

Jada Hector *Editor*

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# Women and Prison

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# Chapter 1

## An Overview: What We Know About Incarcerated Women and Girls



Jodi Lane

### 1.1 An Introduction

One of the most pressing social problems in the USA in the last few decades has been mass incarceration of people who are convicted of breaking the law (Clear & Frost, 2014; Western, 2006). Despite housing around 4% of the world's population, the USA accounts for close to 20% of incarcerated people (U.S. Bureau of the Census, 2019; Walmsley, 2018). By the end of 2009, the number of people incarcerated in the USA had reached an all-time high, including more than 1.6 million Federal and state prison inmates. In recent years this number has begun to wane, but prisons still housed nearly 1.5 million by 2017. Counting all types of incarceration (e.g., juvenile facilities, jails, military institutions), the total population of incarcerated people in the USA stands at over 2.1 million people (Kaeble & Cowhig, 2018). This “grand social experiment” of mass incarceration is unique to the USA and has primarily affected men, especially young black men, but has not left women unscathed (Clear & Frost, 2014, p. 2). The number of women imprisoned in State and Federal prisons in 1980 was just over 12,000, increased by nine times to more than 113,000 by 2009 and stood at more than 111,000 in 2017 (Beck & Gilliard, 1995; Bronson & Carson, 2019; West & Sabol, 2010). Including prison inmates, and over 100,000 women in local jails (Swavola, Riley, & Subramanian, 2016) and various other facilities, there now are more than 200,000 women and girls incarcerated across the USA (Walmsley, 2017), and about 7000 women are serving life sentences (The Sentencing Project, 2019b). While incarceration is a problem throughout the world and has increased by 24% since 2000, this international rate of change approximates the general rate of population increase. In total, there are almost 11 million people incarcerated internationally, including those in the USA (Walmsley, 2018). Of these worldwide, about 714,000 are women and girls. While the USA

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incarcerates the most women and girls, the countries just behind are China, with about half as many, and the Russian Federation, with about a quarter of the US number (Walmsley, 2017, 2018).

Though women and girls constitute a small percentage of incarcerated populations (generally between 10% and 15%), they nevertheless deserve scholarly and policymaker attention (Bronson & Carson, 2019; Ehrmann, Hyland, & Puzanchera, 2019). First, the imprisonment rate for women and girls, in the USA and internationally, has increased much faster than that for men and boys (The Sentencing Project, 2019a; Walmsley, 2016), in the USA in part due to changes in drug laws that require mandatory incarceration and to changes in law enforcement practices (National Resource Center on Justice Involved Women, 2016). Second, women and girls have unique problems and needs and consequently cannot be well-served by programs designed for men and boys. That is, even if they have similar risk factors for crime and recidivism, these risk factors may operate in different ways based on gender (Belknap & Holsinger, 1998, 2006; Chesney-Lind, 1997). Studies have shown that both staff and clients think that institutionalized women and girls are an “afterthought” and that girls in the system are “invisible” (e.g., Bloom, Owen, Deschenes, & Rosenbaum, 2002a, p. 535). Consequently, if for equity and justice reasons alone, policymakers and practitioners have an obligation to find appropriate ways to serve the needs of women and girls. Even if equity does not provide a convincing argument to those faced with limited resources and an incarcerated population primarily consisting of men and boys, meeting the needs of their incarcerated female population can serve more practical purposes of reducing incarceration and other costs if recidivism and other problems can be reduced (Welsh & Farrington, 2000).

## 1.2 Who Are Imprisoned Women and Girls?

Before we tackle all the issues related to incarceration, it is important to paint a demographic picture of the women and girls who are locked up. Unfortunately, one cannot talk about incarceration without discussing race and ethnicity, because historically in the USA imprisonment has disproportionately affected communities of color, no matter one’s gender. Current times are no different (Roberts, 2004; Tonry, 2009). In 2017, while there were twice as many white women in prison as either African-American or Hispanics, the rate of imprisonment for black women was almost twice the rate of white women and the rate for Hispanic women was also higher than for whites. The same disproportion is evident for girls in residential placement, where African-American girls are housed at three and half times the rate of white girls and Hispanic girls are a third more likely to be there (Bronson & Carson, 2019; The Sentencing Project, 2019a). Globally, women from minority groups are also overrepresented in the prison populations of many countries other than the USA (Prais & Sheahan, 2019).



