

**“We are All Collateral Damage”: Understanding Nuclear Family Members’ Experiences of
Criminal Justice Intervention**

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Abstract

Historically, “offender”-focused discourses have dominated the field of criminology while overlooking those family members who become subject to justice intervention by virtue of their familial bonds. In this qualitative study, unstructured interviews were conducted with eight nuclear family members of criminalized persons in Ontario and Quebec. Participant accounts reveal that the interviewed family members self-imposed significant moral and legal responsibilities for their relatives following criminal justice intervention and simultaneously experienced negative role re-evaluation driven by feelings of guilt, failure, and self-blame. Participants’ inherent lack of control over their criminalized relatives’ behaviours and the criminal justice system’s decisions exacerbate negative impacts of criminalization on non-criminalized relatives’ self-concepts. This lack of control increases the stress of criminal justice intervention while straining family resources. When relatives are justice-involved for prolonged period, the family becomes stuck in a constant state of stress and uncertainty, which may have lasting consequences on the family if left unmanaged. Criminal justice intervention as a disruptive event then reconfigures the family in ways that often leave lasting impacts on nuclear family relationships.

This thesis engages with Boss’ (1999, 2006) theory of Ambiguous Loss to analyze participants’ experiences and demonstrate the consequences of criminalization on various nuclear family members in a Canadian context. To mitigate certain limitations of Boss’ (1999, 2006) theory, criminal justice intervention is first defined as a disruptive event that transforms family members’ known realities into threatening and uncertain environments. This thesis then explores the stress and strain that justice intervention places upon the family and applies the theory of Ambiguous Loss to understand criminalization as a source of ambiguous loss. Further, this thesis expands the scope of Boss’ (1999) theory beyond the experiences of certain populations (i.e. children of incarcerated parents) and discovers the limitations of this theory in the context of criminological research. It also opens the door for future research to apply this theory to criminalized populations.

Keywords: *Families, criminalization, justice intervention, disruption, ambiguous loss, stress and strain, collateral damage*

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Introduction

Historically the family has acted as the primary agent of socialization, tasked with raising emotionally and behaviourally healthy children to become productive members of society (Harden, 2005; Shaffner, 1997). When individuals “offend,” the family is deemed morally blameworthy and, in some cases, held legally responsible for their loved ones’ actions (Cook & Gordon, 2012; Granja, 2016; Holt, 2009a; Melendez, Lichtenstein, & Dolliver, 2016; Shaffner, 1997), particularly in the context of crime control. This rhetoric of blame has focused academic and interventionist discourses on “fixing” the family (Francis, 2012; Harden, 2005; Hil, 1998; Goldson & Jamieson, 2002) and has justified measures such as Parenting Orders in the United Kingdom and court-mandated parenting classes in the United States (Shaffner, 1997).

Generally, studies on families in the context of criminalization have remained “offender”-centred and have examined the family’s role in “offender” rehabilitation and reducing recidivism¹. Conversely, some critical criminological discourses have explored the collateral consequences of incarceration on the family². Such research has revealed that family members experience extended pains of imprisonment as if they were serving mirrored sentences governed by carceral policies without having committed any crimes³. Critical discourses have also recognized the effects of incarceration on family members’ social networks, focusing largely on relatives’ experiences of stigma within their communities⁴. These studies have provided invaluable insights regarding social consequences of imprisonment on families of prisoners; however, their focus on incarceration limits them in scope. The family is involved in and impacted by many aspects of the criminal

¹ See Allen-Kyle, 2015; Brank, Lane, Turner, Fain & Sehgal, 2008; Codd, 1998; Cook & Gordon, 2012; Henricson, Coleman & Roker, 2000; Hil, 1998; Paik, 2016; Varma, 2007.

² See Codd, 2008; Comfort, 2003; Ferreccio, 2019; Hannem, 2012; Lehalle & Beaulieu, 2019; Ricordeau, 2019.

³ See Codd, 2008; Comfort 2003.

⁴ See Hannem, 2012; May, 2000; Melendez et al., 2016.

justice system⁵ when their relatives are justice-involved. Research that focuses on the family solely in the context of the carceral system does not capture the many complex realities of family members throughout the entire justice process.

The criminal justice system responsabilizes and ignores families, as it forces them to fulfill the roles of a warden and social worker for their criminalized relatives while simultaneously denying them meaningful involvement and support throughout justice processes (Lehalle, 2019). While some criminological research has examined the relationships between prisoners and their family members⁶, it is imperative to study the realities of family members and their relationships with non-criminalized relatives. Family members have unique experiences in the context of criminal justice intervention, which go beyond relationships with criminalized relatives. Relationships between non-criminalized family members may still be subject to the collateral consequences of criminal justice intervention. If the family is to play an integral role to “offender” rehabilitation and prisoner re-entry⁷, we must understand how criminal justice intervention alters family dynamics. From a crime prevention perspective, if justice intervention negatively impacts the family, they may be unable to fulfill this role. As such, this study seeks to understand the impacts of criminal justice intervention on the nuclear family as a whole, as subjectively perceived by its individual members.

Following this introduction, Chapter 1 reviews criminological and health discourses regarding the nuclear family in the context of criminal justice, mental health and health systems intervention. The criminological literature has acknowledged the intersectionality of criminalization, addiction, mental health challenges and neurological damage. As such, I have

⁵ Such aspects include initial arrest or police contact, court hearings (including bail, trial and sentencing hearings), probation, incarceration and parole.

⁶ See Ferreccio, 2019; Lehalle & Beaulieu, 2019; Ricordeau, 2019.

⁷ See Granja, 2016.

turned to the health literature for additional insights into the experiences of families who experience institutional interventions that often occur simultaneously to criminal justice intervention. First, I discuss the experiences of children of incarcerated and neurodiverse⁸ parents. Second, I explore the realities of parents of criminalized youth and youth with health diagnoses as they navigate relationships with formal institutions. I then conclude by developing the primary and secondary research goals of this thesis.

In Chapter 2, I outline the theoretical framework applied in this study. To develop an understanding of nuclear family members' experiences of their relatives' criminalization, I engage with Pauline Boss' (1999, 2006) theory of Ambiguous Loss. This chapter begins by defining the concepts of the psychological family and ambiguous loss. I integrate Bonyaker, Collazo and Christodoulou's (2016) concept of disruption into the theory of Ambiguous Loss to better understand the context in which ambiguous loss may occur. I then draw on traditional stress research⁹ and Boss' (1992, 1999) family stress perspective to conceptualize stress and strain, which often occur in the wake of disruption and have the potential to leave lasting emotional and relational impacts if left unmanaged. I then explore these subjective experiences of ambiguous loss before proceeding to discuss Boss' (1999, 2006, 2010) findings on family resilience. Finally, I conclude by expanding on how I will apply the theory of Ambiguous Loss to answer my primary and secondary research goals.

Chapter 3 describes my methodological decisions and considerations throughout this research process. First, I discuss my ontological and epistemological positioning as a researcher,

⁸ The term "neurodiverse" will be used to refer to persons with mental health diagnoses (including substance abuse), learning disabilities, and cognitive disabilities and diseases, as it acknowledges the diversity of these individuals' challenges and realities related to their cognitive and mental health, without using stigmatizing language (i.e. mentally ill, cognitively impaired), which imply a lack of functioning and capability.

⁹ See Aldwin, 2007; Anisman, 2015; Bombay, Matheson, & Anisman, 2009; Lazarus, 1999.

and my choice of qualitative methodology. I then provide an overview of the ethical considerations integral to researching families in crisis. The sixth section of this chapter outlines my data collection procedures, the study's participants and the interview process. This section is followed by a description of my analysis techniques, namely the mapping of family relationships. This chapter concludes with a discussion of this study's methodological limitations.

Chapter 4 is divided into four main sections, which describe and analyze nuclear family members' experiences of their loved one's criminalization. The first section discusses the self-imposed moral and legal responsibilities of the family before and following a nuclear family member's criminal justice involvement, with a subsection specific to children of criminalized parents whose experiences differ from those of parents and siblings of criminalized relatives. The second section explores the family's lack of control throughout their relative's criminalization. The third section identifies and describes the various forms of resource strain the family suffers as a result of criminal justice intervention and their criminalized relatives' actions. Finally, the fourth section of this chapter explains the prolonged impacts of criminal justice intervention on the family and its members.

The conclusion first provides an overview of the research findings. I then discuss my empirical and theoretical contributions to the field of criminology, as well as this study's limitations. Finally, I briefly provide recommendations for future research on the topic of families of criminalized populations.

Chapter 1: A Review of the Literature

1.1. Introduction

The following chapter provides an overview and synthesis of criminological and health discourses surrounding justice involvement¹⁰, mental health (including substance abuse) and health diagnoses within the context of the nuclear family¹¹. This thesis is interested in how justice intervention affects nuclear family members who choose to maintain relationships with their justice-involved relatives, and the overall impact of justice intervention on the nuclear family. As such, I first looked at the criminological literature on nuclear families of justice-involved individuals and found that this body of research is limited in size, scope¹², and relationships¹³.

Aside from Gervais and Romano's (2019) research on Canadian siblings of youth who sexually offend¹⁴, the literature on nuclear family relationships in the context of criminal justice

¹⁰ The terms "justice involvement" and "justice-involved" will be used throughout this chapter and this thesis to describe the various paths and outcomes of any degree of contact with the criminal justice system after a criminal offence has occurred (National Academies of Sciences, Engineering, and Medicine, 2017, p. 9). I have chosen this term because it encompasses all manners and point of contact of criminal justice system intervention and does not carry the same stigma associated with terms such as "offender," "criminal," or "convict." Further this term is not dependent on the formal laying of criminal charges, as justice involvement can include instances where charges have been dropped and the justice-involved individual does not have a criminal record.

¹¹ This chapter reviews criminological, health and mental health literature, published within the past 15 years in English and French and accessible through databases such as Scholars Portal, Proquest, and JSTOR, which I accessed through the University of Ottawa library portal. The majority of these studies were conducted in the United States and United Kingdom, with only a handful conducted in Canada and Australia. It is important to note that the overwhelming majority of this research has been done from a Western perspective.

¹² This literature has focused on the family's role as a contributor to rehabilitation and/or recidivism, namely how the family supports the problematic behaviour or works to prevent or cease it from happening. See Allen-Kyle, 2015; Brank et al., 2008; Cernkovich & Giordano, 1987; Cook & Gordon, 2012; Henricson, Coleman & Roker, 2000; Hil, 1998; Paik, 2016; Varma, 2007.

¹³ Such research has also primarily focused on the bi-directional relationships between parents and children, with little or no consideration made for grandparents, stepfamilies and chosen families.

¹⁴ Gervais and Romano (2019) have built upon the work of Hackett et al. (2016) and Bass et al. (2006) to study parental perceptions of sibling relationships when one sibling has committed a sexual offence. Notably, Gervais and Romano (2019) found that siblings are subject to procedural consequences of criminal justice and welfare systems interventions when their siblings sexually offend, such as court mandated separation from their siblings and the stress of having to testify to police and court actors. Gervais and Romano (2019) also explore the relational impacts youth sexual offending has between siblings, namely that siblings of youth who sexually offend oscillate between anger about their siblings' crimes and fear that they may never see their siblings again. Though this study has provided valuable insights into the experiences of siblings, it is highly specific in scope given the population of study. Further, the impacts of youth sexual offending on sibling relationships was studied through parental

interventions has paid little attention to sibling relationships. These factors limit criminology's understanding of how criminal justice system intervention impacts nuclear family dynamics and the individuals within the family unit.

As I looked to expand the scope of my search, I noticed that the criminological literature has established that many justice-involved individuals also deal with substance use and dependency, neurological issues and/or mental health challenges. Given these associations, I turned to the health literature to see if it would offer other insights into the impacts of institutional interventions on family members. This is particularly relevant because the criminal justice and health systems suggest that those with formal health and "criminal" diagnoses are immoral beings who experience stigma as a result of their diagnoses (Allen-Kyle, 2015; Cook & Gordon, 2012; Holt, 2009a; Shaffner, 1997; Sturges & Hanrahan, 2011).

The following review of these two bodies of literature will provide the reader with a sense of family members' challenges when their relatives are subject to justice and health interventions; however, it will not provide an in-depth understanding of family members' subjective experiences. The literature review is thus a tool to help the reader contextualize and make sense of the experiences that my participants have provided, which will be described and analyzed in Chapter 4 of this thesis.

1.2. Children of Incarcerated and/or Neurodiverse Parents

Having become visible in academic and policy discourses in 2000, the study of children of incarcerated parents is a relatively new field of research (Robertson, Christmann, Sharratt, Berman, Manby, Ayre, Foca, Asiminei, Philbrick, & Gavriluta, 2016). In contrast, the study of children of parents with mental illness and cognitive diseases such as Alzheimer's has long been

perceptions and testimony, which highlights the need for additional research on siblings to understand their experiences from their own perspectives.

of academic interest; however, quantitative studies limit such research, as they do not fully capture the experiences of these children (Kroll, 2004; Moe, Johnson, & Wade, 2007).

The existing literature on children of incarcerated and/or neurodiverse parents has focused on the consequences children must face as a result of their parents. Despite increased interest and growth in both areas of research, the study of children of inmates and neurodiverse parents has largely focused on psychological, social and developmental risks and outcomes¹⁵. Some researchers in the health field have begun studying children's experiences of adversity as a direct result of their parents' mental illnesses¹⁶; however, they have focused on children's emotional well-being and overlooked the overarching effects on family relationships beyond the child. Further, studies on childhood adversity are more prevalent in the literature on children of neurodiverse parents than in the research on children of incarcerated parents. This section of this chapter will discuss these psychological, social and developmental consequences, as well as childhood adversity, loss and grief, impacts on family relationships and the development of resilience in children of incarcerated and/or neurodiverse parents.

1.2.1. Psychological, social and developmental consequences.

A large majority of research conducted in the United States and the United Kingdom on children of incarcerated parents has focused on the psychological impacts of parental incarceration; such research demonstrates a trend towards the study of Posttraumatic Stress Disorder in children of prisoners¹⁷. As such, many studies aim to identify symptoms of trauma,

¹⁵ See Abel, 2007; Aiello & McCorkel, 2018; Arditti, 2012; Bockneck et al., 2009; Cogan, Riddell, & Mayes, 2005; Davis & Shlafer, 2017; Grabe, 2015; Hardy, 2018; Heitmann, Schmuhl, Reinisch, & Bauer, 2012; Hiolski, Eisenberg, & Shlafer, 2019; Jackson & Vaughn, 2017; Kjellstran, Yu, Mark & Martinez, 2018; Robertson et al., 2016.

¹⁶ Such as such as family dysfunction, marital discord, communication issues, emotional distress, and role reversal/confusion and parentification.

¹⁷ See Aiello & McCorkel, 2018; Arditti, 2012; Bockneck et al., 2009; Davis & Shlafer, 2017; Hardy, 2018; Hiolski, Eisenberg, & Shlafer, 2019; Jackson & Vaughn, 2017; Kjellstran, Yu, Mark & Martinez, 2018; Robertson et al., 2016.

such as risky ‘internalizing’ and ‘externalizing’ behaviours in children of inmates and inform evidence-based intervention programs to treat these population-specific harms¹⁸.

Similarly, research on children of neurodiverse parents has focused on children’s risks of developing cognitive disabilities¹⁹, mental health problems²⁰, long-term health consequences²¹ (Werner & Malterud, 2016) and developmental delays (Emerson & Brigham, 2014; Loshak, 2013). Such research also looked to inform and implement intervention programs, with a particular emphasis on early identification of children of neurodiverse parents and preventative action²². Sheehan’s (2005) research has emphasized community responsibility for abused and/or neglected children and the lack of cooperation between the mental health system and child protection services in Australia and England, which puts children of neurodiverse parents at a greater risk of enhanced vulnerability and disadvantage.

Researchers have also taken an interest in the sociological effects²³ of parental incarceration on children²⁴. Children of incarcerated parents in the U.S. tend to excel academically at a greater rate or see little to no change in their academic performance (Hardy, 2018; Haskins & Turney, 2014; Loeber et al., 2012; Nesmith & Ruhland, 2008). Conversely, children may experience developmental challenges due to social isolation within their communities and peer groups as a result of the secrecy surrounding their parents’ incarceration (Nesmith & Ruhland, 2008, p. 1122). The research on the sociological effects of parental incarceration on children may

¹⁸ See Morgan-Mullane, 2018; Pataky & Parent, 2018; Reed & Reed, 1997; Robertson et al., 2016; Skinner-Osei & Levenson, 2018; Stump, Kupersmidt, Stelter & Rhodes, 2018; Turney & Goldberg, 2019.

¹⁹ See Cogan, 2003; Cogan et al., 2005.

²⁰ See Cogan, 2003; Grabe, 2015; Heitmann et al., 2012; Santvoort et al., 2014.

²¹ Long-term health consequences include anxiety, depression, conduct disorder, substance abuse and substance dependency (Balsa, Homer & French, 2012)

²² See Abel, 2017; Grabe, 2015; Heitmann et al., 2012; Leahy, 2015; Loshak, 2013; Mechling et al., 2018; Reedtz, 2017; Santvoort et al., 2014

²³ Sociological effects in the literature pertain to children’s academic performance in school and their relationships and experiences within their peer groups.

²⁴ See Arditti, 2012; Dallaire, 2007; Geller, Cooper, Garfinkel, Schwartz-Soicher, & Mincy, 2012; Hardy, 2018; Haskins & Turney, 2014; Loeber, Murray, & Padini, 2012; Nesmith & Ruhland, 2008

provide a starting point for similar research on children of neurodiverse parents, as fewer studies have focused specifically on the sociological effects of parent mental and cognitive health on children, particularly in the academic context. Conversely, the mental health literature has chosen to focus on children's experiences of adversity related to their parents' mental illnesses, which provides a better understanding of children's subjective experiences than children's risk factors for psychopathology or statistics of academic success.

1.2.2. Childhood adversity.

In contrast to research on children of criminalized parents, studies on children of neurodiverse parents have largely focused on children's experiences of adversity within the family context as a consequence of their parents' lack of mental well-being²⁵. Prevalent experiences of adversity include, but are not limited, to family dysfunction, marital discord, communication issues, and emotional distress, including feelings of guilt and shame²⁶.

Cogan's (2003) research asserts that maternal illness affects the entire family and implies that without maternal support, fathers are less capable of providing the needed care and support to their children. Conversely, there is little comparison available for fathers outside of the context of substance abuse²⁷. Marital discord often occurs in families where mental health diagnoses are present, which may facilitate added childhood adversity; however, it is controversial to assume that parents with mental health problems are unable to provide care for their children (Cogan, 2003). Conversely, Kroll (2004) found that children of parents with substance abuse issues expressed feeling as though their parents could abandon them without warning after parental

²⁵ See Cogan, 2003; Jacob, Canchola, & Preston, 2019; Järvinen, 2015; Johannessen et al., 2016; Kroll, 2004; Meyer, 2017; Moe et al., 2007; Werner & Malterud, 2016.

²⁶ See Cogan, 2003; Johannessen et al., 2016; Meyer, 2017; Mechling et al., 2018; Miller-Ott, 2018.

²⁷ See Castro, Garfinkle, Naranji, Rollins, Brook & Brook, 2007.

separation had occurred and that marital discord between their parents was a significant source of stress and anxiety.

Further to the consequences of marital discord, other aspects of parental mental health issues often lead to negative effects on children's emotional well-being (Johannessen et al., 2016), which are then exacerbated by a lack of familial communication (Järvinen, 2015; Miller-Ott, 2018). Children of parents with substance abuse issues rarely communicate the negative effects of their parents drinking to their substance abusing parents (Järvinen, 2015). This lack of communication extends beyond parent-child relationships and into extended family dynamics as "denial, distortion, confusion and secrecy often [result] in the substance use becoming the 'central organizing principle' of the family, with all the family members operating around it, and in relation to it..." (Kroll, 2004, p. 132). In instances where the entire family begins to function in constant relativity to a family member's substance abuse, shame and fear will often isolate nuclear family members from their extended family and communities (Kroll, 2004). As it pertains to children, even those of parents with severe mental illnesses, not including addiction, report feeling isolated and rarely ask for help (Leahy, 2015).

Similarly, children of incarcerated parents experience shame and stigma within their social circles, which often led to difficulties in making and maintaining friendships (Hardy, 2018). Kroll (2004) found that, in violent homes, children fear their substance-abusing parents' behaviour; however, they also fear for their parents' welfare and fear being separated from them. Moe et al. (2007) also found that children of parents with alcohol dependencies experienced guilt with regards to their parents' drinking, and believed they needed to live alcohol-free in order to live well. Children of incarcerated parents also experience these conflicting emotions, particularly fear and longing related to their parents' return from prison (Knudsen, 2016; Nesmith & Ruhland,

2008). Children miss the shared activities, quality time and support their parents provided before their incarceration, while simultaneously fearing that their parents will never be released (Knudsen, 2016).

1.2.3. Loss and grief.

Children of incarcerated parents and neurodiverse parents express feelings of grief and loss in response to their parents' criminalization²⁸ and/or mental health diagnoses, including substance abuse²⁹. The child may feel as though their incarcerated parent has died, but they are unable to express their grief or find closure because their parent is not deceased (Arditti, 2012; Hardy, 2018). Children also fear the uncertainty of their parent's safety in prison, long for their parent's return, and simultaneously worry about the unknown ramifications of their parent's eventual release (Knudsen, 2016). In contrast to children of incarcerated parents who most often experience their parents' physical absence, children of neurodiverse parents experience their parents' psychological absence; however, both facilitate the loss of traditional parent-child relationships (Miller-Ott, 2018).

The experiences of children of parents with substance abuse issues provide significant insights into the concept of ambiguous loss, as unlike children of parents with clinical mental health diagnoses, substance abuse is often perceived to be volitional. Kroll (2004) found that children of parents with substance abuse issues express the loss of being loved as a direct result of their parents choosing to do drug. They also experience the "loss of a reliable, consistent and responsive parent [...] [and] loss of a 'normal' lifestyle in which it was safe to bring friends home or go off to school" (Kroll, 2004, p. 133). Interestingly, these losses appear to be largely contingent upon the comparison of the parents' behaviour before and after the substance abuse began.

²⁸ See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016; Pataky & Parent, 2018.

²⁹ See Kroll, 2004; Leahy, 2015; Mechling et al., 2018; Miller-Ott, 2018.

Children of parents with Alzheimer's disease also report that the loss of their parents' former sense of selves is more challenging than the resultant caregiving and burden it poses for the children (Miller-Ott, 2018).

1.2.4. Impacts on family relationships: Child caregivers and parentification.

Both the criminological³⁰ and health/mental health literature³¹ have taken an interest in role reversal and confusion within the family, specifically pertaining to children's experiences. Studies on children of incarcerated and/or neurodiverse parents have found that children often undergo a form of role reversal, which some have termed "parentification" (Cogan, 2003; Knudsen, 2016). Parentification "involves the centring of a family's interests, goals and resources on the parent to the extent that the child takes on inappropriate emotional or instrumental parenting roles" (Knudsen, 2016, p. 171). More broadly, parentification is a blurring of boundaries between parents and children whereby children fulfill parental roles within the family (Cogan, 2003). Though a handful of studies on children of incarcerated parents have begun to examine the impacts of parental incarceration on intra-family dynamics, they are limited in that they explore the experiences of children from the perspectives of their adult caregivers³². From caregivers' perspectives, children's parentification is evident in that they become deeply dependent on their non-incarcerated parent or caregiver, becoming highly in-tune to their caregiver's emotions and relationships with their incarcerated relatives (Nesmith & Ruhland, 2008). There has also been some controversy within the literature of children of neurodiverse parents that would suggest that role confusion is more likely than full role reversal or parentification (Kroll, 2004).

³⁰ See Knudsen, 2016; Nesmith & Ruhland, 2008.

³¹ See Cogan, 2003; Mechling et al., 2018; Meyer, 2017; Miller-Ott, 2018.

³² See Arditti, Lambert-Shute, & Joest, 2003; Arditti, 2012; Nesmith & Ruhland, 2008.

Studies on children of neurodiverse parents have found that parental mental health struggles often lead children's role change, and occasionally complete reversal, within the family unit³³. Many children of parents with substance abuse issues have described going to great lengths to “manage” their substance-abusing parents to protect themselves from their parents as well as to prevent conflict between their parents and other family members (Järvinen, 2015; Werner & Malterud, 2016). In some cases, children of substance-abusing parents completely reverse their roles and take on parental responsibilities while their parents engage in childlike dependency (Mechling et al., 2018).

Both Meyer (2017) and Miller-Ott (2018) found that children experience more significant caregiving burdens than their parents' spouses because their identities as children must change and they may not perceive their roles to include caregiving duties. This role change impacts parent-child communication. Adult children of parents with Alzheimer's describe four significant communication changes: “communicating with a parent who was the same but different, communicating in multiple roles, correcting or reprimanding the parent, and managing the parent's private information” (Miller-Ott, 2018, p. 1). Regardless of the lack of consensus about the degree to which children take on caregiving roles following their parents' diagnoses, the literature on children of neurodiverse parents is limited by its focus on children's roles in sole relation to their neurodiverse parent.

In contrast, research on children of incarcerated parents has considered role implications between children of prisoners and other family members. When children take on parental roles after the incarceration of a parent, they are more likely to provide emotional caregiving for their non-incarcerated parent or guardian and instrumental support to younger siblings (Knudsen, 2016).

³³ See Cogan, 2003; Kroll, 2004; Järvinen, 2015; Mechling et al., 2018; Meyer, 2017; Miller-Ott, 2018; Werner & Malterud, 2016.

