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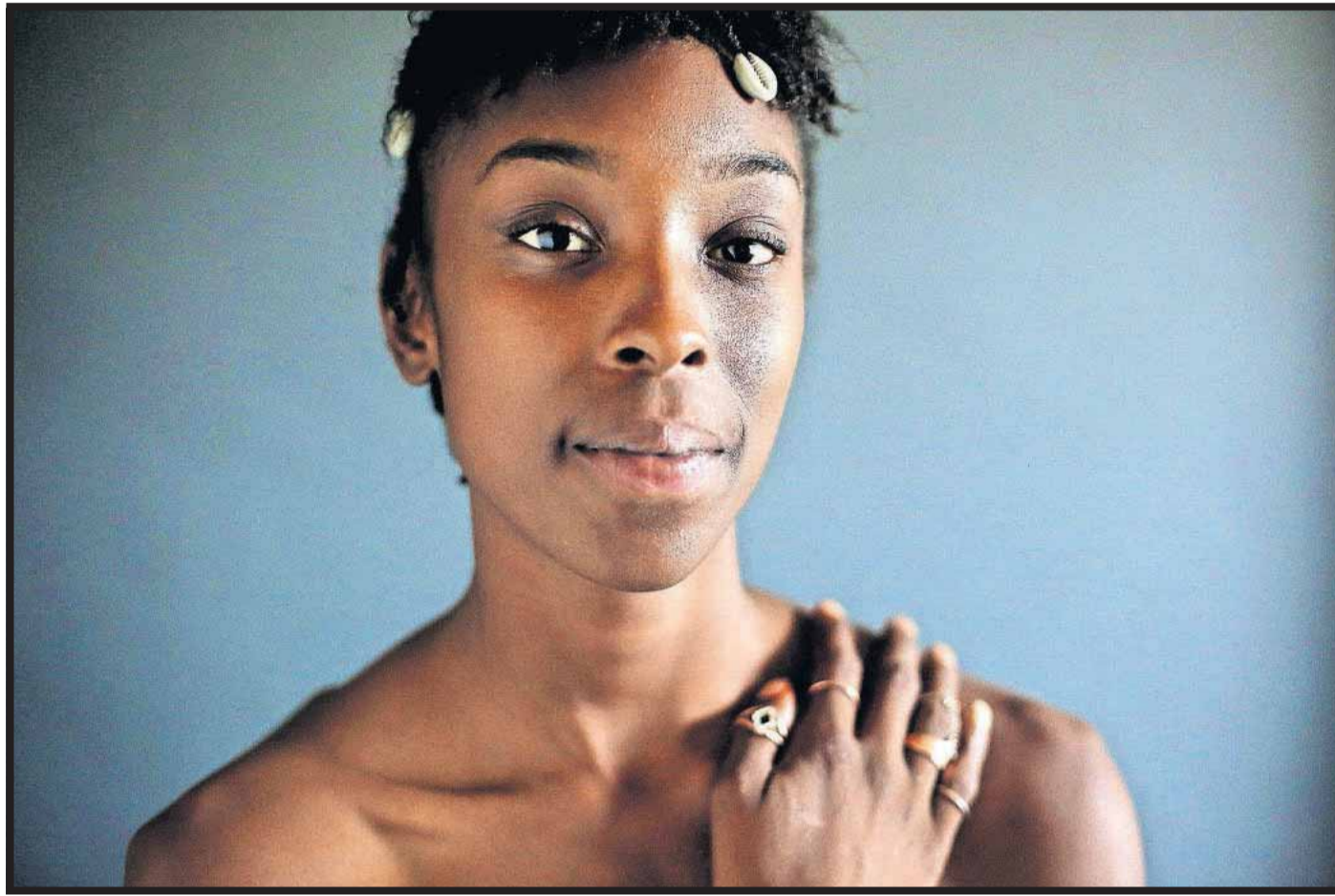
Dallas, Texas, Sunday, June 25, 2017



CHILD WELFARE

OVERLOOKED

As women go to jail in record numbers, who's watching out for their kids? No one



Photos by Andy Jacobsohn/Staff Photographer

Kyla Booker, 21, was left in charge at age 12 of her two younger sisters for nearly a month after one of her mother's arrests. Advocates say children of jailed women often get lost in a criminal justice system that doesn't count or track them.

