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### How Drugs and Incarceration Tore One Family Apart

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# Protected: How Drugs and Incarceration Tore One Family Apart

by deonna.anderson | Dec 12, 2016 | Uncategorized | 0 comments



**On** an afternoon in 1997 on Staten Island, a family gathered for a meeting. Five people – two grandparents, one mother, and two daughters – sat at the round kitchen table to hear some news. Nobody was allowed to sit in the living room with its white furniture nor in the formal dining room with dinnerware and cutlery that was reserved for special occasions.

The mother, Marilyn Reyes-Scales, who spent over two years between Rikers Island in New York City and Albion Correctional Facility upstate, told the family that she was pregnant.



Young Jessica Torres and Tamika Quiles,  
holding her younger sister Sarah.  
(Courtesy of Jessica Torres)

She hadn't been out of prison for more than a year, and had only dated the father of her child for a few months before she was pregnant. No one of the family knew she was dating.

The father was Maurice Scales. He was an emergency medical technician, who also had a drug addiction in the past. They met at Narcotics Anonymous.

Reyes-Scales served time for felony drug charges and was addicted to heroin and cocaine well before she was convicted.

The family had moved to Staten Island from a housing project in the Bronx. The grandparents purchased their first home there because they wanted a change of scenery.

Jessica Torres, one of Reyes-Scales' daughters who is 33 years old now and was in her late teens when she learned her mom was pregnant, said she rarely saw her between the ages of 5 and 13.

"You just got home. You could spend a little more time with us instead of this guy who you barely know," Tamika Quiles, Reyes-Scales' other daughter who is 35 years old now, said.

"I felt like she had so much unfinished business," Torres said. That unfinished business was getting to know them and establishing her life on the outside.

The conversation turned physical. Torres reacted violently. "I was just hating her at that point," Torres said. "The way I released my anger was physical."

Torres threw the house phone at her mom. "I almost got hit in the head with the phone," Quiles recalled.

Quiles, who said she understood why Torres was mad, wedged her way between the two women, who were throwing hitting one another. Quiles was upset too but said she realized her pregnant mother shouldn't been fighting.

Reyes-Scales and Torres went their separate ways, sitting in two different rooms of the house. And Reyes-Scales eventually left the house that day to live with the man who would eventually become her husband and with whom she would have two more daughters. Reyes-Scales and Torres didn't speak to one another for about two years after the fight.

But Torres later grew close to Scales, from whom Reyes-Scales has been separated for years.

Reyes-Scales' daughters were angry at her for a long time. She rarely saw them or spoke to them during her two-year sentence. And even before that, Tamika and Jessica would go months without seeing their mom, wondering what she was doing and who she was with.

"It was hard, those first few years," Reyes-Scales said.

She tried to regain their trust by talking to them for as long as they would open up. It wasn't always successful and didn't lead to a lasting sense of kinship. At this point, Torres feels like Reyes-Scales is more like a friend than a mother.

**As of March 2016, there were 77,227 people in a jail or prison in New York.**

Between 1970 and 2015, the number of women in jails increased from 8,000 to 110,000. And the number of women in prison went from 15,118 in 1980 to 111,387 in 2011. Almost 80 percent of them are mothers. That makes about 120,000 mothers behind bars. Most of them are single and were their child's sole caretaker before going to prison. Ten percent of incarcerated women have children in foster care.



Maurice Scales with Jessica Torres. (Courtesy of Jessica Torres)

# WOMEN PLACED IN SEPARATE FACILITIES

Prior to this change in corrections, women served time in the same prisons as men, according to Cyndi Banks, author of *Women in Prison: A Reference Handbook*.

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LOADING



**In 2013, 2.7 million children nationwide had a parent in prison. That's about 1 in 28 people under the age of 18. Over 100,000 of those children were New Yorkers.**

**While a few million children have incarcerated parents right now, about 10 million have had a parent in prison at some point in their lives. Having a parent who is incarcerated is now considered an "adverse childhood experience," along with child abuse and neglect.**

**And sometimes women go to jail or prison pregnant, giving newborns little chance to bond with their mothers. In state prison, 4 percent of women reported being pregnant when they were incarcerated, in addition to 3 percent of women in state prisons and 5 percent of women in jails.**

Incarceration is expensive, for taxpayers and families of people who are in jail or prison. And while taxpayers have to pay for people's social services when they get out of prison, it is much cheaper than the cost of incarceration.

