

Children Who Are Impacted by a Family Member's Death Sentence or Execution: Information for Mental Health Professionals

Introduction: Who is Affected? In 2021 the death penalty is legal in 27 of the 50 United States, in federal jurisdictions, and in the US military. About 1,500 people have been executed in the U.S. since 1976, and about 2,500 are currently on death row throughout the country. Affected children include those with any familial relationship to the death-sentenced or executed individual (see sidebar, page 2: What We Mean by “Child” and “Family Member”). Providers should know that children may be affected even when an execution happened before the child was born, or in cases where the familial connection was not close. Providers should also be aware that in cases of intrafamilial murder, a child may be related to both the victim and the individual facing execution.

This tip sheet provides some guidelines for mental health professionals who may encounter or work with children and families related to individuals who have been sentenced to death or executed.

What we mean by “child” and “family member:”

In this document, “child” should be understood as an umbrella term that includes a wide range of ages, from young children to adolescents or young adults.

We recognize that the term family means different things to different people; some define it only in terms of a biological or legal connection and others define it more broadly to include anyone with whom there is a close feeling of connection. In this document, we are using the term “family member” primarily to mean someone to whom the child is related biologically or legally, even if the child has not lived with that individual. Thus, in addition to close relatives such as parents and siblings, the term “family member” here could refer to stepparents, stepsiblings, grandparents, stepgrandparents, cousins, aunts and uncles, in-laws. It could refer to someone whom the child has not known directly (for example, a grandparent who was executed before the child was born). It does not necessarily refer to someone with whom the child has had a close emotional connection, because children may be impacted by other family members’ preoccupation and involvement with that individual’s death sentence or execution, even if they themselves don’t feel a close connection. We also recognize that much of what is presented in this tip sheet could apply to a situation in which there is no biological or legal connection between the death-sentenced or executed individual and the child, but the nature of the relationship is such that the child, or significant members of the child’s family, consider that individual to be a family member.

Children want you to know that they may...	You can help when you...
<ul style="list-style-type: none"> feel different from others with family members who are incarcerated but not on death row feel a sense of constant threat engendered by the family member's death sentence 	<ul style="list-style-type: none"> screen for incarcerated family members and then <i>also</i> for whether an incarcerated family member is on death row assess impact on child's physical health and mental health functioning use results of this screening and assessment to tailor treatment planning
<ul style="list-style-type: none"> have distorted or limited information about their family member's alleged crime or death sentence have picked up information that they were not told directly; some children say, years later, "I understood more than I let on." have questions about what the family member did have questions about details of the family's past (such as abuse history) that may have come to light during the investigation and litigation process 	<ul style="list-style-type: none"> ask caregivers what they have told the child use open-ended questions to gather information. (For example: "What have you heard about [your family member's] situation? What do you think that means/What do you think will happen next?") offer to work in partnership with the caregiver to meet the child's need for correct or complete information
<ul style="list-style-type: none"> have complicated and shifting feelings about their family member on death row, including loving them, being angry, feeling ambivalent or conflicted want different types of contact with the family member at different times 	<ul style="list-style-type: none"> ask about desired contact with the family member on death row, and revisit the conversation regularly as desires about contact may change provide psychoeducation and normalize a child's experiencing conflicting and ambivalent feelings help children understand their options for contact: letters, phone calls, visits; limited or no contact; right to change frequency or type of contact any time; right to choose who they want involved or supporting them in navigating decisions and logistics about contact
<ul style="list-style-type: none"> resent the time and emotional energy that other family members spend talking about, visiting, or advocating for the individual on death row be overly preoccupied with or overly disinterested in the family member's situation; disinterest may be a way of managing their own emotions or their reactions to other family members' preoccupation and devotion of time and energy 	<ul style="list-style-type: none"> anticipate and ask about feelings of resentment and reassure them that it is OK to have those feelings show interest in the child's own emotions and experience; through your sessions, provide a regular opportunity for the child to be the focus of attention help the adults in the family brainstorm ways to devote some time and attention to the child or bring in other supports if possible (for example, a "big sibling" or other adult mentor) aid the child in thinking about or remembering the death-sentenced or executed family member in manageable ways that are meaningful to that child (e.g. art, writing, music, or ritual)
<ul style="list-style-type: none"> be experiencing cycles of emotional ups and downs as their family member goes through the death penalty litigation process, which can last several years and include repeated cycles of execution date, last-minute stay of execution, and then another execution date sometimes express a wish that the execution would happen already so as not to have to keep going through these cycles, and may also express guilt or shame for having these feelings 	<ul style="list-style-type: none"> recognize the effect of this rollercoaster on the child's and family members' mental and physical health and take that into account in diagnosis, treatment planning, and psychoeducation establish yourself as a safe person with whom to share a full range of feelings at any stage of the process