By **CARY ASPINWALL**
Staff Writer
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At age 12, Kyla Booker knew enough to keep her head down and her mouth shut.

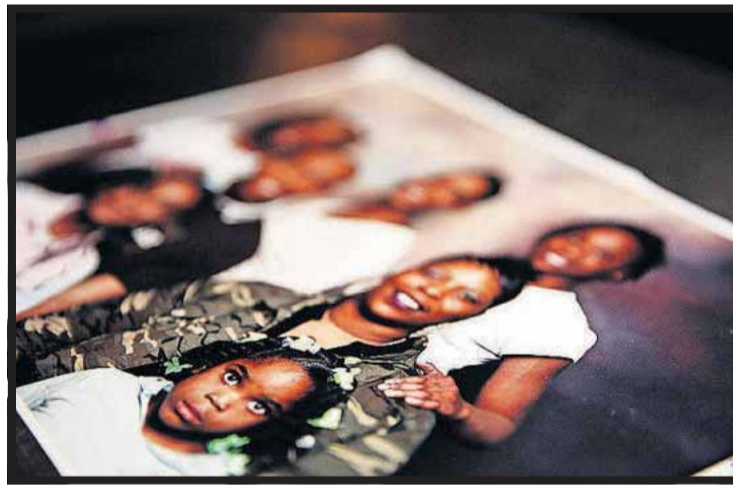
Braid your sisters' pigtails. Get them on the school bus. Walk half a mile to the convenience store to buy groceries with the food-stamp card.

Don't let anyone know you and the babies are home alone 'cause Mama is in jail again.

For nearly a month, Kyla and her two young sisters lived alone in a rented house in Arlington. No one involved in jailing their mother — not the police, not the courts, not the sheriff's department — ever checked on them.

It was not the first, the last, or even the most dangerous time that the Booker sisters were overlooked by adults who put their mother in jail.

"We were really thrown to the wolves,



For the daughters of Malishia Booker, whenever their mother went to jail, it seemed as though they were also being punished.

if you think about it," says Kyla, now 21. When her mother got arrested, she says, "it was always worse for us."

No one in the criminal justice system is responsible for the safety of children whose mothers go to jail, an investigation by *The Dallas Morning News* has

found. Not in North Texas, and not in most communities across the country.

While the moms may have committed crimes, the kids are innocent. Most were born and raised in tough circumstances

See **YOUNG** Page 26A

ANALYSIS | REDRAWING AMERICA

Study: Remap buoyed GOP

Traditional battlegrounds show Republican tilt in U.S., state races

FROM WIRE REPORTS

The 2016 presidential contest was awash with charges that the fix was in: Republican Donald Trump repeatedly claimed that the election was rigged against him, while Democrats have accused the Russians of stacking the odds in Trump's favor.

ANALYSIS: Redrawn districts helped Texas Republicans win more U.S. House seats. **24A**

Less attention was paid to manipulation that occurred not during the presidential race, but before it — in the drawing of lines for hundreds of U.S. and state legislative seats. The result, according to an Associated Press analysis: Republicans had a real advantage.

The AP scrutinized the outcomes of all 435 U.S. House races and about 4,700 state House and Assembly seats up for election last year using a new statistical method of calculating partisan advantage designed to detect potential political gerrymandering.

The analysis found four times as many states with Republican-skewed state House or Assembly districts than Democratic ones.

See **STUDY** Page 25A

A shining legacy



Sherin George stood before her graduating class as valedictorian, just as her brothers had done. Each was a willing participant in a disciplined household. **1B**

Also: Listings of North Texas valedictorians and salutatorians, **4-6B**

20% chance of showers



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L 69

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ARTS & LIFE

Reporter can't wait for obvious cure

Brain cancer patient Jeffrey Weiss works at warp speed to improve his odds. **1E**

Nostalgic times for Palm regulars, staff

Regulars of the Palm Restaurant gather to reminisce as the eatery prepares to close down. **1E**

METRO & STATE

Former Cowboy renews fight against poverty

Former Dallas Cowboy Deion Sanders is teaming up with conservative businessman and political donor Charles Koch to fight poverty. **3B**

