



Children of Incarcerated Caregivers

Dallas County Family Preservation Program: A Community-Based Alternative to Parental Incarceration

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Parental incarceration imposes severe and lasting consequences on children, often disrupting familial bonds, destabilizing home environments, and perpetuating cycles of poverty and trauma. Recognizing this harm, the Dallas County Family Preservation Program (DCFPP) in Alabama offers a proactive, community-based alternative to incarceration that addresses the root causes of system involvement while prioritizing family unity.

The diversion program offers qualifying parents intensive wraparound services—ranging from substance abuse recovery to parenting education—aimed at reducing incarceration and promoting long-term family stability. This report outlines the framework, eligibility, programming, and measurable outcomes of DCFPP.

I. History and Overview

Alabama has a long and deeply entrenched history with incarceration. Between 1978 and 2012, the state's prison population more than tripled, rising from fewer than 10,000 individuals serving sentences longer than one year to over 30,000.¹ While incarceration rates have generally risen nationwide over the past several decades, Alabama's remain particularly significant. Today, the state incarcerates approximately 898 people per 100,000 residents—one of the highest rates not only in the United States, but in the world.²

Alabama residents also face significant barriers to economic prosperity. More than 800,000 people in the state—including approximately 256,000 children—live below the federal poverty line.³ Currently, 16.8% of Alabamians live below the federal poverty threshold, a rate noticeably higher than the national average of 13.1%.⁴ Among the hardest-hit areas is Dallas County, where, according to data from 2020, 31.4% of residents live in poverty, one of the

¹ Prison Policy Initiative, *State Prison Population in Alabama*, Bureau of Justice Statistics, Corrections Statistics Analysis Tool, <https://www.prisonpolicy.org/graphs/incsize/AL.html>.

² Emily Widra, Prison Policy Initiative, *States of Incarceration: The Global Context 2024* (June 2024), <https://www.prisonpolicy.org/global/2024.html>.

³ Alabama Possible, *2020 Barriers to Prosperity Data Sheet: 800,000 Alabamians live in poverty; Alabama fifth poorest state* (May 21, 2020), <https://alabamapossible.org/2020/5/21/4480/>.

⁴ *Id.*

highest rates among Alabama's 67 counties.⁵ Poverty is both an outcome of and predictive factor for incarceration, removing job opportunities, eroding family wealth, and perpetuating intergenerational cycles of resource insecurity.⁶ Racial disparities persist at alarming levels in both poverty and incarceration rates, and are particularly stark for Black Americans; in Alabama, non-Hispanic Black residents make up 26% of the population, but 53% of the population of people imprisoned.⁷ These persistent economic hardships and levels of incarceration, especially in counties like Dallas, have fueled the need for innovative, community-based solutions, such as diversion programs that address the root causes of incarceration while keeping families intact.

II. Dallas County Family Preservation Program, Selma, Alabama

A. Program Background and Development

The DCFPP was launched in 2023 with \$764,508 in grant funding received from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).⁸ It is currently administered by Rise and Recover, formerly known as Dallas County Court Services, and was conceived as a strategic, family-centered alternative to traditional incarceration. The program specifically works with parents who face criminal charges and have minor children at risk of losing consistent parental support. It is a diversion program, meaning that successful completion can result in dismissal or reduction of charges.

In 2022, Miah Tolbert, director of Rise and Recover,⁹ identified a critical need for a diversion program tailored specifically to parents and applied for the funding through the Office of OJJDP to implement the DCFPP.¹⁰ With over 15 years of experience leading community-based initiatives to reform the criminal legal system, her work has consistently involved advocating for alternatives to parental incarceration—seeking solutions that support justice-involved parents in navigating the legal system without being separated from their children.^{11, 12}

⁵ *Id.*

⁶ Wendy Sawyer & Peter Wagner, *Mass Incarceration: The Whole Pie 2025*, Prison Policy Initiative (Mar. 11, 2025), <https://www.prisonpolicy.org/reports/pie2025.html>.

⁷ *Id.*, Prison Policy Initiative, Alabama Profile, <https://www.prisonpolicy.org/profiles/AL.html> (last visited June 19, 2025).

⁸ U.S. Congresswoman Terri Sewell, *Rep. Sewell Announces \$38+ Million from the Department of Justice to Fight Crime and Make Alabama Communities Safer* (October 11, 2023), <https://sewell.house.gov/2023/10/rep-sewell-announces-38-million-from-the-department-of-justice-to-fight-crime-and-make-alabama-communities-safer>.