Rather than becoming the parent for their criminalized parent, they become parental figures for other relatives in the nuclear family. Children may still take on adult roles for their incarcerated parent, but are more likely to fill the role of their imprisoned parent for the caregiver left behind (Nesmith & Ruhland, 2008). We must conduct additional research on children of criminalized parents given that the available studies are limited in numbers and in that they focus solely on children of incarcerated parents rather than justice-involved parents as a whole.

The literature on children of incarcerated and/or neurodiverse parents is conflicted in that many studies have asserted that parental imprisonment and mental health problems present significant risk factors for children, particularly with regards to their mental health, physical development and academic performance³⁴. In contrast, a handful of other studies in both criminology and mental health fields have discovered positive coping strategies in children and the development of resiliency³⁵.

1.2.5. Coping mechanisms and developing resilience.

Emotional coping focuses on changing one's emotional response to a stressful situation in which one has little to no control (Johannessen et al., 2016). At the initial onset of their parents' mental illness, children of parents with early-onset dementia have reported that detachment was their main coping strategy (Johannessen et al., 2016). Similarly, Knudsen (2016) found that stoicism was a prevalent coping mechanism for male children of incarcerated parents. In contrast, female children of incarcerated parents were more likely to wait and hope for their parents' return from prison, seek comfort from others and visit their parents in custody (Knudsen, 2016).

³⁴ See Aiello & McCorkel, 2018; Arditti, 2012; Cogan, 2003; Cogan et al., 2005; Bockneck et al., 2009; Dallaire, 2007; Davis & Shlafer, 2017; Hiolski et al., 2019; Jackson & Vaughn, 2017; Kjellstran et al, 2018; Robertson et al., 2016.

³⁵ See Castro et al., 2007; Hardy, 2018; Haskins & Turney, 2014; Jacob et al., 2019; Johannessen et al., 2016; Loeber et al., 2012; Moe et al., 2007; Nesmith & Ruhland, 2008; Pilowski et al, 2004.

Regardless of which coping mechanisms are employed, coping strategies are of great importance, given that they will determine relatives' levels of stress and burden, particularly caregivers (Meyer, 2017).

For children of neurodiverse parents, resilience has been achieved with the help of social supports who have "listened to them and responded to their needs," but also with the passing of time as their coping mechanisms improved (Johannessen et al., 2016, p. 1). Children's perceived social support appears to be important in fostering resilience. Pilowski et al. (2004) have found that resilient children of parents with substance abuse issues perceived more social support than non-resilient children who were more likely to employ avoidant coping strategies, even though they received the same level of support. For other children of substance abusing parents, parental recovery from addiction was integral to resilience in both children and parents (Moe et al., 2007).

In contrast, adult children of parents with disabilities have reported that having a parent with a disability is beneficial in many ways, as children have developed a greater capacity for tolerance, compassion, independence, resourcefulness and a larger number of life skills (Jacob et al., 2019). Similarly, Hardy (2018) and Nesmith and Ruhland (2008) have found that parental incarceration itself facilitates resilience in children as a result of the adversity they must overcome. These experiences demonstrate that parental incarceration, neurodiversity and health complications are not exclusively positive or negative, but rather that children will experience these circumstances in a variety of ways over different moments in time.

Despite academic interest in identifying and fostering resilience in children of incarcerated and/or neurodiverse parents, "resilience" itself appears to be rarely defined beyond positive life outcomes. Further, the literature does not conceptualize parental mental health and/or criminalization as a source of chronic stress and trauma for children beyond the context of PTSD.

It does not take into account the cycle of trauma and ongoing instances of crises inherent to situations such as parental criminalization and mental illness.

1.3. Parents of Criminalized Youth and Youth with Health Diagnoses

When children are involved in the criminal justice and/or health systems, expectations of parental roles and responsibilities as they pertain to the children's care grow exponentially, which often puts parents in direct conflict with justice and health professionals³⁶. Despite parents' increased responsibilities within formal justice and health institutions, they are often denied meaningful involvement and experience a loss of parental authority to system actors.

Further to the issue of parental responsabilization, parents are also often held legally accountable for their children's actions in the context of the criminal justice system³⁷. Parents of children with health diagnoses as well as parents of criminalized youth are also held socially accountable for their children's behaviour and development, and are often subject to blame, shame and stigma as a result³⁸. Hillian and Reitsma-Street (2003) have also discovered experiences of "stress and loss" among Canadian parents of criminalized youth, which will be further explored in the final subsection of this section. The experience of external and internalized blame then leads parents to question the quality of their parenting practices, and thus their identities as parents (Gervais & Romano, 2018; Godwin, 2004; Holt, 2009a; Holt 2009b; Sturges & Hanrahan, 2011). Notably, both the criminological and health literature discuss the unique experiences of mothers as they face additional scrutiny due to social rhetorics of mother-blaming and womb-guilt³⁹.

³⁶ See Harden, 2005; Hillian & Reitsma-Street, 2003; Paik, 2016; Pennington, 2017.

³⁷ See Goldson & Jamieson, 2002; Holt, 2009a; Holt, 2009b; Henricson, Coleman, & Roker, 2000.

³⁸ See Blum, 2007; Corrigan & Miller, 2004; Corrigan, Watson & Miller, 2006; Courcy & des Rivières, 2017; Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Goodwin, 2004; Harden, 2005; Holt, 2009a; Holt, 2009b; Melendez et al., 2016; Moses, 2010.

³⁹ See Goldson & Jamieson, 2002; Holt, 2009a; Holt, 2009b; Henricson, Coleman, & Roker, 2000.

1.3.1. Responsibilizing parents without meaningful involvement.

Both the criminal justice system and the mental health system expect a high level of parental involvement in children's treatment. These high standards become a source of stress and frustration for parents, as the contradictory structures of both systems deny parents the opportunity for meaningful involvement. Parents of criminalized youth generally feel as though they should be more involved in the court process, as they possess intimate knowledge about their children; however, they have very limited roles and power within the youth justice system (Hillman & Reitsma-Street, 2003; Paik, 2016; Pennington, 2017). When court processes exclude parents while simultaneously subjecting them to measures of forced accountability for their children's crimes – such as Parenting Orders in the United Kingdom and mandatory parenting classes in the United States – parents develop a negative legal consciousness⁴⁰ and a collective distrust of the justice system (Paik, 2016; Pennington, 2017).

The loss of parental power and authority within the justice system is a salient effect of youth criminalization. The criminal justice system expects parents to cooperate with police, court officials and schools; however, being constantly “on-call” creates anxiety and interferes with professional lives, which causes some parents to withdraw their involvement to prioritize their own needs (Holt, 2009b). The amount of hard work parents do to support their justice-involved youth on top of the court's expectations is not usually acknowledged, which makes some parents feel unempowered and dismissed (Hillman & Reitsma-Street, 2003). Furthermore, even when parents are highly involved in the care and supervision of their child during the justice process, parents are often denied access to treatment and support. For example, when a child is not formally under the criminal justice system's supervision or in child protection, there are no opportunities

⁴⁰ Legal consciousness refers to families' perceptions of the justice system and legal actors and influences the ways in which families choose to participate in the justice process (Paik, 2016).

for respite care in Canada (Hillian & Reitsma-Street, 2003). When parents do feel meaningfully involved, they feel as though they have a voice as a parent, and those in positions of authority within the justice system will hear their voice directly (Hillian & Reitsma-Street, 2003). When parents feel heard, they are more involved in justice processes (Paik, 2016). Further, the meaningful inclusion of parents in court processes opens the door for parental support programs, which may reduce the stress and workload associated with parenting justice-involved youth (Hillian & Reitsma-Street, 2003).

Parents of youth with disabilities and/or mental health challenges also come into conflict with the health care system over the issue of responsibility and meaningful involvement and internalize social responsabilization for their children's outcomes. This internalization of responsibility may be due to the cultural norms that hold parents of youth with disabilities and mental health challenges biologically and socially responsible for their children's development, behaviour and/or illnesses (Davis & Manago, 2016; Corrigan & Miller, 2004; Harden, 2005; Moses, 2010). Historically, mental health discourses have placed an onus on parents for creating toxic home environments, which were assumed to have led to the development of mental illness and behavioural problems in children (Corrigan & Miller, 2004). Modern parenting narratives show that parents experience a moral responsibility towards their children. Parents feel they *should* provide a high level of care and prioritize their children above their well-being, which lends itself to resigned perceptions of extended responsibility (Harden, 2005).

Harden's (2005) research on parents of youth with complex mental health challenges in the healthcare system shows that parents often experience conflict in their shared responsibility with healthcare actors. First, parents felt that health professionals were infringing on their roles as parents, implying that they are incapable of parenting a child with disabilities and mental health

challenges on their own. Their children's rights to exclude them from treatment and decision-making processes once they reached the age of 16 exacerbated this loss of role meaning and authority. Parents also disagreed with the level of autonomy granted to their children, which impacted the parent-child relationship. Harden's (2005) participants reported feeling disconnected from their child, unable to identify with them, and frustrated in their efforts to protect their children while they were legally transitioning into adulthood, but not developmentally prepared.

1.3.2. Forced accountability: Parenting Orders and classes in the U.K. and the U.S.

The attribution of poor parenting to causes of youth crime facilitates parental blame when children break the law (Cernkovich & Giordano, 1987; Cook & Gordon, 2012; Cook, 2013; Hil, 1998; Laub & Sampson, 1988). It is thus unsurprising that parents feel as though their parenting abilities are questioned and deemed inadequate when their children become justice-involved, as "it is the behaviour of the child which determines the parent's status" (Holt, 2009a, p. 90). The State's formal response to parents of criminalized youth exacerbates these feelings, as many parents become legally bound to address their children's offending behaviour. The state also forces parents to correct their own parenting 'failures' through mechanisms such as Parenting Orders in the U.K. (Holt, 2009a) and parental accountability laws in the U.S. (Shaffner, 1997). Interestingly, the formal response to and forced accountability of parents for their children's actions are not seen in the literature on parents of children with disabilities and/or mental health diagnoses and only occur in the context of youth criminalization.

In the United Kingdom, parents of criminalized youth are subject to Parenting Orders, which legally obligate parental involvement in programming to address assumed faulty parenting, and thus prevent any future youth offending (Holt, 2009a). These Orders represent a "legal and public questioning of [parents'] moral worth, which [is] exemplified by their apparent poor

parenting” (Holt, 2009a, p. 92). The state, following the *parens patriae* doctrine, is thus entitled to judge parenting quality, and intervene when it believes someone to be a “bad parent” (Cook & Gordon, 2012; Shaffner, 1997). Similar to the United Kingdom, court-ordered parenting skills classes in the United States conceptualize parenting as a skill-based role and judge its quality based on white middle-class values (Shaffner, 1997). Defining parenting as a teachable skill dismisses the diverse realities of parenting children from various cultural and socioeconomic backgrounds.

According to the state, “bad parents” are those who fail to control their children, which results in delinquent behaviour; however, the state fails to consider that parental control may vary across socioeconomic and cultural contexts (Shaffner, 1997). Furthermore, parents subject to these parenting skills classes struggle to consolidate disciplinarian parenting⁴¹ with the notion of “good parenting,” given that the Western middle-class idealizes authoritative parenting⁴². Parents in Shaffner’s (1997) study believed that remaining detached and strict towards their children equated to withdrawing love and support (pp. 424-425). Even when the State deemed parents of “young offenders” incapable, its remedial actions did not resonate with an ideal image of “good parenting.” As such, Parenting Orders and classes only appear to heighten parents’ feelings of blame, while exacerbating the gendered consequences of parenting a criminalized child (Holt, 2009b).

1.3.3. Blame, shame, and stigma.

When children are criminalized or diagnosed with a mental illness or physical disability, their parents often experience blame, shame and stigma⁴³. The family is automatically subject to

⁴¹ Disciplinarian parenting is attributed with holding children responsible for their own actions, doling out harsh punishments when children misbehave and absolving oneself of guilt as a parent because children make their own decisions (Goodwin, 2004; Shaffner, 1997).

⁴² Authoritative parenting consists of maintaining healthy boundaries and open communication with one’s children, while providing a meaningful level of care and support (Shaffner, 1997).

⁴³ See Blum, 2007; Corrigan & Miller, 2004; Corrigan, Watson & Miller, 2006; Courcy & des Rivières, 2017; Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Goodwin, 2004; Harden, 2005; Holt, 2009a; Holt, 2009b; Melendez et al., 2016; Moses, 2010.

blame when children's psychological, physical and behavioural development does not adhere to Western expectations because, as a social institution, the family is expected to uphold and instill children with the moral values of society (Melendez et al., 2016).

When parenting a child with a visible disability, the public grants parents some social tolerance, as the disability is perceived to be out of parents' control. When the child acts out, the public blames parents for their inability to control the behaviours and raise suspicion, as the public wonders whether poor parenting practices are truly to blame (Davis & Manago, 2016; Fernández & Arcia, 2004; Francis, 2012). Similarly, sociological discourses have contributed to the parent-blaming rhetoric in the field of criminology, as parents are often blamed for their children's delinquent behaviour as the result of poor parenting (Holt, 2009a; Melendez et al., 2016). In contrast to parents of children with health diagnoses, parents of criminalized youth are not generally afforded social tolerance for their lack of control over their children's behaviours.

As the subjects of external blame, parents may internalize feelings of shame due to a sense of parenting failure (Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Melendez et al., 2016; Sturges & Hanrahan, 2011). The shame-driven questioning of parenting practices may then impede parents from having subsequent children, as they fear their inability to raise "healthy" offspring (Gervais & Romano, 2018). It may also lead to the deterioration of parents' self-concepts, mental health, employment and social lives (Davis & Manago, 2016; Francis, 2012). As a result of external blame and internalized shame, parents of criminalized youth and children with disabilities and/or mental health diagnoses may question their identities as parents. Interestingly, the literature on parents of criminalized youth has found that parents will often resist the "bad parent" identity (Godwin, 2004; Holt, 2009a; Holt 2009b; Sturges & Hanrahan, 2011). Parents' are particularly committed to resisting this identity when they experience feelings of guilt for

having failed to foresee and prevent their children's offences (Gervais & Romano, 2018). Throughout their child's justice system involvement, parents become drained, desperate, ashamed and isolated from the community, friends and family members (Pierce, 2011).

Hillian and Reitsma-Street (2003) found that parents of criminalized youth in Canada often experience a significant amount of "stress and loss." The stress of parenting a justice-involved youth can manifest itself in physical symptoms such as weight loss, migraines, and hypertension (Sturges & Hanrahan, 2011). Additionally, parents often experience intense emotional reactions, namely, shock, sadness, anger, fear and remorse (Romano & Gervais). Much of these emotional and physical consequences result from the pressure parents face to raise law-abiding children and to correct undesirable behaviour; however, youth criminality has a bidirectional effect on parents (Cernkovich & Giordano, 1987; Hillian & Reitsma-Street, 2003; Holt, 2009a; Paik, 2016). Parents experience resignation when they lose hope for their children, as they no longer believe that they have any control over the offending behaviour (Cook, 2013). Romano and Gervais (2018) found that parents' also experience hopelessness and fear regarding their children's life trajectories and their own futures as parents. Some parents feel as though their children will never live normal lives and that as parents, they will be forever tied to their children's offense patterns and consequences (Romano & Gervais, 2018). Parents' lack of control is exacerbated as their lives become entrenched in the demands of justice officials, contributing to their "“ordeal of pure hell”" (Hillian & Reitsma-Street, 2003, p. 25).

1.3.3.1. Negotiation of parental identity.

Moral responsibility's absolute notion of care causes parents to feel responsible for their children's behaviours, disabilities, mental health challenges and illnesses, and to perceive themselves as failures or bad parents in the eyes of others as a result (Davis & Manago, 2016).

When parents take responsibility for their children's outcomes, they internalize blame and, consequently, the "bad parent" identity (Sturges & Hanrahan, 2011).

Parents whose "troubled" children threaten their perceived parental capabilities and identities may deploy a rhetoric of personal responsibility to make sense of their children's behaviour and maintain a "good parent" identity (Godwin, 2004). When applied to the child, the rhetoric of personal responsibility conceptualizes the youth as an active decision-maker who must take onus for the consequences of their actions (Godwin, 2004). Conversely, when parents direct this rhetoric onto themselves, they perceive their parental status as that of the saviour, but not as the cause of the problematic behaviour (Godwin, 2004). The primary function of this rhetoric is to help parents resist feelings of guilt and shame associated with having a child who exhibits undesirable social behaviour.

Holt (2009a) has examined another set of resistance strategies that parents' subject to Parenting Orders employ to negotiate their identities throughout their court experiences in the United Kingdom. For the most part, parents believe that the magistrate operates from an ivory tower, and does not understand the realities of parenting a troubled youth; thus protecting their parental identity, as the magistrate has no real authority to determine parenting quality (Holt, 2009a). Parents are also acutely aware of oppressive practices inherent to the criminal justice system, in that many received Parenting Orders based on their socioeconomic positions in society and their characteristics (Holt, 2009a; Holt 2009b). Additionally, parents resist the "bad parent" identity by reaffirming their responsible parenting practices independent of court orders and comparing themselves to truly "bad parents"⁴⁴ (Holt, 2009a).

⁴⁴ "Bad parents" are those who do not care for their children, have children worse off than their own, and have more complex needs as parents (Holt, 2009a).

1.4. Conclusion

As one of the oldest traditional social institutions in Western culture, the family has remained under the microscope for some time. The nuclear family is assumed to be both the root cause of and remedy for offensive and abnormal behaviour and development; as such, many discourses have focused on reestablishing, strengthening, and fixing the family, particularly in the interest of crime control (Hil, 1998). Despite the limited research specific to family roles and relationships, this review of the literature on nuclear family members within the context of formal institutional interventions suggests that family relationships are affected in two ways. First, families encounter the application of diagnosis, be it a health diagnosis or diagnosing the “criminal,” which has emotional implications within the family network such as ambiguous loss⁴⁵, and the negotiation of identity following feelings of internalized blame and guilt⁴⁶. Second are the concrete implications that familial justice and health system involvement have on the daily lives of nuclear family members, such as experiences of stress and adversity⁴⁷, new or additionally assumed roles and responsibilities⁴⁸, and forced accountability⁴⁹. The health literature was useful in expanding the neglected aspects of roles and relationships within the criminological literature; however, this topic must continue to be explored.

⁴⁵ See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016; Kroll, 2004; Leahy, 2015; Mechling et al., 2018; Miller-Ott, 2018; Pataky & Parent, 2018), blame, shame and stigma (Blum, 2007; Corrigan & Miller, 2004; Corrigan, Watson & Miller, 2006; Courcy & des Rivières, 2017; Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Goodwin, 2004; Harden, 2005; Holt, 2009a; Holt, 2009b; Melendez et al., 2016; Moses, 2010.

⁴⁶ See Davis & Manago, 2016; Godwin, 2014; Harden, 2005; Holt, 2009a; Melendez et al., 2016; Sturges & Hanrahan, 2011.

⁴⁷ See Cogan, 2003; Jacob, Canchola, & Preston, 2019; Järvinen, 2015; Johannessen, Engedal, & Thorsen, 2016; Meyer, 2017; Miller-Ott, 2018; Werner & Malterud, 2016.

⁴⁸ See Cogan, 2003; Harden, 2005; Hillian & Reitsma-Street, 2003; Järvinen, 2015; Knudsen, 2016; Mechling et al., 2018; Meyer, 2017; Miller-Ott, 2018; Nesmith & Ruhland, 2008; Paik, 2016; Pennington, 2017; Werner & Malterud, 2016.

⁴⁹ See Cook & Gordon, 2012; Holt, 2009a; Shaffner, 1997.

As such, my primary research goal is to understand how criminal justice system intervention impacts nuclear family relationships. The review of the literature has shown that loss often characterizes family members' relationships with their criminalized relatives⁵⁰. To understand this concept of loss and its overall impact on the nuclear family, we must also understand the context of family members' experiences. Drawing further on the literature, we see that criminal justice intervention responsabilizes family members as moral and legal actors (Hillian & Reitsma-Street, 2003; Holt, 2009a; Paik, 2016; Pennington, 2017). The criminal justice system also creates an environment wherein family members have no control; they must endure the procedural and relational consequences of their relatives' justice involvement⁵¹.

Conversely, the literature tends to discuss these experiences as they pertain to individual family members, rather than their impacts on the multitude of relationships within the family unit. Given these limitations, I must also answer the following research sub-questions to contextualize nuclear family members' experiences of justice intervention:

- How do nuclear family members experience moral and legal responsabilization as a result of their relatives' justice intervention?
- How do nuclear family members perceive and experience the stress and strain of criminal justice system intervention on family resources and relationships?
- What are the emotions generated or exacerbated by criminal justice intervention?

To answer these research questions, I will draw on Boss' (1999, 2006) theory of Ambiguous Loss. Researchers such as Knudsen (2016) and Nesmith and Ruhland (2008) have also engaged with this theory to explore the experiences of children of incarcerated parents. This theory will allow

⁵⁰ See Arditti, 2012; Arditti et al., 2003; Bockneck et al., 2009; Hardy, 2018; Hillian & Reitsma-Street, 2003; Knudsen, 2016; Kroll, 2004; Leahy, 2015; Mechling et al., 2018; Miller-Ott, 2018; Pataky & Parent, 2018; Pierce, 2011.

⁵¹ See Cogan, 2003; Cook & Gordon, 2012; Holt, 2009a; Johannessen et al., 2016; Kroll, 2004; Shaffner, 1997.

me to understand and analyze the impacts of criminal justice intervention on nuclear family relationships, particularly as they relate to grief and loss.

Chapter 2: Theoretical Framework

2.1. Introduction

The literature review in Chapter 1 provides an overview of the many challenges family members of criminalized relatives face. Most of these challenges suggest that family members undergo a negotiation of identity with themselves and with the outside world. They must discover new ways of fulfilling their roles as parent or child and relating to the criminalized individual and the non-criminalized members of their family⁵². Moreover, family members must find new ways of relating to and understanding themselves within the context of blame, guilt and responsibility tied to the criminalization of their parent or child⁵³. The literature describes these situations but does not pay specific attention to how those who *choose* to maintain relationships with their criminalized relatives experience these challenges. As such, the concept of Ambiguous Loss provides us with a way of framing and understanding those experiences and the consequences they have on the nuclear family.

Having a loved one missing is like a continuously bleeding wound in the couple or family; having a loved one's mind missing, such as with dementia, is also an ongoing kind of relational wound. In both types, emotions are shocked, jarred, and stymied by the insolvability [*sic*] (Boss, 2006, p. 36).

Ambiguous loss is a “unique kind of loss when a loved one disappears in body or mind” (Boss & Carnes, 2012). A loved one may be psychologically absent and yet physically present, such as in cases of chronic mental health disorders and illnesses, or they may be physically absent and yet psychologically present, such as in cases of divorce or child abduction (Boss, 1999, 2006, 2010). In both cases, the absent relative remains present within the family unit to some degree,

⁵² See Cogan, 2003; Knudsen, 2016; Kroll, 2004; Mechling et al., 2018; Miller-Ott, 2018; Nesmith & Ruhland, 2008; Wener & Maltreud, 2016.

⁵³ See Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Kroll, 2004; Melendez et al., 2016; Sturges & Hanrahan, 2011.

although their physical and/or psychological absence begins to characterize their remaining relatives' relationships. During prolonged periods of ambiguity, family members become unable to problem-solve as individuals and as a collective because they are often so preoccupied with the absence of the missing relative that they become unable to support and relate to one another (Boss, 1999).

The symptoms affect the individuals first, but can radiate in a ripple effect that impacts the whole family, as people are ignored, or worse yet, abandoned. Family members can become so preoccupied with the loss that they withdraw from one another. The family becomes a system with nobody in it. (Boss, 1999, p. 11)

The uncertainty of the individual's absence impedes the family's ability to process, cope and grieve their loved one, which ultimately erodes family relationships as relatives are unable to reorganize family roles in relation to one another following the loss of a loved one (Boss, 2006). The entire family experiences distress when certain family members are unable to reconcile with their loved one's absence and instead attempt to keep the absent loved one psychologically present (Boss, 1999, p. 14). When a relative dies, their return is impossible. When a relative is absent in either mind or body, due to circumstances beyond the family's control, their return is possible regardless of how implausible it may be. This hope for the absent loved one's return to their familiar state and former relationships within the family evoke helplessness and unresolvable grief among relatives (Boss, 1999).

2.2. The Psychological Family, Ambiguous Loss and Unvalidated Grief

Building upon the work of sociologists such as Waller (1938), and Berger and Luckmann (1966), Boss (1999, 2006) asserts that families are not only physical entities tied by genetics and proximity but also psychological entities. As such, Boss (1999, 2006) developed the theory of Ambiguous Loss as it exists in the context of the psychological family or "the family that exists in people's minds" (p. 3). The concept of the psychological family emphasizes that the relational

structures of the family continue despite individual members' physical absences (Boss, 2006). The psychological component takes precedent given that "family members are increasingly separated and on the move because of work demands, unemployment, domestic break-ups, war or simply choices" (Boss, 1999, p. 3). Most importantly, the "psychological family is an active and affective bond that helps people live with loss and trauma in the present" (Boss, 2006, p. 26). When families are constructed and maintained through interactions, emotions and memories, they can use intergenerational storytelling to keep absent relatives present, seek comfort in memory and share those relationships (Boss, 2006).

