

National Resource Center   
on Justice Involved Women

**TEN TRUTHS THAT MATTER WHEN WORKING  
WITH JUSTICE INVOLVED WOMEN**

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# Preface

This document reviews ten truths about justice involved women—gleaned from the research over the last few decades<sup>1</sup>—that must be recognized if we are to successfully manage this population, achieve greater reductions in recidivism, and improve public safety outcomes. It is our hope that by understanding these truths, criminal justice policymakers and practitioners will be more aware of gender differences and take steps to enhance their approaches to managing justice involved women.

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<sup>1</sup> e.g., Barnett, 2012; Chesney-Lind, 1997; Dowden & Andrews, 1999; Rettinger & Andrews, 2010; Van Voorhis, Wright, Salisbury, & Bauman, 2010.

# One

## Women are a fast-growing criminal justice population, yet they pose a lower public safety risk than men.

Arrest data from 2010 reveal that the number of female arrests in the United States increased by 11.4% from the preceding decade; this increase is in contrast to a 5% decline for male arrests.<sup>2</sup> During the same time period, the number of women incarcerated in federal and state correctional facilities increased by 22%.<sup>3</sup> Women now constitute one-fourth of the probation and parole population, representing a 10% increase over the past decade.<sup>4</sup>

Consider the following:

- **Women typically enter the criminal justice system for non-violent crimes that are often drug-related and/or driven by poverty.**<sup>5</sup> Women are much less likely than men to be arrested for crimes against persons such as murder, robbery, or assault.
- **The nature and context of violent crime committed by women frequently differ from that observed in men.** Relative to men, when women do commit aggressive acts, these incidents typically involve assaults of lesser severity that are reactive or defensive in nature, rather than calculated or premeditated.<sup>6</sup> Compared with men who tend to target strangers and acquaintances, violent acts committed by women occur primarily in domestic or school settings, and are more likely targeted at family members and/or intimates.<sup>7</sup>
- **Justice involved women are less likely than men to have extensive criminal histories.**<sup>8</sup> A smaller percentage of women in prison have prior convictions compared to men (65% vs. 77%). Women are also half as likely to have a juvenile record and are less likely to have multiple convictions in their past.<sup>9</sup>

- **Within prison settings, incidents of violence and aggression committed by incarcerated women are extremely low.** Studies indicate that incarcerated women are five times less likely than incarcerated men to commit such acts—3-5% of women compared to 17-19% of men.<sup>10</sup>
- **Women released from incarceration have lower recidivism rates than their male counterparts.**<sup>11</sup> This holds true for rearrests, reconvictions, and returns to prison with or without new prison sentences.<sup>12</sup> Moreover, for the small proportion of women who are incarcerated for violent crimes, most do not reoffend with another violent crime.<sup>13</sup>

The finding that women pose a lower public safety risk than men is critical to informing future changes in criminal justice policy and practice.

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<sup>2</sup> Federal Bureau of Investigation (FBI), 2010.

<sup>3</sup> West, Sabol, & Greenman, 2010.

<sup>4</sup> Glaze & Bonzcar, 2011.

<sup>5</sup> Bureau of Justice Statistics (BJS), 1999; Deschenes, Owen, & Crow, 2006; FBI, 2010; West et al., 2010.

<sup>6</sup> Mordell, Viljoen, & Douglas, 2012.

<sup>7</sup> Blanchette & Brown, 2006; Chesney-Lind & Paramore, 2001; Greenfeld & Snell, 1999.

<sup>8</sup> Bloom, Owen & Covington, 2003; Hardyman & Van Voorhis, 2004; Kong & AuCoin, 2008; Veysey & Hamilton, 2007.

<sup>9</sup> Greenfeld & Snell, 1999.

<sup>10</sup> Hardyman, 2000; Harer & Langan, 2001 as cited in Wright, Van Voorhis, Salisbury, & Bauman, 2009.

