SNAPSHOT OF MARYLAND'S CASELOAD

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Data was supplied for this Study by the Department of Public Safety and Correctional Services. Although the Department is unable to certify the accuracy and completeness of the data with regard to each subject of this Study, the Researcher has nonetheless made every attempt to accurately and appropriately interpret the data supplied.

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## EXECUTIVE SUMMARY

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Large and growing arrears balances present a significant challenge to child support programs across the country. Preliminary data indicate that the national arrears balance reached a staggering \$102 billion in 2004 (Office of Child Support Enforcement, 2005). In that same year, although only a small fraction of the national total, almost \$1.45 billion was owed in past-due support in Maryland child support cases. Although our state's performance was on par with that of other states, only a little more than 7% was collected (Office of Child Support Enforcement, 2005).

Large arrears balances can have negative effects on states, non-custodial parents and, ultimately, the children who are entitled to support. Thus, many state and national policy-makers and program managers are striving to develop methods to reduce current arrears and prevent the accumulation of additional child support debt. Of particular concern has been the build-up of perhaps uncollectible arrears when a non-custodial parent is incarcerated.

There is an array of policy and program options for dealing with incarcerated obligors from suspending or reducing the current support obligation during periods of imprisonment to providing comprehensive employment and reintegration services for those who are released or paroled. States will need to weigh many competing and often controversial factors as they choose among the various options. First and foremost, however, state officials need reliable, empirical data about the extent of the intersection or overlap between child support and incarceration. The present study, the first in a series of studies on this topic, begins to provide that information for Maryland. We combine administrative data from the Division of Corrections and the Child Support Enforcement Administration for a random sample of 2,375 non-custodial parents with an active child support case in September 2004. Specifically, with a 95% confidence level and a  $\pm 2\%$  margin of error, this report provides empirical answers to the following basic questions:

- 1) How many child support cases have a non-custodial parent who is currently incarcerated? How many cases have a non-custodial parent who was previously incarcerated?
- 2) What are the characteristics of incarcerated obligors' child support cases? How many have orders? How much are the orders for current support?
- 3) How much do incarcerated and ex-offender obligors owe in arrears? How much of the total statewide arrears balance is owed by obligors with an incarceration history?
- 4) To what extent do obligors pay child support after they are released from prison?

Our analyses reveal a number of important previously unknown, though widely suspected, facts about the intersection of child support and incarceration in our state.

More details about each of these findings can be found in the body of the report, but the bare-bones facts we uncovered were these:

- Overall, 13% of all non-custodial parents in Maryland's active child support caseload are currently (3%) or have previously been (10%) in prison.<sup>1</sup> Together these parents account for 16.2% of all child support cases active in September 2004.
- The rate of past and present non-custodial parent incarceration is significantly higher in Baltimore City than elsewhere in the state. More than twice as many City cases (5.3%) than county cases (2.2%) have a non-custodial parent in prison and four times as many (24.2% vs. 6.1%) have a history of prior imprisonment. Part of this discrepancy can be explained by the fact that our data includes all City inmates, but only those county inmates in the custody of the Division of Corrections. However, when we limit our analyses only to those in the custody of the Division of Corrections (i.e. with a sentence length of more than 18 months), a significant jurisdictional difference remains: 16.1% of Baltimore City cases have a currently or formerly incarcerated obligor, compared to only 5.9% of county cases.
- The intersection of child support and incarceration is particularly evident among children who are receiving or have received Temporary Assistance to Needy Families (TANF). The percentages of current (28.9%) and former (22.0%) assistance cases with a currently or previously imprisoned obligor are two to three times higher than in cases where the child has never received welfare (10.3%).
- Currently and formerly incarcerated non-custodial parents differ from those who have not been to prison on all child support case dimensions examined. Notably, currently incarcerated obligors are much less likely to have a current support order. In general, currently and previously incarcerated obligors have significantly more child support cases and children on their cases, but lower current support obligations.
- Consistent with the theory that incarceration is related to rising arrears balances, we find that obligors who are or were imprisoned are more likely to owe arrears and, on average, owe larger amounts than those who have not been imprisoned.
- All (100%) currently incarcerated obligors with orders and virtually all (96.8%) formerly imprisoned obligors owe arrears.
- On average, those currently in prison owe \$22,048 and half of them owe more than \$15,931 in past-due support. The average amount owed by those formerly incarcerated is \$17,255 and half of them owe more than \$11,554 in

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<sup>1</sup> Prison for purposes of this report includes all Maryland state prisons and the Baltimore City Detention Center.

arrears. The comparable figures for those never in prison are \$9,392, with half owing \$4,692 or less.

- A disproportionate share of total arrears, state-owed arrears and arrears owed to custodial parents is accounted for by persons who have been or currently are incarcerated, although not all of these arrears accrued during times of confinement.
- Although they account for only 13% of all obligors statewide and 16% of all cases, these non-custodial parents account for fully one-quarter (25.3%) of total statewide child support arrears or, roughly, \$367 million.
- Approximately one-fifth (23.5%) of all child support arrears owed to custodial parents in Maryland are owed by currently or formerly incarcerated non-custodial parents.
- Of the total amount of child support arrears owed to the government for the cost of welfare services provided to children, about three-tenths (28.9%) can be attributed to non-custodial parents who are or have been incarcerated.
- In Baltimore City, fully two-fifths (40.6%) of all child support arrears are owed by persons who are or have been in prison.
- The effects of incarceration on child support payment linger long after imprisonment has ended. After they are released from prison, non-custodial parents are significantly less likely to pay child support and pay less support than their counterparts who have not been imprisoned.

In short, the results from this first descriptive examination of the intersection of child support and incarceration in the State of Maryland confirm that, indeed, these two programs and their client populations do overlap. Incarceration, past or present, of a non-custodial parent affects a significant minority of child support cases in Maryland and, in particular, in Baltimore City. These non-custodial parents and their child support cases differ on every dimension examined from those with no history of imprisonment and they account for a disproportionately large share of total statewide child support arrears.

The descriptive analyses presented here certainly do not provide answers to all of the important questions about the overlap between these two programs. However, they do suggest several general areas worthy of further attention and action.

- 1. The proportion of child support obligors with an incarceration history, their child support case characteristics, and their disproportionate share of arrears indicate that policy, program, research, and inter-agency attention should continue to be paid to the incarceration/child support topic.**

Social science theory, previous research, and the front-line practice wisdom of child support and corrections officials all suggest that incarceration of non-custodial parents

is a major issue affecting child support program performance and, equally, efforts to successfully reintegrate ex-offenders into the community. Our findings confirm that hypothesis: there is an important intersection between incarceration and child support. The issues are real and the implications are many and far-reaching. The findings from this first-ever research study provide some empirical data about the topic, but perhaps the most important 'finding' is that, indeed, concerted attention to this topic and this population is needed.

- 2. Sustained collaborative efforts between child support program officials and public safety officials should be undertaken to identify currently incarcerated non-custodial parents and to develop appropriate methods to educate and engage them in establishing and/or modifying support orders and in understanding the importance of providing financial support for their children upon release.**

One distinguishing characteristic of child support cases involving currently incarcerated obligors is that almost half still need to have a support order (and perhaps paternity) established. Other states have found that imprisoned non-custodial parents typically do have a strong interest in being involved in their children's lives and are quite open to learning more about and participating in the child support process (see, for example, Pearson & Griswold, 2005). The fact of incarceration no doubt imposes certain important constraints on child support education and individual case work vis-à-vis what can be done, how tasks can best be accomplished, with which prisoners, and, perhaps, by whom. The potential degree of difficulty notwithstanding, the reality is that the vast majority of inmates are, eventually, released. It would thus seem prudent for the child support and corrections agencies to work together to provide targeted child support education and services to this population at a time when they may be quite open to outreach efforts.