The concept of the psychological family is integral to understanding the experiences of relatives who choose to maintain relationships with their criminalized family members because these relationships often lack the convenience of physical proximity. For instance, incarcerated individuals are often absent from the family structure for significant periods; however, this absence does not necessarily erase their family belonging. Further, given that the psychological family is built on individual perceptions (Boss, 2006), this concept can help us to better understand disagreements between family members regarding a criminalized relative's familial belonging. In situations where there is no confirmation or validation of loss, the importance of the psychological family takes precedence over physical boundaries and familial separation, and family members will often be at odds with one another (Boss, 1999; 2002)

Relatives may implicitly or explicitly disagree about who remains included in the family unit⁵⁴ following the ambiguous loss of a family member, as relatives may perceive the individual's absence in varying degrees (Boss, 2006). These disagreements will then impact the way the family

⁵⁴ Family perceptions regarding who is "in" or "out" of the family unit refers to the conscious relationships relatives have with one another, which constitute the "psychological family" (see Boss, 1999). Membership within the psychological family is not dictated by life or death, but rather each individual family member's perceptions of their relationships with one another.

operates as a whole and supports each other in the wake of criminal justice involvement. The concept of the psychological family will thus help to make sense of how family members deal with each other and cope with ambiguous loss as a unit following their relative's criminalization.

In instances of ambiguous loss, there is always the potential for the absent person's return, which exacerbates the uncertainty surrounding their absences. Periods of "remission," whether they be in the context of a disease, mental illness, addiction or criminalization, evoke hope in the family; however, such hope can just as easily turn to hopelessness when the "illness returns in full force" (Boss, 1999, p. 24). This rollercoaster of hope and hopelessness provokes emotional ambivalence because "...we both cling to our loved ones and push them away. We resist their leaving and, at the same time, want to be finished with the goodbye" (Boss, 1999, p. 63). For example, family members, particularly children, both fear and long for their incarcerated relatives' return (Knudsen, 2016; Nesmith & Ruhland, 2008). The ongoing nature of criminalization allows for long periods of uncertainty during which family members oscillate between hope and hopelessness. The concept of ambiguous loss can thus help us to better understand family members' mixed emotions concerning their criminalized relatives and the distress that may ensue when relatives continue to hope for their criminalized family members' return.

Distress occurs individually and within the family unit when family members cling to the psychological presence of the relative they once knew (Boss, 1999). The attachment to the absent relative is so distressing because that individual is unable to reciprocate the relationships with their remaining family members the same way they could before their absence. As a result, the absent relative's identity is no longer clear to other family members (Boss, 2006, p. 5). For example, a father who develops an opioid addiction may no longer pick his children up from school, he may be physically absent from the family home for long periods and forget important events such as

birthdays and anniversaries. When a relative's behaviour has drastically changed, family members may feel as though their relationships with this individual have become one-sided (Boss, 2006). To this effect, the concept of ambiguous loss may be useful in analyzing the experiences and emotions of those relatives who maintain hope for their incarcerated family members' return, as seen in the literature on children of incarcerated parents⁵⁵.

Relatives may experience various forms of symbolic loss in conjunction with ambiguous loss when their family members are psychologically and/or physically absent (Mitchell, 2018). Rando (1984) conceptualized symbolic loss as an individual's psycho-social losses, such as the loss of future life trajectories, life stability or control, independence, and identity. These symbolic losses can occur alongside physical or psychological losses, such as the ambiguous loss of a family member (Mitchell, 2018). For children in foster care, the symbolic loss of self/identity has been attributed to the psychological loss of the child's birth family. The act of putting a child in foster care removes the child's sense of family and consequently their sense of self, which the family had previously defined (Mitchell, 2018, p. 4). Similarly, parents of criminalized youth and youth with disabilities and/or mental health diagnoses have reported feeling as though they have lost their sense of parental identity as a result of their children's behaviour and criminal justice intervention (Davis & Manago, 2016; Francis, 2012; Gervais & Romano, 2018; Melendez et al., 2016; Sturges & Hanrahan, 2011). As such, the concept of symbolic loss may help us to frame family members' identity negotiations as they attempt to reconcile with their criminalized relatives' actions and justice involvement and process feelings of ambiguous loss.

Ambiguous loss defies logic because the family feels as though their relative has died, but they may never have a body to bury. Witnesses, whether internal or external to the family, then

⁵⁵ See Kundsén, 2016; Nedsmith & Ruhland, 2008.

withdraw instead of offering support because the loss is in no way rational as we are accustomed (Boss, 1999). Following the death of a loved one, family and community members alike tend to gather to perform rituals in support of grief; events such as open-casket viewings and funerals signify and permit the start of the grieving process (Boss, 2002). In contrast, while studying the experiences of children of incarcerated parents in Canada, Knudsen (2016) found that while there are no formal rituals to acknowledge and process the ambiguous loss that occurs when a parent goes to prison, relatives and social contacts also often invalidate and/or ignore the loss. The informal denial of loss within the broader family unit makes it difficult for children to emotionally process and manage their parents' absence (Knudsen, 2016). The theory of ambiguous loss can thus provide a better understanding of family members' experiences as their loss goes unacknowledged and contributes to the various forms of strain resulting from the stress of criminal justice intervention.

The theory of ambiguous loss is grounded in Boss' (1992, 1999) family stress perspective, which conceptualizes stress as the act of change or threat of change to the family unit (p. 21). This "disturbance in the steady state of the family" (Boss, 1992, p. 160) can be conceptualized as pressure that has been actively applied to the family unit, but that may not always result in negative tension between family members. When stress, or change, is perceived to be or experienced as negative, it will result in psychological or physiological distress (Aldwin, 2007). Distress is more likely to occur when individuals experience harm and loss or the threat of harm and loss (Lazarus, 1999). The ambiguity of a stressful event will exacerbate this distress because family members are unable to cope with the stressor with insufficient information regarding the threat to the family structure (Anisman, 2015). In ambiguous situations, the family's resources become taxed, which over time, may have lasting emotional and relational impacts on its members.

2.3. Conceptualizing Disruption, Stress and Strain

Boss (1999, 2006) describes ambiguous loss as a reaction to a disturbance in the family unit; however, while demonstrated via case examples of chronic diseases, wartime disappearances, abduction, etc., the “disturbance” in and of itself is not adequately conceptualized. I have thus turned to the psychiatric literature to conceptualize the overarching context in which ambiguous loss can occur, namely, that of disruption. It is important to understand the precipitating factors of ambiguous loss because these events/situations may also result in other emotional responses, which is important to acknowledge to avoid pathologizing ambiguous loss. Incorporating the concept of disruption into this framework also allows for a better understanding of the stress/strain that individuals and families may experience in its aftermath.

Disruptive situations “turn a familiar surrounding into a threatening and alienated one, full of unknown, undetectable and omnipresent menaces...” (Benyaker et al., 2016, p. 417). The individual is thus faced with multiple unforeseeable threats or crises and cannot know when they will occur or how they will impact one’s life. In the wake of disruption, individuals and families alike must mobilize their resources in order to effectively cope; the abundance or lack of such resources will factor in determining a person’s subjective reaction to and interpretation of the disruptive event (Benyaker et al., 2016). Disruptive events will also have significant effects on the individual psyche and provoke an unknown number of emotional responses; individual reactions to disruption are uniquely experienced and should not be pathologized or crystallized as negative or positive (Benyaker et al., 2016). Conceptualizing criminal justice system intervention as a disruptive event⁵⁶ allows me to understand it as the triggering point for multiple crises and a

⁵⁶ The larger context of disruption goes beyond specific points of justice contact to include the criminalized family member’s behaviour, and circumstances of addiction and mental health.

context of uncertainty, which may act as a stress upon family members and strain family resources over short or prolonged periods.

Stress refers both to external events and an internal state; however, it is often difficult to distinguish the two because the definition and experience of stress rely heavily upon individual perception (Aldwin, 2007). In the context of academia, stress has been defined as “external situational pressures (stressors) or [...] the responses to them (stress reactions)” (Scott, 2015, para. 1) and has been used to explain various phenomena such as criminality and mental illness. Though stressors are thought to produce only negative effects upon the individual, they may also facilitate improved coping mechanisms; however, when stressors evoke negative consequences, the effects may be intergenerational (Anisman, 2015).

Many sociologists have attempted to identify sources of stress and measure their effects on the individual, asserting that subjective experiences of stress distort accurate measurements as a result of factors such as mental health (Scott, 2015). I disagree with this evaluation and argue that the subjective experiences of stress are invaluable to understanding the effects of stress on individuals and their families, particularly in the context of criminal justice intervention. Stressors come in many different forms and vary in “severity, controllability, predictability, ambiguity, uncertainty, complexity, volatility, chronicity, and intermittence,” (Anisman, 2015, p. 3). As such, individual responses to stressors will also vary considerably. The circumstances of criminalization are never identical, nor are the ways in which families of justice-involved individuals experience them. In instances of justice intervention, families may experience similar types of strain; however, the degree to which the stress of criminalization affects them will vary, as will the long-term effects of the resultant strains. As Anisman (2015) notes, “stressors come in many forms and vary across

multiple dimensions, making it exceptionally difficult to define which stressors are more severe than others” (p. 5).

Physiologically speaking, strain refers to “the stress-produced change in or deformation of the body” (Lazarus, 1999, p. 32); however, strain may also describe the decay or tension within a social system, such as the family. Whereas stress is the act of disruption or threat of disruption, strain may be conceptualized as a degree of negative stress, which is dependent upon the family’s perception of that stress (Boss, 1992, p. 160). The degree to which an individual or family will experience the negative effects of stress is determined in part by the perceived controllability of the stressor (Anisman, 2015).

When the individual faces multiple unpredictable stressors that they cannot control, it significantly impacts their ability to cope with these stressors. In general, people tend to seek control over every aspect of their lives and “even go so far as to delude ourselves into thinking that we have control under conditions in which we most certainly don’t” (Anisman, 2015, p. 9). Criminal justice intervention is a stressor with high ambiguity that facilitates conditions under which the families of justice-involved individuals have no control. Criminalization may result in ambiguous loss when the justice-involved relative’s absence prevents family members from managing the stress of justice intervention, which strains familial resources as opposed to facilitating resilience.

Families manage stress in unique ways, but generally, families can no longer manage stress when “even one family member of that system remains depressed, scapegoated, demoralized, somatized, or immobilized in any other way (Boss, 1992, p. 159). Conceptualizing criminalization as a form of ambiguous loss whereby the criminalized relative’s physical and/or psychological absence immobilizes family processes may thus help us understand how families are prevented

from effectively managing the stress of criminal justice intervention. When left unmanaged for prolonged periods, stress and strain may have lasting consequences on the physical and psychological health of individual family members (Bombay et al., 2009). Given that the negative impacts of stressors are determined in part by their degree of ambiguity, it is important to understand why human beings have such a low tolerance for ambiguity.

The concepts of stress and strain will help me to conceptualize criminal justice intervention as a stressor upon the nuclear family and to understand how this stressor strains family resources. Further, the theory of Ambiguous Loss and the concept of the psychological family will provide the necessary tools to contextualize participants' subjective experiences of stress to identify the strains experienced across multiple families in the context of criminal justice intervention. To better understand why the family is unable to manage the stress of criminal justice intervention, I need to explore the concept of untempered mastery, which is inherent to Western culture (Boss & Carnes, 2012).

Western culture has a longstanding history of fearing the unknown, denying death, and being in constant control of one's circumstances (Boss & Carnes, 2012). These values facilitate the cultural expectation of mastery: that individuals should go to great lengths to control any given situation (Boss, 1999). For example, in the context of caring for a terminally ill relative, an individual may channel all their efforts into ensuring their loved one receives the best doctors and care facilities throughout their illness. These efforts may help the individual to feel as though they have more control over the situation; however, untempered mastery only serves to set the individual up for emotional failure (Boss, 2006). Western culture's emphasis on mastery frames the lack of control as a personal failure: family members have failed to fix the problem, save their loved one, or provide enough or the "right" kind of care.

An additional issue stemming from Western culture's preoccupation with mastery, fear of death and denial of loss is that these values promote the ideal of absolute closure (Boss, 2006, 2008, 2010; Boss & Carnes, 2012). Ongoing grief without closure is pathologized because mourners are expected to move on and get back to their daily lives within a reasonable timeframe (Boss, 2010; Boss & Carnes, 2012). Closure is thus defined as complete detachment and signifies the end of the grieving process (Boss, 2006).

2.4. The Lasting Emotional and Relational Impacts of Ambiguous Loss

2.4.1. Rethinking "trauma."

Though Boss' (1999, 2006) theory describes and discusses the traumatizing effects of ambiguous loss, the theory does not provide a concrete definition of trauma, which limits its potential as an analytical tool. Further, due to Boss' (1999, 2006) frequent use of the term "trauma" and "traumatic," the theory has the potential to pathologize loss as inherently traumatic. Rather than defining an event (or multiple events) as traumatic, Benyakar et al. (2016) argue that the term "traumatic" should be used to describe individuals' subjective reactions, or internal processes, to disruptive events. The individual who experiences trauma should be the only one to identify and/or operationalize it; moreover, clinicians and researchers should not impose "trauma" upon individuals who have lived through disruption (Benyakar et al., 2016).

In allowing the individual to subjectively identify their experience as traumatic, one recognizes that the effects of disruptive events depend not only on the event itself, but on the individual who experiences it (Benyakar et al., 2016). The "trauma" resulting from a disruptive situation is in fact the result of "the event that comes from the outside, the type of impact that the psyche suffers and the resources and lack of resources of the person to face this complex circumstance" (Benyakar et al., 2016, p. 418). As we move away from the concept of "traumatic

events” and towards “disruptive events,” we should view those who experience such events as injured people – “someone who suffers injuries caused by a disaster – physical, material, psychic or social damages” (Benyaker et al., 2016, p. 423). The concept of “injured people” refrains from establishing a victim identity and thus attempts to avoid pathologizing disruptive events as inherently traumatic. Given Boss’ (1999, 2006) extensive research on and use of “trauma” as a concept and component of this theory, I must explore ambiguous loss’ potential to traumatize those who experience it. Though I will not be imposing trauma upon participants’ experiences in this study, it is important to acknowledge that those who experience of ambiguous loss may subjectively feel traumatized, particularly given that participants may identify this experience themselves.

2.4.2. Subjective experiences of ambiguous loss.

As a potential component of disruption, ambiguous loss has the potential to traumatize⁵⁷ due to the combination of uncertainty and loss that continue to exist in the present for its bearers (Boss, 1999, 2010). Rather than trying to pinpoint a singular triggering event, it is best to conceptualize ambiguous loss as a “cascade of losses” (Boss, 2010) or a “crisis staircase” (Boss, 1999). Doing so acknowledges the fact that the loss of a relative in the context of uncertainty can happen over a multitude of events and milestones, each as devastating as the last or with varying degrees of distress, and that the initial diagnosis⁵⁸ is often “just the first of many shocks” (Boss,

⁵⁷ It is important to note that loss and even ambiguous loss is not always experienced as traumatic. Individuals and families may be able to live comfortably following loss and some may even experience loss as a relief or as an event that strengthens other bond in their lives. In order to understand and utilize Boss’ (1999, 2006) theory as an analytical tool throughout this thesis, it is important to provide a full account of the ways in which she describes the implications of ambiguous loss. As discussed in previous paragraphs, I will not be imposing the trauma narrative on participants experiences, but will be reframing Boss’ (1999, 2006) use of “trauma” as the lasting emotional and relational impacts that participants identify. I will avoid using the term “trauma” in my analysis except where participants identify it themselves.

⁵⁸ Diagnosis may refer to a physical, cognitive or mental illness (including substance abuse), but may also refer to an individual’s contact with the criminal justice system.

2010, p. 139). For example, the wife of a man with Alzheimer's described the multitude of losses she has experienced following the initial diagnosis: "...the loss of being able to walk together, the loss of his memory, [...] the loss of his being able to swallow food. Each loss paralyzes her as she does not know what to do about the latest deficit" (Boss, 2010, p. 139).

The "crisis staircase" of ambiguous loss can be visualized as a staircase where "at each step downwards, [relatives feel] confused, and for a time [do not know] what to do to control the situation" (Boss, 1999, p. 78). Each stair represents a new challenge, a new loss that the family must face and learn how to cope with before the next crisis occurs. For relatives of criminalized individuals, such stairs may be the loss of income because they agree to take time off work to act as their loved one's surety, then loss of physical contact when their family member is sentenced to prison. These crises or challenges can be understood as components of the initial disruptive event⁵⁹ – each brings additional uncertainty with it and threatens the integrity of the family unit.

Boss (1999) asserts that the individual's ability to process and live with ambiguous loss is not determined by the psyche, as ambiguous loss is the result of forces far beyond the individual's control (Boss, 2002, 2006, 2010). This lack of control, coupled with uncertainty, leads to feelings of helplessness, which further impedes coping efforts (Boss, 2012). Ambiguous loss has the potential to traumatize when one's ability to cope is impeded due to continually occurring stressful events over which one has no control (Boss, 1999). Conversely, even when coping is blocked due to the disruptive event's impact on the individual's psyche and the lack of resources the individual may have access to, there is no guarantee that ambiguous loss will be experienced as traumatic⁶⁰.

Boss (1999) describes the effects of trauma as such:

⁵⁹ See Benyaker et al., 2016.

⁶⁰ See Benyaker et al., 2016.

Just as animals lay down in their cages and no longer tried to avoid the pain in early experiments of erratically placed electric shocks, people experiencing trauma out of which they can't make sense feel helpless and no longer act (p. 24).

In the aftermath of ambiguous loss, families and individuals within those units may begin to feel helpless and stuck. These feelings of helplessness often lead to a freeze in family processes, as relatives are unable to move on and function together in the wake of the loss (Boss, 2006). As the family is confronted with reoccurring stressors following the initial loss (or arrest), feelings of helplessness and hopelessness intensify, and may be experienced as traumatic (Boss, 2006). The lack of validation and rituals in response to ambiguous loss may compound family members' distress and weaken or create conflict in family relationships (Boss, 1999, 2002, 2006, 2008, 2010). Ambiguous loss becomes that much more devastating because it isolates the individuals who have "half-lost" their loved ones (Boss, 2010).

Acknowledging and naming this type of loss as traumatic has helped families of the missing validate their experiences and grief: "they need a name and more importantly need to know that it is not their fault" (Boss, 2010). Conversely, naming these experiences as traumatic has the potential to pathologize ambiguous loss and victimize those who do not see themselves as such. While this theory was initially developed to inform clinical practice (Boss, 2006), as an analytical tool it does not allow me to engage with participants in a way that would allow them to work through their experiences and subjectively identify them as traumatic. For this reason, I will not impose "trauma" on participants' accounts to avoid pathologizing loss and victimizing interviewees.

It is important to note that despite the potentially traumatizing effects of ambiguous loss, the family stress perspective also acknowledges the possibility of positive or nurturing outcomes. Though ambiguous loss is distressing, the family and its members can learn to live comfortably

with the ambiguity and foster relationships within the family despite a relative's absence (Boss, 1999, 2002, 2010).

2.5. Developing Resilience

Boss (2006) defines resilience as the “ability to regain one's energy after adversity drains it. [...] [And] rising above traumatic and ambiguous losses by not letting them immobilize and living well despite them” (p. 27). Whereas ambiguous loss tends to freeze family processes, leading to dysfunctional preoccupations with the missing that interferes with the family's daily life, resilience means learning to live comfortably with the uncertainty. When families develop resilience, they can keep lost relatives in mind without dysfunctional preoccupation, but rather in a way that allows them to process the loss and to hope for the future (Boss, 2006). Boss' (1999) work with the Anishinabe women demonstrates how some family members have learned to live comfortably despite uncertainty by tempering their need for mastery with compassion and acceptance. To de-emphasize mastery, it is also important for families of the missing to accept dualistic perceptions of their lost family members: that they are “here and not here, absent and present. [...] I am both a daughter and the parent to my parent.” (Boss, 2010, p. 142). Two types of people can adopt paradoxical thinking and live well despite ambiguous loss: spiritual people who are comfortable with the unknown, and people born into non-Western cultures that do not emphasize mastery and the denial of death/loss (Boss, 2002).

In families, isolation following the ambiguous loss of a relative often results from a significant lack of communication between relatives and incongruent coping mechanisms that exacerbate ambiguity and distress (Boss, 1999). Communication between family members is paramount to developing resilience in the face of ambiguous loss (Boss, 1999). When responding to loss, lack of communication between family members will exacerbate ambiguity and facilitate

greater degrees of family dysfunction (Boss, 1999). If we conceptualize criminalization as loss⁶¹, we must explore the communication between relatives following criminalization to understand family coping processes and resilience.

Family members are left with a significant lack of information regarding their criminalized relative's actions and motives, as well as the justice process itself, as the system often denies family members meaningful involvement (Hillian & Reitsma-Street, 2003). This lack of meaningful involvement and information further mystifies the criminal justice process and creates more uncertainty surrounding the criminalized relative's eventual outcome and/or return. Furthermore, parents of criminalized children and children with health diagnoses often experience a lack of communication with justice personnel, healthcare practitioners and family members (Blum, 2007; Fernández & Arcia, 2004; Harden, 2005; Norvilitis, Scime & Lee, 2002; Waite-Jones & Madill, 2008). This lack of communication may compound feelings of uncertainty, lack of control and increase family dysfunction.

2.6. Conclusion

My thesis seeks to understand how justice involvement affects nuclear family members who choose to maintain a relationship with a justice-involved individual, and the overall impact of this justice intervention on the nuclear family as the interviewees have perceived. Some of the existing literature on children of incarcerated and neurodiverse parents has engaged with Boss' (1999, 2010) theory of Ambiguous Loss to better understand the relational consequences of parental incarceration, substance abuse, and cognitive diseases on children⁶². Such studies have revealed children's feelings of intense grief and uncertainty, as they mourn the loss of parents who

⁶¹ See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016.

⁶² See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016; Kroll, 2004; Mechling et al., 2018; Miller-Ott, 2018; Pataky & Parent, 2018.

are still very much alive. Children's relationships with their incarcerated, substance-abusing or sick parents are then characterized by the child's sense of loss as they become preoccupied with their parents' psychological and/or physical absence. The loss is insurmountable when the children are unable to accept and cope with the loss of the parent they once knew and the traditional parent-child relationship they once had, or hoped to have (Hardy, 2018; Knudsen, 2016; Miller-Ott, 2018). This type of grief immobilizes children's relationships with their parents.

Consequently, ambiguous loss can also lead to boundary ambiguity between family members, which may result in role confusion and/or reversal between parents and children, as children take on adult roles within the family as a means of coping with their parents' psychological and/or physical absence (Knudsen, 2016; Mechling et al., 2018). Given the existing research on ambiguous loss in the fields of criminology and health, I believe Boss' (1999) theory can be extended beyond the dyadic parent-child relationships in the context of mental health and incarceration. In doing so, I can apply this theory to better understand participants' perceived relational consequences of criminalization on other members of the nuclear family.

Ultimately, I believe that by engaging with the theory of Ambiguous Loss, I will be able to provide a more intimate understanding of participants' identity and role challenges within the family. In doing so, I will also expand the theory of ambiguous loss to include the ways in which continued attachment and attempts at mastery affect participants' perceived or experienced relationships between non-criminalized (or otherwise 'left behind') relatives and on those relatives' identities. Moreover, I believe the theory of Ambiguous Loss can help me to make sense of relatives' relational strains and losses following the criminalization of various nuclear family members. To do so, I will situate this research within the constructivist paradigm, given that it is essential to the study of families if one is to understand the breadth and complexities of the

psychological family (Boss, 2006). This is because, like constructivism, the psychological family relies upon the role of relationships and perceptions in the construction of individual and shared realities (Boss, 2006).

Chapter 3: Methodological Considerations

3.1. Introduction

To understand how criminal justice system intervention impacts nuclear family relationships, I conducted an exploratory study of eight individuals who experienced their nuclear family members' criminalization. This chapter provides a detailed explanation of the methodological decisions and techniques that I employed throughout this research project. First, I discuss the ontological and epistemological assumptions in which this study is grounded, as well as the methodological approach that I adopted. I will then present the ethical considerations pertinent to this study and describe the various aspects of my data collection process by presenting brief demographic information of study participants, recruitment procedures, and the interview experience. I will then outline the analysis process by explaining and justifying the techniques used to make sense of the collected data. Finally, I will conclude by discussing the methodological limitations of this study.

3.2. Ontology and Epistemology

I situate this research within the constructivist paradigm, or what Glesne (2010) has termed interpretivism. This paradigm asserts that there is no concrete reality, only that which the human mind interprets within certain locations and contexts and aims to study the socially constructed and interpreted realities of individuals (Glesne, 2010; Guba & Lincoln, 1994). In line with these assertions, this thesis aims to understand the emotions and interactions shared between nuclear family members within the specific context of a relative's criminalization. Further, engaging with Boss' (1999, 2002, 2006, 2008, 2010) theory of ambiguous loss, this study embraces the importance of the psychological family⁶³ over "the one recorded in the census taker's notebook"

⁶³ Boss' (1999) concept of the psychological family is further discussed in Chapter 2 of this thesis.

(Boss, 1999, p. 3). This study recognizes that psychological family exists over time and space and endures the complexities of life and loss such as marriage, childbirth, divorce, death and, in extreme cases, criminalization.

Moreover, the family exists not only as a unit but also as many integrated individual realities that exist as a result of unique lived experiences and social interactions. Consequently, I refute the existence of one universal “truth” or reality and choose instead to study individual experiences in order to explore the multiple effects of criminalization on family relationships. As such, this study does not endeavor to produce a generalizable truth, but rather to provide a detailed description of participants’ experiences while staying true to the realities they have shared with me.

This understanding will facilitate the creation of space in academic discourses for the experiences of family members of criminalized persons and move away from “offender-” dominated discourses. Critical criminology emphasizes reintegration, rehabilitative justice and the abolition of the current carceral system. Conversely, these avenues of justice will remain ineffective if the criminalized person is returning to an environment wherein relationships have been eroded. Given that the family is collateral damage to the carceral system, it is important to obtain the perspectives of those who are thrust into the criminal justice system as a result of their relatives’ criminalization, but who have no control (Granja, 2016).