<sup>11</sup> Becker & McCorkel, 2011.

<sup>12</sup> Deschenes et al., 2006; Langan & Levin, 2002.

<sup>13</sup> Deschenes et al., 2006; Langan & Levin, 2002.

## Two

### Women follow unique pathways into crime and present risk and need factors that signal different intervention needs.

Although less research has been conducted on justice involved women than men, an ever-increasing body of literature reveals important differences between them. There are often qualitative differences in the reasons underlying men and women's criminal involvement. The research conducted on "pathways" into crime over the past few decades indicates that while there are multiple reasons why women commit crime, their experiences of victimization and abuse, poverty, mental illness, and substance abuse play a criminogenic role.<sup>14</sup>

Consider that:

- **Justice involved women are more likely to have experienced sexual abuse and other forms of victimization.**<sup>15</sup> Justice involved women are more likely than their male counterparts to have experienced sexual and other victimization during childhood, adolescence, and adulthood and to have come from homes and relationships in which domestic violence, other dysfunction, and criminality were present. Such forms of early victimization have demonstrated a stronger relationship to future criminal outcomes in women compared to men.<sup>16</sup>
- **A large proportion of justice involved women have abused substances or have engaged in criminal behavior while under the influence and/or to support their drug use.**<sup>17</sup> In a 2006 Bureau of Justice Statistics study, over 60% of women reported a drug dependence or abuse problem in the year prior to their incarceration.<sup>18</sup> Moreover, there is evidence indicating that current substance abuse among women is a strong direct predictor of prison readmission.<sup>19</sup>
- **Justice involved women are more likely to experience co-occurring disorders; in particular, substance abuse problems tend to be interlinked with trauma and/or mental illness.** Consider that the majority of women who suffer from mental illness (75%) also have substance abuse disorders.<sup>20</sup> Also, women experience mental illness differently than men—Post-Traumatic Stress Disorder (PTSD), anxiety, depression, and eating disorders are all more prevalent in justice involved women than in men.<sup>21</sup> Although not considered a relevant factor in the prediction of male offending, there is some evidence to suggest that extreme depression, self-harm, and suicidal tendencies are criminogenic for women.<sup>22</sup> Furthermore, substance abuse among justice involved women may be motivated by a desire to cope with or mask unpleasant emotions stemming from traumatic experiences and ensuing mental health problems.<sup>23</sup>
- **Economic hardship, lower educational attainment, fewer vocational skills, underemployment, and employment instability are more common among justice involved women.**<sup>24</sup> These factors are particularly problematic when considering that women are more likely to have child-rearing responsibilities, particularly as single mothers.<sup>25</sup> Compared to men, it is more difficult for justice involved women to obtain and maintain legitimate and well-paying employment that will meet their family's needs both before and following incarceration.<sup>26</sup> Indeed, recent research has indicated that programming designed to enhance women's educational and vocational skills are particularly effective in reducing their risk of recidivism.<sup>27</sup>

In sum, the pathways research suggests that if we are to successfully impact outcomes with women, we must ensure that the differences between women and men are accounted for in the following areas: assessment and classification protocols; the nature and availability of institutional and community-based programs and services; community supervision practices and other interventions; and staff hiring, training, and ongoing professional development.<sup>28</sup>

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<sup>14</sup> While many women follow a gendered pathway into crime, it is important to acknowledge that this is not true for all women. For more information on women's pathways to crime see Bloom et al., 2003; Chesney-Lind, 1997; Daly, 1992; Dehart, 2005; Green, Miranda, Daroowalla, & Siddique, 2005; Lapidus et al., 2004; Salisbury, 2007; Salisbury & Van Voorhis, 2009.

## Three

### Women's engagement in criminal behavior is often related to their relationships, connections, and disconnections with others.