- 3. Maryland's child support program, as well as its cash assistance (TANF) program should consider how they might be able to partner with the correctional and parole and probation agencies of state government and other community-based organizations to develop or expand programs for non-custodial parents who are about to be released or have recently been released from prison.**

In Maryland's child support caseload, the percentage of non-custodial parents who have been or are incarcerated is significant. In Baltimore City, the results of our study suggest that child support, TANF, and incarceration are inextricably linked. Our findings about current support payments and arrears owed by this population of non-custodial parents in particular suggest that, to a degree not heretofore appreciated, the child support program's ability to meet many of the required federal program performance standards, depends, in a not inconsequential way, on the ability of ex-offenders to make their support payments. Likewise, it is clear from our findings that incarceration is much more common among the parents of children who currently receive or formerly received TANF benefits. Previous research has shown that receipt of child support from the absent parent is associated with welfare exits and, importantly, with a lowered risk of returning to the welfare rolls in the future.

For all of the above reasons and others, it would behoove both the child support and TANF programs to think and work proactively to develop or expand programs for non-custodial parents exiting prison. In particular, programs that combine employment and child support services would appear to be most promising, based on reports from other states (Pearson & Griswold, 2005). Through these types of programs, ex-offenders can learn how to discuss their incarceration history with potential employers. If a transitional job component is part of the program, participants can also build their resumes and improve their chances of succeeding in the formal economy (Szekely, 2004). Such programs also could provide parents an opportunity to develop the habit of paying child support and, conceivably, could offer them relief from state-owed arrears in exchange for the payment of current support (see, for example, Owvigho, Saunders & Born, 2005).

**4. With a large share of the total statewide child support caseload and a significantly higher proportion of currently and previously incarcerated obligors, Baltimore City should probably receive particular consideration as a site in which to test new policies or pilot programs.**

Relative to the state as a whole and the 23 counties, Baltimore City's child support caseload includes a significantly higher proportion of obligors with an incarceration history and twice the rate of currently incarcerated obligors as elsewhere in Maryland. Indeed, two-fifths of all arrears owed in Baltimore City cases are owed by non-custodial parents who are or have been in prison and about three of every 10 City cases are or have been affected by incarceration of the non-custodial parent. Given these realities and absent programmatic efforts focused on the current and ex-offender populations, it is difficult to envision that Baltimore City will be able to consistently meet child support program performance expectations. Because Baltimore City represents such a sizable share of the overall state child support caseload, one could opine that, over time, the state as a whole will also face greater difficulty in meeting federal performance measures, especially those related to the collection of current support and arrears.

Finally, while fully cognizant of existing fiscal pressures on all public agencies and the multiple, competing demands for scarce public and private dollars, we would suggest that the time to act is now. Our analyses find that child support debt accumulated by those who are or have been incarcerated is large and does not quickly dissipate. In fact, we can expect their debt to grow as previously incarcerated parents continue to miss child support payments after being released, and new child support debt is accumulated by incarcerated obligors daily.

Unless we begin today to do the hard work necessary to determine what needs to be done, who needs to do it, and how to pay for what needs to be done, we will continue to fall further and further behind. Moreover, the findings from this study suggest that, over time, the costs of inaction are potentially enormous for children and for public child support, cash assistance and correctional programs. Thus, budgetary pressures notwithstanding, now is the time to forge new relationships and to test and empirically evaluate new approaches to understanding and addressing the myriad issues involved in the intersection of child support and incarceration.

## INTRODUCTION

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It can be argued that the biggest challenge facing the child support program nationally and in our state is the large and growing amount of uncollected past due support or arrears. More than \$102 billion was owed nationally in arrears in 2004; Maryland's arrears balance in that same year, while only a small part of the national total, was almost \$1.5 billion (Office of Child Support Enforcement, 2005).

Large arrears balances can have negative effects on states, non-custodial parents, and ultimately the children who are due the support. For these reasons, policy makers and program managers have begun to think creatively about potential methods to reduce current arrears balances and prevent the accumulation of additional arrears. One emerging concern has been the build-up of arrears when a non-custodial parent is incarcerated. Some argue that these balances are uncollectible and that they may, in fact, reduce the possibility of parents paying any support and being involved in their children's lives once they are released from prison. Thus, states are considering a range of policy options for dealing with incarcerated obligors, from suspending or reducing the current support order while the individual is imprisoned to providing comprehensive employment and reintegration services for those who are released from prison.

States will have to weigh a variety of competing and often controversial factors in choosing among the various policy and program options for addressing the arrears problem for this portion of their child support caseload. An important place of beginning is to understand the extent of the problem. The present study does just that for Maryland by combining administrative data from the Division of Corrections and the Child Support Enforcement Administration to explore the intersection of child support and incarceration in our state.

## BACKGROUND

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Nationally, the child support enforcement system has made great strides in collecting support for children who do not reside with both of their parents. In 2004, state agencies collected just under \$22 billion dollars, an increase of 3.2% over the previous year, and provided services for 17.3 million children (Office of Child Support Enforcement, 2005).

Steady and impressive improvements in public child support programs notwithstanding, more than half of all families receive less than the full amount of court-ordered support due and the amount of past-due support (i.e., arrears) continues to rise. The national arrears balance reached an astounding \$102,356,729,134 in 2004 (Office of Child Support Enforcement, 2005). Even with the availability of strong enforcement tools such as tax refund intercepts, driver's and professional license suspensions, and the National Directory of New Hires, states were only able to collect \$6.7 billion or just 6.6% of arrears owed. Maryland's arrears situation is equally serious. In 2004, almost \$1.45 billion was owed in arrears for Maryland child support cases and, although our performance was on par with that of other states, only a little more than 7% was collected (Office of Child Support Enforcement, 2005).

The enormity of the arrears situation has prompted child support officials to consider methods for reducing current arrears balances and for preventing the accumulation of additional debt. Of particular concern is the role incarceration may play in the accumulation of arrears.

### ***Incarceration Rates among Non-Custodial Parents***

Incarceration rates in the United States have increased dramatically over the past couple of decades. For example, between 1990 and 1998 the number of prisoners in federal or state adult correctional facilities increased by 6.7% from 773,919 to 1,302,019 (U. S. General Accounting Office (GAO), 2000). The vast majority of prisoners are male (94%) and most are parents (61% white men, 68% Black and Hispanic men, 78-82% of women, GAO, 2000). It is estimated that 1.5 million children have a parent in prison and in total, seven million have a parent in prison, jail, or under parole or probation supervision (Mumola, 2000, 2002). Based on national survey data, Sorensen & Zibman (2001) estimate that 29% of poor non-resident fathers are institutionalized, typically in prison.

Several recent state studies have performed cross-sectional or point-in-time data matches to assess the overlap between the child support caseload and prison populations. In Massachusetts, Thoennes (2002) found that 1.3% of cases have an obligor who is incarcerated or on parole. Half of those with a child support case have a support order (Griswold, Pearson, & Davis, 2001; Thoennes, 2002). On average, prisoners owe \$15,933 in arrears and parolees have an average debt of \$13,472. Pearson and Hardaway (2000) report that 30% of Colorado's inmate and parole population have a child support case, accounting for four to five percent of the overall state child support caseload. As a group, Colorado's prisoners and parolees owe more than \$53 million in unpaid child support and owe 3.8% of the unpaid arrears in the state.

## ***Implications of Incarceration for Child Support Programs***

The incarceration of a non-custodial parent has several important implications for their child support cases individually and, collectively, for child support programs' ability to meet federal performance requirements. While in prison, most parents will not be able to pay their child support obligations and will accumulate arrears. Once they are released from jail, ex-offenders face a number of challenges to securing employment such as a lack of trust on the part of employers and prohibition from some occupations.

The corrections system has begun to recognize that family ties and employment reduce recidivism and increase the chances of success for prisoners released or paroled. Many believe that unpaid child support can also affect the reintegration process (Cavanaugh & Pollack, 1998). Based on anecdotal reports from men visiting a food bank, Wilson (2004) describes the three common pathways ex-offenders follow back to prison:

“No job ... no housing ... no hope ... use drugs ... get arrested for re-offending. No job ... no child support payment ... get arrested for non-payment. No job ... no housing ... no hope ... fear of dying on the street ... do something to get arrested.”

Even if they are not arrested for non-payment of support, high current support obligations and/or large arrears balances may discourage obligors from participating in the formal economy, particularly when up to 65% of their take-home pay can be garnished (National Center on Fathers and Families, 1998). Unpaid support may also deteriorate already fragile family relationships among the non-custodial parent, the custodial parent, and the children (Re-Entry Policy Council, 2005).