In order to understand participants’ unique experiences, interpretations and familial relationships within the context of criminalization, my research will take an inductive, exploratory approach as I seek to provide a platform for participants’ stories, rather than to reduce their unique experiences into quantifiable data (Glesne, 2010). As a result, my research goals have remained broad throughout this study, allowing my participants a greater degree of interpretative freedom

without imposing limitations or preconceived experiences upon them. Given that the study of families often occurs in the context of extreme vulnerability (Clark & Sharf, 2007; Gabb, 2010), I did not want to impose additional emotional discomfort or harm upon my participants, so I allowed participants to direct our conversations as much as possible. I also made it clear to participants that they always had the option to refuse to discuss any topic that caused them discomfort. Had I begun this study with more narrowly defined research goals⁶⁴, my research would not have naturally yielded the thematic experiences, which will be explored in the analysis chapter. The freedom offered by broad research goals is necessary given that constructivism/interpretivism demands a rich, thick description of others' social realities. It would be impossible to provide such rich description with narrow, focused research goals that the researcher has defined and considered relevant (Strega, 2005).

This study takes on a subjectivist epistemological approach in line with the constructivist paradigm, which posits that knowledge is constructed and interpreted throughout the research process (Guba & Lincoln, 1994). As such, I recognize that the experiences of the participants, as well as my position as a researcher, will influence the knowledge produced in this study and that I am thus producing my interpretation of participants' stories, experiences and realities (Brown, 1996; Guba & Lincoln, 1994). Though this research is a product of collaboration between myself and the participants, I will act as a facilitator to subjectively bring various realities and experiences together.

3.3. Defining “Criminalization”

As such, this thesis seeks to understand how criminal justice system intervention affects nuclear family members of criminalized persons in Canada. Given that I have used the terms

⁶⁴ For instance, research goals that focused on specific areas of justice intervention, types of interpersonal reactions, or personal challenges faced as a result of criminalization.

“criminalized” and “criminalization” throughout this thesis, it is important to clarify the meaning of criminalization in this context. For this study, I use the term “criminalized” to describe those who have experienced justice system intervention. Criminological literature has typically focused on incarceration, probation and parole as subjects of criminalization. In contrast, this research seeks to capture the experiences of relatives to those who have encountered any form of justice intervention, asserting that criminalization to any degree beyond incarceration, probation and parole can be a traumatizing experience for the family. As such, this research defines justice intervention as including, but not limited to, being the subject of an arrest, criminal charges, criminal court proceedings, bail and remand, conditional discharge and sentencing such as probation, incarceration, and/or parole.

3.4. Qualitative Research

I have adopted a qualitative methodology because it provides the best way to develop an in-depth, rich and thick description of the ways in which criminal justice intervention impacts the nuclear family. Qualitative research demands a high level of rigour and rich description of data, while it also accepts and appreciates the subjectivity of the researcher and participants. Further, qualitative research encourages the researcher to be “skeptical of the quality of common sense and quantitative understandings of social life” (Ezzy, 2002, p. 54). There is a longstanding debate within the social sciences regarding the merits of utilizing quantitative versus qualitative methodologies to study social life. Many qualitative researchers have argued that “quantitative methods impose a structure and form inherently alien to the texture of social life, which can be grasped only in its complex detail and wholeness” (Wilson, 1986, p. 25). As a qualitative researcher, I do not believe that the human experience can be quantified, but that one must examine the subjectivities of personal interpretation to understand social realities.

Traditional criminological research on families has focused on families of “offenders” as they pertain to “offender” reintegration and recidivism (Granja, 2016), particularly within the context of incarceration and often with the use of quantitative methodologies. As a qualitative researcher, I argue that quantitative data on family participation rates in youth bail programs comparative to youth recidivism rates do not explain why families choose to participate or not, or how family relationships are affected throughout the criminal justice process. The qualitative approach has allowed me to study and understand how this population thinks, behaves and feels via participants’ interpretations of reality (Ezzy, 2001). These perspectives are integral to expanding discourses in critical criminology.

3.5. Ethical Considerations

Ethical considerations were taken into serious account throughout the entire process of this research to protect all human participants from harm. Before beginning the recruitment phase of this study, I obtained ethics approval from the University of Ottawa’s Social Sciences and Humanities Research Ethics Board (REB). My thesis supervisor, Sandra Lehalle, had already obtained ethics approval for a research project on relatives of incarcerated persons in Canada. In April 2018 we applied for a modification of her ethics certificate to include relatives of criminalized persons in Canada in the research, and to add me as a researcher. We obtained ethics approval on May 11, 2018, and our ethics certificate was renewed until August 2020.

Studying families requires researchers to insert themselves into their participants’ lives, often in times of extreme vulnerability, which gives rise to many ethical concerns (Clark & Sharf, 2007; Gabb, 2010). Confidentiality is paramount and becomes more problematic when studying families due to the intimate knowledge and connections shared between relatives (Gabb, 2010).

As such, I gave all participants pseudonyms⁶⁵, and changed the names of other family members, dates and locations in the transcribing process. I modified direct quotes to remove any identifying information before their inclusion in this thesis. All participants in this study were well-informed of the potential risks and steps that would be taken to mitigate these risks before making interview arrangements, and then again at the time of the interview (see Appendices B and C).

There has been much debate over the issue of voice, and the ethical and political implications of speaking for others (Alcoff, 2009). For instance, the privileged location of the speaker has been largely contested as “increasing or re-enforcing the oppression of the group spoken for” (Alcoff, 2009, p. 118). I do not dispute this issue; however, I do believe my status as member of the community that I am studying⁶⁶ mitigates my privileged position as a researcher in a way that will decrease the likelihood of furthering oppression. I am not trying to “give voice,” but to allow participants’ voices to be heard through my research, and by creating space for my participants to speak about experiences that often go unheard, particularly in academic and policy discourses. I cannot avoid speaking for others due to the nature and paradigm of my project; however, I do acknowledge that in speaking for others, I am taking on a great responsibility (Alcoff, 2009). As such, I must accurately represent the experiences of others, to minimize the potential for oppression, and to maximize the collaborative production of knowledge between myself and my participants. I have carried out the research process while remaining reflexive about my location as a researcher and acknowledging that the results of this study can only speak to a specific time, place and population.

⁶⁵ Participants were given the option to choose their own pseudonym in an effort to better include them in the research, and so that they could better identify their own stories throughout the finished product if/when they wished to read it.

⁶⁶ I am the sister and niece of multiple justice-involved family members.

This responsibility has shaped the analysis and presentation of my research, as I have avoided making gross interpretations of my participants' experiences, choosing instead to use their words whenever possible. I have chosen to present the participants' experiences using direct quotes to maintain context and authenticity throughout my analysis. Even in the early stages of my analysis, I chose to inductively search for common experiences among participants using their own words to form the "coding" schema before mapping. I chose to use my participants' own words as much as possible so as not to betray the core elements of participants' experiences throughout my theoretically-driven analysis.

It has been challenging to navigate my role as a researcher, given that much of the criminalization within my own family was ongoing while I researched and wrote this thesis. In my first drafts of the analysis, I attempted to be as "clinical" as possible, relying on my professional experience in the social services field to write what I believed to be a very fact-based account of the participants' combined experiences. These drafts ended up sounding quite judgemental, as my professional and personal biases had unwittingly overshadowed my role as a quilter of stories. Subsequent drafts were too narrative-based and did not provide enough analysis, as I attempted to overcompensate for my biases and allow only my participants to speak through this research. I have struggled to find a balance between my voice and my participants' voices to present a coherent analysis of my participants' most vulnerable experiences while retaining the context and authenticity of their realities.

3.6. Data Collection Procedures

The following section describes this study's data collection process, beginning with an overview of the study population and participants' general characteristics. The section will then discuss the recruitment procedures used in this study and how ethical considerations impacted

these procedures. Finally, it will describe the data collection techniques, namely interviews and challenges associated with the process.

3.6.1. Recruitment of participants.

Recruitment of participants was facilitated in part by professional connections and with the use of physical and electronic fliers (see Appendix A) disseminated throughout the National Capital Region and across various social media platforms. Active recruitment for this study began on June 8th, 2018 and concluded on December 7th, 2018; however, participation was not denied to those who expressed interest following the end of the active recruitment process⁶⁷.

Recruitment flyers were posted on community message boards throughout the University of Ottawa campus in both official languages and throughout the John Howard Society of Ottawa-run community reintegration facilities. Information posters were also sent electronically via email to the following community groups: Mothers Offering Mutual Support (MOMS), the Criminalization and Punishment Education Project (CPEP), the Ontario Family Caregiver's Advisory Network (OFCAN), and the Canadian Families and Corrections Network (OFCN). Additionally, I posted electronic fliers publicly on my Facebook, Instagram and Snapchat accounts with privacy settings that allowed the information to be shared and viewed by all users, not limited to my friends and acquaintances⁶⁸. It is also important to recognize that snowball sampling likely

⁶⁷ Given that electronic flyers remained posted on my personal social media pages and accounting for “word-of-mouth” information sharing, it would have been unethical to turn any potential participants away. My thesis supervisor, research team colleague and I interviewed all individuals who expressed interest in this study after active recruitment had concluded. While many of these interviews could not be included in this thesis due to time constraints, they provide useful material for my thesis supervisor's project.

⁶⁸ Given that electronic flyers were seen and shared by many of my friends and acquaintances, there was a potential for conflict of interest. I mitigated the potential conflict by refraining from personally reaching out to anyone to discuss my research or ask for participation. If someone known to me expressed interest in the study, they would be given the study information with the option to be interviewed by my supervisor or research team colleague. None of my family members participated in this study or recruited on my behalf.

occurred whereby study participants referred their acquaintances to take part in the interview process (Bachman & Schutt, 2007).

Those who were interested in participating in this study contacted me or my supervisor Sandra Lehalle via telephone or email, as each recruitment flyer listed our contact information. Interested participants were then sent letters of information (see Appendix B) and consent forms (see Appendix C) via email for their review before arranging each interview. Following interested participants' reviews of the information and consent forms, dates, times and locations for individual interviews were arranged at participants' convenience.

3.6.2. Study participants.

This research examines the experiences of eight participants, all of whom are women between the ages of 20 and 70 years old and live in the province of Ontario, Canada. Of the eight participants, three are daughters of criminalized fathers, four are mothers of criminalized sons, and one is a sister of a criminalized brother. Of note, there were no spouses in this study. All participants were youths⁶⁹ at the time of their relatives' criminalization, or have had a blood-related criminalized nuclear family member who was a youth⁷⁰ at the time of their initial contact with the justice and/or mental health systems. All criminalized family members identify as male, and seven out of eight of these relatives have spent time in custody. More specifically, one relative received a conditional sentence; two relatives were remanded pending sentencing; two relatives spent time in and out of provincial custody, and three relatives are still in federal custody today. It is important to note the case diversity in terms of levels of justice-involvement, given that many studies on

⁶⁹ For the purposes of this study, the term "youth" encompasses persons 15-34 as defined by Statistics Canada (Statistics Canada, 2018).

families of justice-involved individuals have been conducted solely within the context of incarceration.

I would also like to acknowledge the biased demographics of this study, given that all participants are women, and there are no spouses or step-relatives of criminalized persons in this study. These characteristics were not the result of purposeful sampling, but revealed themselves following the completion of the interviews. Moreover, the gendered bias of the study population still reflects the realities of women who maintain relationships with and provide support to their criminalized family members. The study sample is also biased because it is comprised of individuals who volunteered their participation and without compensation⁷¹. Given the ethical restrictions on sampling techniques, it was impossible to guarantee a sample representative of the general population. Conversely, the purpose of this study was never to generate results that could be generalized en masse. Rather, the results of this research are specific to a certain time, place, and population, which does not degrade their authenticity, nor the rigour with which they were obtained or analyzed.

3.6.3. Sharing hope and pain: The interview process.

The data collection process for this study took place between July 6th, 2018 and December 7th, 2018, in various towns throughout the province of Ontario, Canada. In the interest of protecting anonymity, I cannot further specify the geographic locations of the interviews. When arranging interview times and locations, I gave participants absolute control; my only request was

⁷¹ Pittaway, Bartolomei & Hugman (2010) assert that many people from vulnerable populations seek out researchers in an attempt to shed light on their oppressive realities and with the hope of improving their circumstances. The fact that some vulnerable people are able to connect with researchers and perhaps benefit from sharing their stories inherently privileges them over those who were unable or who chose not to seek out researchers. It is thus important to acknowledge that some family members who may have wished to participate in this study could not afford to do so. For example, most of the participants in this study were middle-class earners, retirees and students who had the ability to take time off work or out of their day to attend interviews. It is possible that my decision to not offer compensation created a participation barrier for those who could not afford the time or expense to participate.

for a quiet space to facilitate clear audio recording and privacy to discuss sensitive subject matters. Some participants preferred to be interviewed in the comfort of their homes, while others requested an office setting for their interviews⁷². All interviews lasted between 45 minutes and 130 minutes, based on the length of time participants felt they needed to convey their experience.

I chose to conduct interviews because qualitative research demands rich, thick descriptions of socially constructed phenomena to which the research subjects attribute meaning (Merriam, 2002). Interviewing as a data collection technique facilitates direct testimony from those who possess the most intimate understanding and knowledge of the phenomena of interest, and they are thus able to provide direct reflections of their unique lived realities (Alasuutari, 1995). As such, I conducted qualitative, individual semi-structured interviews with all participants; however, some interviews were less structured than others. At the start of each interview, I asked each participant the same question: “Can you tell me how you experienced your loved one’s criminalization?” From there, participants tended to provide a chronological account of their criminalized relatives’ justice involvement. They began describing their first encounters with the justice system, followed by the family’s reaction. Participants then spoke about the challenges their family encountered throughout the justice process, how their familial relationships were affected, and the state of their current relationships with their criminalized relatives.

During the interviews, I took minimal notes to remind myself to follow up with the participants regarding any information that was unclear or required further elaboration. Following each interview, I recorded general participant information (i.e. pseudonyms, approximate age,

⁷² Careful attention was paid to researcher safety throughout the interview process. My supervisors were made aware of my location at all times and the expected length of the interviews. My partner arranged to pick me up from each interview and to maintain communication with me leading up to my arrival at the interview site. When meeting participants in their homes, I would often meet them initially off-site and walk to their residence to get to know them better and assess my surroundings. I relied on my previous experience as a social service worker to assess and monitor safety throughout each interview.

location of criminalization, relation to their criminalized family member, a summary of their story and notes on my feelings, reactions and questions as a researcher to better guide my research process). While unstructured interviews encouraged participants to speak freely about their experiences, some participants had difficulty with this interview structure and requested that I ask additional questions. When this occurred, I would ask follow up questions based on the information participants' had already shared with me or questions to prompt discussions of topics not previously discussed.

I found that during the interview process, I relied heavily upon my experience in the social services field to engage in active listening without imposing myself on the interview as a researcher. This research means to explore and convey participants' narratives of criminal justice intervention within the nuclear family. As such, I wanted to ensure that participants controlled the dialogue as much as possible and that as a researcher, I was only speaking to verify and confirm my understandings of participants' experiences (Berg, 2006).

The interview process itself was very difficult emotionally for both myself⁷³ and my participants. Participants spent hours volunteering information about some of the most difficult, terrifying, traumatizing times in their lives, as they explained. I admire their courage to no end, as they sat across from me often in tears recounting every detail of loved ones' criminalization and the damage their families endured. Sometimes interviews took place in a nondescript office at the University of Ottawa; other times, they took place on participants' beds, couches, and at their dining room tables. These intimate settings were more comfortable than an office, and I found that

⁷³ The interviews significantly impacted my mental health. To mitigate the negative emotional and mental effects, I did my best to ensure that I was never returning home alone following an interview. I had many "debrief" sessions with my supervisors, partner, friends and family members, who acted as sounding boards for my emotional reactions to participants' experiences. I journaled about interview-specific details that had been triggering for me and discussed these challenges at length with my supervisors following each interview. I endeavored to keep a routine, and to sleep and eat well.

participants appeared to be more at ease; however, it also made things more emotional for me. I found it difficult to contain my emotions in these more comfortable settings because it felt less like a formal interview and more like a deep conversation with a friend. This issue was exacerbated by the fact that I often closely related to participants' experiences, and in some instances, their experiences almost mirrored my own. Further, some participants were around my age and came from very similar family backgrounds, which made it even more difficult to separate myself emotionally during the interview.

The qualitative research approach encourages researcher subjectivity and empathy for participants (Brown, 1996; Glesne, 2010; Guba & Lincoln, 1994); however, such authors do not provide clear direction on the subject of researchers' displays of emotions during interviews. At times, the participant and I were in tears, and I believe that my display of emotion ultimately humanized the research experience for the participant. Following the interviews, many participants wanted to know what drove my keen interest in the topic of families of criminalized persons. Some participants wanted to understand the level of empathy I showed during the interview, while others seemed to want justification; they wanted to know why I deserved to see their tears and hear the retelling of their most vulnerable experiences. In these instances, I found the use of limited self-disclosure to be quite effective. Sharing my experience of justice intervention was always done post-interview and only at the behest of the participant. When this occurred, I found that participants were open to more dialogue and often divulged pieces of their stories that they had refrained from discussing during the recorded interview. In these instances, self-disclosure built trust and understanding between my participants and me as a researcher⁷⁴.

⁷⁴ Participant disclosures that occurred following the interviews were not recorded, as I did not want to make participants uncomfortable and was often on my way out the door at the time of these disclosures. In instances where the participant and I were still seated and I had not yet put away my notepad, I occasionally asked the participant's

Non-directive interviews were challenging at times because in giving participants the freedom to control the majority of the dialogue, I also had to accept that participants would not always speak about topics and experiences that were relevant to my research questions. This is not to say that the entirety of their experiences was not of value, but, for instance, some participants were very involved in prisoner's rights activism, which in itself was not pertinent to my research on family relationships. It was also difficult at times to remain judgment-free when faced with participant views that I did not personally agree with. I had to reflect upon my experiences, beliefs and perceptions to understand my biases so that I could present a non-judgmental front during the interviews. I found that I was mentally prepared to face emotional difficulties during the interviews, but less prepared to encounter views that were counter to my own as a member of my population of study.

To my surprise, the most difficult stories for me to listen to were those with positive outcomes⁷⁵. As much as I was in awe of these families' resilience and compassion for one another, it was so hard for me to understand how they survived years of addiction, mental health crises and criminal justice intervention while remaining intact as a nuclear family. First, I found myself searching for answers in their experiences, trying to figure out if there were specific actions, emotions or external influences that would explain these outliers, as even the participants described themselves as exceptions to the norm. Upon further reflection and discussion with my supervisors, I realized that I was also struggling with feelings of frustration and bitterness because these families had achieved the things that I have not. It was difficult to come to terms with these

permission to take a few notes on their story so that the context might be included in the thesis or act as context to inform my analysis.

⁷⁵ It is important to note that participants' testimonies of resilience, strengthening of familial bonds and general positive impacts/outcomes of criminal justice intervention were experiences that ran counter to my own experiences and preconceived views. As a researcher, I maintained intellectual honesty by acknowledging these experiences and integrating them into this thesis even though they contradicted some of my pre-established convictions.

emotions, but remaining reflexive throughout the interview process also helped me to identify many of my own emotions that I had not been able to articulate.

Listening to so many other family members discuss and name the feelings that accompanied the stress and trauma of criminal justice intervention within their families was integral to developing an understanding of my own experiences and emotions. I draw on Ezzy's (2010) work on interviewing to argue that interviews are inherently emotional "and embodied performances and that good interviewing is facilitated by a reflexive awareness of, and engagement with..." the interview experience (p. 163). The interview process also proved to be helpful to participants, as many expressed that these interviews were the first instances wherein they had spoken to anyone at length about their loved one's criminalization. Some participants thanked me for the opportunity to finally speak about their experiences, whereas others were thankful to speak freely without feeling judged.

3.7. Mapping Family Relationships: Data Analysis Techniques

When analyzing data collected on families, Gabb (2010) asserts that the interpretive aspect of psychosocial interviewing techniques is problematic because researchers engage in 'reading between the lines of participants' experience to impose meaning (p. 470). While I position myself with Gabb (2010) in questioning whether the researcher has the authority or the right to "identify someone else's subjectivity for them" (p. 471), I must also accept that interpretation is inherent to the analytical process. To maintain the integrity of participants' experiences throughout my analysis, I chose to identify emotions and actions between family members throughout the interview transcripts, and then physically map the family relationships utilizing the previously identified emotions and actions. Further, I practiced reflexivity throughout the analysis process to make sure that my experiences with my own criminalized relatives were not clouding my accounts

of participants' experiences and continued to do so to ensure that my participants' voices were shining through the research.

To begin my analysis of the collected interview data, I carefully read through each participant's interview transcript while listening to the audio recordings to ensure accuracy. I then used a colour coding system to identify each instance where participants spoke about an interaction between family members in the margins of the transcripts, blue for emotion and green for action⁷⁶. Each colour-coded interaction was then described in the transcripts' margins using one to five key words taken directly from the participant's testimony to mitigate the effects of imposing meaning on participants' experiences⁷⁷. Beside each instance of intra-familial interactions, I noted a "C" for conflict or "N" for nurture based on the described quality and effect of the interaction. For example, if a participant described her son's constant demands for money and explained that this caused her to feel frustrated and hurt, and to cut off contact with him, these interactions would be tagged with a "C," given that the participant clearly described negative emotional ramifications. Finally, external stressors such as health and justice system involvement, instances of mental health/illness and addiction, and resources of time, space and finances were flagged in conjunction with the coded emotions and actions where they were present.

Following the "coding" of each transcript, I proceeded to map the nuclear family relationships that participants described in each interview utilizing the emotions and actions that were identified in the transcripts. The use of mapping in qualitative research is a useful tool to provide "visual or graphic representations of concepts and/or propositions that attempt to convey an understanding or relationships within a map" (Wheeldon & Faubert, 2009, p. 69). The way in which I mapped nuclear family relationships followed the basic principles of concept mapping

⁷⁶ Action was defined as any act or omission between relatives, including verbal and nonverbal interactions.

⁷⁷ See Gabb, 2010.

(Novak, 1998), namely the inclusion of “clear and unique concepts, lines suggesting hierarchical relationships, and linking words” (Wheeldon & Faubert, 2009, p. 70). Conversely, concept maps are traditionally laid out to show more inclusive concepts at the top of the presented hierarchy. In contrast, my family maps used horizontal hierarchical lines and distance to demonstrate participants’ described “closeness” of relationships with their family units. Mapping family relationships also proved to be an efficient way to reduce a large volume of data without losing the meaning participants conveyed, as the maps “[allowed] for the visual identification of themes and patterns... [and facilitated] cross-group analysis” (Daley, 2004, p. 3).

I created six maps for each interview. I drew three “emotion” maps and three “action” maps to illustrate family relationships before justice intervention, during the height of criminalization⁷⁸, and at present (see Appendix D). I drew participants and their family members⁷⁹ in configurations that represented the “closeness” between family members that participants described during the interviews. Action or emotion relationship lines were then drawn⁸⁰ between family members depending on the map set for each period⁸¹. Straight lines were drawn between relatives to

⁷⁸ The “height of criminalization” refers to the incident(s) or time period(s) that the participant refers to most frequently throughout the interview when describing their relative’s criminalization. For participants whose relatives are presently justice-involved, the distinction between the height of criminalization and the present was made based on the participants’ vocabulary choice (i.e. when they started to use present tense when describing family interactions). On average “present” was identified as within 6 months to a year prior to the date of the interview.

⁷⁹ Extended family members or partners, including those who were or became deceased or with whom nuclear family members broke off relationships, were included in the mapping to provide additional context, but were typically mapped on the outskirts of the nuclear family to show extended relations. Occasionally an extended family member had taken on the role of a nuclear family member (i.e. a grandmother raising the grandchild) in which case, they were mapped within the nuclear family configuration.

⁸⁰ Emotion maps and relationship lines were colour-coded in blue, whereas action maps and relationship lines were colour-coded in green.

⁸¹ Mapping three separate time periods for both emotions and actions for each interview was highly time consuming and while the past and present maps did provide additional context to the maps that demonstrated the family unit during the height of criminalization, they were not as empirically useful as I had hoped. First, there was very little consistency between families in terms of defining “past” and “present,” as some families were still very much enmeshed in the criminal justice system, while others had little to no involvement with the system at the time of the interview. Further, due to the non-directive nature of the interviews, it was impossible to guarantee that each participant would speak at length about their families prior to the criminalization of a relative, so the amount of information gathered regarding participants’ past prior to justice involvement varied greatly. There is value in mapping the three time periods, as these preliminary findings suggest that the state of family relationships prior to

represent “nurturing” emotions and actions, while jagged lines were drawn to represent “conflict” emotions and actions. I then wrote the keywords identified in the emotion/action coding stage onto the respective relationship lines⁸². Finally, the external stressors identified during the coding stage were added along the exterior of the maps and penciled broken lines were drawn from each stressor to the corresponding emotion(s) or action(s) to provide additional context for analysis.