Theories of female development consistently emphasize the importance of relationships in women's lives—both in shaping their identities and in contributing to a sense of self-worth.<sup>29</sup> While engaging and connecting with others is normal behavior for both men and women, *for many women, criminal justice involvement is fueled by the dynamics of their relationships with significant others.*<sup>30</sup>

Consider the following:

- **Women in the criminal justice system often have experienced abuse and neglect from the individuals closest to them; these experiences contribute to difficulties throughout their lives.** For example, in adolescence abused children are more likely to drop out of school, engage in substance abuse and other delinquent behaviors, and experience dating violence.<sup>31</sup> In adulthood, women who have struggled with childhood abuse are more likely to use drugs, suffer from PTSD,

<sup>15</sup> Battle et al., 2002; Blackburn, Mullings & Marquart, 2008; Raj et al. 2008; Zlotnick et al., 2003.

<sup>16</sup> Benda, 2005; Funk, 1999; Kerig & Becker, 2012.

<sup>17</sup> Bloom et al., 2003.

<sup>18</sup> Mumola & Karberg, 2006.

<sup>19</sup> Salisbury & Van Voorhis, 2009.

<sup>20</sup> Bloom et al., 2003.

<sup>21</sup> Bloom et al., 2003; Kassebaum, 1999; Sacks & Ries, 2005; World Health Organization (WHO), 2010.

<sup>22</sup> Benda, 2005; Blanchette & Motiuk, 1995; Loucks, 1995; Rettinger, 1998; Salisbury & Van Voorhis, 2009; Van Voorhis et al., 2010.

<sup>23</sup> Covington & Bloom, 2007; Greiner, Brown, & Skilling, 2012.

<sup>24</sup> See Flower, 2010 for a review of this literature.

<sup>25</sup> Glaze & Maruschak, 2010.

<sup>26</sup> Flower, 2010.

<sup>27</sup> Brown & Motiuk, 2008.

<sup>28</sup> Bloom et al., 2005.

experience domestic violence and other forms of victimization, and become perpetrators of violence.<sup>32</sup> Victimization experiences in childhood appear to play a pivotal role for women in both initiating involvement in the criminal justice system and in elevating risk for future contact.<sup>33</sup>

- **The desire to preserve and maintain relationships can be linked to the very reasons that women commit crimes.**<sup>34</sup> For instance, women will often override their personal values and beliefs in the commission of a crime to meet the needs of their children, or to please or demonstrate loyalty to a significant other (e.g., they may become involved in substance abuse or prostitution at the demands of a boyfriend or abuser, or be coerced by a male to participate in criminal activity or assume responsibility for his crime, etc.).

Programs and interventions should encourage women to maintain a desire for connection while providing them with opportunities to learn new ways of connecting and relating to others. This can be achieved formally through counseling, and the introduction of skills training designed to enhance interpersonal and emotional competence. Staff can also influence change less formally by consistently modeling and reinforcing the use of

conflict resolution strategies, collaborative problem-solving, and by using a communication style that is respectful, empathic, and caring.

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<sup>29</sup> Bloom et.al.,2003; Miller, 1976.

<sup>30</sup> Miller, 1976; Miller & Striver, 1997.

<sup>31</sup> Kilpatrick et al., 2003.

<sup>32</sup> Centers for Disease Control and Prevention, 2012.

<sup>33</sup> Greiner & Brown, 2011; Salisbury & Van Voorhis, 2009.

<sup>34</sup> See Van Voorhis et al., 2010 for a review of this literature.

## Four

### Traditional criminal justice policies and practices have largely been developed through the lens of managing men, not women.