This overrepresentation of minority groups in carceral institutions cannot be uncoupled from their similar disproportionate residence in areas faced with concentrated disadvantage and crime (see Gaardner & Belknap, 2002; Jargowsky, 2015; Ulmer, Harris, & Steffensmeier, 2012). People in prison, including women in the USA and abroad, are overwhelmingly poor and from disadvantaged neighborhoods and, as detailed later, are struggling with many of the problems that come with that experience (Henriques & Manatu-Rupert, 2001; Western, 2006). As Chesney-Lind and Pasko (2013) argued, many women in the justice system face multiple marginality due to the combination of race and ethnicity, gender, and poverty. The majority of women in US prisons, no matter their race or ethnicity are in their twenties and thirties (Bronson & Carson, 2019), and they often do not have much education (Owen & Bloom, 1995).

Girls and women represent an increasing percentage of those arrested but are less likely than men to be violent. While crime has been decreasing overall in the last few decades, the proportion arrested that are women have increased by 6% since 2008 (Federal Bureau of Investigation, 2018). Interestingly, since 2000, while the incarceration *rate* for white women has increased by about 47%, and for Hispanic women has increased by more than 23%, the rate of incarceration for black women has *declined* more than 30%. According to Mauer (2013) these changes in rates are related to population changes, differential involvement in crime, and shifting policies, including changing police practices, especially related to drug enforcement.

Similarly, in 1980, girls represented less than 20% of juvenile arrests in the USA but by 2017 comprised about 30%. However, imprisoned women and girls are more likely to be institutionalized for drug and property offenses and less likely to be imprisoned for violence than men and boys are (Bronson & Carson, 2019; Ehrmann et al., 2019; The Sentencing Project, 2019a). Still, about 1 in 15 imprisoned women in the USA are serving virtual (at least 50 years) or actual life sentences, and between 2008 and 2016, the number of women imprisoned for violence increased slightly (2%) (The Sentencing Project, 2019b).

### 1.3 What Do We Know About Their Lives Outside Incarceration?

As noted above, imprisoned women and girls in the USA and abroad disproportionately come from backgrounds of concentrated and cumulative disadvantage (Bloom, Owen, Deschenes, & Rosenbaum, 2002b; Owen, Wells, & Pollock, 2017; Prais & Sheahan, 2019; Western, 2006), and many are struggling with the other problems that can come with economic inequality and structural disadvantage, such as substance abuse, difficult and/or abusive relationships or relationship histories, money concerns, mental and physical health problems, and sometimes participation in illegal activities primarily to support their families (Bloom, Owen, & Pollock, 2017; Henriques & Manatu-Rupert, 2001; Loucks, 2004; McDonald, 2013; Owen &

Bloom, 1995; Taylor, Williams, & Eliason, 2002). Many report troubles with under-employment or unemployment or trouble keeping jobs. Most women in prison also have children, and many women in prison were not living with a partner before incarceration and were the primary caretakers before and will be after prison. Many also get no financial support from the fathers of their children. If the children were not removed by the system, women often have to find someone to care for their children while they are incarcerated (Bloom & Steinhart, 1993; Enos, 2001; Henriques & Manatu-Rupert, 2001; Owen & Bloom, 1995; Van Voorhis, Wright, Salisbury, & Bauman, 2010; Wright, Van Voorhis, Salisbury, & Bauman, 2012).

Family problems are common among incarcerated girls and women, including conflict, lack of communication, parental stress, and having parents who were not able to parent well (Bloom et al., 2002b; Van Voorhis et al., 2010). Physical and sexual trauma in childhood and adulthood, sometimes resulting in severe injuries, is a critical factor in the lives of women and girls who are arrested and wind up in the justice system (Belknap, Holsinger, & Dunn, 1997; Bloom et al., 2002b; Chesney-Lind & Rodriguez, 1983; Gaardner & Belknap, 2002; Garcia & Lane, 2013; Henriques & Manatu-Rupert, 2001; Owen et al., 2017; Schaffner, 2006, 2007), although some studies do not show that women who are abused are more likely to offend (see Van Voorhis et al., 2010 for a summary). Still, some research shows that, similar to findings for males, there is a subset of women who are abused who become chronic offenders (Widom, 2000). Some evidence indicates that the majority of incarcerated women meet the diagnostic criteria for serious mental illness, post-traumatic stress disorder, and/or substance use disorder (Lynch, DeHart, Belknap, & Green, 2013). Interestingly, there is indication that the effects of abuse may vary by race. For example, one study found that for black girls it was related to violence, while for white girls it was more often connected to self-harm, such as suicide attempts and self-injury (Holsinger & Holsinger, 2005).