⁹ Rise and Recover, <https://www.riseandrecoverselma.com/> (last visited June 19, 2025).

¹⁰ Interview by author, Button, K. with DCFPP's Miah Tolbert, Director of Rise and Recover (Mar. 2025).

¹¹ Tolbert Interview, *supra* note 10; *see also* Rise & Recover, Stories,

<https://www.riseandrecoverelma.com/stories> (last visited June 19, 2025).

¹² The author extends a special thank you to Ms. Tolbert and Ms. Kamika Wilson, a Family Advocate with over 10 years of experience guiding families through treatment court in Dallas County, for providing information to inform this report.

Recognizing the destabilizing impact of incarceration on families—particularly the trauma inflicted on children when a parent is removed from the home—DCFPP seeks to reduce the collateral consequences of criminal-legal system involvement and address the needs of the individual as a whole.¹³ By offering supervised support, access to behavioral health resources, case management, and accountability structures, the initiative aims to address root causes of criminalized behavior while maintaining the integrity of the family unit.¹⁴ The program represents a shift toward restorative and rehabilitative models in the criminal justice system, prioritizing both public safety and family preservation.

B. Eligibility and Referral Process

To qualify for the diversion program, participants must be at least 18 years old and serve as a parent, guardian, stepparent, or adoptive parent with either physical custody or a demonstrated, ongoing relationship with a minor child.¹⁵ Eligibility is limited to certain charges; individuals with pending violent or sexual offenses, firearm-related charges, or substantiated instances of child abuse or neglect are disqualified.¹⁶ Referrals to the program are carefully screened through a pre-screening process conducted in partnership with the District Attorney’s Office. Importantly, there are no eligibility or participation fees required, ensuring that cost does not present a barrier to access.

The prosecutor overseeing the case plays a significant role in determining an applicant’s eligibility by either approving or denying participation.¹⁷ To support this process, DCFPP staff use a bright pink pre-screening form during intake to highlight the diversion opportunity within the applicant’s file.¹⁸ Once submitted, the prosecutor reviews the form and considers the recommendation provided.¹⁹ DCFPP staff assist by evaluating applicants’ backgrounds and advocating for those they believe are best suited for the program.

C. Program Structure and Services

The program is structured to be family-centered, trauma-informed, and focused on recovery, acknowledging the multifaceted challenges that justice-involved parents frequently encounter.²⁰ Each participant follows a personalized “Family Plan,” which outlines court-ordered treatment objectives and serves as a roadmap for case management tailored to the unique needs

¹³ Tolbert Interview, *supra* note 10.

¹⁴ Tolbert Interview, *supra* note 10.

¹⁵ Dallas County Family Preservation Program Pre-Screening Form, on file with author.

¹⁶ *Id.*

¹⁷ Tolbert Interview, *supra* note 10.

¹⁸ Dallas County Family Preservation Program Pre-Screening Form, on file with author.

¹⁹ Tolbert Interview, *supra* note 10.

²⁰ Tolbert Interview, *supra* note 10.

of the individual and their family.²¹ Depending on the participant's circumstances, the plan may include components such as weekly court appearances, individual and group therapy, substance abuse treatment, educational assistance, and life skills training—all designed to support long-term stability and reunification.²²

To effectively support each participant and promote sustainable family outcomes, the program takes a holistic, person-centered approach beginning with a comprehensive intake process. This assessment gathers detailed information about the participant's life across multiple domains—including family relationships, housing stability, social support systems, physical and mental health, spiritual beliefs, and any current or past legal issues.²³ By understanding the broader context in which a participant lives, the program is better equipped to design targeted interventions that not only support the individual but also positively impact the entire family unit.

Recognizing the deep impact of trauma on behavior and decision-making, the program incorporates the Adverse Childhood Experiences (ACE) Questionnaire as a standardized tool to assess participants' exposure to trauma in early life.²⁴ This helps the team develop trauma-informed treatment plans that are sensitive to the participant's lived experiences and emotional needs.

Program funds are allocated based on the unique needs of each individual and their family. For example, funding may be used for comprehensive family services such as utility bills, educational materials for children, driver's license fees, counseling, and medical or dental care.²⁵ These supports are designed to stabilize families by providing financial assistance and resources that would otherwise be unavailable.