Also: California is banning state-sponsored travel to Texas. **3B**

SPORTS

Rookie pitcher helps Rangers top Yankees

Rangers rookie pitcher Austin Bibens-Dirkx smothers the Yankees in an 8-1 win. **1C**

BUSINESS

Amazon shaking up D-FW grocery market

Amazon.com's purchase of Austin-based Whole Foods Market will shake up the way we shop for groceries. **1D**

FOCUS

A third of graduates not going straight to college

About 30 percent of high school graduates this year won't go straight to college. Several of them talk about their hopes and plans. **3A**

FRATERNITIES AND SORORITIES

Long after college days, Divine Nine a lifeline

Thousands of black N. Texans devoted to social network, bonds it forges

By **CASSANDRA JARAMILLO**
Staff Writer
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Cars with Greek letters on their license frames pull up to the Kappa Alpha Psi fraternity house on Martin Luther King Boulevard in South Dallas. Men park and step out, smartly dressed in crimson and cream blazers.

Today is a formal meeting, which calls

for special attire on the first Thursday of the month. The chapter's polemarch — a Greek word used within the organization instead of president — opens the door to welcome the men.

"Brother Washington! How are you?" Todd Adams asks.

Stephen Washington gives a smile and

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Young, vulnerable, on their own

Continued from Page 1A

they didn't choose. When their mothers get locked up, the children often suffer.

No agency tracks or monitors the children of people who are arrested, not even of women who are solo caretakers. So no one knows how many kids are home alone because of a parent's arrest. No one knows how many go to foster care. Or get handed off to inappropriate guardians. Or end up on the streets.

Since 2014, the U.S. Justice Department has recommended that police and jailers take steps to ensure that kids are kept safe after a parent is taken into custody, even if the children aren't present during the arrest.

But in and around Dallas, few police departments have adopted policies on how to handle the children of arrestees, they told us in response to a survey. Nationally, a few police departments have, experts say — but most address only kids present when the handcuffs come out.

The problem is growing. One 2005 study estimated that almost 250,000 children nationally had single mothers in jail.

Since then, the number of women in jails jumped by more than 15 percent, to 109,100 in 2014, according to the Justice Department.

In Texas, the number of women in jail has soared by almost 44 percent since 2011, to 5,670 at the end of last year, according to state data. Women now account for about 14 percent of the overall jail population.

Most women in jail — up to 80 percent by some estimates — are mothers, many with more than one child. Many were primary caregivers before they got arrested.

"We have to think about the consequences of putting someone in jail — not just the mom, but the consequences for the family and children and community," says Liz Swavola of the Vera Institute of Justice in New York.

To find out what happens in Texas to the children of jailed mothers, *The News* interviewed lawyers, law enforcement officials and advocates, surveyed hundreds of inmates, and searched thousands of pages of court records.

We sent surveys to 760 women from North Texas sentenced within the past four years and serving time in state prison. We received detailed responses from more than 100, who had an average of three children.

More than half of the women who responded said that officials did not call in child welfare workers when they were arrested.

Many turned their children over to family, friends or acquaintances in hopes of avoiding the state's notoriously troubled foster care system. Last year, an investigation by *The News* found that state workers failed to check on thousands of infants and children believed to be in imminent danger of abuse or neglect.

In North Texas, the children of jailed mothers account for a significant number of kids in programs for the homeless, says Mark Pierce, who manages that effort for the Dallas Independent School District.

"I've seen it so many times," he says. "These are great kids, it's so hard on them."

An unpaid ticket

The voices of these children are rarely heard — which is why the five Booker sisters agreed to tell the story of their mother's arrests and their own abandonment by the criminal justice system.

They told it over months, chatting in a bug-infested apartment complex, inhaling Flamin' Hot Cheetos at a Quik-Trip, trying tacos near the juve-



Andy Jacobsohn/Staff Photographer

Jessicah Roland (left), 16, with 15-year-old sister Ja'Bria Roland, relax at the home they share in Denton with their two oldest sisters, Ciarra Booker, 28, and Neci Booker, 23. Middle sister Kyla Booker lives nearby. The younger sisters entertain their older sisters and rarely put down their cellphones.