## ***Program and Policy Options***

Several strategies have been suggested for improving the child support situations of incarcerated obligors and their children. One possibility is that child support orders could be suspended or reduced to a minimal amount when a non-custodial parent enters prison, because federal law does allow modification of a child support order if the obligor has experienced a substantial change in circumstances (42 U.S.C. § 666[a] [10] [B]). Some courts agree that incarceration with limited employment opportunities and minimal wages meet this criterion. However, others argue that because the individual is being incarcerated for a crime, his/her unemployment should be considered voluntary and the children should not be deprived of the possibility of support because of a parent's voluntary act. In virtually all states, however, the non-custodial parent must request an order modification and approximately half of the states consider incarceration to be voluntary unemployment (Pearson, 2004).

Child support programs may also wish to work with correctional institutions to provide inmates with education and services related to child support issues. Massachusetts and Colorado have tested such programs and found that they can increase paternity establishment and order establishment for cases involving incarcerated non-custodial parents (Griswold, Pearson, Thoennes, & Davis, 2004; Pearson & Griswold, 2005).

In addition, non-custodial parents exiting prison and trying to reintegrate into society could benefit from focused services geared towards increasing their ability to meet their child support obligations. Previous studies have found that few inmates – even among those who participated in child support education programs - contact the child support agency upon their release (Griswold, et al., 2004). However, research also shows that providing employment services such as transitional jobs that increase non-custodial parent earnings can increase child support payments (Ovwigbo, Saunders, & Born, 2005; Pearson & Griswold, 2005).

### ***The Present Study***

States will need to weigh many competing and often controversial factors as they choose among the various policy and program options for dealing with incarcerated non-custodial parents. In choosing which option or options to pursue, perhaps the two most basic and important factors to consider are the proportion of their child support caseload affected by incarceration and the situations of those cases. Unfortunately, these questions have not received much research attention and, as a result, policymakers and program administrators do not have sufficient, reliable, empirical data to help guide their decision-making. In order to fill this information gap for Maryland, the present study utilizes administrative data from Maryland's child support program and the Division of Corrections to explore the intersection of child support and incarceration in our state. Specifically, we address four sets of research questions:

- 1) How many child support cases have a non-custodial parent who is currently incarcerated? How many cases have a non-custodial parent who was previously incarcerated?
- 2) What are the characteristics of incarcerated obligors' child support cases? How many have orders? How much are the orders for current support?
- 3) How much do incarcerated and ex-offender obligors owe in arrears? How much of the total current arrears balance is owed by obligors with an incarceration history?
- 4) To what extent do obligors pay child support after they are released from prison?

## METHODS

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### **Sample**

For the present study, we selected a random sample of 2,375 individuals who were listed as a non-custodial parent in an active child support case in Maryland in September 2004. The sample was drawn from the universe of 217,477 such individuals and is based on a 95% confidence level and a  $\pm 2\%$  error rate.

### **Data Sources**

Findings in this report are based on administrative data obtained and analyzed by the authors from two computerized management information systems maintained by the State of Maryland. Data on incarceration in Maryland prisons and the Baltimore City Detention Center come from an extract file developed by the Maryland Department of Public Safety and Correctional Services (DPSCS) specifically for this study. The source file for the extract is the Offender Based State Correctional Information System I (OBSCIS I), the DPSCS' automated management information system for the Division of Corrections (DOC). The data system contains information about sentenced individuals currently and previously held in the custody of the DOC.<sup>2</sup>

Whether an individual will serve his/her sentence under the DOC or in a local jail is determined primarily by the length of the sentence. All inmates sentenced to more than 18 months and, at the discretion of the sentencing judge, some inmates with sentences more than 12 months serve their time under the DOC. Data for these inmates from all jurisdictions are included in the present analyses. In addition, because the Baltimore City jail is currently run by the DOC, our data include all Baltimore City inmates, regardless of their sentence lengths. For the majority of analyses in this report, we utilize all the data available. However, readers should note that when all data are included, any differences between Baltimore City and the 23 counties are at least partly attributable to the fact that we have information for all Baltimore City prisoners, but only those county inmates whose sentences are greater than 12 months and who are in the custody of the DOC.

Data on the characteristics of sample members and their child support cases are drawn from the Child Support Enforcement System (CSES). Maryland counties converted to CSES beginning in August 1993 with Baltimore City completing the statewide conversion in March 1998. The system includes identifying information and demographic data on children, non-custodial parents and custodial parents receiving services from the IV-D agency. Data on the child support cases and court orders including paternity status and payment receipt are also available. CSES supports the intake, establishment, location, fiscal, and enforcement functions of the Child Support Enforcement Administration and its local offices.

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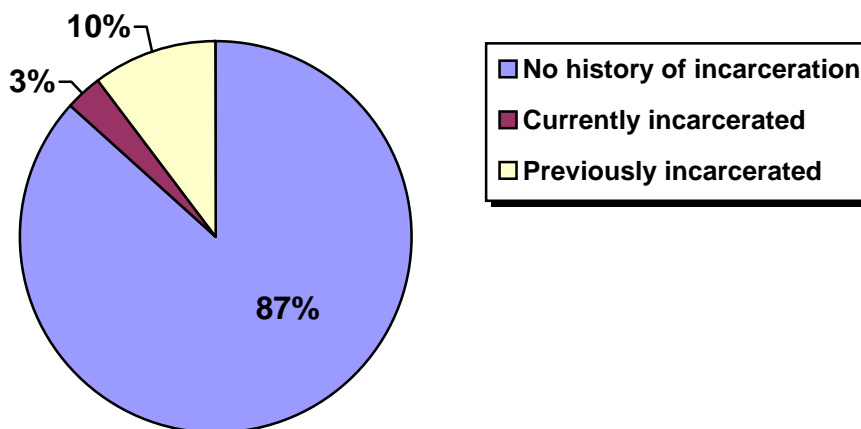
<sup>2</sup> Data was supplied for this Study by the Department of Public Safety and Correctional Services. Although the Department is unable to certify the accuracy and completeness of the data with regard to each subject of this Study, the Researcher has nonetheless made every attempt to accurately and appropriately interpret the data supplied.

**How Many Obligor Are or Have Been Incarcerated?<sup>3</sup>**

When considering the policy and program options for dealing with child support issues among incarcerated parents, it is important to first have a sense of how many parents and cases are affected. Figure 1, following, presents data on the proportion of non-custodial parents who have been incarcerated in a Maryland state prison or the Baltimore City Detention Center in the past ten years.

Three percent of non-custodial parents with an active child support case in September 2004 were in prison in that month. An additional one out of ten non-custodial parents with an active child support case had previously been incarcerated and released. In sum, 13% of the non-custodial parents in Maryland’s child support caseload are currently or have previously been in prison.

**Figure 1. Percentage of Obligor Previously or Currently Incarcerated – Statewide.**



Because an individual can have more than one child support case, it is also important to consider the proportion of cases where the obligor has been or is currently incarcerated. The far right-hand bar of Figure 2, on the next page, shows that a total of 16.2% of active child support cases have a non-custodial parent who is currently (3.4%) or was previously (12.8%) imprisoned.