Given that the significant disadvantage of using concept maps is their complexity, particularly as the relationship lines increase and become more complicated, “it is most often necessary to use other data analysis strategies in conjunction with the maps” (Daley, 2004, p. 7). To avoid possible loss or misunderstanding of meaning due to the maps’ complexities, I proceeded to write case summaries of each set of maps. The summaries described salient features (emotions, actions and external stressors) of each relationship participants described within their families before and during criminalization, as well as at present. I used these case studies to pull the keywords/key-experiences from each of participants’ described family relationships from the maps and pair them with relevant quotes from participants’ interview transcripts in order to make comparisons between the ways various participants described similar experiences. For example, I realized that many participants’ emotion maps were characterized by feelings of “loss” and “grief” between relatives. I did not want to assume that participants had the same experiences of loss and grief, or that I could categorize them together, until I had re-read how each participant described their feelings of loss and grief. I was thus able to see that many participants described the criminalization of their loved one as loss. I could also see that the loss they experienced was more

justice system intervention did impact the family’s coping mechanisms and relational outcomes over the course of their relative’s criminalization. This finding could form the basis for future research, but due to the limitations of this study, I was unable to explore these avenues further.

⁸² Each keyword was drawn directly from participants’ interview transcripts to ensure that meaning remained intact and was not imposed or assumed by the researcher.

akin to the death of a loved one, albeit more difficult to process due to the amount of confusion and uncertainty surrounding the circumstances of criminalization.

I proceeded to visually compare all participants' emotion and action maps, paying specific attention to those presenting family relationships during the height of criminalization, while utilizing the pre-criminalization and present maps to provide additional context. Given the diversity between participants in terms of the timing of their relatives' criminalization and that some were still ongoing and would likely continue for the foreseeable future, I could not provide accurate or rigorous timeline comparisons and syntheses between families. As I compared participants' maps and case summaries, I identified common themes in participants' experiences and family relationships during the height of their relatives' criminalization. I applied the existing literature on children of incarcerated and neurodiverse parents and parents of criminalized youth and children with health diagnoses, as well as Boss' (1999, 2006) theory of ambiguous loss to describe and analyze participants' shared experiences.

3.8. Methodological Limitations

This research is first limited by the study's small sample size, which is the result of time and length constraints of the Master's thesis. It is worth noting that this study is part of a larger research project comprised of over 40 participants; however, I only chose to utilize the interviews conducted in English within the dates of active recruiting. Though I work in both French and English, I only facilitated interviews in English throughout this larger research project, while my colleagues and supervisor facilitated interviews in French. I chose to include only the interviews that I facilitated because I felt as though I possessed a more intimate knowledge of those participants and their experiences. I also chose to include only those interviews with participants who were either youth at the time of their nuclear family member's criminalization, or whose

criminalized nuclear family members were youth at the time of initial justice or mental health system intervention. I made this decision because the criminological and health literature I reviewed before starting this research project had focused on populations with these same characteristics, which provided me with an empirical basis for this study.

My sample demographics underly this thesis' second limitation: middle-class Caucasian women from the same Ontario region, except for two non-Caucasian participants and one participant from a different Ontario region. Of all the female participants in this study, only one occupied a sibling relationship with their criminalized relative, and thus the sibling dimension of this study is limited. Additionally, all of the participants' criminalized nuclear family members were male, and many of them also experienced concurrent mental health problems and addictions at the time of criminalization. These demographics were beyond my control due to non-purposeful sampling, which I used to adhere to the ethical considerations integral to the study of vulnerable populations.

While many participants (six of eight) were still experiencing their relatives' justice involvement at the time of the interviews, some participants spoke about events and reactions that took place years in the past. For example, some participants who are now in retirement recounted events that occurred during their childhood. It is important to consider the limitations of memory and recall when working with human testimonies, as memories may change or diminish in accuracy over time. It is also important to note that for the purposes of this project, I was not focused on the fact accuracy of participant accounts (i.e. specific circumstances of arrest), but participants' emotional responses to these events and the ways in which they perceived relational impacts within their nuclear families.

Lastly, the use of unstructured interviews limited my ability to direct participants' discourses in such a way that I would focus more on their experiences within the justice system itself. Participants tended to speak about the events leading up to their relatives' criminalization and their relational experiences within their family and social circles; however, they rarely spoke about how they experienced the justice intervention firsthand (i.e. treatment from justice actors). Further, given that most of the participants had experienced the criminalization of their relative over long periods, they spoke less of their first reactions to the justice intervention and more about the repetition, exhaustion and strain that occurred as a result of the continuous justice-involvement. Despite being limitations, these factors also allowed me to explore a particular type of experience, which is most common among prison populations, namely, the revolving door of criminal justice involvement and incarceration, which is significantly influenced by addiction and mental illness.

3.9. Conclusion

This thesis is interested in how criminal justice system intervention affects nuclear family members who have chosen to maintain relationships with their criminalized relatives. Chapter 3 has outlined the paradigm in which I have situated this research, my research question and sub-questions, and the reasons for which I chose to take a qualitative approach to this study. I have also discussed the ethical considerations associated with this research and the methodological decisions I made to collect and analyze my data while exploring my intersecting positions as a researcher and as a member of my study population. Finally, this chapter provides an overview of the methodological limitations of this study. The contents of this chapter have enabled me to research the experiences of nuclear family members who have chosen to maintain relationships with their criminalized relatives. The following chapter will present and analyze these experiences.

Chapter 4: Analysis

4.1. Introduction

Critiques of imprisonment tend to focus on the “offender” and the prison: highlighting the detriments of incarceration on prisoners’ mental and physical health, deploring the prison’s lack of rehabilitation efforts and potential, demonstrating the carceral system’s ineffective goals of deterrence, as well as denouncing the pains of imprisonment, and the consequences of prisonization on inmate reintegration (Lehalle, 2019). Conversely, critical criminology has neglected the emotional and relational consequences of criminalization on the family beyond the effects of stigma and secondary prisonization.⁸³ In this chapter, I analyze nuclear family members’ experiences of criminal justice intervention and the ways in which it impacts the nuclear family as a whole. The first section of this chapter describes the responsibilities that certain family members take on when their relatives become justice involved. I then describe how the criminal justice system and criminalized relatives take over family members’ lives, leaving them with a sense of lack of control, which exacerbates the stress of criminal justice intervention on the family. The third section of this chapter explores the various types of strains that criminal justice intervention exerts upon family resources. Finally, I discuss the lasting implications of justice intervention as a disruptive event and its impacts on nuclear family relationships.

4.2. Family Members’ Self-Imposed Responsibilities

The literature on parents of criminalized youth discusses the high level of responsibility that parents are expected to take when their children are involved in the criminal justice system due to their parental roles (Hillman & Reitsma-Street, 2003; Holt, 2009b; Paik, 2016; Pennington, 2017). This notion of social role expectations is not isolated within the context of criminal justice

⁸³ See Arditti, 2003, 2012; Codd, 2008; Comfort, 2003; Granja, 2016; Hannem, 2012; Harmen, Smith & Egan, 2007; McCuaig, 2007.

intervention, as parents have long been held responsible for their children's physical and emotional development and well-being (Francis, 2012; Harden, 2005; Hil, 1998; Goldson & Jamieson, 2002). The literature is limited regarding the impacts of criminal justice intervention on the role responsibilities of siblings of criminalized individuals. In this section, participants describe the moral and legal responsibilities they have chosen to take on in response to their family members' justice involvement. These responsibilities inevitably place their roles as caregivers and agents of social control at odds with one another.

4.2.1. Moral responsibility: Providing unconditional support and care.

The literature on parents of children with health diagnoses asserts that parents are biologically and socially responsabilized for their children's development and wellbeing (Davis & Manago, 2016; Corrigan & Miller, 2004; Harden, 2005; Moses, 2010). These experiences suggest that such responsabilization is externally derived from social norms and community reactions. Conversely, participants talk about their moral responsibility for their justice-involved relatives in terms of having to "fix" or protect them, which is construed as a duty integral to the family bond they share. Tara describes her moral responsibility as a mother following her son's ADHD diagnosis and behavioural issues in more detail:

Like, you always, I always felt that I was responsible. He was my child. I had to fix him, and I didn't have a lot of support. And, sometimes, it's hard. I do have a hard time asking for help or admitting that I need help. And, even though I did take him to every psychiatrist and psychologist in the city, it still was up to me to take him home and do all this that just couldn't – I don't know, you know? And, I worked full time, you know, so then he was at daycare, babysitters and then come home and fight with him to do homework and then he was always a struggle. (Tara, mother, retiree.)

Tara testimony suggests that parents indeed internalize the cultural onus that is placed on them for their children's social and developmental outcomes⁸⁴. In contrast to the literature on parental

⁸⁴ See Davis & Manago, 2016; Corrigan & Miller, 2004; Harden, 2005; Moses, 2010.

responsibilization⁸⁵, participants did not discuss feeling targeted or blamed for their children's mental health diagnoses or criminalization.

Ophelia, who shares a sibling relationships with her criminalized relative, also experiences a sense of moral responsibility integral to her role as the older sibling:

You're the oldest? So, like, you kind of have, like, it's almost a responsibility, right? Like you know, like someone made fun of him the first day in high school. I threatened to beat them up. Like, it was just, like it's just it's what you do. (Ophelia, sister, thirties)

Like the parents in this study, the sibling of a justice-involved family member internalizes a sense of moral responsibility for her relative. This is particularly interesting because socially, siblings do not have the same biological responsibility for their brothers and sisters as parents have for their children. Ophelia's experience suggests that moral responsibility and parenthood are not exclusively linked as Harden (2005) asserts, but that the family as a whole may internalize moral responsibility for its members.

The theory of Ambiguous Loss⁸⁶ is limited in that although it demonstrates the often unconditional bonds between family members, it does not explore the reasons for which family members feel obligated to maintain care or vigil for their psychologically and/or physically absent relatives. Conversely, participants' experiences show that moral responsibility is inextricably tied to relationships. Criminal justice intervention is a disruptive situation wherein family members may choose to take on legal responsibilities for their justice-involved relatives, which often directly conflict with family members' sense of moral responsibility toward their justice-involved relatives.

⁸⁵ *Ibid.*

⁸⁶ See Boss, 1999, 2006.

4.2.2. Parent versus justice actor: Taking on legal responsibility.

Based on participant accounts, parents' moral responsibilities towards their children continue not only into adulthood but also following their children's criminalization. The literature on parents of criminalized youth asserts that parents are often held legally accountable for their children's behaviour and become subject to legal orders as a result of their children's crimes (Cook & Gordon, 2012; Holt, 2009a; Shaffner, 1997). When children break the law, the State often holds parents accountable and questions parents' moral worth for failing to raise emotionally and behaviourally "healthy" offspring (Holt, 2009a). Interestingly, none of the participants in this study experienced the forced measures of accountability as described in the literature; however, this study was conducted in Canada, whereas the Parenting Orders and classes described in the literature are specific to the U.K. and American contexts. Despite participants' lack of legally imposed responsibilities, many parents and relatives of participants in this study have chosen to take legal responsibility for their children following arrest. Even though legal responsibility was self-imposed, participants' experiences revealed explicit tensions between their moral responsibilities towards their loved ones and the legal responsibilities they undertook.

Most parents in this study experienced difficulties balancing their roles and responsibilities as mothers with the legal responsibilities they chose to take on following their children's arrests. In some cases, mothers had signed as their sons' Sureties to ensure that their children received bail and were not held in pre-sentence custody. While participants' sons were on bail, their roles as Sureties required them to monitor their children's bail conditions and to report any breaches to the police, which significantly conflicted with their roles as parents at times. Tara explains the ambivalence she experienced when she realized her son was in breach of his bail conditions and that she was legally responsible for reporting him to the police:

So he wasn't supposed to be- He had a curfew. He wasn't supposed to drink. He was supposed to, etcetera. And of course, he would break- but I'm his mother. Am I gonna try - like honestly, I would think no mother should have to be in this position. (Tara, mother, retiree.)

Participant accounts reveal that this conflict between the moral responsibilities of parents and the legal responsibilities of Sureties places undue pressure on relatives. Though many family members choose to self-impose legal roles, the results of these responsibilities are emotionally undesirable. Dorothy describes her indecision regarding her duties as a mother and a Surety when her son was missing:

So, I'm thinking, "Shit, here I am, a Surety. Do I call the police? On my son?" You know, I was not happy about this. But, then, I'm thinking, "Okay, but if, you know, he's caught with something, you know, I might get charged." And, so, you know, I'm playing this over in my head, and I'm thinking, "Okay, are you seeing things right, or, or what's going on?" Finally, I got worried, and I thought, "I'm gonna well, I've gotta call this in." (Dorothy, mother, retiree.)

Dorothy's experience highlights the risks and liabilities that parent participants faced when they accepted legal responsibility for their criminalized children. Criminal justice intervention creates unique circumstances for participants in that when they choose to take on responsibility for their justice-involved relatives, they also put themselves at risk. While Boss' (1999, 2006) theory of Ambiguous Loss has been applied to the experiences of children of incarcerated parents⁸⁷, it has not examined that caring for a physically or psychologically absent relatives in the context of criminalization may have certain legal implications for family members.

Interestingly, it appears as though participating parents' moral responsibility towards their children prevails over self-imposed legal responsibilities regardless of the outcome. For example, Tara did not report her son to the police to protect him from the justice system. At the same time,

⁸⁷ See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016; Pataky & Parent, 2018.

Dorothy called the police on her son to find him after he had gone missing, regardless of the legal ramifications for herself as a Surety or for her son's bail.

Though parents in this study did not express experiencing forced legal accountability for their criminalized children, the justice system did exercise coercion and public shaming to convince a mother to take on legal responsibilities for her criminalized son. Ophelia explains that her mother refused to act as her son's Surety because she knew she could not fulfill the legal responsibilities of the position:

She, like, stood in front of the judge, and she's, like, like, "I can't." Like, she's, like, "I work. My husband works. We live in the middle of nowhere. So, she's, like, "So, you're saying that, like, one of us has to be home at all times just with him?" And, she's, like, "I can't, I can't guarantee that we're gonna do that and I can't say that – Like, he's already run away once and he clearly knows how to get money." (Ophelia, sister, thirties)

Despite her decision, the Judge continued to pressure Ophelia's mother in open court:

And he, like he [the Judge] just - it was like a - it was the lengthiest conversation about it. Like, she [my mother] had already made her decision, and he was just like, "Do what you're saying like, just so I'm clear, you're willing - You're sending [your son]... We're willing to let him go until his sentencing report. You're sending him to Juvenile Detention." (Ophelia, sister, thirties).

Ophelia's mother's experience reflects the literature's findings on the ways in which the criminal justice system blames parents for failing to provide adequate care and supervision for their children⁸⁸. Though Ophelia's parents were unable to provide supervision and care to their son per the standards of the criminal justice system, their inability to take on the legal role of Surety was construed as a conscious decision to abandon their child. The pressure from the criminal justice system and the ambivalence resulting from the tensions between participating parents' self-imposed legal and moral responsibilities towards their children has led to an increase in participants' feelings of guilt and instances of role re-evaluation.

⁸⁸ See Davis & Manago, 2016; Melendez et al., 2016; Sturges & Hanrahan, 2011.

4.2.3. Internalized guilt and role re-evaluation.

The literature on parents of criminalized youth and parents of children with physical disabilities and/or mental health challenges has found that many parents struggle with a role identity re-evaluation from the “good parent” to the “bad” or “failed parent” (Goodwin, 2004; Holt, 2009a; Holt, 2009b; Sturges & Hanrahan, 2011). This literature asserts that relatives’ feelings of failure are tied to the internalization of guilt and self-blame for failing to prevent and/or foresee their children’s actions. Conversely, participants in this study have revealed that their feelings of guilt and self-blame are more closely tied to the ownership of their relatives’ consequences and past failures in their responsibilities of care provision.

The literature on parents of criminalized youth asserts that parents are often subject to blame and stigma from other parents and community members/organizations (Melendez et al., 2016; Sturges & Hanrahan, 2011). In contrast, interviewees did not discuss stigmatization or blame from their social circles. Rather, participants in this study described self-imposing blame while questioning their past decisions and often wondering how they could have done things differently. Tara describes feeling as though she failed in her duties as a parent to prepare her son for manhood and blamed herself for her son’s present circumstances:

And, I think I failed in that way, that I bailed him out, you know? Even as a teenager, I should have let him live with the consequences. I should have let him figure things out more instead of bailing him out. So, did I not do the right things to prepare him for manhood? Is he gonna suffer because I - you know? (Tara, mother, retiree)

Ida also questions her past parenting practices and discusses the guilt and self-blame she continues to experience concerning her son’s addiction and criminalization:

For many years, guilty as hell, you’ve done a shitty job, um, you know... a lot of guilt, a lot of guilt. Would I tell you I still? Yeah, I still have guilt. [...] Um... and I don’t really think it was that- I don’t think it really had anything to do with whether or not my son felt... I was a bad mother or not; it was how I felt. [...] But yeah,

that's a fact, I don't really think that there's anybody who deals with uh their kid the way I've dealt with mine that don't feel guilty. I don't know that it's possible. 'Cause somewhere along the line you do, you blame yourself for it and wonder, "what could I have done different? You know, why did they turn out this way?" We all do. (Ida, mother, middle-aged)

Ida's experience further highlights the fact that the perceptions of others, including her son, have no impact on her feelings of guilt, self-blame and failure as a parent despite literature findings that community stigma leads to parents' negative role re-evaluations⁸⁹. Further, both Tara and Ida's experiences suggest that parents in this study have indeed internalized the Western skill-based conceptualization of parenting⁹⁰. The Western "good parent" ideal⁹¹ may be the result of Western culture's emphasis on mastery⁹². The concept of mastery values absolute control over one's life; it asserts that a lack of control over one's circumstances constitutes a personal failure (Boss & Carnes, 2012), which extends to parenting.

Just as parents in this study described feelings of guilt and failure as a result of their children's criminalization, Ophelia discussed a similar experience following the criminalization of her brother:

Terrible. Like, I failed him, right? Like, I'm the older sister. I'm supposed to like, teach him about life, and what not to do. And especially since like, I introduced him to his drug dealer. His first drug dealer. Obviously, he had many. But like, that was, that was on me, right? Like I didn't put the drugs in his hand and I, I know that. But I also made it incredibly easy for him to get them. And like, I, I know it's all the drugs fault, but like, a lot of it, like the Break and Entering was money for drugs, right? ... Yeah, I just- there's still like a lot of guilt. I just feel like a really shitty sister. (Ophelia, sister, thirties)

Ophelia's account shows that as a sibling, she also experiences feelings of guilt and failure as a result of her brother's criminalized. Just as participating parents feel morally obligated towards

⁸⁹ See Melendez et al., 2016; Sturges & Hanrahan, 2011.

⁹⁰ I.e. the standards to which parents are held for raising emotionally healthy children and the self-blame that occurs when children deviate from culturally prescribed norms of childhood development (Harden, 2005; Shaffner, 1997).

⁹¹ The "good parent" is one who successfully raises prosocial children whose behaviour does not transgress or offend societal norms (Holt, 2009a).

⁹² See Boss, 1999; Boss & Carnes, 2012.

their children, the sibling participant also appears to take personal responsibility for her sibling's decisions and consequences even though she do not tend to self-impose the same legal responsibilities as parents. Given the lack of research on siblings of criminalized individuals, the concept of mastery facilitates a better understanding of participating siblings' experiences of moral responsibility for their siblings and ownership of their siblings' consequences in the context of criminalization. Sibling participants who take on protective roles towards their brothers and sisters may feel a similar obligation as participating parents to provide the best care for the siblings they perceive to be dependent upon them. As such, when a dependent sibling is criminalized, a caregiving sibling (Ophelia) may experience the event as a personal failure as a result of their inability to provide adequate care and supervision.

Participant accounts revealed that when parents and siblings felt responsible for their children's and siblings' consequences, they were more likely to internalize feelings of blame, guilt and failure, thus negatively re-evaluating their parental and sibling identities. Interestingly, participating parents who emotionally distanced themselves from their children's consequences while acknowledging the negative aspects of their children's criminalization did not discuss feelings of failure, blame or guilt relating to their children's criminalization. For instance, Dorothy describes her thought process when separating herself from her son's circumstances:

Because I think many people own this. Will take it on as you know, think, "Oh my goodness. Why is this happening to me?" You know, "This is an awful thing happening to me." And, you ever watch those movies where you know, [makes squealing noises] put the breaks on right there. This is not happening to me. This is happening to my son. (Dorothy, mother, retiree)

Similarly, Felicity acknowledges that as a mother, it is impossible to separate herself from her son's incarceration completely, but that she does not take responsibility for her son's actions or consequences:

I'm filled with humility, and I have a deep sense of the awareness that here is something that is very close to me. It's not- I don't consider it my fault that my son is in prison. But, being a mother, how can I not be close to that reality? So it has made me feel that I am very much connected to that reality. I haven't been able to move myself away from that, that connection that I have with my son. (Felicity, mother, retiree)

Even though much of Felicity and Dorothy's lives still revolve around their sons, their tendencies to conceptualize their sons' justice involvement as a close reality, but not one for which they are to blame or are responsible, appear to mitigate feelings of failure and guilt. These experiences also suggest that participating parents' self-imposed legal and moral responsibilities for their criminalized children do not guarantee the internalization of guilt and negative role re-evaluation.

4.2.4. Children of criminalized parents: responsibility and role identity.

Unlike parents and siblings of criminalized youth, children of criminalized parents do not experience the same sense of moral obligation or take on legal responsibilities for their justice-involved loved ones. The literature on children of criminalized parents asserts that children experience parentification and consequently take on inappropriate parental roles within the family following their parents' criminalization (Cogan, 2003; Knudsen, 2016). The three daughters' experiences reveal that parentification to this degree does not always occur when a parent is criminalized. The children of criminalized parents in this study did not discuss feelings of responsibility for their criminalized parents, but rather for their non-criminalized parents or both parents in general. Their experiences relate more closely to Nesmith and Ruhland's (2008) findings that children of incarcerated parents become overly dependent upon and in-tune with their non-criminalized caregivers. Interestingly, the responsibility participants feel towards their caregivers has implications for their identities as children, which the literature does not discuss in this context. For example, Kaley explains how she felt obligated to change her identity to meet the needs and expectations of her mother in the wake of her father's criminalization:

I felt like I guess because the pressure I was putting on myself to, like, put up a certain front or present as, you know, a certain kind of daughter who doesn't need their dad [...] I think maybe, like, when I was younger, I was just telling myself that I was half a daughter. Like, only a daughter to one person, not to two people. So yeah, I feel like I was just kind of really - cut a big part of my identity out and focused all of my energy on trying to be this one particular kind of daughter for this one particular kind of person. (Kaley, daughter, post-secondary student).

Similarly, Janet felt a moral responsibility to carry her father's guilt and become a "good daughter" for both of her parents following her father's criminalization and death of her brother:

I think I decided to carry some of the guilt that day with him, which doesn't really make sense. How can you carry someone else's guilt? But I think I decided to. And I think... I became one hell of a good daughter [...] So I felt a huge responsibility towards my parents... to build them up and make them feel like, "Well, you're not complete failures." (Janet, daughter, retiree)

Both Janet and Kaley's accounts highlight the ways in which participating children of criminalized parents experience moral responsibility towards their parents, but not in a way that constitutes the role reversal that parentification implies. Instead, these experiences reveal how participating children's sense of responsibility towards their parents in the context of criminalization is closely tied to their sense of role identity as "good daughters."

Like siblings of criminalized youth, participating children of criminalized parents did not self-impose legal responsibilities following their relative's justice involvement. Conversely, these roles must often be taken on by legal guardians if the criminalized individual is a youth at the time of justice intervention. Despite the differences between participating parents, siblings and children of criminalized persons, their self-imposed moral and legal obligations towards their loved ones contribute to the stress of criminal justice intervention. This is an integral aspect of criminal justice intervention and the disruption that occurs as a result; however, Boss' (1999, 2006) theory of Ambiguous Loss does not address the conflict between family members' moral and legal responsibilities towards their absent relatives. The theory also fails to explore family members'

ownership of relatives' consequences, internal role re-evaluations and implications for family members' self-concepts. The context of criminal justice intervention as a source of ambiguous loss is perhaps unique in that unlike Boss' (1999, 2006) accounts regarding instances of chronic disease, family members in this study struggle with feelings of accountability towards their criminalized relatives. Participant accounts show that when family members choose to take on these additional responsibilities, they relinquish control over their own lives to support their justice-involved relatives.

4.3. Becoming a Secondary Character: The Family's Lack of Control

When a nuclear family member suffers from addiction and/or deteriorating mental health, relatives have little to no control over the individual's behaviour. The same may be said of criminalization. Following the initial shock of a loved one's offence and arrest, participating family members were subject to the delays of the courts as bail hearings were adjourned, and sentencing dates continued to be postponed. Once their relatives had been sentenced, participants felt as though their families remained subject to the rules and regulations of the carceral system. These processes often then continued over the course of recurring arrests, which also often implicated participants in police activities. As a result, participating family members who chose to remain involved in the life of their justice involved relatives became supporting cast members in their own lives, whereas their criminalized relatives occupied leading roles.

4.3.1. "It's just a phase": Fearing the worst and hoping for better outcomes.

As bystanders, participant accounts revealed that two emotions tended to dominate the family members' sense of lack of control over their criminalized loved ones: fear and hope. Tara's son was diagnosed with ADD at a young age, and she explains that as a result, he "was always in trouble." As a mother, she has spent her son's entire life worrying about the next incident involving

her son, always hoping that things would get easier, that his behaviour would change, and above all, that he would not break the law.