Andy Jacobsohn/Staff Photographer

Malishia Booker, who is serving a 20-year sentence for aggravated assault against a public servant, kidnapping and evading arrest, says of her daughters: "They are survivors. But this has been unfair for my children because they try to fill roles that they should not have to."

nile courthouse, driving almost three hours to visit their mother in prison.

Kylia, the middle daughter, is the most reflective. Ciarra, the eldest at 28, remembers all the details. Neci, the disciplined 23-year-old, plans for their futures. Jessicah and Ja'Bria — ages 16 and 15 — entertain their older sisters and rarely put down their cellphones.

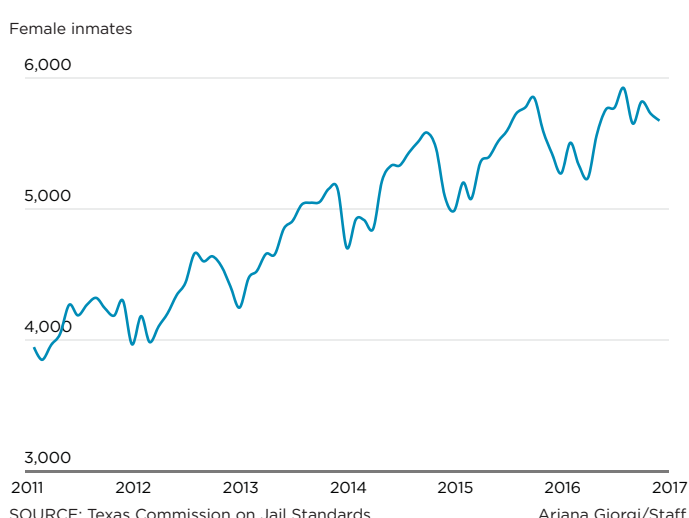
The sisters finish each other's stories. Like soldiers, they share a tight, tough bond.

The Bookers' lives began in turmoil. Their mother, Malishia, had the first of her daughters when she was just 15 and living in a housing project in East St. Louis. She later had two sons, who were raised by their fathers' families there.

By the time she was living in Dallas in 1997, there were three little Booker girls: Ciarra, just shy of 9, Neci, 4, and Kylia, then 23 months old. They were sometimes left unsupervised; neighbors complained to social workers, while their mom tried

Women in Texas jails

Despite seasonal fluctuations in jail populations, data shows the population of women has steadily increased.



SOURCE: Texas Commission on Jail Standards Ariana Giorgi/Staff

to hold down a customer-service job near Irving.

But their family's spiral into outright chaos began with the most minor of problems: an unpaid traffic ticket.

The offense was so small that the ticket itself isn't included in the reams of court and jail records we reviewed over the course of months to help piece together the sisters' story.

On Dec. 10, 1997, Malishia was pulled over near DFW International Airport and arrested on a warrant for the unpaid ticket.

She spent at least a day in jail. There is no record anyone asked her about her girls. A concerned neighbor, not the police, called Child Protective Services.

Child welfare workers separated the girls. Ciarra went to live with her maternal grandmother. But Lula Booker worked the night shift in customer service for American Airlines and was raising a dis-

abled son; she couldn't manage all three girls. Social workers placed Kylia and Neci in different foster homes.

It took a year, but after the girls pleaded with a judge to be kept together, they were given into the custody of their grandmother — who turned them back over to their mother in the courthouse parking lot.

Jail population

Nobody's mother is supposed to stay long in jail, which generally holds people who have been accused but not convicted of a crime. Sometimes, people serve short sentences there for minor offenses.

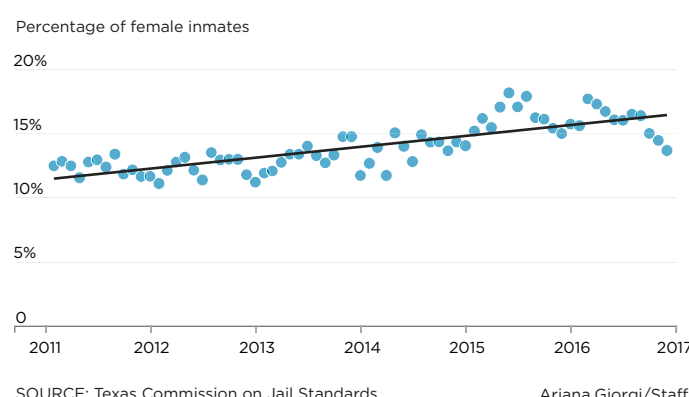
But since 2010, the number of women incarcerated in jails has been growing at a faster rate than any other correctional population in the U.S.