Given the relationship between poverty and incarceration, it is not surprising to find a statistically significant relationship between children’s welfare history and non-custodial parents’ incarceration history. As shown in Figure 2, the percentage of child support

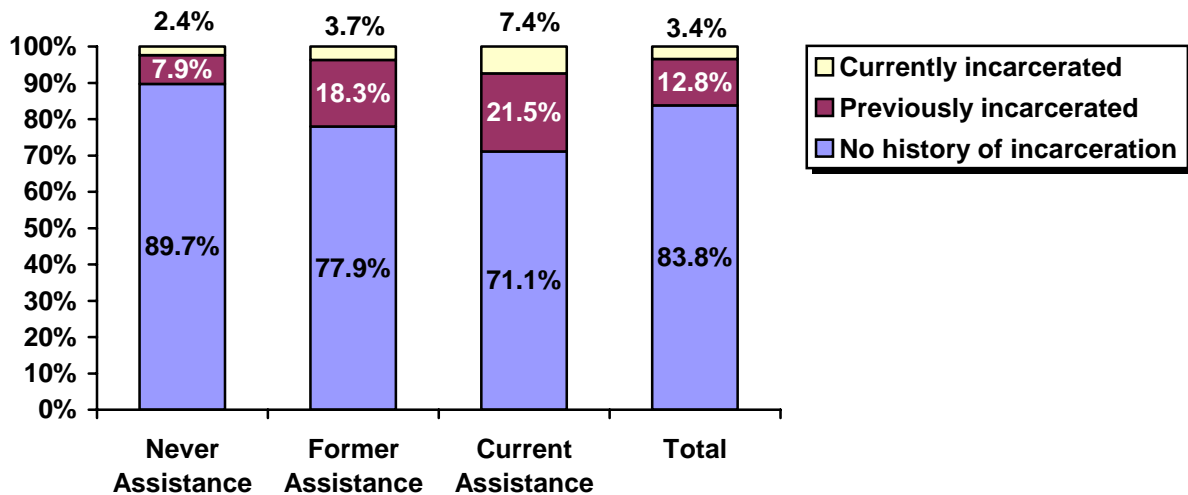
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<sup>3</sup> Technically, child support orders have not been established for all of the non-custodial parents in our sample. Thus, our sample includes both current obligors and potential obligors. For the sake of simplicity, however, we use the term obligor to refer to all non-custodial parents in our sample.

cases with a currently incarcerated obligor is twice as high (7.4%) among Current Assistance cases (where the child is currently receiving Temporary Assistance to Needy Families (TANF)) as among Former Assistance cases (3.7%) and three times the rate among Never Assistance cases (2.4%).

The contrast is even more dramatic when prior as well as current imprisonment is considered. In fact, the non-custodial parent has an incarceration history or is currently imprisoned in almost three out of ten Current Assistance cases (28.9%), compared to less than one-fourth of Former Assistance cases (22.0%) and only one out of ten (10.3%) cases where the child has never received welfare. For policy makers and program managers these data suggest that when arrears accumulate during an obligor’s incarceration, they are more likely to be arrears owed to the state, than arrears owed to the custodial parent.

**Figure 2. Obligor Incarceration History by Case Type.\*\*\***

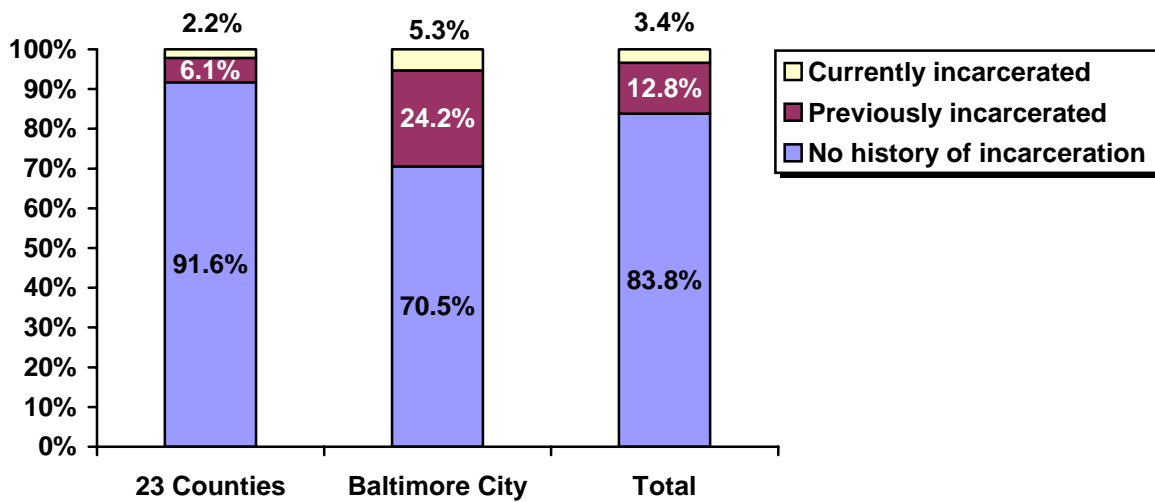


\*p < .05, \*\*p < .01, \*\*\*p < .001

We also find that incarceration rates among child support obligors vary by jurisdiction. Sample sizes do not permit us to reliably estimate rates for each of Maryland’s 24 local jurisdictions. However, sizes are sufficient to allow a comparison between Baltimore City and the 23 counties. As shown in Figure 3, the Baltimore City child support caseload has a significantly higher percentage of cases with a currently or previously incarcerated obligor. More than 5% of Baltimore City cases have an obligor who is currently imprisoned, compared to only 2.2% of County cases.

The differences are even more remarkable when we consider previous incarcerations. Almost one out of every four Baltimore City cases (24.2%) have an obligor who has been previously incarcerated, a rate four times that in the 23 counties (6.1%). Thus, considering past and present incarceration, the reality today is that nearly one out of every three (29.5%) Baltimore City support cases is affected in some way by parental imprisonment. This is a rate three time higher than in Maryland’s 23 counties (8.3%).

**Figure 3. Obligor Incarceration History by Jurisdiction.\*\*\***



\*p < .05, \*\*p < .01, \*\*\*p < .001

As mentioned in the Methods chapter, part of the jurisdictional difference evident in Figure 3 is due to the fact that our data includes all City inmates, but only those county inmates in the custody of the Division of Corrections. When we limit our analyses only to those in the custody of the Division of Corrections (i.e. with a sentence length of more than 18 months), a significant jurisdictional difference remains: 16.1% of Baltimore City cases have a currently or formerly incarcerated obligor, compared to only 5.9% of county cases.

More than one out of ten Baltimore City child support obligors (11.4%) previously served a prison sentence of more than 18 months, compared to only 3.8% of county obligors. These findings suggest, among other things, that Baltimore City would be a key site in which to test new policies or pilot programs focused on the child support-incarceration overlap and child support arrears issues.

### ***What are the Characteristics of Incarcerated Obligor's Child Support Situations?***

The previous analyses have shown that a history of incarceration is not uncommon among Maryland's child support obligors, particularly those associated with Baltimore City cases and current and former TANF cases. For policy makers and program managers to develop policies and services for this population, however, they need to have more specific information about their child support situations. Table 1, following this discussion, summarizes data on the characteristics of obligors in our study sample.

As shown in the right-hand column of Table 1, overall, the average obligor has one child support case (mean=1.3), with the majority of cases involving only one child (median=1.0). Almost three-fifths of obligors (58.1%) have an order for current support and an additional 14.6% owe arrears, but no current support. An order for support has not been established for a little more than one-fourth of non-custodial parents (27.3%). The average order amount for current support is \$366 per month, with two-fifths of non-custodial parents obligated to pay between \$251 to \$500 a month for the current support of their children.

The remaining columns in the table show that there are statistically significant differences between our three incarceration groups on all child support dimensions examined. As seen in Table 1, obligors who are currently or have been previously incarcerated have significantly more child support cases (mean = 1.5 cases) and children (mean 1.7 and 1.9, respectively) than those with no history of incarceration (mean = 1.2 cases, 1.6 children).

In terms of the status of their cases, non-custodial parents who are currently imprisoned are much less likely to have an order for current support and are much more likely to need orders established than their counterparts who have never been imprisoned or have been incarcerated, but released. Almost one half of currently incarcerated non-custodial parents need to have orders established in their cases (47.1%) compared to only one-quarter of non-custodial parents in the other two groups. Similarly, only two-fifths of imprisoned obligors (41.2%) have an order to pay current support. In contrast, nearly three-fifths of never imprisoned (58.7%) and formerly incarcerated (57.7%) parents have current support obligations.

Finally, we also find that the support ordered amounts vary by obligor incarceration history. In general, currently and previously incarcerated obligors have lower current support obligations than their counterparts who have not been imprisoned. More than half of non-custodial parents with a history of incarceration (53.6% current and 56.0% previous) owe \$101 to \$250 per month in current support. Only three out of ten parents with no history of incarceration (31.4%) have orders that low. The average current support obligation is about \$100 per month lower for the currently (\$257) and previously (\$278) incarcerated groups than for the no incarceration group (\$378).