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<ul style="list-style-type: none"> • experience stigma, judgment, and exclusion from natural supports such as faith or social communities • feel that they are viewed as being “guilty by association”; one daughter said of others in her life, “They looked at it like, the whole family must be bad.” 	<ul style="list-style-type: none"> • help the family identify welcoming and inclusive social supports, where possible, while recognizing that doing so may be particularly challenging in these cases • help connect family members of death-sentenced or executed individuals for peer support
<ul style="list-style-type: none"> • feel that they don’t have the “right to grieve” after an execution; e.g., one daughter recalled that after her father’s execution, a friend said, “I don’t understand why you feel bad, he got what he deserved” 	<ul style="list-style-type: none"> • acknowledge and validate the child’s grief • help the child and family create meaningful activities or rituals to honor their family member and support their grieving process
<ul style="list-style-type: none"> • be confused about who is responsible for the death of their family member • hear or be told that “the state” or “[specific state name]” is the entity seeking or responsible for the death of the family member • have questions about the scope of the responsibility (e.g., a child may ask if this means everyone in this state is responsible, or if another program or facility with the state name in the title is responsible) 	<ul style="list-style-type: none"> • remain alert to indications of possible confusion, fear, or questions about scope of responsibility, and work to provide clarifying information as appropriate while also acknowledging the child’s feelings
<ul style="list-style-type: none"> • have been shamed, harassed, or excluded by others (at school or elsewhere) for having a family member who is on death row or has been executed. Coverage of the case in the news media or on social media may escalate this. 	<ul style="list-style-type: none"> • communicate welcome and acceptance • partner with parents/caregivers to intervene with the child’s school in cases of bullying, if necessary and appropriate to do so • help the child to build a sense of identity separate from their connection to the family member who has been sentenced to death or executed
<ul style="list-style-type: none"> • feel personally isolated or shamed if the death penalty is mentioned or debated in a classroom discussion, even if it is a general discussion unrelated to their family member’s case • be asked direct questions about their family member by peers or teachers, especially in cases that are receiving a lot of media attention 	<ul style="list-style-type: none"> • help children feel empowered to decide whether, and how, to share information about their personal connection to the issue or request to step out of the classroom during the discussion • help children come up with language and talking points for what to say when teachers or peers ask them about their family member
<ul style="list-style-type: none"> • have witnessed others calling for or cheering their family member’s death • be especially wary about opening up to you and may need to ask you how you feel about the death penalty or about their family member’s death sentence or execution 	<ul style="list-style-type: none"> • consider ways to signal welcome and inclusion at the start (e.g., in public profiles, explicitly list “family members of individuals sentenced to death or executed” among the populations you treat; have a sticker or flyer visible in your office with an individual or group name that will be familiar to the child or family as part of their community) • consider receiving further training and being added to a referral list of clinicians who have received training and are available to work with family members of individuals who have been sentenced to death or executed • examine your own beliefs and feelings about the death penalty in general or this case in particular, with outside support if needed, so that you can maintain a non-judgmental and supportive stance toward the child and the child’s family

Additional Resources

[Access to Treatment initiative](#) (including report and training video)

[Children of parents sentenced to death or executed](#) (report from Quaker UN Office)

[Death Penalty Information Center](#)

[NCTSN resources about traumatic grief](#)