Given that the overwhelming majority of justice involved persons are men, it is not surprising that correctional policies, procedures, and practices were developed primarily for male offenders. Developing and modifying systems to be more gender responsive is a key challenge for correctional administrators and practitioners for a number of reasons. These include limited awareness or understanding of the current research about justice involved women, limited agency resources and, in some instances, resistance to establishing what are perceived to be “non-equal” policies and practices for women and men.<sup>35</sup>

The increasing number of women entering the criminal justice system, coupled with a growing body of research on this population, has drawn attention to justice involved women and signaled a need for gender responsive policies, procedures, and services. For example, some state corrections departments are beginning to adopt the following practices: using gender responsive assessment and classification tools; developing gender informed policies and operating procedures regarding the conduct of pat and strip searches with females; providing commissary items such as women’s health and beauty products; assigning female staff to shifts when women are most likely to be using showers

or dressing; and reconsidering the use of physical restraints for pregnant women.<sup>36</sup>

Consider the following additional issues:

- **The programs and services that are available to women within institutional and community settings, and to support them during transition and reentry, may not adequately meet their needs.**<sup>37</sup> For example, within institutions, women generally do not have access to vocational training and education to assist them in earning a living wage for their families; programming that addresses the interconnected issues of substance abuse, trauma, and mental illness are not provided in holistic and integrated ways; and services and visitation policies that promote good parenting skills and healthy relationships with children are often absent.
- **Access to appropriate healthcare for incarcerated women may not be adequate.**<sup>38</sup> Screening and healthcare for women in custodial settings may be restricted for a number of reasons such as scheduling difficulties, limited access to physicians, and logistical/budgetary constraints around transportation from prisons to urban hospitals. The scarcity of health-based resources is particularly notable with respect to women’s reproductive health and other unique health-



related issues (e.g., higher rates of HIV than men, incidences of breast and gynecological-related cancers, higher mortality rates from cardiovascular disease, prevalence of eating disorders).

- **Reentry services for women do not always consider the unique challenges that women face when they transition back to their communities.**<sup>39</sup> For example, women need assistance finding safe and affordable housing for themselves and their children (i.e., away from previous abusers), gaining and sustaining employment, navigating the challenges of finding childcare and transportation, and reunifying with their children.

## Five

### Justice involved women often report histories of sexual victimization and trauma, and they continue to be vulnerable to such victimization within correctional settings.

The prevalence of sexual victimization and other maltreatment—whether in childhood, adolescence, or adulthood—is higher among justice involved women than it is among women in the general public.<sup>40</sup> Moreover, compared to incarcerated men, women in custody are disproportionately subjected to sexual victimization, not only at the hands of correctional staff, but also by other incarcerated women.<sup>41</sup>

Consider the following:

- **Trauma such as sexual victimization is linked to mental health, substance abuse, and relationship difficulties and contributes to crime pathways for women.**<sup>42</sup> For example, the Adverse Childhood Experience (ACE) Study concludes that higher rates of childhood trauma do, in fact, lead to increased substance abuse, depression, suicide, violent behavior, and likelihood of becoming a victim of intimate partner violence in adulthood.<sup>43</sup>

Criminal justice professionals must begin to develop and modify systems to be more responsive to women’s risk and needs in order to achieve successful outcomes with this population.

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<sup>35</sup> Bloom et al., 2005.

<sup>36</sup> Bloom et al., 2003; Covington & Bloom, 2007.

<sup>37</sup> Berman, 2005; Modley & Giguere, 2010.

<sup>38</sup> BJS studies indicate that while a majority (94%) of pregnant inmates in state prisons received an obstetric exam, less than half (48%) of the pregnant inmates in jails received one (Maruschak, 2008; 2006).

<sup>39</sup> Covington & Bloom, 2007.