**Table 1. Child Support Case Characteristics by Obligor Incarceration History.**

Characteristic	No History of Incarceration (n = 2,061)	Currently Incarcerated (n = 68)	Previously Incarcerated (n = 246)	Total (n = 2,375)
<b>Number of cases***</b>				
Mean	1.2	1.5	1.5	1.3
Median	1.0	1.0	1.0	1.0
Standard deviation	0.6	0.8	1.1	0.7
Range	1 to 6	1 to 4	1 to 12	1 to 12
<b>Number of children***</b>				
Mean	1.6	1.7	1.9	1.6
Median	1.0	1.0	1.0	1.0
Standard deviation	0.9	1.1	1.4	1.0
Range	1 to 8	1 to 5	1 to 12	1 to 12
<b>Child Support Status**</b>				
Establishment	27.1%	47.1%	24.0%	27.3%
At least one order for current support	58.7%	41.2%	57.7%	58.1%
Arrears balance/no current support	14.3%	11.8%	18.3%	14.6%
<b>Monthly support ordered amount***</b>				
\$100 or less	3.9%	3.6%	4.3%	3.9%
\$101-\$250	31.4%	53.6%	56.0%	34.4%
\$251-\$500	41.9%	35.7%	23.2%	40.2%
\$501-\$750	15.6%	3.6%	9.9%	14.8%
More than \$750	7.1%	3.6%	3.5%	6.7%
Mean***	\$378.33	\$257.29	\$278.04	\$365.56
Median	\$312.00	\$216.67	\$203.67	\$301.00
Standard deviation	\$248.87	\$154.08	\$209.98	\$245.85
Range	\$20 to \$2714	\$87 to \$758	\$43 to \$1602	\$20 to \$2714

\*p<.05, \*\*p<.01, \*\*\*p<.001

### ***How Much Do Incarcerated Obligators Owe in Arrears?***

As mentioned previously, much of the concern about incarceration among child support obligors arises from the fact that the national past-due child support debt is over \$102 billion and continues to grow each year. The critical question for child support officials is to what extent incarceration among child support obligors contributes to this growing problem. In this section, we address this critical question for Maryland.

Table 2, following this discussion, presents data on the arrears owed by non-custodial parents in our study sample. The first row of the table concerns arrears owed to the custodial parent. Overall, one-half of all parents in our sample (50.7%) and seven out of ten with a current or previous support obligation (69.7%) have past due support balances that are owed to the custodial parent. Custodial parent-owed arrears balances average \$8,684 per obligor.

The second row of Table 2 displays data on arrears owed to the state. These arrears are intended to reimburse the government for welfare (AFDC or TANF) payments made on behalf of the obligors' children. One quarter of all non-custodial parents in our sample have state-owed arrears balances. This represents one-third of parents

(34.8%) who have a current support obligation or who had an obligation in the past. On average, obligors have a debt of \$8,432 to the state, with half obligated to pay \$5,769 or more.

The final row in Table 2 considers all arrears, regardless of whether they are owed to the custodial parent or the state. More than four-fifths of non-custodial parents with a current or previous support obligation (84.1%, or 61.1% of all non-custodial parents) have a balance of past due support. On average, obligors owe \$10,687 in total arrears, with more than half having arrears balances over \$5,768.

Consistent with the theory that incarceration is related to rising arrears balances, we find that obligors who have been or are currently incarcerated are more likely to have arrears balances and owe more in past due support than those who have never been in prison. All currently incarcerated obligors and virtually all (96.8%) previously incarcerated obligors who have a current or past support order owe some type of arrears.

Excluding non-custodial parents who do not have a child support obligation established, four-fifths of obligors with an incarceration history (83.3% currently incarcerated; 80.2% previously incarcerated) owe arrears to the custodial parent. In contrast, only 68.1% of obligors with orders and no incarceration history have custodian-owed arrears. The differences among the three groups are even larger when we consider state-owed arrears. Twice as many obligors with an incarceration history have a balance of state-owed arrears. Specifically, three-fifths of obligors in the incarceration groups (63.9% current and 62.0% previous) have a debt to the state, compared to only three out of ten of the no incarceration group (30.7%).

In addition to being more likely to owe arrears, currently and previously incarcerated obligors also have larger child support debts than those who have never been imprisoned. These realities are also illustrated in Table 2. For example, currently incarcerated obligors have an average total arrears balance of \$22,048, with half of them owing more than \$15,931 in past-due support. The total child support debt of formerly incarcerated obligors is slightly lower, but still significant with an average of \$17,255 and a median of \$11,554. In contrast, non-custodial parents with no history of incarceration are obligated to pay an average of \$9,392 in total arrears. Half of those in the no incarceration group have total arrears balances of \$4,692 or less.

**Table 2. Arrears Balances by Obligor Incarceration History.**

Characteristic	No History of Incarceration (n = 2,061)	Currently Incarcerated (n = 68)	Previously Incarcerated (n = 246)	Total (n = 2,375)
<b>Arrears owed to the Custodian</b>				
% w/any – all cases**	49.6%	44.1%	61.0%	50.7%
% w/any – excluding establishment**	68.1%	83.3%	80.2%	69.7%
Mean***	\$7815.90	\$17,370.30	\$12,868.72	\$8684.19
Median	\$3556.00	\$12,624.00	\$8043.50	\$4147.00
Standard deviation	\$11,064.96	\$12,589.26	\$15,367.74	\$11,912.51
Range	\$1 to \$85,640	\$552 to \$47,928	\$1 to \$87,117	\$1 to \$87,117
<b>Arrears owed to the State</b>				
% w/any – all cases***	22.4%	33.8%	47.2%	25.3%
% w/any – excluding establishment***	30.7%	63.9%	62.0%	34.8%
Mean*	\$7795.64	\$11,851.74	\$10,281.94	\$8431.81
Median	\$4929.00	\$9955.00	\$7657.50	\$5768.50
Standard deviation	\$9530.41	\$9450.23	\$9678.29	\$9614.48
Range	\$14 to \$73,844	\$192 to \$33,719	\$43 to \$52,586	\$14 to \$73,844
<b>Total Arrears</b>				
% w/any – all cases***	59.9%	52.9%	73.6%	61.1%
% w/any – excluding establishment***	82.1%	100.0%	96.8%	84.1%
Mean	\$9392.05	\$22,047.68	\$17,254.71	\$10,686.84
Median	\$4692.24	\$15,931.49	\$11,553.57	\$5767.77
Standard deviation	\$12,532.13	\$15,887.26	\$18,776.01	\$13,907.63
Range	\$1 to 85,640	\$552 to \$70,305	\$32 to \$108,394	\$1 to \$108,394

\*p<.05, \*\*p<.01, \*\*\*p<.001

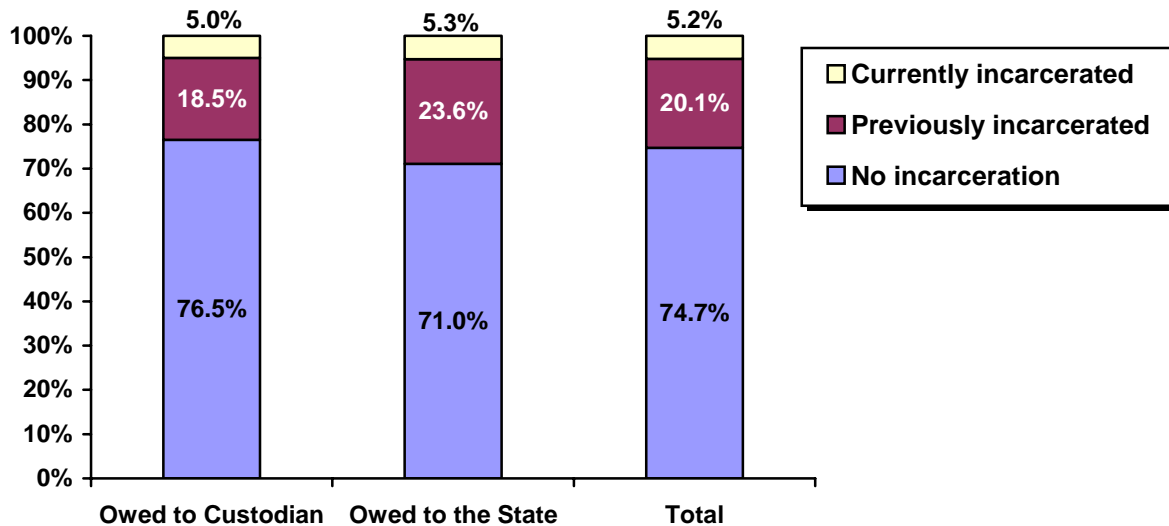
The fact that non-custodial parents who have been or presently are incarcerated are significantly more likely to owe arrears and have higher arrears balances suggests that they may account for more of the total arrears balance for the Maryland child support caseload than their overall prevalence in the caseload would suggest. To examine this possibility, we computed the proportion of the total arrears among our sample cases attributable to each of the three incarceration groups. Figure 4, following, presents the results of that analysis.

