

## Commonly asked Children's Questions about Incarceration

1. How should family members behave if they attend a trial of a loved one?  
A. *They should dress nicely and avoid drawing attention to themselves by laughing, crying or speaking during the trial*
2. What happens at a trial?  
A. *A jury of 12 people hear the evidence and decide if the person is guilty or not guilty*
3. Are people searched before they enter a courtroom/courthouse?  
A. *Yes*
4. What is Parole?  
A. *It is time after prison when a person has to obey certain rules (like no drinking or using drugs) He will be checked on by a parole officer to be sure he is following the rules*
5. What are some things you can talk about with your family member who is in prison?  
A. *School, books, TV shows, sports, music, something you enjoy*
6. Who decides how long a person will go to jail or prison?  
A. *The judge*
7. Will a person who is sentenced to prison go to prison right away?  
A. *They usually stay in the county jail for days or weeks before being sent to prison*
8. What are some rules you must follow when you visit a loved one in prison?  
A. *Don't bring items that the prison forbids: weapons, drugs, alcohol, and paper money; dress appropriately (no gang affiliation, etc.) treat others with respect*
9. What kinds of programs can people in prison participate in?  
A. *They can take classes on parenting, work on getting a high school or college degree, get counseling*
10. What happens when a person first gets to prison?  
A. *He or she will be in admissions and orientation to help decide where he or she will be sent*
11. Do prisoners ever have free time?  
A. *Yes*

- 12.** How is prison different than jail?  
A. *Jail is maintained by the county. Prison is maintained by the state or federal government. In prison, the person may not be as isolated*
- 13.** What happens at an arraignment?  
A. *The person enters a plea of guilty or not guilty and a trial date is set*
- 14.** Do police always need a search warrant to make an arrest?  
A. *No, not in all situations. Police may not seek an arrest warrant if they fear that evidence or the person they are arresting will vanish*
- 15.** How does a person who has been arrested get to the police station?  
A. *In the back of the police car*
- 16.** What are Miranda Rights and why are they important?  
A. *It is a statement about the person's right to not make a forced confession*
- 17.** Who takes care of children if their parent is arrested?  
A. *Often, children are sent to stay with a family member or responsible adult. If no such person is available, children will be in temporary custody of the Department of Social Services*
- 18.** What happens after the arrested person gets to the police station?  
A. *They are "booked", Fingerprinted, Photographed, their personal belongings are taken and stored, and they are given prison clothes to wear*
- 19.** Who can the arrested person call from the police station?  
A. *Anyone, but they usually call a family member, a friend or a lawyer*
- 20.** How long does it take once a person is in prison before he/she can call you?  
A. *Usually 2-3 weeks*
- 21.** How many phone calls can the arrested person make?  
A. *Usually just one but cooperative people may be allowed to make more*
- 22.** If someone gets out on bail, what do they agree to do?  
A. *They agree to return to court at a specific day and time*
- 23.** Can you call the jail or prison and ask to talk to your family member?  
A. *No*
- 24.** Are all people who are arrested handcuffed? Why or Why not?  
A. *Yes, this is standard practice*

- 25.** What is a plea agreement?  
A. *The person may plead guilty to a lesser crime to shorten prison sentence. The prosecution and the defense agree on a certain sentence which the judge must approve*
- 26.** Can you take food or drinks to share with your family member when you visit him/her in prison?  
A. *No. Usually pop is available in the visit room; but you can't bring food or drinks in from outside. Make sure you eat ahead of time*
- 27.** In the first court appearance, is there a judge present? A jury?  
A. *The first court appearance is before a judge only. This is when the person tells the judge if he/she plans to hire a lawyer, if he/she wants a Public Defender*
- 28.** What is bail?  
A. *Bail is money that is paid to get someone out of jail until he or she goes to court*
- 29.** Once your family member is out of prison, are all the problems solved?  
A. *No, there may still be many problems. You may worry about your family member staying out of trouble; there may be fights; it may be hard to have him/her back when you are used to life without them*
- 30.** What is a preliminary hearing?  
A. *When the person goes before a judge, who then decides if there is enough evidence to proceed*
- 31.** Are you responsible for your family member's actions?  
A. *No, everyone is responsible for their own actions*
- 32.** What do people in prison do with their free time?  
A. *They can go to the library and read; go to the gym and work out; write; or make things*
- 33.** If you misbehave during a visit to the prison, what happens?  
A. *The visit will be ended and you and your family will be asked to leave for the day*
- 34.** How would you treat the prison staff when you are visiting someone in prison?  
A. *With respect*
- 35.** What can people do to reduce their sentence?  
A. *They can follow the rules, treat the prison staff with respect, take classes and get counseling for their problems*

**36.** What sorts of activities can prisoners do?

*A. There is a daily routine that includes three meals, work and recreation*

**37.** How should you behave on a prison visit?

*A. Use an inside voice, stay with the person you are visiting, be respectful of prison staff and others*

**38.** Do prisoners have jobs? If so, what kinds of jobs do they have?

*A. Yes, some people work inside the prison; cooking, cleaning, yard work, etc. There are also prison industries where things are made*

**39.** Can you make phone calls from jail or prison with your cell phone?

*A. No, all personal belongings are taken away and stored*

**40.** What are some activities to do when visiting someone in prison?

*A. Play a game, watch a movie, tell a story, give a hug*