- **Research indicates that individuals who are exposed to trauma—especially repeated trauma and maltreatment—do not easily recover from those experiences.** Rather, there is evidence that traumatic experiences cause chemical and structural changes in the brain, therefore affecting the way that individuals react to future danger (real and perceived) and their ability to respond to interventions.<sup>44</sup>
- **Incarcerated women with a history of trauma and accompanying mental health concerns are more likely to have difficulties with prison adjustment and misconduct.**<sup>45</sup> There is some evidence to suggest that revising policies and practices to be more trauma-informed can reduce prison misconduct in women’s prison settings: The Rhode Island Department of Corrections realized a significant reduction in female inmates assaulting inmates and staff, inmate fights, and the use of force as a result of incorporating trauma-informed practices.<sup>46</sup>

- **Correctional policies and procedures—and institutional environments in general—can trigger previous traumatic experiences, exacerbate trauma-related symptoms, and interfere with a woman’s recovery.**<sup>47</sup> For example, disciplinary policies that include the use of physical restraints might “trigger” a woman who has experienced rape in her past. Similarly, isolating a woman in administrative segregation might remind her of the trauma of losing a parent or other family member at a young age. Finally, strip searches, room searches, and frequent room changes may elicit behaviors in response to a lost sense of control.

The culmination of this research suggests that trauma-informed policies and practices should be a core element of a gender responsive approach and are necessary to achieving successful outcomes with justice involved women.

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40 See Battle et al., 2002; Blackburn et al., 2008; Raj et al. 2008; Zlotnick et al., 2003.

41 Guerino & Beck, 2011.

42 Clark, 2002; Messina & Grella, 2006.

43 Centers for Disease Control and Prevention, 2012.

44 National Center for Trauma-Informed Care (forthcoming); Van Dalen, 2001.

45 Van Voorhis et al., 2010.

46 National Center for Trauma-Informed Care (forthcoming).

47 National Center for Trauma-Informed Care (forthcoming).

## Six

### Traditional prison classification systems tend to result in unreliable custody designations for incarcerated women.

In most states, classification protocols used to make institutional custody determinations are based primarily on *static risk factors* that are unchangeable by definition and have been shown to effectively predict institutional violence or other misconduct for males (e.g., prior criminal history, crime seriousness/severity, prior institutional adjustment, absconding history).<sup>48</sup> *Dynamic risk factors* or criminogenic needs, namely those factors that are subject to change, are included in some classification tools (e.g., antisocial thinking, substance abuse). However, most criminogenic needs measured by current risk assessment tools were derived from the “gender neutral” literature and typically do not include those factors that are female specific such as risk of harm to self or others, mental health issues, or the experience of trauma. Consequently, current protocols used to designate custodial placement may not adequately reflect security-related concerns for women or appropriately identify their intervention needs.<sup>49</sup>

Consider that:

- **Classification tools are generally normed on male offender populations and are not validated on women, yet they are often used to guide key housing decisions for women.**<sup>50</sup> Classification tools play a pivotal role in impacting correctional management practices and offender liberties; these tools often guide placements by level of security/custody, eligibility for and accessibility to various programs and services, inmate movement, work details, and privileges in correctional facilities, as well as release and community supervision decision making.<sup>51</sup> Therefore, when classification approaches do not explicitly take into account the unique risk factors and pathways into crime for justice involved women, risk designations are less reliable. In many instances, women are over-classified into high risk categories as a result even though the actual level of threat they pose may be significantly lower.<sup>52</sup> Utilizing tools that incorporate gender responsive factors provides a more reliable risk determination

and better prediction of correctional outcomes for women.<sup>53</sup> Using gender responsive tools enhances our ability to predict prison misconduct and recidivism outcomes, and to place women appropriately into low, medium, and high custody levels.<sup>54</sup>

- **Traditional classification instruments typically do not incorporate factors linked to misconduct, prison adjustment, and recidivism among women.** Research shows that institutional misconduct, prison adjustment and ultimately, recidivism among women is more closely linked to *specific intervention needs* (e.g., mental health difficulties, history of maltreatment or other trauma, dysfunctional relationships, vocational needs, support for parenting and child rearing)—and the lack of services and supports to address these needs—than to current offense severity and criminal history factors.<sup>55</sup> These findings signal the need for more comprehensive programs, services, and interventions to assure the overall wellness, stability, and success of justice involved women.<sup>56</sup>