As expected, Figure 4 shows that currently and previously incarcerated obligors do account for disproportionate shares of total arrears, arrears owed to the custodian and arrears owed to the state. In total, obligors with a current or previous episode of incarceration account for approximately one-fifth (23.5%) of the total debt owed to custodians and 28.9% of state-owed arrears, even though they account for just 16% of all child support cases and 13% of all obligors. Non-custodial parents who are currently imprisoned account for 5.2% of the total arrears debt, 5.0% of arrears owed to custodial parents, and 5.3% of arrears owed to the state, even though they represent only 3.4% of total cases.

The difference between share of the caseload and share of arrears is even more dramatic for previously incarcerated obligors. Non-custodial parents who have been imprisoned but were released before September 2004 account for 12.8% of all active child support cases. However, their share of the total child support debt is almost 8% higher at 20.1%. Nearly one-fourth of all arrears (23.6%) owed to the state are attributable to previously incarcerated obligors, as is almost one-fifth (18.5%) of all

arrears owed to custodial parents. Projecting these figures out to the entire caseload, this means that currently and previously incarcerated obligors account for 25.3% or roughly \$367 million of Maryland's total \$1.45 billion child support debt.

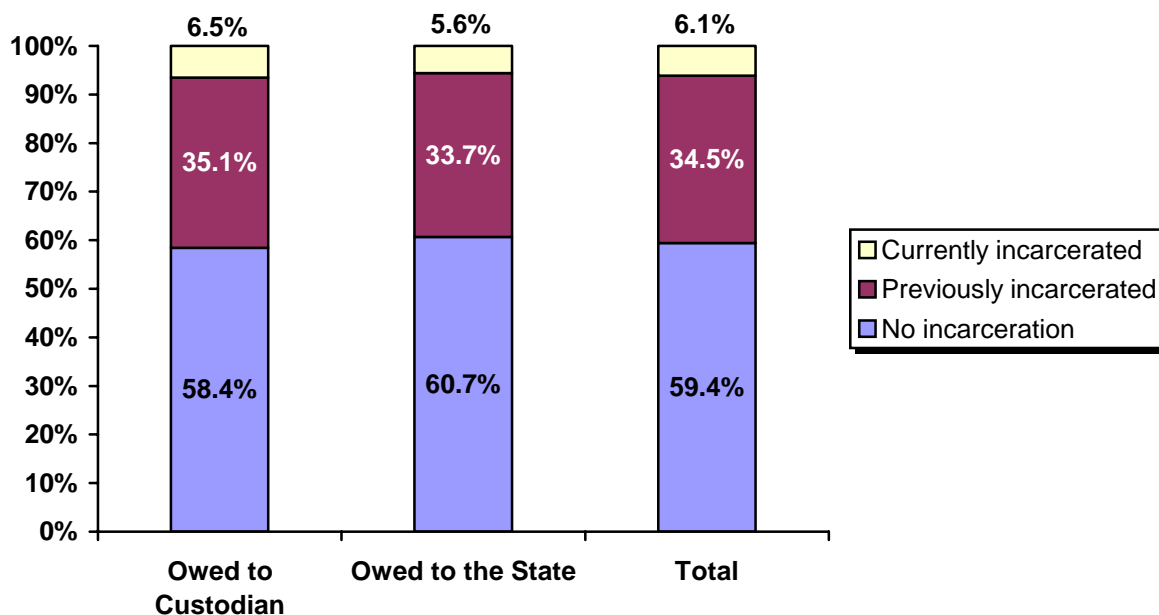
**Figure 4. Percent of Arrears Accounted for by Each Incarceration Group**



Analyses presented earlier indicated that Baltimore City child support cases are significantly more likely than County cases to involve an obligor who is currently or was previously incarcerated. One would also expect then that the proportion of arrears accounted for by obligors with a history of incarceration would be higher among Baltimore City cases. Figure 5, following, illustrates that this is indeed the case.

More than one-third of all Baltimore City arrears (34.5%) are owed by obligors who have been imprisoned, but released. An additional 6.1% can be attributed to non-custodial parents who are currently incarcerated. Thus, together these two groups account for two-fifths (40.6%) of all past due support among Baltimore City active child support cases. The same pattern prevails when state-owed and custodian-owed arrears are examined separately. Two-fifths of all state-owed arrears and custodian-owed arrears (39.3% and 41.6%, respectively) in Baltimore City child support cases are owed by persons who are or were incarcerated.

**Figure 5. Percent of Arrears Accounted for by Each Incarceration Group – Baltimore City Cases**



For child support officials, these findings suggest a strong correlation between incarceration and the accumulation of arrears. However, it is important to note that these findings do not, of themselves, provide support for any particular policy or program option. What they do unequivocally support is elected and appointed officials' practice-based hypothesis that the child support arrears problem and the phenomenon of incarceration are, in fact, related in some fashion. They also provide empirical support for the common perception that Baltimore City cases are disproportionately likely to have a non-custodial parent who is or was imprisoned.

At the same time, it is important to bear in mind what these findings do not permit us to assume. That is, we cannot assume that all or even a majority of the arrears owed by currently and formerly incarcerated persons accumulated during the time they were imprisoned. It is equally possible that these non-custodial parents were not paying support before they were imprisoned and have not paid since their release. Indeed, Thoennes (2002) found that the majority of Massachusetts' arrears attributable to current prisoners and parolees accrued before the obligors were incarcerated.

Only detailed analyses of the timing of incarceration episodes relative to the timing of arrears accumulation can answer the question of how much of the current debt accrued while the obligor was in prison. Such an analysis is planned for this report series, but is beyond the scope of the present, first-level descriptive study. On the other hand, we can provide preliminary information concerning the amount of time obligors are incarcerated which, in itself, can shed some light on the issue.

Table 3, following this discussion, displays data on the number of months currently and previously incarcerated obligors have spent in prison in the ten-year period from October 1994 to September 2004. For those who are currently incarcerated, an average of 50 months or just over four years out of ten were spent behind bars, though

not necessarily in one continuous spell. Almost half of the child support obligors who are currently imprisoned have spent more than three years serving time. That is, the median total length of imprisonment among those currently incarcerated is 35.3 months, though again this does not necessarily represent a continuous period of confinement.

In contrast, total incarceration episodes for obligors who have been incarcerated, but are now released, are relatively short. On average, previously incarcerated obligors spent almost two of the past ten years in prison (mean=23.6 months), and half of this group had been incarcerated for nine months or less (median=9.1 months).

The last row of Table 3 provides a rough estimate of the percent of each group's current arrears balance that accumulated during the period or periods of incarceration. These estimates are based on the current support order amount multiplied by the number of months incarcerated in the past ten years. For currently incarcerated obligors, an average of just over two-fifths (43.7%) of their total arrears is estimated to have accumulated while they were in prison. The picture is somewhat different for previously incarcerated obligors. Although the mean estimated percentage of arrears due to incarceration is 37%, the median is much lower. In fact, for half of the obligors who have been released from incarceration, 16% or less of their arrears appear to be attributable to the time when they were behind bars.