Some women and girls report that their crimes were attempts to stop the abuse, while others acted out as a result of victimization. Many have experienced intimate partner violence and physical, sexual, and emotional abuse as children, and scores of incarcerated women have faced multiple relationship and physical traumas throughout their lives. Some also report that when they were children, adults in their lives provided them with alcohol and/or drugs, sold their bodies for sex, and involved them in theft activities (DeHart, 2008; Wright et al., 2012). Women and girls indicate relationship strain as a critical factor leading them into trouble (Garcia & Lane, 2012). There is also some indication that women who are repeatedly incarcerated experience more economic insecurity, substance use, risky sexual behaviors, and victimization experiences than those who have fewer experiences in facilities (Herbst et al., 2016).

Troubled women and girls also struggle with mental health issues more than men and boys, including depression, anxiety, and self-injurious behavior. Women and girls in the system are also often struggling with substance abuse. Some research indicates more of them are struggling with drug dependence compared to men, and recent numbers show that they are more likely to be incarcerated for a drug offense than men are. It is not uncommon for girls and women to have dual diagnoses (e.g.,

both mental health and substance abuse problems) (Baunach, 1985; Belknap et al., 1997; Bloom et al., 2002b; Bronson & Carson, 2019; Van Voorhis et al., 2010). Girls caught up in the system also often experience trouble in school, including academic failure, truancy, discipline issues, and dropout, as well as peer problems, including friends who are in trouble and use drugs (Bloom et al., 2002b; Gaardner & Belknap, 2002; Garcia & Lane, 2013).

It is not that men and boys do not experience any of these problems that plague incarcerated women and girls, but rather that they often affect women more frequently or differently than they do men (Belknap & Holsinger, 1998; Chesney-Lind, 1997; Wright et al., 2012), which has led many to argue for gender-responsive programming for women and girls (e.g., Bloom et al., 2002a, 2002b; Bloom, Owen, & Covington, 2004; Bloom, Owen, Rosenbaum, & Deschenes, 2003; Chesney-Lind, 1997; Chesney-Lind & Pasko, 2013; Covington, 2003; Garcia & Lane, 2012, 2013; Greene, Peters, and Associates, 1998; Holsinger, 2000; Schaffner, 2006). According to Greene, Peters, and Associates' (1998), executive summary, gender-specific programming refers to "...a comprehensive approach to female delinquency rooted in the experience of girls ...It bridges theory-into-practice by combining female adolescent theory with juvenile justice practices." In essence, the goal of gender-specific programming is to concentrate on the specific psychological, social, and developmental needs of women and girls. The problem is that most gender-neutral programs have actually been designed based on the needs of the most prominent group in the system—men and boys (Chesney-Lind & Shelden, 2014; Covington, 2003; Shearer, 2003).

## 1.4 What Is Incarceration Like for Women and Girls?

While women can report worsening or better mental health during incarceration, depending on their experiences (Harner & Riley, 2013), being locked up is generally a demeaning experience. Women also continue to experience gender, class, and race inequalities inside that exist outside the walls (Owen et al., 2017). Scholars have known for decades that incarceration is a traumatic experience due to the deprivation and degradation inherent in the experience, including loss of freedom, privacy, independence, personal relationships, sexual relationships, and sense of safety (Sykes, 1958; Toch, 1992). The loss of agency, or the ability to make daily decisions for themselves, is a major stressor for people in prison and diminishes their life skills over time. For women, the inability to choose their personal hair and clothing style, including being forced to wear recycled undergarments, are degrading, for example (Irwin & Owen, 2005; Owen et al., 2017).

Both male and female prisoners also still experience other difficult and stark living conditions, such as the subpar housing, verbally abusive or uncaring staff, sometimes physically abusive workers, inadequate food and nutrition, exposure to disease and lack of good medical care and treatment options (Owen et al., 2017; Schaffner, 2006). Irwin and Owen (2005) report, for example, that women's specific diseases,

such as breast and uterine cancers, often go undiagnosed and untreated because there is no systematic plan for preventive screening such as mammograms and pap smears. In addition, pregnant women are rarely provided prenatal or postnatal care, and in some low-income countries deliver in unsanitary conditions (United Nations, 2014).