## Seven

### Gender responsive assessment tools can enhance case management efforts with justice involved women.

Assessment tools commonly used in the criminal justice system were not developed as gender responsive instruments. Therefore, assessments such as the COMPAS and LSI-R do not, on their own, incorporate information about women's pathways into crime, risk factors, strengths, and intervention needs.<sup>57</sup> Advances in our understanding of the challenges and needs faced by justice involved women have led to the development of *gender informed* assessment tools.<sup>58</sup>

Consider the following about gender informed assessment tools:

- **Gender informed tools not only include gender neutral factors (e.g., criminal history antisocial attitudes) that are associated with recidivism**

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48 Salisbury, Van Voorhis, Wright, & Bauman, 2009; Van Voorhis et al., 2010.

49 Bloom et al., 2003; Salisbury, Van Voorhis, & Spiropoulos, 2009; Van Voorhis et al., 2010; Wright, Salisbury, & Van Voorhis, 2007.

50 Van Voorhis & Presser, 2001.

51 Salisbury, Van Voorhis, Wright, & Bauman, 2009.

52 Bloom et al., 2003; Salisbury, Van Voorhis, Wright, & Bauman, 2009; Wright et al., 2007.

53 Salisbury, Van Voorhis, Wright, & Bauman, 2009; Van Voorhis et al., 2010; Wright et al., 2007.

54 Van Voorhis et al., 2010.

55 Van Voorhis et al., 2010.

56 Salisbury & Van Voorhis, 2009; Van Voorhis et al., 2010.

**among women and men, but also gender responsive factors that are specifically linked to outcomes for women (e.g., depression, psychotic symptoms, housing safety, parental stress).**

Recent research shows that for women, *gender neutral and gender responsive* factors are more predictive of outcomes than either *gender neutral or gender responsive* factors alone.<sup>59</sup>

- **Gender informed assessments take into account a woman's strengths or assets, which in turn play a protective role and mitigate the risk of negative outcomes.**<sup>60</sup> Examples of strengths that are linked to reduced misconduct and recidivism include family support, educational assets, and self-efficacy.<sup>61</sup>

- **The use of gender responsive tools helps practitioners to identify the most salient needs faced by women, which are critical to informing case management and service delivery.** Such needs may include safety concerns and exposure to violence, mental health, medical illness, trauma (including PTSD), depression, anxiety, psychosis and parenting skills. The newest case management model for justice involved women is the *Women Offender Case Management Model (WOCMM)*, developed by Orbis Partners Inc. in partnership with the National Institute of Corrections. A recent outcome evaluation of the WOCMM model piloted on a sample of Connecticut probationers confirmed the effectiveness of case management strategies

informed by a gender responsive risk and need tool. WOCMM participants, whose supervision plans were guided by a validated risk and need assessment,<sup>62</sup> were 26% less likely to be arrested than non-participants (i.e., those on traditional probation) over a one year period.<sup>63</sup>

<sup>57</sup> Van Voorhis et al., 2009; Van Voorhis et al., 2010.

<sup>58</sup> Gender responsive assessment tools include the University of Cincinnati's Women's Risk/Need Assessment and Orbis Partners' SPIn-W. See <http://www.us.edu/womenoffenders> and <http://www.orbispartners.com/index.php/assessment/spin-w/> for more information.

<sup>59</sup> Van Voorhis et al., 2010.

<sup>60</sup> Corsini & Wedding, 2006; Smith, 2006.

<sup>61</sup> Jones, 2011; Stevens, Morash, & Park, 2011; Van Voorhis et al., 2010.

<sup>62</sup> The tool used was the Service Planning Instrument for Women (SPIn-W) by Orbis Partners of Canada.

<sup>63</sup> Millson, Robinson, & Van Dietsen, 2010.

## Eight

### Women are more likely to respond favorably when criminal justice staff adhere to evidence-based, gender responsive principles.