Because of the traditional turnover in jail populations, however, researchers looking at female inmates and their families have tended to focus on state and federal prisons, where convicts usually serve longer sentences for more serious crimes.

Federal studies of prison

Women in jail in Tarrant County

Women account for an increasing share of the jail population.



SOURCE: Texas Commission on Jail Standards Ariana Giorgi/Staff



Tom Fox/Staff Photographer

Lula Booker (center) beamed with pride at granddaughter Neci's graduation from Airman Leadership School last month at Tinker Air Force Base in Midwest City, Okla.

populations show dramatic differences in who cares for the kids of male and female inmates. Men almost always rely on their children's mothers to take care of them. Women turn far more often to grandparents, relatives and friends.

Their children are five times as likely as men's to end up in foster care.

Lawyers often advise women awaiting sentences in jail not to discuss their kids for fear they could be accused of child neglect on top of their existing charges. For the same reason, some experts say, women do not always tell court personnel if their kids are home alone.

Rocks in her pocket

Kylia wiped the vomit off Malishia's face as she lay in the back of a police car, handcuffed.

It was Oct. 15, 2007, and the police had doused Malishia with pepper spray, Tasered her and arrested her in front of her girls — in front of their whole neighborhood in suburban Arlington.

She had gotten into an ugly fight with Jesse Roland III, a drug dealer who went by the street name Cisco. He was also the father of her two youngest girls, though he didn't live with the family. The fight started, the girls recall, because Jessicah, 7 at the time, had been out

with her dad when he thought police officers were about to stop and frisk him.

Jessicah remembers that Cisco hid a little baggie of white rocks in her pocket and said, "Don't tell Mommy."

She didn't keep his secret. Their mom went wild. She chased Cisco through the subdivision, threatening him with a knife. Neighbors called police.

Malishia had been drinking; she was combative. When police told her they were taking her to jail, she knocked an officer down, according to the police report. She was face down and handcuffed when they broke out the pepper spray.

The police report indicates Malishia told the officers that Cisco had been violent in the past — he had served time for attacking her when she was eight months pregnant. But the police didn't call child welfare to the scene that night; a note in the police report suggested officers send a copy later to state social workers because there didn't seem to be enough beds in the house.

Instead, police left the girls at Malishia's house — with Cisco.

A spokesman for the Arlington Police Department defended this decision in an email to *The News*: "Officers on scene had responded to a violent call, made assessments about how to handle the call based upon what they were seeing and being told, and decided that the children would be safe with their father for the evening."

If both parents had been arrested, the spokesman said, an officer would have attempted to release the children to immediate family after consulting child welfare workers. The department also has victims' advocates who can respond to scenes where children are present.



Booker family



Andy Jacobsohn/Staff Photographer

The sisters, in a family photo from years ago and in a re-creation of it taken this month, are (clockwise from top left) Neci, Kyliya, Jessica, Ja'Bria and Ciarra (seated). They have relied on one another through the years. "We were really thrown to the wolves, if you think about it," Kyliya says. When their mother got arrested, she says, "it was always worse for us."

How we found them

We met the Booker sisters after their mother responded to a survey we sent to 760 women in Texas prisons, asking what had happened to their children when they were arrested.

We opted not to survey women held in jail before they were tried or sentenced, because answering our questions honestly could have resulted in additional criminal charges for them or adverse consequences in custody cases.

So we obtained permission from the Texas Department of Criminal Justice to mail surveys to women who'd been convicted and sentenced to prison from counties in the Dallas metro area.

The survey was sent to women, ages 18-50, who were likely to have been primary caregivers for their children. Women convicted of child abuse or related charges were excluded from the survey, which also did not include anyone serving time for violating federal or immigration laws.

The Dallas Morning News received more than 100 responses from mothers detailing what happened to their children during and after arrests. We reviewed

criminal court records for most of these cases.