**Table 3. Length of Incarceration and Estimated Arrears Accumulation.**

	Currently Incarcerated (n = 68)	Previously Incarcerated (n = 246)	Total Incarcerated (n = 314)
<b>Number of Months Incarcerated</b>			
6 months or less	17.6%	41.5%	36.3%
7 to 12 months	5.9%	15.0%	13.1%
13 to 36 months	27.9%	23.6%	24.5%
37 to 60 months	14.7%	8.1%	9.6%
More than 5 years	33.8%	11.8%	16.6%
Mean	50.6 months	23.6 months	29.5 months
Median	35.3 months	9.1 months	12.2 months
Standard deviation	50.0 months	35.0 months	40.2 months
Range	<1 to 278 months	<1 to 204 months	<1 to 278 months
<b>Estimated Percent of Arrears Accumulated While Incarcerated</b>			
Mean	43.7%	37.0%	38.2%
Median	39.8%	16.0%	17.8%
Standard deviation	33.6%	39.9%	38.9%
Range	<1% to 100%	<1% to 100%	<1% to 100%

**Note:** Number of months incarcerated indicates the number of months the obligor was incarcerated in a Maryland prison or the Baltimore City Detention Center between October 1, 1994 and September 30, 2004. Estimated percent of arrears accumulated while incarcerated is calculated based on the current support order amount and the number of months incarcerated for 163 obligors who had established support orders spent time in prison.

### ***Do Obligor's Pay Child Support After They Are Released from Prison?***

Our final analyses concern payment of child support after obligors are released from prison. The difficulties ex-offenders face in obtaining employment and reintegrating into society are well documented (see, for example, Buck, 2000). For those with child support obligations there may be additional challenges such as license suspensions and less motivation to participate in the formal economy when up to 65% of their take-home pay can be garnished. Table 4, following this discussion, presents our findings regarding the payment of child support after release from prison. For comparison purposes, payment information is also provided for sample members who have no history of incarceration.

Our analyses reveal that obligors with a history of incarceration are significantly less likely to pay support and pay less support than their counterparts who have not been imprisoned. Almost four-fifths (79.1%) of obligors with no history of incarceration paid at least some child support in the previous year, compared to only three-fifths (61.0%) of ex-offenders. Among those who pay at least some support, previously incarcerated non-custodial parents pay, on average, about half as much as their counterparts with no incarceration history. The average amount of support paid by ex-offenders is \$2,211, with half paying less than \$1,491. In contrast, obligors who have not been to prison paid an average of \$3,919 in the previous year.

The last row of Table 4 illustrates that statistically significant differences between the two groups are also evident when we consider the percent of current support paid. Among those paying any support, previously incarcerated obligors paid only a little more than half (53.5%) of their current support obligations. In contrast, obligors with no history of imprisonment who paid at least some support, on average, paid three-fourths (75.1%) of their current obligations in the previous year.

**Table 4. Support Payments in the Past Year by Incarceration History.**

Characteristic	Incarcerated, but released for 12 months or more (n = 166)	No history of incarceration (n = 1503)
<b>Percent paying any support***</b>	61.0%	79.1%
<b>Total amount of support paid (if any)***</b>		
Mean	\$2,210.78	\$3,918.93
Median	\$1,490.50	\$3,190.22
Standard deviation	\$2,274.77	\$3,409.48
Range	\$34.34 - \$9,139.61	\$1.57 - \$30,168.24
<b>Percent of current support due that was paid (if any)***</b>		
Mean	53.5%	75.1%
Median	65.9%	86.9%
Standard deviation	34.3%	37.3%
Range	<1% to 104%	<1% to 517%

Note: Obligor whose cases still required establishment of an order are excluded from the payment analyses. We also exclude currently incarcerated obligors and those who have been out of prison for less than 12 months. \*p<.05, \*\*p<.01, \*\*\*p<.001

## CONCLUSIONS AND POLICY IMPLICATIONS

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This first research report on the intersection of incarceration and child support in the State of Maryland has provided a wealth of important descriptive data that can, and we believe should, inform public policy choices in child support and other program and budget areas. Our key conclusions and the policy implications arising from study findings include the following.

- 1. A significant minority of all active child support cases do involve a non-custodial parent who is or has been imprisoned. These persons have significantly more child support cases and children on their cases than do obligors with no history of incarceration within the past 10 years.**

Although there clearly is an important intersection between incarceration and child support, at any given point in time the percentage of non-custodial parents who are in a Maryland state prison or the Baltimore Detention Center is relatively small. Three percent of non-custodial parents with an active Maryland child support case in September 2004 were incarcerated during that month. Another 10%, however, had been incarcerated at some point during the preceding 10 years. Thus, overall, some 13% of all obligors were currently or previously imprisoned, on average for about two and one-half years.

While currently or formerly incarcerated persons represented 13% of all non-custodial parents in September 2004, they accounted for 16% of all child support cases active in that month. These obligors have significantly more child support cases (mean = 1.5 cases) and children (mean 1.7 and 1.9 children for currently and formerly incarcerated, respectively) than do non-custodial parents with no history of incarceration (mean = 1.2 cases, 1.6 children).

- 2. The relationship between children's receipt of welfare and non-custodial parents' incarceration history is statistically significant. Particularly notable is the finding that the percentage of active child support cases with a currently incarcerated parent is twice as high among children who are current recipients of Temporary Assistance to Needy Families (TANF).**

Compared to the proportion of non-custodial parents who are (3%) or were (10%) incarcerated in the overall sample, non-custodial parents of current TANF children are twice as likely to be (7.4%) or have been (21.5%) in prison. Overall, almost three of every 10 (28.9%) current assistance/TANF child support cases involved a non-custodial parent who was or had been incarcerated. This rate is significantly higher than among former assistance/TANF cases (22.0%), never assistance cases (10.3%), and the overall sample (16.2%).

- 3. The rate of current or past incarceration among non-custodial parents involved in active child support cases is significantly higher in Baltimore City than in the remainder of the state.**

Differences are dramatic and statistically significant between Baltimore City and the balance of the state in terms of the intersection between incarceration and child support. More than twice as many Baltimore City cases (5.3%) than county cases (2.2%) have a non-custodial parent who is currently in prison.

The City-county difference with regard to prior incarceration is even starker: almost one of every four (24.2%) active child support cases in Baltimore City has a non-custodial parent who has been incarcerated. This rate is four times greater than in the 23 counties (6.1%). Overall, three out of every 10 (29.5%) active child support cases in Baltimore City include a non-custodial parent with a past or present incarceration episode. For the 23 Maryland counties as a whole, the comparable rate is 8.3%.

- 4. Many currently or previously incarcerated obligors do not have support orders in place. Among those who do, virtually all owe support arrears and, on average, the amounts owed are substantial and roughly twice the average amount owed by those with no history of incarceration.**
- 5. Average total arrears owed are \$22,048 among those currently incarcerated and \$17,255 among non-custodial parents who were formerly imprisoned.**

Perhaps not surprisingly, non-custodial parents who are currently imprisoned are much less likely than either of the other two groups (formerly or not previously incarcerated) to have a court order in place for current support. Indeed, nearly half (47.1%) need to have orders established, compared to only one-quarter in the other two groups. Among those with a support order and a current or past history of incarceration, child support arrears are near universal. Indeed, every single currently incarcerated non-custodial parent with a child support order in place owed arrears (100%), as did 96.8% of those with a current order and a past history of imprisonment.

On average, total arrears owed by non-custodial parents in prison are \$22,048 and \$17,255 by those who had been incarcerated at some time during the preceding 10 years. These figures compare to an average arrears balance of \$9,392 among those with no history of incarceration. Roughly eight of every 10 currently or formerly incarcerated obligors, excluding those with establishment cases, owe arrears to the custodial parent, while about three of every five in both groups owe arrears to the government (as reimbursement for the cost of welfare services provided to the child). The mean or average amount of arrears owed to custodians is \$17,370 among those who are currently incarcerated and \$12,869 among those who were previously incarcerated. Average amounts owed to the government are \$11,852 and \$10,282 for the currently and previously incarcerated groups, respectively.