He was diagnosed with Attention Deficit when he was quite young. So, he was always in trouble. From, um, Day Camp, you know, kindergarten, all through school and right, you know, from high school and then into adulthood, always, always, always in trouble. And, in my, in my um, biggest fear, I guess, was he'd end up breaking the law and I wanted him so badly to get his life in order, and I would have done anything, anything. (Tara, mother, retiree)

Similarly, Ophelia describes her fear for her brother's continued police contact as he grew into adulthood, and the potential legal consequences of his actions increased in severity:

And then I was mostly scared when the cops, like, raided the house because I was, like, "You already have a record. Now you're eighteen. Like, you're dealing with fraud. You're manufacturing illegal substances." Like, I was, like, "We are talking, like, like, these are the big leagues. Like, you're no longer just gonna get sent to 'summer camp.' You're going to jail." Right? Like, so, I was, like, really scared for him. (Ophelia, sister, thirties)

Even though family members take on and internalize a large sense of responsibility for their criminalized relatives, no amount of effort or obligation can control their loved one's behaviour. The result of this lack of control can manifest itself as crippling fear for one's relative's potential consequences as they are subject to criminal justice intervention, but may also manifest as hope for a different outcome or denial of the current situation. Ida explains that her son's behaviour kept escalating, while she could only hope that his justice involvement was "just a phase":

I think a lot of what happens is um... for me anyway, as a mother I kept thinking, "you know what this is gonna turn around, it's just a phase he's going through, it's gonna turn around." But it doesn't turn around in most cases it just escalates and escalates and escalates, and by then you've lost it... you know? It's gone too far. [...] It's really, it's sad to watch your child just, shoot down into - his body shut down until he looks terrible. (Ida, mother, retiree)

Ida's experience illustrates the way in which participating family members feel as though they become helpless bystanders as their relatives continue to break the law and how difficult it is as a family member to see a loved one become someone they no longer recognize. The family must

cope with the reality that they cannot help, nor control their loved one's behaviour. Though Boss (1999, 2006) describes family members' emotional distress as a result of the situational uncertainty inherent to instances of ambiguous loss, the uncertainty tied to criminalization is twofold: lack of control over the justice-involved relative's behaviour and over the justice system's response. Participants' emotional distress may thus be compounded by these factors. The literature on parents of criminalized youth and youth with disabilities and/or mental health diagnoses often discusses the social ramifications when parents have no control over their children's behaviour⁹³; however, the literature rarely focuses on parents' emotional responses to this stress.

Dorothy explains that she became complacent when her son was a "youth at risk," and hoped that her son's behaviour as a youth would not continue into adulthood:

The Social Worker, you know, said to me, maybe, maybe it's what I needed to hear, "Just because kids are involved in drugs when they're a teenager doesn't mean that they're gonna be an alcoholic or doesn't mean they're going to be an addict." But, I guess that's - that wasn't the case for our son. Because you know, I don't- Maybe I became a little complacent. I don't know. My way of thinking is that, you know, always have something positive to look forward to, and that's you know, what I was always trying to present to my son. And, maybe that wasn't enough for him in terms of the need to look back as well and figure it out and see if there's something more that needed to be done to help him from a clinical perspective" (Dorothy, mother, retiree)

Families, particularly parents, are expected to prevent their children from developing socially offensive behaviours (Davis & Manago, 2016; Corrigan & Miller, 2004; Harden, 2005; Moses, 2010; Sturges & Hanrahan, 2011). Participants' accounts reveal that they experience such emotional responses when their relatives' behaviours are beyond their control. Loss of control in Western society is construed as a personal failure, adding strain to the stress of the event(s), such as criminalization (Boss, 1999). Being unable to control or master a loved one's behaviour leads

⁹³ See Corrigan, Watson & Miller, 2006; Davis & Manago, 2016; Fernández & Arcia, 2004; Francis, 2012; Moses, 2010.

to intensified feelings of fear, hope and/or denial, all of which may exacerbate the stress and strain of criminalization on participating family members. When forced into a state of uncertainty (i.e. criminal justice intervention), family members of criminalized individuals in this study realize that no matter how they feel towards their loved one or the situation at hand, their criminalized relatives' decisions, actions and consequences are beyond their control.

4.3.2. Lack of authority and meaningful involvement.

The literature on parents of criminalized youth and youth with health diagnoses asserts that parents often feel as though they are excluded from justices processes, even though they possess intimate knowledge regarding their children and are held responsible for their actions and consequences (Hillman & Reitsma-Street, 2003; Paik, 2016; Pennington, 2017). Waiting for court outcomes can be a long and arduous process, particularly as family members grapple with the realities of a loved one's crime and subsequent criminalization. For some, waiting is worse than knowing the justice outcome, as sentencing may offer some closure in the face of much fear and uncertainty. Families do not operate well in situations of high ambiguity and low control (Boss, 1999, 2006), as such situations cause high levels of distress and dysfunction amidst the family unit. Tara explains the frustration and dread she experienced from the initial shock of her son's arrest to his court delays:

And, I remember going to a counsellor and talking to her and saying, you know, 'My son will be going to prison. It would be easier if he was already there because you go through that dread of 'okay, he's been charged. Okay, he's got a court date.' Luckily his dad would take him because I couldn't. (Tara, mother, retiree)

As family members, participants are subject to the justice system's timelines and processes in such a way that makes the outcome more desirable than the waiting period before sentencing, even if that means their loved one will be incarcerated. Waiting for justice outcomes prevents the participants from making plans and traps them in place as witnesses, rather than protagonists in

their own lives. As bystanders, participating family members are often also excluded from justice processes altogether.

Participants' lack of meaningful involvement and power to control any aspect of the criminal justice system's intervention begins at the point of initial police contact, as Janet describes her experience with police following her father's arrest:

I was 15 at the time... I remember having the distinct feeling that they were trying to pin this on him. And I remember saying, "This was an accident... I saw it all out my window... and my dad could not get ahead or behind that trailer. And I also believe that right in that- in that room with the police that day with my father, I think... I felt such absolute horror that he was gonna be pinned for this, and I knew it was an accident, in my heart of hearts, I know that that was a pure and simple accident. (Janet, daughter, retiree)

Even as a witness, Janet was powerless as a teenager to prevent the police from laying charges against her father. Janet's experience illustrates that participating family members often feel intense fear for their criminalized loved ones not only due to a lack of control over their relatives' behaviour but also as a result of justice processes over which they have no control. In contrast to the literature's findings, participating children of criminalized parents also possessed intimate knowledge regarding their parent and/or the crime and were still excluded from justice processes. This experience is thus not unique to parents of criminalized youth.

Participant experiences also support the literature's findings concerning the loss of parental authority and control over their children to justice actors, particularly during their child's incarceration. For example, Felicity speaks about how her legal duties were at odds with her moral responsibilities as a mother while her son was in prison:

I'm the one who, you know, when I visited him or when I talked to him I would try and keep him optimistic and hopeful. "We will do this and this and this." There are no, you know, there is no consulting me. Anything other than that, other than medicating him, there is no other input that is heard. It is heard, I won't say it's not heard, but it's not considered as an option, because I'm just a mother and I'm

concerned about my son. But, it's experts and the psychiatric facility who has the decision making power. So, it does make me feel helpless in a way. And, sometimes it seems that there is a wall in front of me that I have no recourse to climbing it...
(Felicity, mother, retiree)

Felicity's account highlights how the carceral system dismisses participating parents' credibility in the context of their children's punishment and rehabilitation. In this specific case, we see the overlap between the mental health and prison systems because Felicity's son was diagnosed with schizophrenia and is being treated for his mental health diagnoses while serving his sentence. Interestingly, Felicity's experience supports the health literature's findings that parents are often in conflict with healthcare professionals regarding their children's treatment, particularly when their children are old enough to receive care without requiring parental consent or information sharing. In this case, parents may feel doubly out of control because their children are subject to both mental health and criminal justice system interventions. Even as supporting characters, participating family members rarely felt as though the criminal justice system respected their efforts to make decisions concerning their criminalized relatives.

The prison system reinforces participants' feelings of lack of control, as the carceral environment encroaches on participants' relationships with their incarcerated relatives. Felicity describes the hardship her relationship with her son has endured as a result of institutional policies:

I can't visit on the weekdays because it's ah, very late – It's 5 to 8:30, I think on Thursdays, which is not very good for me because you know, that would mean driving at night and I don't want to have a 2.5-hour drive one way. Other times there have been sort of this fixture of having to go through that process, and then you stand in a line and have the dogs, which is fine even though, if you don't know or anything. The dog sniffs and then when I posted positive, they said- they told me that the dog made a positive identification. So, what happens, in that case, is that they can either allow you to go through with the visit if you've convinced them that you're, you know, this was an accident or not true. That you don't have any drugs on you. It's through their discretion. Or, they can change an Open Visit to a Closed Visit, which is behind glass. You have to speak through a phone. Or, they can bar you from visiting for a number of visits. Three or four, which in our case, that's

what happened. So, we couldn't see him, and we then had Closed Visits since. And then after three visits, then we could be able to have an Open Visit. Then you could only sit at a designated seat, which is in view of the Observation Window. So, those are very- you know- they're not punishing him. They're punishing us for having a son or daughter in prison. So the family feels very intimidated and stressed. (Felicity, mother, retiree)

Adrianne also describes her family's experience with institutional policies when visiting her father in provincial and federal correctional institutions:

I think the last time I saw him was when I visited him so at the start, was at Innes. So, my mom went to go visit him when he was in Joyceville and when he was in- I don't remember which is the minimum and which is the medium, but she went to go visit him in both. The minimum was much more relaxed like she could go sit with him at a table, whereas the medium I think they would still have to go to the Plexiglas on the phone, which is what we had to do at Innes. (Adrianne, daughter, post-secondary student)

Incarcerated family members are subject to institutional transfers, which may place their loved ones hours away from their homes and make visiting more difficult. Participants must also deal with prison security protocols which restrict physical access to their incarcerated relatives during visitations. As family members, participants have no authority over these institutional policies and procedures, which reinforces their lack of control over the criminal justice process and the terms of their relationships.

It is important to consider the ways in which the criminal justice system acts as an external influence upon participants' psychological families. Participant experiences illustrate how the institution imposes conditions and limitations on their family relationships, which affects the ways in which participants feel that these relationships can be maintained and experienced. When family members are psychologically and/or physically absent, it is difficult for their relatives to maintain their presence within the psychological family (Boss, 1999, 2006). Criminal justice system intervention thus adds another layer of complexity and disruption to participants' family

relationships, as institutional policies and procedures actively constrain and dictate the terms of relationships that are already strained by physical and/or psychological distance.

Although sentencing outcomes may exacerbate relatives' lack of control over their relationships with their criminalized family members, incarceration may provide the family with a sense of relief and greater control over their own lives. Kaley explains that as a child, she found comfort in her father's incarceration:

There was almost a part of his incarceration that was like, comforting because I knew he just wasn't out on the streets, and I think there was also like, a little bit of fear that if he was out, he could come knocking at my door. And I was scared of that. (Kaley, daughter, post-secondary student)

For some, sentencing and incarceration may provide safety for both the participant's family and their criminalized loved one. For others, the finality of sentencing may resolve some of the ambiguity surrounding the justice process. Tara describes how her son's imprisonment has made things easier for her in terms of controlling his behaviour and being finished with the long court process:

And then you go to court, and nothing happens, so it drags. And then there was the sentencing, and I knew, 'okay now, that's it.' And honestly, now that he is in prison, it is easier in ways. I know where he is. When I talk to him, he's actually doing okay. (Tara, mother, retiree)

Although incarceration may provide the family with some semblance of control, criminal justice intervention ultimately reinforces participating family members' roles as secondary or supporting characters in their own lives, which exacerbates the stress of criminalization and leads to strain on participants' family resources.

4.4. Exhausting all Resources: The Stress and Strain of Criminal Justice Intervention

Like... stress all the time. You have to learn to live with the stress [laughter], and your doctor says, "you- you need- you need to- you know you need to find out how you're gonna, you know to get by and- and have a lot of stress [inaudible]." Thankfully my doctor is my son's doctor so, she's well aware [laughter] she's well

aware of the stresses in my life, so yeah. Well, I've just learned to live with it. I shouldn't have to, but I have to, 'cause I've had to. I'm not the only one going through life stressed. That's what I- I continue to say to myself, "oh, you know what, you're not alone, some people are worse." So... you just keep going. (Ida, mother, fifties)

Criminal justice intervention is a disruptive event that forces participants and their families to mobilize their existing resources in order to cope⁹⁴. Given the unpredictable nature of justice intervention and subsequent crises, participants' resources often become strained as participants are unable to prepare and must often mobilize the same resources over prolonged periods, thereby exacerbating any pre-existing stress. Participants' accounts reveal that criminal justice intervention places strain on four main types of family resources: money, time, space and emotions. When these resources become depleted, the participants feel as though their families begin to struggle, and their ability to cope with the stress of criminal justice intervention is significantly impeded. As Ida's testimony shows, many family members in this study eventually feel as though they have no choice but to live with this stressful reality.

4.4.1. "Time equals money": The material strains of criminalization on the family.

When a relative is criminalized, the stress of criminal justice involvement places material strain upon participants' families. For some of these families, the cost of maintaining contact with their incarcerated relatives places strain upon existing financial resources; however, other financial strains include taking care of any financial loose ends their criminalized family members leave behind. This responsibility then places additional strain on participating family members' time, which is often already stretched thin as relatives' struggle to take care of their relatives' other affairs and well-being throughout the justice process. For this reason, the strain on participants' family finances and time tend to be interwoven and are difficult to isolate from one another.

⁹⁴ See Benyaker et al., 2016.

Participants often experience financial strain as a direct result of their loved one's criminal justice involvement, typically in paying for sentencing costs, such as fines, for legal fees when their relatives are unable to do so and for costs associated with incarceration. For example, Tara explains the financial strain she endured as a result of paying her son's fines and covering his bills:

Let me think. There were so many. I know once he was charged with fighting, so then you get a fine. So, stupid me pays it. You know what he said to me? "Well, I never asked you to pay." You know, there were bills. He wouldn't pay his bills. [...] I mean, it's cost me – I can't even imagine how much. The cost not only, you know, emotionally but financially. (Tara, mother, retiree)

Although Tara's son's incarceration provided some financial relief, she must now pay for the phone calls to the prison to maintain contact with her son. Further, given that her son is serving his sentence in a different province, the costs of visiting can be quite high.

Dorothy also experienced financial strain as a direct result of criminal justice intervention:

You know, we're not necessarily well off or anything like that. We work very hard for what we have. Paying bills on our son's behalf for legal fees it would have done hardship to us, and we just – he, you know, got himself into this situation. Legal Aid was available to him. And, so, we took that in terms of as far as it brought us. Now it's brought us to a certain point where there's – Legal Aid is no longer available to him, so we've had to pay a bill of almost \$10,000, and there's gonna be, I guess, this last remaining bill or whatever for the sentencing and we're not sure what that's gonna be. (Dorothy, mother, retiree)

Participant accounts reveal the lack of financial support for family members of criminalized individuals in this study, as even when programs such as Legal Aid are available, they are limited in the amount of support they can provide.

When court delays or lengthy prison sentences prolong a relative's justice involvement, Legal Aid funds will eventually run out. Felicity points out the financial challenges of incarceration from the family's perspective, as she accepts financial assistance from her ex-husband in order to cover her son's costs in prison:

He's very financially supportive, and so every year, he will send me money that I had put towards giving my son, and it requires a lot of money to keep somebody in jail from a family's perspective. You have to pay for his phone calls that he makes. You can't send him a calling card of something. [...] I tried to, when he was at Bath, I tried to get a cheaper service. It's called Fed Phone Line, and it's a system set up by- to have that one number. They want them to have that one number approved so that they can go through that, so it's much cheaper. So, it only costs about less than \$20 a month compared to 50 or 60 dollars that if he talks to me for, you know, say a few times a week for half an hour, which he tends to, you know, go on and on, sometimes that 50 dollars doesn't even last. And that's, I'm telling you, these conservative estimates you know? But then his - He may have fallen into a depression and not submitted his form on time, so then he runs out. So, he has to wait another month before he can put in that form to have the money put on his card. So, in the interim, I still want to talk to him. I want to- So, I tell him to please call, but then he can call Collect and Collect calls are a back-breaker. They are really, very, very expensive. They run into hundreds of dollars if he were to call every day because each- They have our call. It costs about 15 dollars. So that, it really just- I'm not the only one in that regard. There's a lot of other moms whose sons can only call Collect, and that's how much they end up paying. Three or four hundred dollars a month, yeah. (Felicity, mother, retiree)

Felicity's experience illustrates her increased financial strain as a family member, as her relationship with her son is dictated by prison policies and put her at a significant financial disadvantage. Additionally, the amount of time she spends on the phone with her son affects the amount of money she must spend, further highlighting how material resources are interconnected in the context of criminalization.

A relative's criminalization places additional strain on participants' material family resources. These resources are difficult to isolate from one another, given their interconnectedness and dependence on one another. For example, Dorothy explains that taking care of her son's financial obligations following his arrest required much of her time and money:

Food was in the fridge, and the freezer and the hydro was cut off, right? And that type of thing. Bills aren't getting paid. So, and then we had to move all of his stuff home because you know, he was going to be in for a while and he's not earning money or anything like that. So, we, you know, informed them that this was his last month. And a lot of bills. There's another thing, you know, in terms of, so how - my son had a lease? His car lease. He had a condo leased. We had to get the car back. Again, it's, you know, it's exhausting, the work you have to do on behalf of

a loved one that's in the system for anything like that, that they have. (Dorothy, mother, retiree)

Even though participants are not legally responsible for their criminalized family members' financial obligations, criminal justice intervention often forces them to spend the time and money to tie up these loose ends.

While participants scramble to cover their relative's expenses, their lives and other responsibilities continue. As such, relatives in this study not only experience resource strain in their efforts to provide resources for their criminalized family members but also as they are unable to tend to their obligations:

So it's only um... in January, he called me, and he wanted to get clean, and so it was our last-ditch effort. So we took him in- my husband and I, in January until March, you know had him out at the hospital, trying to get him involved in some counselling, drug rehabilitation, to the doctor's. He's Hep-C positive, so that was another issue. He was having issues with his liver enzymes, and I took a lot of time from work to take him to places, tried not to leave him alone at home, and finally, he ended up um, going back with his girlfriend... (Ida, mother, fifties)

Though Ida's experience with her son is intrinsically linked to addiction as well as criminal justice involvement, much of Ida's son's criminality is tied to his substance use and therefore, her resource expenditure for one is tied to the other. The time Ida spent helping her son took away from her time at work, which impacted her financial resources.

Similarly, Adrienne describes resource strain resulting from time spent travelling to visit her father while he was incarcerated, further illustrating that family members in this study continue to have competing life priorities despite criminal justice intervention:

And [my mom] would give money sometimes like in the prison so [my dad] could buy toothpaste and whatnot. So I think that was good, he's really lucky that she did, but gradually as he got farther like she would go on weekends but once he moved away I didn't go see him. I think I kind of- I mean at that point you get used to- I think it was 'cause I got used to living without him there, it was just like I don't really- partly a hassle because you have to drive all the way to Joyceville, you have to go to Kingston, you have to go back and forth. I don't even know what the

procedure there was, probably similar to the medium- well the medium was probably definitely harsher than the minimum but, it was like you had to like- if I had homework or something especially when I started university it was just kind of a hassle to keep on going. To go every single weekend, especially when he got farther away, so I kind of – me and my brother definitely stopped seeing him. (Adrianne, daughter, post-secondary student)

Although Adrianne's father's incarceration did not impact her financial resources, the time required to visit her father and then travel to various prisons after he was transferred impacted her ability to complete school assignments. Though participants' experiences are unique, many accounts reveal that participating family members' time and finances are significantly impacted as a result of criminal justice intervention and that these resources are often interconnected, thus doubly strained under the stress of criminalization.

4.4.2. "I'm claustrophobic in my own home": Straining spatial resources.

In addition to time and finances, family members in this study must also allocate their spatial resources to assist their criminalized relatives by housing them while they are out on parole or bail or storing their possessions while they are detained. Participants' accounts reveal that family members often feel claustrophobic in their own homes, as they physically give up their own space to make room for their adult relatives and their possessions. This exacerbates the uncertainty of criminal justice intervention, as participants do not feel secure in their space. Tara describes how storing her son's possessions while he is serving his sentence has made her feel as though she has no control over her own life:

I need to have some peace in my life. I need to find, you know, like, just have a life without so much stress. And then I think, "Oh, but I've got furniture that belongs to him and why –" I don't have the heart to tell him. It's like, "Okay, but I deserve to hold some things in my life and that, like that bureau I'm storing for you is really a piece of garbage, and I'm getting rid of it, and when you get out, then we'll worry about it." Right? Like you can buy secondhand furniture quite easily – you don't need that particular – But he wanted me to keep... He had a desk and a bureau and them some other stuff, and I just won't have the space. So you know, it stresses me out still. But, I should be able to control some things in my life. Like my house and

my, you know, where I decide to live and what I decide to take with me. (Tara, mother, retiree)

Dorothy also explains how storing her son's possessions has made her feel claustrophobic in her own home:

We have our son's stuff in our house, in our garage and his one room upstairs and in the basement. It's like, "wow, I'm feeling really, like, claustrophobic at times." Not that he had a lot, a lot of stuff, but when you add it to a home that's already furnished like, wow. You know, we only have a single car garage, and I'm like, "Wow, can't even move around." So, we've had to wait with bated breath and kind of, you know, right around it but gritting our teeth a little bit too, you know, with the length of time this has all taken. (Dorothy, mother, retiree)

Participant experiences illustrate not only the lack of control that comes as a result of giving up one's space but also the sense of moral obligation parents in this study feel towards their children, specifically in the context of criminalization. Though they were not required to store their loved ones' possessions, nor was it convenient for them to do so, they strained their spatial resources regardless. These experiences illustrate how criminal justice intervention creates an environment wherein participants feel as though they must take on additional responsibilities as family members, which then strain their resources.

Children of criminalized parents in this study were less likely to experience the same spatial strain as parents because they were not typically the ones who undertake the responsibility for housing their criminalized loved one or their possessions. Conversely, their spatial resources are still often strained as a result of their parents' presence in their home, which compromises their comfort and security, as shown in Adrienne's account of her father's return from prison:

I did not want to live with him. So, technically he was able- he would have been able- Parole Board said yes to come home last semester, so I moved out last semester as well to the East end for like four months, then I went back home. And this year I just moved in November, so I – like I'm kind of like, I haven't really had time to like process it. Um, I did go back home, I wanna say two weeks ago? Just for like a – 'cause my mom – [my father] went to the GTA to get her van or something, so she was alone. She was like, "Wanna come for a sleepover?" And I

was like, sure! And I went into the house, and already I felt like it was changed, like tainted, I guess. It's just like not the same homey feeling that it used to – 'cause like I knew he had been there. I like – even though I knew he wasn't in town, it's like, oh he could like walk in at any moment, so I think that's partly why the reason, well the only real reason I came back was to play the piano, 'cause I miss my piano, but yeah no. (Adrianne, daughter, post-secondary student)

Though it was Adrianne's choice to move out, she was given no other solution to not wanting to live with her father when he returned on parole. Like parents in this study, the children of criminalized individuals experience spatial resource strain as a result of criminal justice intervention, which makes them feel as though they no longer have control over their surroundings. In feeling as though her home has been tainted and worried that her father could show up at any minute, Adrianne has become a visitor in her own space without the security that home should offer.

Similarly, Janet chose to seek employment and avoid spending time at home to avoid her parents following her father's conviction over her brother's death:

So maybe they talked about it – but I, shortly after that... said [pause] because I had been volunteering at the civic hospital, I had learned a variety of skills, I knew how to work cash. So I got a job down the street at a convenience store. And shortly after that happened, and I was rarely at home. That was my ticket out of there. I used to run that store, by myself, underage at the time mind you because you had to be 16 to do that job. (Janet, daughter, retiree)

These experiences highlight the fact that these children's spatial needs are not prioritized in the wake of their parents' criminalization, and their only recourse is often to leave their space to regain control. The loss of their space then further complicates their relationships with their criminalized and non-criminalized family members, contributing to relational strains.

4.4.3. “It was like falling through a black hole”: Emotional and physical strain.

The stress of criminal justice intervention increases participants' emotional and physical strain, which is often interconnected with material resource strain on time and money, as well as

on spatial resources as these strains exacerbate emotional and physical challenges. For the most part, participants explained that their relatives' justice-involvement evoked multiple negative "stress emotions" (Lazarus, 1999), particularly shock, anger, and devastation:

Mum came in, woke me up. She said, "We need to get to the Courthouse now. Your brother's been arrested." And, and, I was, like, "Oh, oh, okay." So, like, you get dressed. You're kind of, like, you're in a, like, a little bit of a haze. Like, not really understanding and, like seeing, like, handcuffs was probably, like, it's still, like, one of the worst things I've seen. So, I was really upset that time, but I was also kind of mad. (Ophelia, sister, thirties)

Similarly, Tara describes the way she felt following her son's arrest and the physical effects she experienced as a result of the emotional strain she experienced:

I couldn't deal with it, I felt sick, physically ill, every time I thought about it and tried to get it – You know, like how do you get that out of your head? It's like any shocking piece of information you get that you just wanna throw up. It's sickening, and I remember being out, and I had to look at a person and think, "I would take your life in a minute. I would take your life, whatever you're dealing with and trade with you." And I just felt that way about everyone I saw. Like, "Give me your life. I'll take it, whatever it is. You can't be dealing with something like this." It was the worst, the worse. (Tara, mother, retiree)

Felicity was also devastated in the aftermath of her son's criminalization:

He was just going having various kinds of prescriptions filled, and he committed a criminal act and ended up in the prison system. And it was like falling through a black hole, really. It was devastating, just to put it, you know, lightly. (Felicity, mother, retiree)

These emotional reactions to criminal justice involvement are merely the triggering points for prolonged emotional strain as justice involvement continues, and participants experience a significant lack of control over their loved ones and the justice process. The shock and devastation of the initial justice system contact also impede relatives from coping with additional emotional strain because they are already in such a state of stress.