D. Oversight and Compliance

As part of the intake process, participants are required to sign multiple consent and responsibility forms to ensure clarity, accountability, and legal compliance.²⁶ These include an authorization for the disclosure of health information, as well as contracts committing to drug and alcohol abstinence—including the avoidance of certain everyday products containing alcohol, such as mouthwash and hand sanitizer.²⁷ Participants must also agree to promptly notify the program of any changes in contact information or employment status. Failure to comply with

²¹ Tolbert Interview, *supra* note 10.

²² Tolbert Interview, *supra* note 10.

²³ Dallas County Court Services Family Preservation Program Intake Packet, pp. 13-23.

²⁴ *Id.* at p. 2.

²⁵ Tolbert Interview, *supra* note 10.

²⁶ Dallas County Court Services Family Preservation Program Intake Packet, pp. 3, 5, 9-12.

²⁷ *Id.* at pp. 4, 6-8.

program requirements—such as missing treatment sessions, acquiring new criminal charges, or violating court orders—can result in termination from DCFPP. Additionally, participants must waive their extradition rights in the event they leave the state unlawfully during the course of participation.²⁸

DCFPP places a strong emphasis on accountability and structure as essential components of successful diversion.²⁹ To this end, participants are subject to regular drug and alcohol screenings through a randomized daily Color Code system, and staff conduct unannounced home visits to monitor living conditions, ensure program compliance, and offer additional support as needed.³⁰ Together, these practices are intended to foster a structured yet supportive environment in which participants are encouraged to make lasting change.³¹

E. Outcomes and Success Metrics

In its first full year of operation (2024), DCFPP served nine parents and supported more than 22 children, demonstrating early promise in addressing the needs of justice-involved families.³²

One specific case, reflected on by Ms. Tolbert, illustrates the program's commitment to holistic and community-centered family stabilization. When a mother separated from her children faced criminal charges, DCFPP supported reunification with her children, assisted with school re-enrollment for them, and helped the mother's partner secure employment.³³ Additionally, the family—previously experiencing homelessness—was able to obtain housing and essential furnishings with the support of DCFPP staff.³⁴ Although the mother's legal case outcome remains uncertain, DCFPP has helped position her family on more stable footing. This example underscores the program's holistic approach, aiming to strengthen entire family system regardless of whether the participant ultimately avoids incarceration.

To expand its reach and build community support, DCFPP also launched an annual Youth and Families Conference, designed to raise awareness and increase access to its resources for families in need.³⁵ The program intends to continue to focus on long-term outcomes by monitoring treatment progress, tracking recidivism, and assessing indicators of child wellbeing.

²⁸ *Id.* at p. 11.

²⁹ Interview by Button, K., with Kamika Wilson, DCFPP Family Advocate (Mar. 2025).

³⁰ Dallas County Court Services Family Preservation Program Intake Packet, p. 6.

³¹ Wilson Interview, *supra* note 29.

³² Tolbert Interview, *supra* note 10.

³³ Tolbert Interview, *supra* note 10.

³⁴ Tolbert Interview, *supra* note 10.

³⁵ Tolbert Interview, *supra* note 10; *see also* Eventbrite <https://www.eventbrite.com/e/children-youth-and-families-conference-tickets-1249554233349?msocid=3cc58358fc4363b12b9f977efd41626f> (last visited July 18, 2025).

Most recently, DCFPP celebrated the official graduation of four participants. In January 2025, a powerful display of the program's family-centered approach, children participated alongside their parents in the ceremony, highlighting the idea that when a parent graduates, their child graduates too.³⁶ This moment underscored the profound, reciprocal influence between parent and child in driving each other's motivation and success. As parents work toward recovery and stability, their children often serve as a source of inspiration. In turn, the children benefit emotionally and developmentally from seeing their parent succeed, reinforcing a cycle of hope, resilience, and shared achievement.

III. Conclusion

The Dallas County Family Preservation Program offers a replicable and responsive model to reduce parental incarceration. Its tailored focus on family stability, mental health, and individualized recovery plans directly addresses the root causes of legal system involvement for parents. With its no-cost participation, collaborative referral system, and strong community partnerships, DCFPP stands out as an innovative solution for jurisdictions seeking to invest in family preservation over punitive separation.

³⁶ Wilson Interview, *supra* note 29.