- 6. A disproportionate share of total arrears, state-owed arrears, and arrears owed to custodial parents is accounted for by persons who have been or currently are incarcerated.**
- 7. Although they account for only 13.0% of all obligors statewide and 16.2% of all cases, such persons account for 25.3% of total statewide arrears or approximately \$367 million dollars.**

**8. In Baltimore City, just over two-fifths (40.6%) of all arrears “on the books” can be accounted for by persons who are or were incarcerated.**

Currently and formerly incarcerated non-custodial parents represent 13.0% of all obligors in active child support cases statewide and, as a group, account for 16.2% of all active support cases. But, their debt accounts for roughly one-quarter of all arrears, or approximately \$367 million dollars. Those presently incarcerated account for about 5.2% of total child support arrears, even though they represent only 3.0% of all obligors and 3.4% of all cases. Those formerly imprisoned account for about one-fifth (20.1%) of all child support arrears, but only 10.0% of all obligors and 12.8% of all cases.

The same patterns prevail for government-owed arrears and arrears owed to custodial parents. Currently incarcerated non-custodial parents account for 5.0% of all arrears owed to custodial parents and 5.3% of arrears owed to the state and federal governments. Previously incarcerated non-custodial parents account for nearly one-fifth (18.5%) of all support arrears owed to custodial parents and 23.6% of all arrears owed to government.

Statistics for Baltimore City are even more dramatic. Overall, fully two-fifths (40.6%) of all child support arrears owed in the City are owed by non-custodial parents who are (6.1%) or have previously been (34.5%) imprisoned.

**9. The effects of incarceration on child support payment appear to linger long after a parent’s imprisonment has ended. Obligor with a history of incarceration are significantly less likely to pay support than are non-custodial parents with no history of imprisonment within the past 10 years. When formerly incarcerated parents do make support payments, they pay a significantly small percentage of their current support obligations.**

Among those who had been out of prison for at least one year, our analysis reveals that about three out of every five (61.0%) ex-offenders paid some current child support in the 12 months preceding our study month (September 2004). On average, these non-custodial parents paid about \$2,211 during that year; among those who paid anything, the average or mean amount paid represented just about half (53.5%) of the current support amount due. In contrast, during the same period of time, among those who had no history of incarceration over the past decade, about four-fifths (79.1%) paid at least some current child support. The average or mean amount of support paid by these parents was significantly higher (\$3,919) and, on average, about three-quarters (75.1%) of the total amount due was paid.

In short, we find that incarceration, past or present, of a non-custodial parent, does affect a minority – but a significant minority – of child support cases in Maryland and, in particular, current and former TANF cases and cases in Baltimore City. We also find evidence that these obligors and their child support case situations differ on virtually every dimension examined from those with no history of imprisonment within the past 10 years and that this population of obligors accounts for a disproportionate share of child support arrears.

## ***Policy Implications.***

The descriptive analyses presented here certainly do not provide answers to all of the important questions regarding the intersection of child support and incarceration. However, they do suggest several general areas worthy of consideration by elected and appointed officials in our state.

- 1. The proportion of child support obligors with an incarceration history, their child support case characteristics, and their disproportionate share of arrears indicate that policy, program, research, and inter-agency attention should continue to be paid to the incarceration/child support topic.**

Social science theory, previous research, and the front-line practice wisdom of child support and corrections officials all suggest that incarceration of non-custodial parents is a major issue affecting child support program performance and, equally, efforts to successfully reintegrate ex-offenders into the community. Our findings confirm that hypothesis: there is an important intersection between incarceration and child support. The issues are real and the implications are many and far-reaching. The findings from this first-ever research study provide some empirical data about the topic, but perhaps the most important 'finding' is that, indeed, concerted attention to this topic and this population are needed.

- 2. Sustained collaborative efforts between child support program officials and public safety officials should be undertaken to identify currently incarcerated non-custodial parents and to develop appropriate methods to educate and engage them in establishing and/or modifying support orders and in understanding the importance of providing financial support for their children upon release.**

One distinguishing characteristic of child support cases involving currently incarcerated obligors is that almost half still need to have a support order (and perhaps paternity) established. Other states have found that imprisoned non-custodial parents typically do have a strong interest in being involved in their children's lives and are quite open to learning more about and participating in the child support process (see, for example, Pearson & Griswold, 2005). The fact of incarceration no doubt imposes certain important constraints on child support education and individual case work vis-à-vis what can be done, how tasks can best be accomplished, with which prisoners, and, perhaps, by whom. The potential degree of difficulty notwithstanding, the reality is that the vast majority of inmates are, eventually, released. It would thus seem prudent for the child support and corrections agencies to work together to provide targeted child support education and services to this population at a time when they may be quite open to outreach efforts.

- 3. Maryland's child support program, as well as its cash assistance (TANF) program should consider how they might be able to partner with the correctional and parole and probation agencies of state government and other community-based organizations to develop or expand programs for non-custodial parents who are about to be released or have recently been released from prison.**

In Maryland's child support caseload, the percentage of non-custodial parents who have been or are incarcerated is significant. In Baltimore City, the results of our study suggest that child support and incarceration are inextricably linked. Our findings about current support payments and arrears owed by this population of non-custodial parents in particular suggest that, to a degree not heretofore appreciated, the child support program's ability to meet many of the required federal program performance standards, depends, in a not inconsequential way, on the ability of ex-offenders to make their support payments. Likewise, it is clear from our findings that incarceration is much more common among the parents of children who currently receive or formerly received TANF benefits. Previous research has shown that receipt of child support from the absent parent is associated with welfare exits and, importantly, with a lowered risk of returning to the welfare rolls in the future.

For all of the above reasons and others, it would behoove both the child support and TANF programs to think and work proactively to develop or expand programs for non-custodial parents exiting prison. In particular, programs that combine employment and child support services would appear to be most promising, based on reports from other states (Pearson & Griswold, 2005). Through these types of programs, ex-offenders can learn how to discuss their incarceration history with potential employers. If a transitional job component is part of the program, participants can also build their resumes and improve their chances of succeeding in the formal economy (Szekely, 2004). Such programs also could provide parents an opportunity to develop the habit of paying child support and, conceivably, could offer them relief from state-owed arrears in exchange for the payment of current support (see, for example, Owvigho, Saunders & Born, 2005).

- 4. With a large share of the total statewide child support caseload and a significantly higher proportion of currently and previously incarcerated obligors, Baltimore City should probably receive particular consideration as a site in which to test new policies or pilot programs.**

Relative to the state as a whole and the 23 counties, Baltimore City's child support caseload includes a significantly higher proportion of obligors with an incarceration history and twice the rate of currently incarcerated obligors as elsewhere in Maryland. Indeed, two-fifths of all arrears owed in Baltimore City cases are owed by non-custodial parents who are or have been in prison and about three of every 10 City child support cases are or have been affected by incarceration of the non-custodial parent. Given these realities and absent programmatic efforts focused on the current and ex-offender populations, it is difficult to envision that Baltimore City will be able to consistently meet program performance expectations. Because Baltimore City represents such a sizable share of the overall state child support caseload, one could opine that, over time, the

state as a whole will also face greater difficulty in meeting federal performance measures, especially those related to the collection of current support and arrears.

Finally, while fully cognizant of existing fiscal pressures on all public agencies and the multiple, competing demands for scarce public and private dollars, we would suggest that the time to act is now. Our analyses find that child support debt accumulated by those who are or have been incarcerated is large and does not quickly dissipate. In fact, we can expect their debt to grow as previously incarcerated parents continue to miss child support payments after being released, and new child support debt is accumulated by incarcerated obligors daily.

Unless we begin today to do the hard work necessary to determine what needs to be done, who needs to do it, and how to pay for what needs to be done, we will continue to fall further and further behind. Moreover, the findings from this study suggest that, over time, the costs of inaction are potentially enormous for children and for public child support, cash assistance and correctional programs. Thus, budgetary pressures notwithstanding, now is the time to forge new relationships and to test and empirically evaluate new approaches to understanding and addressing the myriad issues involved in the intersection of child support and incarceration.

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