Following the initial shock of criminalization, family members in this study often worried about their loved ones' safety and wellbeing while in detention or the community. Much of this

fear for their relatives' safety is intimately tied to concurrent addiction and mental health issues, which are often impossible to separate from criminal justice involvement. For example, Felicity explains the anxiety she experienced as a result of her son's deteriorating mental health in prison and the devastation she continues to feel due to her infrequent contact with him:

Sometimes he hears people talking, and so in his mind, it's just like, it's me, and I'm being harmed - Somebody's yelling at me. So you know, these kinds of things continue and so the visits because they are so unpleasant and so wrought with anxiety even on my part, and nervousness and just the stress that they're not a very pleasant thing to look forward to, I'm just devastated that I can't see him. (Felicity, mother, retiree)

Similarly, Kaley describes the anxiety she experienced as a result of her father's addiction and mental health while he was in and out of prison when she was a child:

Like, I remember at one point in like, Seventh or Eighth Grade, there was a period of time where my dad was kind of, like, threatening to kill himself, and I started having a lot of panic attacks at school about it. (Kaley, daughter, post-secondary student)

Ida also shares her fears for her son's safety, which began to affect her physical wellbeing:

I'm not sayin' I don't- I still do, I lose a lot of sleep. I'm constantly waiting for the police car to pull up, right... because uh, you just wait and go, "Well when are they gonna pull up and say, 'Okay well, your son's passed away, your son - '" (Ida, mother, fifties)

In this study, family members' fears for their criminalized loved ones' wellbeing reinforce the sense that they have no control over their criminalized relatives' behaviour. The presence of mental health challenges and addiction adds to participants' lack of control and sense of helplessness, particularly when their relatives are detained, as there is nothing they can do to help as family members.

In addition to fearing for their criminalized relatives' wellbeing, family members in this study experience emotional strain due to fears for their safety. A loved one's criminal activity can put their family at risk. Though criminal justice intervention implies community protection,

participants' families are often left completely unprotected from their relatives' associates or their relatives themselves. Ida shares her fears related to her son's drug activity and associates:

I know that we're always at a risk because he's ripping people off. I don't know when somebody's gonna come to my house someday looking for him, like, we know that stuff can happen. We never know when somebody's gonna knock on our door, that's why we don't open the door unless we know who it is. But we don't know, because that's what happens in the drug world. So, if they can't get their money, then they'll go through one of your family members, right. And that's how we've lived for the last 18 years... yeah... Sad reality. You know he's known lots of people, like, I- I read people's names in the newspaper and go "oh my god my son used to hang out with that guy" like... so I know how it works. (Ida, mother, fifties)

Similarly, Ophelia talks about how her family feared retaliation from her brother's old associates following his arrest:

You can Google, my brother and our town. You'll see our address, and you'll see, like, streams of people that, like, threatened to kill me. Like, threatened to kill my parents. Like, because they had our address. And this punk kid ripped them off. So, like, here we are, like, in the middle of nowhere. I'm starting, like, a Nursing career, so I'm working a lot of nights. My parents both work. We needed to get a security system. Like, it got to a point where, like, my parents didn't feel comfortable leaving me, like, on nights, like, especially on the weekends and stuff like that. Like, he just didn't think of, like, he didn't think of the ramifications, right? But, they never do. But, at the same time, that was, like, how stupid can you be? But, like, you've left your family with – To clean up your mess. Yeah. And, like, left us potentially in danger. Yeah. Like, it was really just – It was awful. [...] Yeah. It was, it was really scary, yeah. Like, look outside, and you make sure that, like, no one was there before you, like, go to your car. Like, yeah. Like, even things like that. Like, now we still have the security system just because we have now forever. But, it's just, like, weird to think that we'd have to, right? And, it was just because of everything that he did. So, it was scary. (Ophelia, sister, thirties)

Conversely, Kaley spent most of her childhood fearing her father rather than the ramifications of his criminalization:

So, yeah, no, I haven't seen him in twelve years. The last time I was, like, eleven or twelve. And, he actually overdosed in June and passed away, um which, like, has been really intense to deal with. But, and, actually, that's, like, something that I'm experiencing now is, like, just an insane amount of, like, guilt for not having reached out any point. And just feeling confused about why I lived with, like, such a deep, like, fear of him for so long and I feel like it wasn't really until he died that

I really understood, like, how human he was if that makes sense. Like, it just seems absurd to me that, like, despite years of him, like, trying to reach out via Facebook or whatever it was, that I just felt so scared of him. Like, I was scared to literally send a Facebook message because I feel like, of everything that I was told about who he was by other people for so long, I just, I saw him as something that wasn't human. (Kaley, daughter, post-secondary student)

Participants' fears for their safety eventually create relational strain with their criminalized loved ones, as participants' accounts highlight the anger and frustration associated with these fears. In some cases, participants avoided seeing or housing their criminalized loved ones out of fear for their safety. This avoidance sometimes then evoked feelings of guilt, as in Kaley's experience following her father's death. Boss' (1999, 2006) discusses the importance of setting boundaries with absent loved ones whose potential for return threatens the family's sense of normalcy; however, participants' absent relatives' involvement in criminal activities poses a more complex dilemma. How can participants set boundaries to protect themselves in the context of criminalization? Criminality and criminal justice intervention as disruptive events present unique circumstances in that the actions of participants' justice-involved relatives have a multitude of unforeseeable consequences for their family members. Unlike those who become psychologically absent as a result of Alzheimer's disease, participants' justice-involved relatives are often tied to external actors. The theory of Ambiguous Loss (Boss, 1999, 2006) does not account for the complex realities of participants in this regard.

Criminal justice system intervention creates an environment wherein family members are unable to cope with stress. Although family members experience stress subjectively (Anisman, 2015; Scott, 2015), participants' accounts show that the stress of criminal justice intervention strains their resources and emotions in very similar ways. Criminal justice intervention acts as such an insurmountable stressor because it forces family members to accept that they have no control over their own lives if they wish to maintain relationships with their criminalized relatives. Given

that a stressor's level of uncontrollability often determines its severity, we must explore the aspects of criminal justice intervention that facilitate such ambiguity.

4.4.4. “The scars never heal”: Stuck in a permanent state of crisis.

When dealing with a criminalized family member, participants are often left waiting for the next crisis to occur, regardless of how much time has passed since the last incident (i.e. crime, relapse, parole violation, arrest, overdose, mental health crisis, etc.). It is important to note that the majority of these crises result from the criminalized relative's actions and not justice intervention itself; however, the justice system offers no support or consideration for participants' families as it repeatedly intervenes in the lives of family members. As Boss (2006, 2010) explains, ambiguous loss is a “crisis staircase,” whereby family members only encounter short periods of calm stability before they are faced with a new crisis, particularly when a loved one is psychologically absent and physically present. All but one participant in this study described multiple crises involving their criminalized family member. There was no singular event resulting in lasting psychological and relational impacts, but rather a myriad of occurrences varying in perceived seriousness that led to family members' hyper-vigilance, which impeded them from processing the loss of their criminalized relative and moving on with their lives.

The ambiguous loss of one relative can happen over several events and continue for long periods – even throughout a lifetime. The “diagnosis,” or initial contact with the justice system, is often just the “first of many shocks” to the family unit (Boss, 2010, p. 139). In some instances, the triggering point is initial justice system contact or arrest; however, some participants experienced this initial shock prior to justice intervention as their relatives' mental health began to deteriorate prior to criminalization. Felicity's son was heavily involved in the mental health system throughout his youth, as he struggled with what they believed to be Obsessive Compulsive Disorder for many

years, which led to a marked change in his behaviour during adolescence. Felicity describes her shock and disbelief as her life with her son began to unravel:

And it happened. He was about sixteen/seventeen, and so what he would – You know how most teenagers are messy in their rooms. Go into some rooms, oh, my eyes! But, one day I went in, and he was, was – The room was spic and span, and I'll never forget. I was just taken aback. There were no clothes on the chairs. Everything was put back. And, that was when this illness kicked in. This obsessive/compulsive. He was always a very good A's and B's always as a student he was trying to get over 85% to get an award at the end of the year. All of a sudden, he stopped going to school. But he didn't stay home. He would go to school, but he would hide in the library. And, then, two weeks later the school calls me and says, "Where is your son? Why isn't he coming to school?" That was another, you know, like, the ground sort of moved from under our feet. We said, "What are you talking about? He's going to school diligently every day." (Felicity, mother, retiree)

Felicity's son's criminality was intimately tied to his mental health decline; as such, his arrest was only one event in a cascade of crises, and the justice system's intervention only exacerbated his mental health issues.

Family members in this study find themselves waiting for justice actors to come barging into their lives as a consequence of their loved one's actions. Ida describes the time she spends waiting for the worst to occur due to her son's criminal justice involvement:

...every single day at least four times a day, I go to the newspaper and look and see if something's happened to him. Every day I do that. At home at night, I'll hear a car door slam, I look out my window 'cause I think it's the police pulling up. That's how it is; that's how I live my life. [...] So things aren't gonna change now, but I've resigned myself to that. I just wait for the phone call, you know. (Ida, mother, fifties)

Regardless of how much time has passed since the last crisis, it is always possible that the justice system will intervene again. As such, family members in this study are held in suspense with the knowledge that they have no control over their loved one's actions or the justice system's response, nor does the justice system offer any support to families. When the family is suspended in crisis, they are unable to plan for the future. Participants' lack of closure and inability to move on is

perceived “as personal weakness and failure to see reality” by Western mastery culture (Boss, 2008, p. 20), which exacerbates relatives’ feelings of guilt, self-blame and negative role re-evaluation. Further, the family in crisis is unable to reorganize and reconcile roles within the family unit to reflect their criminalized member’s absence, which impacts family functioning (Boss, 1999).

As a source of disruption⁹⁵, criminal justice system intervention has filled participants’ lives with uncertainty and stress. The stress of criminal justice intervention has strained participating family members’ money, time, space and emotions to the extent that these resources have become depleted. The majority of family members in this study have found themselves stuck in a permanent state of crisis, armed with exhausted resources and vulnerable to the lasting effects of justice intervention on their family relationships.

4.5. When the Family Falls Apart: The Consequences of Prolonged Stress and Ambiguity

In the wake of criminal justice system intervention, participants’ relationships with criminalized relatives are uniquely characterized by loss and grief. Most participants described their relatives’ criminalization as akin to the death of a loved one, even though their family members were still very much alive. Participants’ inability to control their loved one’s behaviour or the criminal justice system’s response increases the uncertainty of criminalization and amplifies feelings of loss. This loss leads family members in this study to exercise various coping mechanisms to gain some semblance of control over their own lives and deal with the loss of their criminalized relatives. These feelings of loss and resulting coping mechanisms then reconfigure participants’ psychological families and impact their perceptions of relationships between nuclear family members.

⁹⁵ See Benyaker et al., 2016.

4.5.1. “It was like mourning a loss”: Maintaining relationships with criminalized relatives.

Criminal justice involvement constitutes a “catastrophic and unexpected situation” (Boss, 2006, p. 9) whereby participants’ criminalized relatives are made both psychologically and physically absent. The psychological loss of participants’ criminalized relatives may have occurred before or alongside justice intervention, as a result of addiction or mental illness. This aspect of concurrent “disorders”⁹⁶ is integral to understanding the ambiguous loss that occurs as a result of criminalization because it is so often impossible to separate criminality from addiction and mental health. Ophelia describes her brother’s psychological absence due to addiction, which occurred simultaneously to his justice involvement as a teenager:

But we were like, close. And then like one day he just wasn’t there. And like, he was, but he was just, like stoned on the couch or like, you know, looking for the next fix and I don’t know. It was pretty terrible, god. And it was like he wasn’t there. Like he had died, almost. Just wasn’t there. (Ophelia, sister, thirties).

In many cases, criminal justice intervention has exacerbated psychological loss and facilitated physical loss as participants’ family members were often detained and separated from their relatives. In Ophelia’s case, her brother was also physically separated from her family when he was remanded to juvenile detention following arrest.

Participants explained that the grief they have experienced, and continue to experience, was in many ways worse than death due to the lack of finality. Ida explains that although she lost her son to the justice system and his addiction years ago, she is still experiencing that loss every day and cannot move on with her life:

He’s my son; I love him- you can’t not love your kid, right? Um, but, yeah, it’s- it gets to be pretty embarrassing after a while, it’s just very tired of, yeah... You know I know people go through probably far worse things, you know when your child

⁹⁶ I use the word “disorders” in quotations as I conceptualize criminalization as a disorder or diagnosis like those related to addiction and mental health.

kills somebody or, something like that and you gotta live with that for the rest of your life, right? But in a lot of ways, it would have been a whole lot better if my son had, maybe himself been killed when he was young than the life he's led for the past twenty years. [...] You know, at least when somebody passes away, ah, you move on some way, and it's- it's over. It's never over this way; it's waiting for the next big thing to happen, you know? (Ida, mother, fifties)

Whereas death may leave one with a sense of permanence, participants perceive that criminalization tends to leave more questions than answers⁹⁷. For participants, the loss of a relative who is still psychologically or physically present has been confusing to process and manage. This is perhaps due to the hope participants' have experienced for their criminalized relatives' "returns" and the countless periods of "remission" that many participants have endured with their justice-involved family members. The rollercoaster of emotions, of hope and hopelessness often leads to emotional ambivalence (Boss, 1999). Boss (1999) asserts that prolonged periods of crisis and the intense mixed emotions that often accompany them are likely to result in family members wishing to end the feelings of loss and mourning. Participants' desires for the death of their justice-involved loved ones may thus be understood as such.

As previously discussed, conflict often arises within the family when family members maintain the psychological presence of an absent relative (Boss, 1999). When relatives hold different perceptions of the psychological family and those belonging to it, loss becomes very difficult to process; without consensus, there is little verification that a loss has occurred, particularly when the absent family member is still alive (Boss, 1999, 2006, 2010). Kaley explains that as a child, it was difficult for her to process the loss of her father, who was estranged from her family and in and out of jail at the time:

⁹⁷ This is not to say that death does not evoke many questions and always results in closure, as it often does not. Participants in this study have distinguished the "moving on" process after justice involvement and corresponding factors such as addiction and mental health from the aftermath of a physical death in this way. Their own experiences and views on the matter should not be attributed to a generalized experience of death or absence.

I think it was just, like, really confusing as a kid too, or as a teenager, to try and make sense of, like, why I had to mourn the loss of my dad who was still technically alive. Like, that's really, I think what it felt like. (Kaley, daughter, post-secondary student)

Kaley's father was psychologically and physically absent due to his drug addiction, a transient lifestyle and frequent arrests, leading to her complete estrangement from him. She explains that she continued to struggle with feelings of grief while maintaining a no-contact policy because she feared for her safety and her relatives had excluded her father from their psychological family.

Similarly, Ida describes the loss of her son to the carceral system:

But I will tell ya, at the end of the day, every single person who's dealing with anybody who's been incarcerated is dealing with a- a loss... [crying] But yeah, so, I know that everybody feels that. You know, I only had one child... [crying]. And unfortunately, I lost him a long time ago... [crying] (Ida, mother, fifties)

Ida speaks about her son's incarceration as if it has resulted in a permanent loss, though he has since been released and is still very much alive. Though Ida and Kaley occupy opposing roles within the family (parent vs. child), both accounts reveal the loss of traditional parent-child relationships. Further, that when participants experienced loss as a result of addiction, mental illness and justice intervention, their criminalized loved ones were stripped of their former role identities – no longer a father or a son, but lost to their respective relatives.

The dissolution of participants' perceived relationships with their criminalized relatives is thus two-fold: the psychological and physical loss of criminalized relatives as a result of addiction, mental illness and criminal justice involvement, and the harm resulting from the criminalized relatives' actions. As such, participants struggle to maintain relationships with their criminalized relatives who have often become strangers, but who continue to occupy a central role in the family. The maintenance of these relationships then causes family members in this study to adopt various coping mechanisms to deal with their justice-involved and non-justice involved relatives.

4.5.2. Coping with ambiguous loss and unvalidated grief.

Participants' feelings of ambiguous loss seem to eventually evolve into a pressing need to move on, regardless of relational consequences, particularly as criminalized relatives spend more time in the justice system. The need to self-detach is unsurprising, given that people typically have a low tolerance for high levels of ambiguity, particularly over long periods (Boss, 1999, p. 50). Participants' experiences show that as family members, they can only occupy secondary roles in their own lives and cope with a sense of lack of control for so long before the desire to remove themselves from the situation takes over. This is particularly true given the compounded impacts of financial, spatial and relational strain. As such, many participants expressed their desire to no longer be involved with their criminalized and to assert control over their lives.

Human beings do not operate well over prolonged periods of high ambiguity and distress, as the stress of being out of control for long periods is often too much for them (Boss, 1999, p. 50). In their hunger for clarity, family members often experience significant ambivalence as "...[they] both cling to [their] loved ones and push them away. [They] resist their leaving and at the same time want to be finished with the goodbye" (Boss, 1999, p. 63). In a culture so obsessed with mastery and closure, the family often feels pressured to move on and return to their previous standards of productivity, unburdened by loss and no longer waiting for crises. Ida explains that it would be easier for her and her family if her son were dead:

But, it's-it's hard to sit down and admit to somebody that at this point in time, I think I- I'd be happier if my son passed away... because it's not only me, it's the kids that are finding it more and more difficult; it's- it's so unfair for the kids to have to grow up like that. (Ida, mother, retiree)

Adrianne cuts her relationship off with her father to cope with the physical loss:

On the phone once- like near the end of the conversation on the phone is usually when he'd typically start getting more emotional so that was kind of hard to hear 'cause it's like, I mean I would hang up and then feel bad about it for like 30 minutes

and then go back to my life. So I think a lot of it was mostly because he wasn't really there and I like I could leave and just go back home. Gradually I stopped talking to him just 'cause it was, it was easier I will admit it. When you don't have someone in your life, you can just get used to not having them there. (Adrianne, daughter, post-secondary student)

Instead of maintaining hope that her father would return as the man he was before his justice involvement, Adrianne found it easier to shut the relationship down completely, consciously “acting as if [her father] is completely gone” (Boss, 1999, p. 7). Similarly, Kaley estranged herself from her father when his addiction led to his imprisonment:

And, so I think it was easy for me to then accept, like that idea of him as like, the bad guy or just somebody that I wasn't to - like somebody that I wasn't to have a relationship with because I didn't recognize how he was acting, like when he was high. So I was like, okay, that must be like I don't know, they must be right in saying that, like, he deserves to be put away. So yeah, I guess around that time, I kind of just went with what the rest of my family was doing and just kind of estranged myself from him. (Kaley, daughter, post-secondary student)

Participant who experienced the criminalization of a loved one often cope in absolutes in response to their feelings of ambiguous loss, as they wish for their relative's death and/or carry on with their lives as if their loved one is truly gone.

Participants who have lost their relatives to criminalization have rarely, if ever, been provided the space and/or validation to grieve⁹⁸. The ambiguity of criminalization has reinforced participants' devastation as the loss is unclear and even indeterminant. Unlike instances of traditional loss,

...there is no official or community verification that anything is lost [in the context of criminalization] – no death certificate, no wake or sitting shiva, no funeral, no body, nothing to bury. The uncertainty makes ambiguous loss the most distressful of all losses... (Boss, 1999, p. 6)

⁹⁸ See Boss, 1999, 2006.

Boss (1999, 2006, 2010) describes the lack of community-provided support, validation, and rituals in response to ambiguous loss. Conversely, participants described feeling as though their family members did not acknowledge or support their feelings of loss, rather than their communities.

Communication between family members is essential when managing stress, according to Boss' (1999) family stress perspective. If relatives are to be on the same page, particularly in highly ambiguous situations, information must be shared between them. In the wake of justice intervention, participants perceived that their family members' lack of communication with each other impeded their acceptance and validation of loss. Participants' accounts show that when their family members disagree about who belongs in the psychological family, information sharing and support between relatives is less likely to occur. For example, Kaley explains that her family only talked about her father in ways that demonized his addiction and criminalization, as they had effectively disowned him from the family. This perceived lack of communication then reinforced Kaley's feelings of shame and secrecy, thereby impeding her ability to cope with the loss of her father:

When I was younger, definitely just shame. Like, I really didn't want anyone to know [about my father]. It was like, my best-kept secret, and only those who got, like really close to me, would be let in on, like, my deep dark secret. (Kaley, daughter, post-secondary student)

Kaley's avenues for support were limited because she kept her father's criminalization a secret from many of her friends. As per participants accounts, when most family members estrange themselves from the criminalized member, that member's belonging within the psychological family is questioned. This ambivalence is not only internally distressing for participants, but also prevents communication between relatives and limits participants' families' ability to acknowledge and cope with the loss together⁹⁹.

⁹⁹ See Boss, 1999, 2006.

Participants' felt that their non-criminalized family members employed various coping mechanisms, such as implicitly disowning or cutting off contact with the justice-involved relative, to deal with the stress of justice intervention. These coping mechanisms may have inadvertently impeded participants' family members from validating participants feelings of loss. For instance, Janet's father's conviction for the death of her brother, Janet felt as though her parents coped with the incident by refusing to discuss it:

I could have used some support... I didn't get any support, ever. Nobody ever talked to me about it. It just got swept under the rug... very, very bizarre. [...] I got a very clear and resounding message from my parents that this was shameful... guilt-ridden... must be hidden. (Janet, daughter, retiree)

Similarly, Felicity describes her eldest daughter's coping mechanisms, which she feels have impeded communication between mother and daughter:

My older daughter lives in Vancouver, and she has effectively cut herself off, so she never asks me how are things. But, privately, she does communicate with him when he has reached out to her, and she writes back to him, but I think that's getting more and more infrequent because she has a young son and so she is trying to, you know, raise him and do her work. And, so, she protects herself from – She has very low threshold for, you know, being traumatized over and over again. (Felicity, mother, retiree)

When a loss is not validated by those closest to us, it becomes almost impossible to acknowledge and process that loss internally (Boss, 1999, 2006, 2010). Without permission, acknowledgement and support from other family members and the larger community, participants struggle to maintain relationships with their criminalized family members and navigate relationships with their non-criminalized family members. These challenges, coupled with participants perceptions of their relatives' coping mechanisms in response to the stress of criminal justice intervention and loss of justice-involved family members, reconfigure participants' nuclear family.

4.5.3. Reconfiguring the psychological family in the wake of ambiguous loss.

Despite feelings of ambiguous loss, participants choose to maintain relationships with their justice-involved relatives. In doing so, these family members implicitly allow their lives to revolve around their justice-involved relatives. The relationship mapping during this study's data analysis stage revealed that participants recounted increased interactions between family members during their relatives' criminalization than before justice intervention occurred. Participants perceived most of these interactions as conflictual, which suggests that criminalization is a major source of relational strain within participants' nuclear families. This is because not all of participants' family members share the same willingness to take a backseat in their own lives to support their criminalized relatives. This lack of consensus is better understood when we consider that family members often also disagree about who belongs to the psychological family (Boss, 1999). The result is a dysfunctional reconfiguration of participants family units, which leads to conflictual relationships between non-criminalized family members and extend beyond the nuclear family.

Participants perceived that family members who are not willing to take on secondary roles to support their justice-involved relatives often feel as though their relatives who have taken on those roles have also neglected their needs. Parent-child relationships are strained as siblings of criminalized individuals may feel as though their parents no longer care about them or are not spending enough time with them. This may occur because their parents' resources are strained in response to their child's justice involvement. Felicity describes the challenges she still faces as she attempts to parent her criminalized and non-criminalized adult children:

Yeah well, I find it very difficult straddling these roles as a mother to a son who has committed murder and my other two daughters who are facing -- Who have their own, you know, life's challenges with them. And my younger daughter has lashed out a couple of times to me, saying that I'm spending too much time. Like I only care about him and not about her and things like that. That has, you know, strained the relationship. (Felicity, mother, retiree)

Similarly, Ophelia discusses her parents' marital tension during her brother's criminalization:

The rides to the juvenile detention centre would be like, silent. I'd just be sitting in the back, like, listening to music and there wouldn't be any talking up front. And, my dad didn't really want to go visit him, but my mom was like, "No, like we really need to show him that, like, we're still there for him. Like I refuse to lose him to the system." And my dad was like, "I don't understand. Like, he made his choice. He made his bed. He probably just needs to lay in it." (Ophelia, sister, thirties)

When participants' family members disagree about the roles they should take in relation to their justice-involved relatives, some family members may not understand how other family members can maintain relationships with criminalized relatives. Tara describes the conflict she has experience with her sister and niece due to her inability to distance herself from her son:

And the sad thing too is because like, because my family knew – my sister knew all that I'd been through with my son over the years, like, there's not a lot of compassion towards him. [...] Or even my niece, I remember her saying, "Well, maybe you should just let him go." I'd say, "I can't. He's the only child I ever had." (Tara, mother, retiree)

While some participants remain inextricably tied to their criminalized relative, they feel as though the rest of their family moves on. Overall, participants experienced competing family expectations and views about the psychological family's makeup following the criminal justice system's intervention. These conflicts ultimately led to conflict in relationships between non-criminalized relatives; however, some families were able to reconfigure themselves in ways which strengthened certain relationships.