Separately, we surveyed jailers in more than 250 counties in Texas to find out if they asked for the names and ages of children when booking inmates. Most do not. A handful said they ask women how many children they have but that information is not used to ensure the kids' safety.

We also surveyed more than 30 local law enforcement agencies in North Texas about their policies regarding the safeguarding of children after a parent's arrest. None reported that they had adopted all of the guidelines suggested in 2014 by the U.S. Department of Justice and International Association of Chiefs of Police.

We also analyzed monthly population reports of county jails as reported to the Texas Commission on Jail Standards, from 2011 to 2016, to measure the changing numbers of women held in local jails.

Cary Aspinwall reported this story with the support of the Fund for Journalism on Child Well-Being, a program of the University of Southern California Center for Health Journalism.

Surviving tough times, together

Continued from Page 26A

Suggested safeguards

The procedures many police departments use to hand off children at the scene of an arrest are haphazard, experts say. Officers must usually call Child Protective Services if they suspect child abuse or neglect, but other cases are left to officers' discretion.

Police often turn children over to whichever adult steps forward to take them, our survey and police reports show. Unlike state welfare agencies, most departments don't require vetting of prospective guardians, so someone involved in criminal or drug activity — or even with a history of abuse — can take the kids.

A child in charge

Kyliya and her sisters did not spend much time with Cisco after Malishia was arrested that day — in swooped their grandmother and eldest sister, Ciarra, then 18 and living in an apartment nearby with a girlfriend. Both were furious that the cops would even consider leaving children in Cisco's care. He had never had legal custody, and his felony convictions would have made him ineligible to be an approved caregiver under state rules.

Once again, no one in jail or court appears to have asked Malishia who was taking care of her kids, records show.

Cisco stayed in Malishia's house for a few days, pawning a television and washer-dryer she had leased.

After about a month, a Tarrant County judge gave her five years of probation. All she had to do was stay out of trouble.

While jailed, Malishia couldn't make payments on the rental appliances Cisco pawned. The store filed a misdemeanor complaint for theft of service.

A few weeks later, the girls returned from school to an empty house.

Malishia had turned up late for a Tarrant County court hearing. The judge threw her in jail on the spot. Authorities said she had violated her probation, so she was not eligible to post bail. She doesn't recall anyone asking about her kids.

That is how Kyliya ended up in charge at age 12.

Their mother says she assumed the girls would call their grandmother. But they didn't want to tell Grandma, they say now, because it would have worsened the relationship between the two adults in their lives.

Later that year, Kyliya left a deep-fryer plugged in; it caught fire and burned down the rental house. Nobody was home, so no one was hurt.

But now Kyliya wonders: What would have happened if Malishia had been in jail then?

In Montgomery County, Texas, in 2012, a letter carrier discovered siblings — ages 11 and 5 — living in an abandoned, garbage-filled school bus in the woods while their parents were serving prison time. The next year, a mother in South Carolina made headlines when her three young children were found home alone while she was jailed on check fraud charges.

Law enforcement officials know kids are being overlooked. In 2014, the Justice Department published a booklet of policy suggestions called "Safeguarding Children of Arrested Parents," in conjunction with the International Association of Chiefs of Police. The following year, it published additional guidelines for keeping kids safe during arrests, titled "First, Do No Harm."

The suggested policies say officers should ask people being booked into jail for the names and ages of their children, along with contact information for those who will be caring for the kids. Police officers or child welfare workers should follow up to make sure the children are safe.

"Is it easy to do? No. Is it the right thing to do? Yes," says Yost Zakhary, who was president of the police chiefs' organization when the report came out and is the city manager of Woodway, a suburb of Waco.

Courts and jails often have information about children — but don't use it to help them, critics say. Inmates sometimes fill out forms listing dependents when seeking a public defender or when they want their kids to visit them in jail.

Almost every time the Booker girls' mother was jailed in Tarrant County after 2007, she filled out an affidavit of indigency. Each time, she listed her five daughters as dependents, with names and ages. No one checked on them.

Responsibility

The Booker girls' mother says she feels both angry and guilt-stricken about what has happened to her daughters.

"I hope my children have learned what not to do by my example," Malishia told *The News* during a prison interview. "They are survivors. But this has been unfair for my children because they try to fill roles that they should not have to."