Over the years, programs meant to help families reunite have had their budgets cut or taken altogether, leaving programs to scramble for resources necessary to fulfill their mission. For example, in 2011, Governor Andrew Cuomo cut the Governor's Children's Cabinet, which had a subcommittee that addressed issues related to children with parents in jail or prison. It was the only statewide effort to address their needs.

Slashed budgets limit the number of people organizations can help. But here's the thing – if people go back to prison, they are going to cost taxpayers even more money than it would to just keep them out. It's better to pay for people to stay out of prison than to keep them from returning.

Court costs and potential fines combined with difficulty securing a job makes it hard to inmates and their families to meet basic needs. Housing+Solutions helps women with get housing then helps them apply for jobs so that they are able to provide for themselves. Rita Zimmer, executive director of the organization, told *The New York Times* that as of 2011, they spent \$34,000 to house a mother and two children, compared with the \$129,000 cost for incarceration and foster care.

It costs an average of \$31,286 per year to house an inmate in the U.S. prison system. In New York, it's almost double that at \$60,076. And a returning inmate costs even more.

For those against prison reform that would drive down the number of people incarcerated, the cost benefit isn't good enough to make changes. And they've rejected the argument that non-violent drug crimes drove up the number of people in prison. In an article for the *National Review*, Stephanos Bibas wrote, "As Fordham law professor John Pfaff has shown, more than half of the extra prisoners added in the 1980s, 1990s, and 2000s were imprisoned for violent crimes; two thirds were in for violent or property crimes."

Other reasons for opposition have included: Recidivism, or returning to prison after being released, is increasing. The drop in serious illegal activities like murder, robbery and other violent crime since the 1990s resulted from higher mandatory minimums that were put in place in the 1980s.

At a *Washington Post* summit on criminal justice, Steve Cook, the head of the National Association of Assistant U.S. Attorneys and a federal prosecutor for the Eastern District of Tennessee, sat on a panel and shared why he isn't in favor of sentencing reform, which directly impacts the prison population.

"The federal criminal justice system simply is not broken," Cook said. "In fact, it's working exactly as designed."

**When Reyes-Scales was released from prison in 1997, she went to her brother's house, where Quiles and Torres were staying after school.**



**(L to R): Tamika Quiles, Aunt Desiree, Marilyn Reyes-Scales, and Jessica Torres holding baby sister Sarah.**

**(Courtesy of Jessica Torres)**

**When Reyes-Scales came home, they cried and read through the stacks of letters they sent back and forth while she was in prison. Their grandmother knew those letters meant a lot to the girls and made sure they read them each time one came in the mail. And she ensured that the letters they wrote – along with crossword puzzles and crayon-marked coloring sheets – got to her daughter.**

**Sometimes letters are the only form of communication inmates have with friends and family while they're inside. That was the case for Reyes-Scales and her daughters for most of her time in prison.**

**"I used to love her handwriting," Torres said, who used to try mimic her own scrawlings after her mother's. "Even today, she has beautiful penmanship."**

**For Torres, writing to her mother was a form of therapy. She and Quiles eagerly waited to receive replies from their mother. The letters were how Torres got to know her mom and what made her think there was a possibility for them to be close when she was released from prison.**

**On their reunion day, they played one of the many songs they dedicated songs to one another in**

their paper correspondence. It was one of their favorites. It was their song – “Because You Loved Me” by Celine Dion:

*You were my strength when I was weak*

*You were my voice when I couldn't speak*

*You were my eyes when I couldn't see*

*You saw the best there was in me*

*Lifted me up when I couldn't reach*

*You gave me faith 'cos you believed*

*I'm everything I am*

*Because you loved me*

Quiles and Torres were happy to have their mother back in their life. They thought it was going to be different than their childhood, with their mother present to witness their accomplishments and comfort them when they failed. But Reyes-Scales' consistent presence was short lived.

The patterns reverted back to that of their childhood, with Reyes-Scales being in and out of their lives. The family worried that she would relapse but Reyes-Scales has been clean since she left prison 19 years ago.

Quiles and Torres lived with Reyes-Scales until their there seven and five years old. Then their grandparents took custody over them. From then on, Reyes-Scales didn't see her children for months on end.

She was addicted to drugs and homeless. “She went off the deep end,” said Torres, whose last good memories with her mother were from when she was in kindergarten.