In some instances, participants explained that criminal justice intervention facilitated increased contact between relatives who were previously distant from one another. While increased contact does not guarantee the strengthening of relationships, a handful of participants described becoming closer with certain members of their nuclear family as a result. The mapping of relationships showed that those relatives who developed stronger relationships with one another

following justice intervention were relatively close prior to criminalization within the family. For instance, Adrienne speaks about the strengthening of her relationship with her brother following her father's imprisonment:

In Grade- if you had told me I would have had this close of a relationship with my brother to my Grade 12 self, I would tell you that you're insane 'cause he would bully me and make my life hell. I hated him! I remembered saying this to him after it happened, I was like, "well at least we have an excuse to be close." And he was like, "well, I mean, this won't really-" I don't remember quite what he said, but he was like, "this wouldn't have been the reason why we were close." Like I think just, in general, we were kind of moving like once he was in Grade 12, we were already kind of building a more solid relationship. (Adrienne, daughter, post-secondary student)

Throughout the interview, Adrienne often described the similarities she shares with her brother and the ways in which she has always felt more connected to her brother as opposed to her sister. Interestingly, her relationship with her brother grew closer in the aftermath of criminal justice intervention, while her relationship with her sister has suffered.

Similarly, Dorothy's marriage was strengthened by the support her husband provided to her during their son's criminal justice involvement; however, Dorothy's account also showed that her husband had generally been supportive before their son's criminalization despite their differences in parenting styles.

My husband and I are just like our kids, complete opposites, and his first reaction would have been, you know, "Let him figure it out," you know? "He's done this to himself." But then, I guess good enough is that he knows how important not to go there is to me. And that would have broken us up for sure. I certainly have a line in the sand, and if it's choosing between my husband and my son, my husband's an adult. And, my son is too, but, um you know, not as much life experience behind him. So, I say that, like that, and that may not sound very nice and maybe things would have turned out different had my husband abandoned my son and forced me into trying not to - But, he didn't. Just like when my son was a teenager, he came to me one time and said, "Dorothy, I don't know what to do, and I know that - We don't know what to do either, but I'm willing to just follow your lead." And that's what he did this time too. (Dorothy, mother, retiree)

Ida has also received increased support from her husband in response to her son's continuous criminal justice involvement:

Uh, he's very, very supportive; however, he does not like anybody upsetting me. At all. And so, you know, he'll agree with whatever I do, and try and be supportive whatever I decide, but it makes him very upset when somebody upsets me. Um, but at the end of the day you know, I just say to him, "You know what, that's not what you're going through with your kids, it's very different. You haven't had to go through this, and you know, I have to do things the way I feel I need to do them, and I just would like you to be supportive, you needn't say anything." You know, uh, he knows that if I'm upset about something, um, this is why you're lucky you're getting to talk to me because typically I don't talk to people when I get upset. So, he knows that if I'm upset, then I don't wanna talk because I don't like to cry. So, uh, and he'll say to me, "Well, you know, I want you to be able to share if you want." I'm like, "I don't wanna share. I just want you to leave me alone right now, and I'll be fine." So, he knows, he just lets me deal with it. [...] So, he does, but, you know, at the end of the day, he always says to me, "You know what, I'll support you with whatever you need." So, he's good about that. (Ida, mother, fifties)

Both Dorothy and Ida's marital relationships have strengthened despite conflict and challenges resulting from their sons' justice involvement. It is important to note that although participants became closer to certain family members in the wake of criminal justice intervention, the "relationship lines" in their pre-criminalization maps were mainly nurturing as opposed to conflictual¹⁰⁰.

4.6. Conclusion

The effects of individual instances of criminalization ripple far beyond the "offender," issues of reintegration and even the effects of incarceration on family intimacy. Criminal justice intervention acts as a disruptive event that turns a family's known environment into a threatening one¹⁰¹. With little to no warning, participants' lives are turned upside down and they can no longer

¹⁰⁰ This study is limited by the lack of qualitative data specific to families' lives prior to criminalization, as given the non-directive nature of the interviews, some participants chose to speak at length about their lives prior to criminal justice involvement while others chose to focus the majority of the interview on the height of their loved one's criminalization and the present. Further, some participants' relatives were criminalized from the time they were very young or prior to their birth, which means there were never any "prior to criminalization" maps corresponding to their interviews.

¹⁰¹ See Benyaker et al., 2016.

anticipate or prevent threats to their family units¹⁰². Criminal justice intervention then evokes a multitude of stressful events, which impact participants' nuclear family relationships in ways that are subjectively experienced by individual family members. Though each participant's experience is unique in itself, they each describe the criminalization of their immediate family members in terms of loss, whether explicitly or implicitly. The literature on parents of criminalized youth asserts that parents are often legally mandated to take responsibility for their children's offences, particularly in the United States and United Kingdom¹⁰³. Conversely, participant accounts reveal that family members take on moral and legal responsibilities for their justice-involved relatives. These responsibilities shape family responses to disruptive events and may exacerbate feelings of loss, particularly in a mastery-oriented culture¹⁰⁴.

In contrast to Boss' (1999, 2006) assertions, participants do not experience role and identity freeze in the face of ambiguity, but will often take on additional roles within the family. Participants also experience role-identity re-evaluations, particularly if they have taken responsibility for their criminalized family members' consequences. Following justice intervention, loss and grief characterize the relationships of participants who maintain their criminalized family member's place in their psychological family. As participants attempt to cope with the loss, they sometimes feel as though they lack support from their other non-criminalized relatives; however, many participants also report the strengthening of relationships and continuous or increasing support from their relatives, particularly between married couples. Suspended in a state of uncertainty with exhausted resources, family members in this study who choose to

¹⁰² See Benyaker et al., 2016.

¹⁰³ See Cernkovich & Giordano, 1987; Cook & Gordon, 2012; Cook, 2013; Hil, 1998; Holt, 2009a; Laub & Sampson, 1988; Shaffner, 1997.

¹⁰⁴ See Boss, 1999, 2006.

maintain relationships with their criminalized relatives experience lasting emotional and relational effects of ambiguous loss in the wake of justice intervention.

The disrupting experience of criminalization on participants is not one that should be overlooked or discussed lightly, as the ramifications may be severe given that the impacts of ambiguous loss have the potential to last a lifetime regardless of individual efforts to cope (Boss, 1999, 2010)¹⁰⁵. Should academia and policymakers continue to maintain a vested interest in the “offender,” it must be of equal importance to study the relational effects of criminalization on the family.

¹⁰⁵ It should be noted that individuals and their family members may not experience criminal justice intervention as negative or as ambiguous loss. Individuals may subjectively experience disruptive events such as criminal justice intervention as positive; however, the overarching similarities between participants experiences suggest that justice intervention as a disruptive event was largely experienced as stressful and emotionally distressing.

Conclusion

Overview

The criminological literature has discussed various negative impacts of criminal justice intervention on family members of criminalized populations; however, rarely has the literature examined the subjective experiences of individual family members and the ways in which they perceive the implications of justice system intervention on their nuclear families. This thesis began by looking at the ways in which participants' experienced their nuclear family members' justice involvement. Criminal justice intervention acts as a disruptive event in participants lives, which transforms their known realities into uncertain environments and threatens their psychological families¹⁰⁶. The research found three main consequences of criminal justice intervention that alter the dynamics of the nuclear family: self-imposed responsibility, stress and strain, and loss.

Participants became supporting characters in their own lives in the aftermath of their relatives' criminalization. Participants' criminalized relatives and the criminal justice system were making all the decisions, causing participants to experience a sense of lack of control. Under these circumstances, participants cannot predict how the main characters¹⁰⁷ will act, but they must live with the consequences of those characters' decisions. It is important to acknowledge that while relatives of criminalized individuals in this study have control over their actions, they act in response to the main characters' life events. Given that participants can never foresee or control their justice-involved relatives' actions or the criminal justice system's processes, they become stuck in reaction mode and are unable to plan. Addiction and mental health are intimately tied to criminalization, and as family members, participants must constantly incorporate multiple health

¹⁰⁶ See Benyaker et al., 2016.

¹⁰⁷ The main characters are the criminalized relative and the criminal justice system.

and justice actors¹⁰⁸ into their lives. This furthers the stress of criminal justice intervention and the strain it places upon family resources and relationships.

Maintaining relationships with justice-involved relatives requires participants to accept being sidelined in their own lives, which affects their roles within their families. In contrast to the literature's findings, family members in this study were not legally required to take responsibility for their criminalized relatives. Instead, interviewees chose to maintain these relationships out of moral responsibility and, in some cases, chose to take on legal responsibilities for their justice-involved relatives.

When most family members accept these altered dynamics and commit to taking on secondary roles, the family unit can shift and maintain itself. Conversely, as seen in many participants' interviews, if not enough family members are willing to take on these secondary roles, the family structure cannot maintain itself in the same way as it did before. The family member who is maintaining the secondary role is then isolated from the rest of the family and the longer they maintain this role without the support of their relatives, the more the added responsibilities, stress and strain, and loss add up.

Even those who accept their secondary roles will often reach a breaking point. With strained resources, varying degrees of familial support and conflict, and the high levels of uncertainty that accompany criminal justice processes, participants are faced with lasting emotional and relational consequences of disruption to their family units.

¹⁰⁸ Health and justice actors include, but are not limited to: doctors, psychologists and psychiatrists, counsellors, community mental health and addiction organizations, lawyers, judges, correctional personnel, parole and probation officers, and police officers.

Empirical and Theoretical Contributions and Limitations

This thesis contributes to the criminological and health fields by creating a dialogue between two literatures that typically do not speak to one another, despite the interconnectedness between health, including mental health, addiction and criminalization. Academic discourses have focused on the family as a tool to promote “offender” reintegration and rehabilitation, but family members’ subjective experiences of criminal justice intervention are rarely studied. Further, both criminological and health literatures have largely looked at bi-directional parent-child relationships. In contrast, this study continues to expand the family as a population of study by looking at sibling perspectives. It is important to note that while this research project expands the scope of academic studies on families, it is limited by virtue of its small sample size and the small number of siblings who chose to participate. Further, I have worked with a limited concept of the nuclear family, including only biologically related parents and children. Many marginalized populations have “chosen families” rather than traditional nuclear families, and as such, these groups are still being excluded.

This study also broadens the scope of both fields of research on family members by looking at the impacts of criminal justice intervention on the nuclear family beyond the limited context of incarceration. Even in cases where participants’ criminalized relatives were incarcerated, participants’ experiences before their family members’ imprisonment were explored and analyzed. Conversely, this study is limited by virtue of the participant population, which was comprised of family members who maintained relationships with their criminalized relatives. Further, participants also accepted secondary roles in relation to their criminalized relatives. The impacts of criminal justice intervention may differ for those who refuse to maintain relationships with their criminalized relatives and maintain primary roles in their own lives. This presents an opportunity

for future research – how do families operate when all members have effectively cut off contact with their justice-involved relatives?

Theoretically, this thesis contributes to Boss' (1999, 2006, 2010) theory of Ambiguous Loss by applying it to the broader context of criminal justice intervention, given that it has most often been applied to children of incarcerated parents¹⁰⁹ in the context of criminalization. This thesis has explored the ways in which family members' internalized sense of moral responsibility shapes their responses to the stress of criminalization. The theory of Ambiguous Loss (Boss 1999, 2006) overlooks the conflict between family members' moral responsibilities and legal roles and obligations towards their absent relatives, which is very apparent in participants' lives. Additionally, Boss' (1999, 2006) fails to consider the risks associated with maintaining relationships with "absent" relatives¹¹⁰, some of which may be unique to the context of criminal justice intervention. It is important to consider these risks and the impacts they may have on family members' sense of moral obligation towards their absent relatives, as well as their experience of ambiguous loss.

While Boss (1999) provides a comprehensive analysis of the Western culture of mastery and the ways in which it drives family members' provision of care for their absent relatives, familial obligation appears often overlooked as a contributing factor to individual and relational strain as a result of ambiguous loss. It is important to note that this theory is limited in terms of how it conceptualizes stress and strain. I struggled to use these concepts as part of the theory of Ambiguous Loss to conduct an in-depth analysis of participants' experiences on the subject, and thus further/external research was required. Additional empirical studies and theoretical conceptualization are needed to develop the concepts of stress and strain further as they relate to

¹⁰⁹ See Arditti, 2012; Bockneck et al., 2009; Hardy, 2018; Knudsen, 2016; Pataky & Parent, 2018.

¹¹⁰ Such risks include personal safety risks and risk of legal ramifications for family members.

ambiguous loss – a task that was outside of the reasonable scope of this Master’s thesis. Despite these theoretical limitations, this thesis has contributed to Boss’ (1999, 2006) theory of Ambiguous Loss by exploring how material, spatial, emotional and relational strain impact the family’s ability to cope with and support each other during the stress of criminalization and resulting ambiguous loss of the criminalized relative.

This theory also poses some ethical and conceptual difficulties for researchers who seek to employ it as an analytical tool as it relies heavily on a vaguely defined concept of trauma. While clinicians have the ability to work through clients’ experiences with them to identify instances of trauma and develop individual treatment plans, it is problematic for researchers to impose trauma on participants’ experiences when they have not explicitly identified them as such. Assuming that participants’ have been traumatized as a result of justice intervention has the potential to pathologize their experiences and victimize those who may not have considered themselves victims. For this reason, I did not employ Boss’ (1999, 2006) assertions regarding trauma to analyze participants’ experiences, but chose to refer to the consequences of ambiguous loss as lasting emotional and relational impacts. These consequences should only be subjectively identified as trauma by the individual who has experienced the disruption, and not assumed by the researcher who has limited access to their lives (Benyaker et al., 2016).

Finally, this thesis demonstrates the complex realities of family members in the unique context of criminal justice intervention. As a disruptive event, criminal justice intervention threatens participants’ sense of normalcy. While many participants experienced the ambiguous loss of their criminalized relatives, they also experienced a loss of self-identity and role re-evaluation while grappling with irreconcilable changes to their psychological families following

criminal justice intervention. These impacts on the self are integral to understanding the prolonged impacts of psychologically and/or physically losing a relative on the individual.

Future Research Considerations

While its small sample size is limiting, this study provides significant insights into the nuclear family's experience of criminalization and justifies further inquiry, particularly regarding siblings of criminalized individuals. It would also be beneficial to focus recruitment of such studies on male relatives of justice-involved individuals, as only women chose to participate in this study and ethical considerations prohibited me from targeted recruitment methods. This thesis used a limited concept of the nuclear family. As such, further research is required to include populations whose psychological nuclear family is comprised of extended family members such as grandparents, aunts and uncles, cousins, etc. and non-biological relatives or friends. Further, this research is biased by the Western context in which it was conducted. It would be beneficial to study families in non-Western societies to understand their experiences of criminal justice intervention and to develop comparative studies with their Western counterparts to see what they might offer each other.

This research project also only looked at the impact of criminal justice system intervention on families from the perspectives of individual family members due to ethical recruitment limitations. As such, further research should interview multiple members from the same families to capture a deeper understanding of family members' shared and/or contrasting experiences from their own viewpoints.

While this thesis did not delve into the topic of family resilience in the context of criminalization, more research is needed to develop a better understanding of the prolonged effects of ambiguous loss in terms of family resilience, rather than the negative impacts (Boss, 2006).

This possibility for resilience despite ambiguous loss may be helpful to understand how some participants have managed to separate themselves from their criminalized loved one in a way that denies responsibility for consequences outside of their control, while maintaining compassion and hope for the future.

Finally, this thesis could be useful to frontline practitioners working with families of criminalized populations as a basis for understanding their experiences and developing support programs for them.

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Appendix A

WE NEED YOUR POINT OF VIEW

Have your relatives had experience with the criminal justice system?

Are you 18 years old and over?

Would you be willing to share your experience in a confidential & anonymous way to help make change happen for the better?

ARE YOU A FAMILY AFFECTED BY THE CRIMINALIZATION OF A LOVED ONE?

Researchers from the University of Ottawa are conducting research on identifying issues and challenges faced by those who have a family member involved with the Canadian Criminal Justice System. (Arrest, diversion, sentencing, incarceration, etc.)

We hope to inform future justice policies and various support services for families impacted. Your feedback is important.

IDENTIFY. INFORM. REFORM.

For more info or to express interest in participating in our research, please contact Sandra Lehalle by email: [REDACTED] or Drew Taylor : [REDACTED] phone: [REDACTED]. Confidentiality is assured.



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Social Sciences and Humanities
Research Council of Canada

Conseil de recherches en
sciences humaines du Canada

Canada

VOTRE OPINION EST IMPORTANTE

Est-ce que l'un de vos proches
a déjà été en contact avec
le système de justice pénale?

Êtes-vous âgé de 18 ans ou plus?

Désiriez-vous participer
à une entrevue entièrement
confidentielle et anonyme pour
partager vos expériences?

VOTRE FAMILLE EST-ELLE TOUCHÉE PAR LA CRIMINALISATION D'UN PROCHE?

Des chercheurs de L'Université d'Ottawa
conduisent actuellement une recherche visant à identifier les
difficultés et défis que rencontrent ceux qui ont un proche en
contact avec le système de justice pénale.
(incarcération, probation, sursis, etc.)

Notre recherche veut servir d'outil de sensibilisation
et d'orientation des politiques et services aux familles
concernées.

IDENTIFIER INFORMER REFORMER

Pour plus d'informations ou pour exprimer votre
intérêt à participer, veuillez contacter Sandra Lehalle
par courriel: [REDACTED]
ou Drew Taylor par courriel ou par téléphone:

[REDACTED], [REDACTED]
Confidentialité garantie.



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Faculté des sciences sociales
Faculty of Social Sciences

Département de criminologie
Department of Criminology

Appendix B

Letter of information

Title of the Study: The experiences of relatives of criminalized persons in Canada

Principal Investigator: Sandra Lehalle
Assistant Professor
Department of Criminology, Faculty of Social Sciences
University of Ottawa

Student Investigator: Drew Taylor
Graduate student in criminology
Department of Criminology, Faculty of Social Sciences
University of Ottawa

Invitation to Participate: You are invited to participate in the abovementioned research conducted by Sandra Lehalle.

Participation: To participate in this study, you must be age of majority in your province of residence, live in Canada and have a family tie with a person who is or has been in contact with the Canadian criminal justice system. Should you agree to participate in this study, you will be asked to take part in a two hours audio-recorded interview with either Sandra Lehalle, principal investigator of this research or Drew Taylor, student investigator. Our goal is to achieve 15 interviews with people living or having lived the experience of the criminalization of a loved one.

Purpose of the Study: Based on interviews, this research seeks to describe the diverse experiences of individuals who have family members in contact with the Canadian criminal justice system. It aims to facilitate and explore the voices of those directly concerned as means to better understand their experiences. Furthermore, this research intends to increase public awareness regarding the realities experienced as well as the issues and challenges faced by those who have a member of their family involved in the Canadian criminal justice system.

Benefits: Your participation in this research will give you the opportunity to express yourself on your experiences related to the criminalization of a family

member. Your testimony will be taken into consideration and could contribute to positive changes for inmates' families. For example, it might contribute to the development of social policies aiming to facilitate family ties following arrest and further justice involvement, allow support services tailored to the needs of relatives of criminalized individuals, raise awareness about the multiple realities of justice-involved families, etc. Finally, this study will improve scientific knowledge on the experiences of the relatives of criminalized persons in Canada.

Risks: There is a low risk that your participation in the research might lead to mild negative social repercussions. This risk will be minimized by respecting anonymity and confidentiality throughout the research process. You can decline to answer any question you don't feel comfortable with. You can also terminate the interview sessions and/or even withdraw from the research at any time. If you choose to withdraw from the study, researchers will ask you if you want the data collected so far to be stored or destroyed.

Confidentiality and Anonymity: The information you will share will remain strictly confidential and will only be used as part of this study. The principal investigator and her student investigator will be the only people who will have access to your information. Your answers during the interview could be used word for word on presentations and publications related to this study, without any mention of your name or any other information that could allow for your identification. We guarantee your anonymity since we will use pseudonyms for any individual mentioned during the interview. Locations or places mentioned will also be changed. These measures will be taken to protect your identity in all communications and publications disseminated from this research project.

Conservation of Data: The data will be stored securely in a locked filing cabinet and on computers protected by security software located in the office of the principal investigator. Note that this office remains locked at all times when the researcher or other members of the research team are not present. Regarding the data, they will be kept for a period of ten years after the end of data collection. The data retention period will begin on September 15th, 2016. Thereafter, they will be destroyed and/or deleted safely.

Voluntary Participation: As noted above, you are under no obligation to participate in this study. If you participate you can refuse to answer any question and/or cease interview and/or withdraw from the study altogether.

Study Results: Electronic versions of the publications, which will include the results of the study will be made available to participants upon request. Participants who wish to receive an electronic copy of the results can request such a copy during the interview or afterwards by contacting either the principal investigator or the student investigator at any time.

Finally, we would like to clarify that this research is independent of any organizations.

If you wish to contact us directly, for whatever reason, please do so by contacting the principal investigator or the student investigator at the numbers mentioned herein.

If you have any questions with regards to the ethical conduct of this study, you may contact the Protocol Officer for Ethics in Research at the University of Ottawa by email at ethics@uottawa.ca or by telephone at (613) 562-5387.

Please keep this form for your records.
Thank you for your time and consideration.



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Faculté des sciences sociales
Faculty of Social Sciences

Département de criminologie
Department of Criminology

Appendix C

Ethical Consent Form

Title of the Study: The experiences of the relatives of criminalized persons in Canada

Principal Investigator: Sandra Lehalle
Assistant Professor
Department of Criminology, Faculty of Social Sciences
University of Ottawa

Student Investigator: Drew Taylor
Graduate student in criminology
Department of Criminology, Faculty of Social Sciences
University of Ottawa

Invitation to Participate: You are invited to participate in the abovementioned research conducted by Sandra Lehalle.

Purpose of the Study: This research seeks to understand the experiences of individuals who have family ties with persons who are in or have been in contact with the Canadian criminal justice system. It aims to facilitate and explore the voices of those directly concerned as means to better understand their experiences.

Participation: To participate in this study, I must be age of majority in my province of residence, live in Canada and have a family tie with a person who is or has been in contact with the Canadian criminal justice system. I am being asked to take part in a two-hour interview with either Sandra Lehalle (principal investigator) or Drew Taylor (student investigator) during which I will talk about my experiences related to the criminalization of a relative. With my consent, the interview will be audio-recorded.

Risks: There is a low risk of social impacts related to my research participation, it will be minimized by respecting the anonymity and confidentiality in all stages of the research process. I understand that since my participation in this research implies that I give personal information, it is possible that I might experience some psychological or emotional discomfort. Indeed, the interview session and the questions asked could bring back painful memories and create some level of emotional discomfort during or after the interview. I have received assurance from the researcher that everything will be done to minimize these risks and to make me feel as comfortable as

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possible. I have the right to refuse to answer questions without any potential repercussion and to end my participation in this research at any time. Also, I can take breaks if I feel unwell and I can ask to stop the audio-recorder to be able to speak freely to the researcher, then continue the interview. Moreover, the researcher has informed me about resources in my area that I can call if I feel the need to get support immediately or in the weeks following the interview. Finally, to reduce potential malaise or emotional discomfort, the researcher will give me periods for discussion at the beginning and at the end of the meeting so that, if necessary, I'll be able to talk about my apprehensions.

Benefits: My participation in this research will give me the opportunity to express myself on my experiences related to the criminalization of a family member. My testimony will be taken into consideration and could contribute to positive changes for the relatives of justice-involved individuals. For example, it might contribute to the development of social policies aiming to facilitate family ties following arrest and further justice system involvement, allow support services tailored to the needs of relatives of criminalized individuals, raise awareness about the multiple realities of justice-involved families etc. Finally, this study will improve scientific knowledge on the experiences of the relatives of criminalized persons in Canada.

Confidentiality and Anonymity: I have the assurance of the researchers that the information I will share with them will remain strictly confidential. For the purposes of this study, I expect that the content will only be accessed and use by the researcher and her student investigator respecting confidentiality and anonymity. In addition, in order to maintain anonymity and confidentiality, I will choose a pseudonym. It will be used a posteriori to replace my name (eg. during the presentation of results, etc.). My real name and my pseudonym will never be listed together on the same document. Only the researchers working on this study (Sandra Lehalle) and her students investigators will have access to the pseudonyms linking data to the participants' identities.

Anonymity: The anonymity is guaranteed as follows: the interviews will be transcribed with the help of pseudonym. The name of specific places will be modified with a more general location. The names of other people mentioned in the interview will also be replaced by pseudonyms.

Conservation of Data: All audio recordings of the interviews, the transcripts (electronic versions) and any other information that could lead to the participant identification will be placed on a USB stick secured by a password. The USB stick and the interviews transcriptions will be stored in a locked filing cabinet in the office of the principal investigator located in the Faculty of Social Sciences building of the University of Ottawa (FSS13036). The office where documents will be stored will remain locked at all times. The information collected will be preserved for a period of ten years following the end of the data collection. The retention period will begin as of September 15th, 2016.

Voluntary Participation: My participation in this research is voluntary and I am free to withdraw at any time, and/or refuse to answer certain questions, without any negative repercussions. If I choose to withdraw from the study, the data collected up to that point will be destroyed.

Finally, we would like to clarify that this research is independent of any organizations.

Acceptance: I, (participant's name), agree to participate in this research conducted by Sandra Lehalle, Assistant Professor at the Criminology Department of the Faculty of Social Sciences of the University of Ottawa.

I agree that the interview be recorded _____

I refuse that the interview be recorded _____

If you wish to contact us directly, for whatever reason, please do so by contacting the principal investigator or the student investigator at the numbers mentioned herein.

If you have any questions with regards to the ethical conduct of this study, you may contact the Protocol Officer for Ethics in Research at the University of Ottawa by email at ethics@uottawa.ca or by telephone at (613) 562-5387.

There are two copies of the consent form. I can keep one of them for my records.

Participant signature :

Date:

Investigator signature :

Date:

Appendix D

Fig. 1 Ophelia's "Emotion Map" during the height of her brother's criminalization.