Women like Malishia don't get a lot of sympathy in the criminal justice system. As the chief public defender for Dallas County, Lynn Pride Richardson says she gets really tired of telling judges, jailers and prosecutors that a female defendant needs to get home to take care of her kids, only to hear, "She should have thought of



Tom Fox/Staff Photographer

The sisters arrived at the Christina Melton Crain Unit in Gatesville this spring to visit their imprisoned mother.



Andy Jacobsohn/Staff Photographer

Youngest sister Ja'Bria tags along as Neci gets a haircut.

that before ..."

A lot of the women her office represents are victims of family violence and trauma, she says.

"These people are overwhelmed by so many issues, you need compassionate judges and decision makers," she says. "It's not easy to dig yourself out of poverty."

One potential solution she sees to the problem of overlooked kids: getting their mothers legal representation for Dallas County bail hearings when they first enter jail.

In Dallas, magistrates set most defendants' bonds using a schedule that takes into account the seriousness of the alleged crime and any prior child-convictions — but does not account for a defendant's family responsibilities or ability to pay. Having a lawyer should help women make their cases for getting out of jail on personal recognizance or bail they can afford.

A federal judge in Houston recently ruled that by failing to take into account arrestees' individual circumstances, the Texas bail system is "fundamentally unfair" to poor people. The lead plaintiff in that lawsuit? A mother heading home to her children who was jailed for an unpaid traffic ticket.

Another change Richardson and other advocates would like to see: Stop punishing

a 20-year sentence.

Her daughters are still struggling to understand why. Malishia's not a violent, dangerous criminal, they say. How did a bungled traffic stop turn into a prison term for assault and kidnapping?

Cisco was out of the picture: He had been gunned down in 2012 on the streets of Fort Worth in what police said was a gang-related killing. Soon after, Malishia stopped meeting with her parole officer, resulting in a warrant for her arrest.

In May 2013, Arlington police pulled over Malishia, who was driving a friend's Chevy Suburban. When an officer reached for a purse in the back seat, she tried to drive off, according to the police report. He jumped in the truck and stunned her with a Taser; the car hit a curb and ran into a tree.

Malishia sat in the Tarrant County Jail for nearly a year before a judge sentenced her to 20 years in prison for aggravated assault of a public servant, kidnapping and evading arrest. Her next shot at parole is in 2018.

Once again, no one in law enforcement or the court system asked about her daughters, the family says.

After high school, Neci enlisted in the Air Force reserves. While she was finishing up boot camp in San Antonio, she learned of her mother's latest arrest — and knew right away what had to be done, she says. She went to the jail and told her mother: You're going to sign over guardianship of Jessica and Ja'Bria to me.

She was 19.

Constant change

This past May, Kyliya and Ciarra drove with Grandma Lula to an Air Force base near Oklahoma City for a proud moment: Neci, a military police officer at the base, graduated from Airman Leadership

School.

She had been working two jobs — dispatching tow trucks for an auto rescue service and selling vitamins — in addition to her Air Force reserve duties, just to pay the bills.

Going from reserve to active duty will help her earn more money, so the Air Force is sending her to Kuwait this summer. She stresses over what will happen to the girls when she is gone.

Ciarra has long been the sisters' protector, but now they worry about her. At 28, she suffers from debilitating type 1 diabetes that causes her to lose consciousness; she has landed in the hospital several times recently.

Kyliya has been doing her own thing: Last year, she married her high school sweetheart on a beach in Jamaica. The two of them commute together to their jobs. She's fascinated by yoga and astrology, trying to stick to a vegan diet.

But she remains close to her sisters: She moved within walking distance of their apartment in Denton and sees them almost every day.

Kyliya's mother couldn't go to her prom, her dance performances, her high school graduation, her wedding. Sometimes she was so upset about it, she refused to write Malishia or visit.

As she has gotten older, she has gotten angrier about some of the injustices of her childhood.

Malishia went to jail, and then prison, for her mistakes. But to her daughters, it always seemed as though they were the ones being punished.

"It's like, 'Mom, you have a guaranteed meal and place to sleep,'" Kyliya says. "We're out here trying to survive."

Staff writers Andrew Chavez and Terri Langford contributed to this report.

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