Reyes-Scales' parents would try to keep her in their home and convince her to get clean. But she didn't listen and lived on the streets. When she did visit, she didn't come to be a mother. “She was there to get her own needs met,” Torres said. “She would come for a hot meal and a shower.”

While she was out in the streets, Reyes-Scales had two more children, two boys who were addicted to drugs upon their arrival to the world.

**For** incarcerated mothers and their children, distance does not make the heart grow fonder. Both formerly incarcerated mothers and their children get a raw deal.

“Individuals don't go to prison. Families do,” said Teresa Hodge, founder of Mission:Launch, another reentry nonprofit that helps formerly incarcerated people, at a Columbia School of Social

**Work panel about incarcerated women.**

**Only about half of incarcerated mothers get visits from their children while they're serving time. Ten percent of them get weekly visits, 32 percent get monthly visits, and another 32 percent get rare visits. Over half of the mothers in prison have never had a visit from their children.**

**Incarcerated mothers and their children are deeply affected by separation. The distance and time it takes to visit further fractures their relationships. Many incarcerated mothers are at least one hour away from their children. Visitation and reentry programs, often funded by the government, aren't doing enough to help sustain mother-child relationships.**

**Most prisons aren't accessible by bus or train. And in New York City, with its public transit culture, families have found it even harder to visit their loved ones in prison.**

**Traveling has been a burden for many families with someone who is incarcerated. A majority of parents in state prisons are held over 100 miles from home. In federal prisons, parents are typically held even further, with 43 percent of parents held over 500 miles away from home.**

**Quiles and Torres visited Reyes-Scales with their grandparents while she was at Rikers.**

**"We didn't go all the time, but when it did go, it was special for us," Torres said.**

**But when Reyes-Scales was moved to Albion Correctional Facility in Upstate New York, 582 miles of six hours away from Staten Island, they never visited. Torres said they tried once, but got lost and ended up in Canada. They never tried again.**

**Distance makes it harder to maintain family ties, which experts have said is helpful for successful reentry. Keeping relationships as strong as possible while a family member is in prison leaves less room for them to have to start over from scratch.**

**That's what Reyes-Scales and her children had to do. Those hundreds of miles between her and her children weakened already fragile relationships.**

**Advocates have found ways to maintain familial relationships.**

**The Osborne Association, a nonprofit that helps families with an incarcerated parent, runs a bus program that takes children to visit their parents. On the trip to Albion Correctional Facility, where Reyes-Scales spent her sentence, 368 miles from Manhattan, children get to spend six hours with their moms.**

**There are nursery programs at Bedford Hills Correctional Facility and Rikers Island that allow mothers to live with their newborns, in a separate unit, for up to 18 months. As of 2014, there were prison nurseries in 10 states.**

Dr. Mary Byrne, a professor at the Columbia University School of Nursing, studied the nursery programs and concluded “mothers in a prison nursery setting can raise infants who are securely attached to them at rates comparable to healthy community children.”

And reformers have been testing out alternatives to incarceration that keep families together.

In some states, like New York, mothers convicted of a crime can plead guilty, and be placed in residential group housing or live in their own home while serving time with the condition that they meet with their caseworker weekly and attend group or individual therapy.

After they successfully complete the program, they can have their record wiped clean.

One of those programs was Drew House, a 5-unit housing complex in Bedford-Stuyvesant that is run by Housing+Solutions. Dr. Byrne, along with her Columbia university colleague Dr. Lorie Goshin, also conducted a review of this program in 2011 and concluded that the program worked. The report recommended to scale up and replicate the program.

While it is successful, many families don't reap the benefits of it, such as families' lives not being interrupted by their mother's incarceration, because after their required time is done, they are welcome to stay until they find another place to live.

Children of incarcerated parents experience a series of effects. There are the short-term ones – the arrest phase, when children witness their parent being detained, and the management of explanation, when the parent or another person explains why they are in prison. Then there are the possible long-term effects – developmental delays, emotional or psychological problems, eating disorders, anger and aggression, and poor relationships both with the parent and other people.

Reyes-Scales children didn't experience the arrest phases because she was in and out of the house for months at a time before she was sent to jail. They didn't see her get arrested and they did feel her absence more once she was gone for a year.