Women also face the possibility of property and personal victimization while inside (Wooldredge & Steiner, 2016). Owen et al. (2017) discuss multiple vulnerabilities that put women inside at risk of exploitation by others, including physical frailty, mental health, language barriers, and seeing oneself as a victim or acting afraid. They discuss the commonness of arguments, gossip, economic exploitation, and sometimes physical violence, including some sexual coercion by fellow inmates, although exploitation tends to be less physically violent than that often seen in men's prisons. They found that some women also experienced inappropriate sexual behavior from staff, ranging from comments, which are common, to rape, which is rare. In many places, even when nude, incarcerated women find it hard to avoid male staff visually violating their privacy, for example (Irwin & Owen, 2005). Lack of privacy in bathrooms can be especially degrading when women are menstruating. Strip searches also are not uncommon (Chesney-Lind & Shelden, 2014). Moreover, dealing with ridiculous rules, many of which are difficult to follow, lead to feelings of anger and injustice, especially when they result in disciplinary infractions. As Owen et al. (2017) argue, "Threats to safety and well-being are embedded in the world of prison" (p. 3). Together, these negative experiences can retraumatize women and girls, for example, serving as triggers for people who are already suffering from post-traumatic stress disorder (PTSD) (Covington, 2003; Owen et al., 2017).

In addition, personal loss of connection, especially to children, can be very traumatic for women, especially because many do not get to see their children while incarcerated. Prisons are often far from women's homes, and families of women prisoners frequently have limited transportation options and financial resources to allow for regular visits (Irwin & Owen, 2005; Mignon & Ransford, 2012). Some have babies in prison and have them removed within a few days (Baunach, 1985), while in some countries children can remain with their mothers for a while, often up to somewhere between 1 year old and 6 years old (United Nations, 2014). The inability to see and connect with children is a significant emotional loss for women and often the most painful part of being inside (United Nations, 2014). Many mothers in prison worry that their children will be taken from them and they will not be able to be together once they are released, and this is especially true in some states where criminal behavior and incarceration can be grounds for terminating parental rights. They also agonize about what is happening to children in their absence, and they worry about reconnecting once they are released (Baunach, 1985; Enos, 2001; Hairston, 2003). Research shows that parental incarceration is related to lower parental attachment and higher risk of criminal involvement, antisocial behavior, psychological problems, as well as lower educational achievement in children (Martin, 2017). When their children are in the foster care system rather than with family, these worries are heightened, especially when women lose track of their children's locations (Baunach, 1985). As Roberts (2012) argued, the prison system

and foster care systems together can be especially punitive spaces for mothers, especially black mothers who are disproportionately struggling to navigate both systems.

## 1.5 What Might We Do to Help Women and Girls?

The goal should be to reduce harm overall, for the public but also for those who are managed in the system (Owen et al., 2017). First, women's basic needs for nutrition, personal hygiene, adequate medical care, personal safety, privacy, etc., must be addressed in ways that provide basic respect for their humanity. While this is true for all prisoners, women's specific needs also must be addressed, such as adequate supplies to manage their menstrual cycle and specific medical testing for their unique health issues, as well as the ability to birth and nurse children in safe, clean, and humane environments (United Nations, 2014).

More broadly, feminist scholars have argued for gender-responsive practices and programming which are specifically designed to meet the unique and multifaceted needs of girls and women (e.g., Bloom et al., 2002a, 2002b, 2003, 2004; Chesney-Lind, 1997; Chesney-Lind & Pasko, 2013; Covington, 2003; Garcia & Lane, 2012, 2013; Greene, Peters, and Associates, 1998; Holsinger, 2000; Schaffner, 2006). Because females involved in the system face struggles in multiple and interconnected areas of their lives, the need is for collaborative, comprehensive, integrated, and targeted approaches to helping them, rather than trying to serve women and girls with multiple and disparate programs (Bloom et al., 2002b; Covington, 2003).

Feminist scholars agree that these efforts need to be therapeutic rather than punitive (e.g., Van Voorhis et al., 2010). Because relationships are critically important to women and girls and many of their troubles are rooted in relationship trauma and strain, it is important that programs and practices address this part of their lives. According to The World Health Organization (2014) addressing the needs of abuse victims through trauma-informed care and cognitive-behavioral treatment has the potential to reduce the serious mental health consequences of relationship traumas. The effort to recognize and respond to trauma is especially important for incarcerated women and girls, because trauma can be worsened by the correctional experience itself. And, addressing women's needs related to their multiple traumas can help ensure that they are more receptive to the cognitive-behavioral treatment (CBT) efforts provided them (Miller & Najavits, 2012). As Mollard and Hudson (2016) argued, providing trauma-informed care can reduce stress levels of both women and staff which can increase security and help improve women's chances of successful reentry.