Their relationships got rough when Reyes-Scales got out of prison but wasn't an active mother. “She's good at providing,” Torres said but when it came to showing affection with hugs, kisses and helping them through life's rough times, Reyes-Scales was basically absent.

Both Quiles and Torres suffered from depression after their rough childhoods. Their grandfather sent Torres to therapy after she tried to overdose on Tylenol.

**Reyes-Scales**, who thinks she has PTSD, spends most of her time alone. After nearly two decades of being out of prison, she often confines herself to her room. She hasn't gotten used to not having to be in her cell, or not being told when she needs to take a shower or when to eat.

When she does leave the house, she works as an organizer for VOCAL-New York, a multi-issue

advocacy organization, or as a health educator for Harm Reduction, a nonprofit that works to minimize problems for drug users.

There are only a couple more reasons Reyes-Scales leaves her apartment in the Bronx: to attend therapy or get acupuncture. She drinks chamomile tea at night to keep herself calm.

On a Monday in November, Reyes-Scales met me at a McDonald's in Harlem. It was loud and full of people. We sat in a booth near the restroom, which had a line that reached into the aisleway.

She'd spent that morning passing out syringes to drug users and condoms to anyone who takes them in East Harlem and the South Bronx. She's taught people about how to avoid overdosing on drugs and how to be safe from STIs. And if she finds someone who is overdosing while she's out on the streets, she'll call her colleagues to pick them up and take them to detox.

"I'm out there on the ground," Reyes-Scales said. "I love it because it's like, I didn't know these services existed before."

In 2014, after volunteering with VOCAL, Reyes-Scales has been the face of the Fair Chance Act, an effort to give formerly incarcerated people higher chances of landing a job. She showed up to a rally for the proposed bill. And when the speaker didn't show up, Alyssa Aguilera, Vocal's co-executive director, called on Reyes-Scales to speak.

"She stood out. She's incredibly dedicated to our mission," Aguilera told me. "She brings her unique perspective as a woman to that campaign."

In January of 2015, Reyes-Scales spoke in front of City Hall, where hundreds of people attended a rally in support of the legislation.

"I can be at a public hearing and give you all the stats," Aguilera said, "but it's a lot more compelling when someone was telling their story."

The efforts paid off in October 2015, when New York City Council passed a bill and Mayor Bill de Blasio signed the bill into law. The act bans employers from posting job ads with phrases like "no felonies" or "must pass background check," and from asking interviewees questions about their criminal record.

Reyes-Scales has shared her story with hundreds and traveled around the country to give testimony about her struggle to find stable work.

While both Quiles and Torres expressed how proud they were about their mother's activism work, Torres said she wished her mother did more to be present in their lives.

When Torres asked Reyes-Scales to visit her family in Florida, she said no. But Reyes-Scales admitted that Torres is always willing to pay for her plane ticket. "She can't hate me that much,"

**Reyes-Scales said.**

**Torres said she wishes her mother understood that she doesn't hate her. "When I did hate her, she knew because I told her," she said. "Jessica doesn't beat around the bush."**

**Reyes-Scales took a trip to Michigan, where Quiles lives with her family, during the summer of 2016. Reyes-Scales sees her oldest daughters a couple times per year.**

**"She's a good human, I guess, in that she wants to help strangers," Torres said. "But at the same, when it comes to her family, she's not there."**

**When Reyes-Scales first came home, Quiles kept everything to herself. "Once I saw my mom change, I started forgiving her," said Quiles, who pushed herself to open up to her mom and share more about her triumphs and failures.**

**"My mom is not perfect but she tries," Quiles said. "That's what makes me proud of her."**

**Reyes-Scales has more plans to improve her activism work by applying for the leadership school, a year-long training on organizational management, advocacy skills and communication, at JustLeadershipUSA, an organization that is committed to cutting the number of people in prison and jails in half by 2030.**

**For Torres, being proud of her mother's activism isn't enough. And while she thinks it's too late for her mother to change, Torres still hopes she will show more affection, care and support, especially for her younger sister who started going down a similar path to their mom.**

**The 18-year-old overdosed on drugs and was on life support in February of this year but she survived and Torres said she's trying to turn her life around. Torres blamed her mother's virtual absence – while she's physically present, she's not there emotionally.**

**"My sisters were cheated out of that mothering."**



**Tamika Quiles in her grandparents' Staten Island home. (Courtesy of Jessica Torres)**