In addition, it is important to provide programming that allows women to remain connected to their children, because this helps the women but also the children. Options include, for example, nursery programs for newborn babies to stay with their mothers, extended visits, overnight or long term stays, and programs designed to help moms understand child development and improve parenting, as well as reading and letter writing programs, such as those provided by the Children's Literacy

Foundation (Baunach, 1985; Children's Literacy Foundation, 2020). In the USA, some programs also now exist to allow women to live with their preschool age children for extended periods of time. A 2009 report by the Women's Prison Association found that seven states allowed women to keep children with them in prison as did as Rikers Island in New York City. As of 2018, there were eight prison nurseries in the USA, including the oldest one at New York's Bedford Hills Correctional Facility which began in 1901 (Chuck, 2018), although most programs did not open until the late 1990s or early 2000s (Women's Prison Association, 2009). Other US examples include the Residential Parenting Program at the Washington Correctional Center for Women, which allows children to stay with their mothers up to 30 months and the California Community Prisoner Mother Program (CPMP), a substance abuse treatment program that allows nonviolent women to live with children under 6 years of age and works to build parenting skills and improve the likelihood of successful transition to the community (California Department of Corrections and Rehabilitation, 2020; Washington Department of Corrections, 2017). There are also evidence-based programs available, such as Parenting Inside Out (n.d.). (<http://www.parentinginsideout.org/>) and Strengthening Families tailored for institutional settings (Miller et al., 2014).

Scholars have provided a wide array of suggestions about other specific efforts that might work. For example, Bloom et al. (2002b, p. 52) argued for a continuum of care with graduated sanctions from prevention through aftercare, including school-based, family-focused, healthcare and substance abuse efforts as well as specialized training for justice and school system staff on gender-specific concerns such as "adolescent development, sexual exploitation, awareness of family backgrounds, trust and emotional issues, relationship needs, and strategies and techniques for working with girls and young women." When women in prison were asked what would help girls in the system, they said they wanted many of these things as well. In terms of counseling and treatment programs, they wanted them to focus on sexual abuse, parenting, independent living skills, drug treatment, grief and loss, healthy relationships, self-esteem and empowerment, and transitioning to the community. In terms of system personnel, they wanted more female staff, role models, and mentors, more caring staff, and workers and volunteers that had similar experiences to females in the system (Garcia & Lane, 2010), and girls in the system echoed these needs (Garcia & Lane, 2012). Consequently, Garcia and Lane (2013) argued that it is important to ensure that we hire women to work with women and girls (although Owen et al. (2017) recently found that some thought female staff were worse than males), ensure that the staff are willing and interested in working with this population (which can be perceived by some as more difficult to work with than men and boys), and screen all potential staff for implicit and explicit gender biases.

We know that most women returning to the community from prison are often going back to the community without many skills and to neighborhoods without adequate jobs, housing, and educational opportunities, which means women inside need help transitioning to the community. In some countries, some women cannot even leave the facility unless a "male guardian" will come and get them from prison

(United Nations, 2014). Petersilia (2003), an important reentry scholar who understood the practical limitations of the field, argued that programs and planning to transition to the community should begin as soon as someone begins a stint in incarceration. She suggested that prison administrators need to embrace successful reentry as part of their mission and that it would be prudent to create work, treatment, and education tracks in prison to better meet the variable needs of inmates. Additionally, she suggested that daily life inside should parallel life on the outside as much as possible to encourage responsibility. Moreover, she argued for more use of discretionary parole release but increased monitoring only of those who are high risk for return, so that others are able to live more normal lives on the outside. Subsequently, there have been nationally funded programs designed to improve reentry, and a number of them have shown no real effects (e.g., the Second Chance Act Demonstration Programs) (D'Amico & Kim, 2018) or only modest effects on outcomes, including for women (e.g., Serious and Violent Offender Reentry Initiative (SVORI)) (Lattimore & Visser, 2009). However, as many program evaluators know, often the lack of effects is due to implementation difficulties and not necessarily issues with the goals and objectives of programs (Gendreau, Goggin, & Smith, 1999; Lattimore & Visser, 2009; Petersilia, 1990). To make a real difference for women and girls in the system, I echo the arguments of others that there need to be evidence-based gender-responsive efforts at all levels, from prevention to reentry. These efforts also need to be reflexive, adjusting and responding to evaluation results in efforts to improve, and they must have buy-in from those involved in the implementation to at least encourage adherence to program fidelity.

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