There are a number of promising programs that incorporate principles derived from research on women (e.g., strength-based, trauma-informed, addressing substance abuse, parenting, and employment), which are beginning to report positive outcomes.<sup>64</sup> However, effective individual treatment interventions, while important, are not enough on their own to address the *full spectrum of needs and challenges* presented by women. Justice involved women are more likely to be successful when correctional staff utilize a comprehensive and coordinated case management approach.<sup>65</sup>

Consider that:

- **Staff are more likely to achieve successful outcomes with women if they understand and apply the research literature on evidence-based and gender informed practices.** The evaluation of the WOCMM model in Connecticut

revealed that probationers whose contacts with supervision officers were guided by evidence-based practices were less likely to recidivate.<sup>66</sup> Officers whose case notes stayed consistent with the model (e.g., utilized the case plan, focused on the woman's strengths and challenges, provided encouragement and feedback) managed more successful caseloads.

- **Interventions are most effective when their dosage and intensity are based on risk level.** The WOCMM study found that recidivism rates dropped more significantly for participants with higher risk levels.<sup>67</sup>
- **Staff who understand the importance of developing a professional working relationship with women and have the skills necessary to engage them appropriately are more successful case managers.** Correctional and supervision officers report that managing women offenders

is qualitatively different from managing men. Women tend to report a significantly greater number of needs than men and often demand more time to process and discuss the challenges they face on a day-to-day basis. Once a connection has been established with an officer, many women will express the desire for support and ongoing communication.<sup>68</sup> Research findings suggest that women are more readily engaged and more likely to communicate their needs when staff use a relational approach.<sup>69</sup> This entails demonstrating empathy, respect and regard for women during all interactions. Correctional staff can learn the skills necessary to establish a working relationship that promotes open, respectful communication while simultaneously addressing time constraints and other professional boundaries.<sup>70</sup>

- **When staff recognize women’s strengths, provide feedback, and help women mobilize their personal and social supports, they realize more positive outcomes.**<sup>71</sup> Women who participated in WOCMM described feeling a strong connection with the supervising officers during the assessment and case planning process. This was attributed to the respectful and empathic approach used by the supervision officers as a primary catalyst for change.<sup>72</sup>

## Nine

### Incarceration and reentry are particularly challenging for justice involved mothers of minor children.

Over 66,000 women incarcerated nationwide are mothers of minor children.<sup>73</sup> The increase in incarcerated mothers has far outpaced the growth rate of fathers in custody in recent years; moreover, the number of minor children of incarcerated women—roughly 147,000—has nearly doubled in the past two decades.<sup>74</sup> Justice involved women are more likely than men to have primary responsibility for meeting the social, emotional, physical, and financial needs of their children. Incarcerated women are considerably more likely than men

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<sup>64</sup> See Gehring & Bauman, 2008 and Modley & Giguere, 2010 for a review of these programs.

<sup>65</sup> As discussed previously, these needs may include trauma, mental health, substance abuse, parenting stress, dysfunctional relationships, and economic and educational deficits. See Bloom et al., 2005; Millson, Robinson, Rubin, & Van Dieten, 2009; Millson et al., 2010; Salisbury, Van Voorhis, Wright, & Bauman, 2009; Van Voorhis et al., 2010.

<sup>66</sup> Increased quality of contacts between the officer and probationer were measured through the analysis of keywords consistent with the model (Millson et al., 2010).

<sup>67</sup> Millson et al., 2010.

<sup>68</sup> Bloom, Owen, & Covington, 2005; Mallik-Kane & Visser, 2008; Salisbury, Van Voorhis, Wright, & Bauman, 2009.

<sup>69</sup> See the effectiveness of programs that incorporate relational approaches, such as Moving On in Gehring, Van Voorhis, & Bell, 2009.

<sup>70</sup> Millson et al., 2009.

<sup>71</sup> Deschenes et al., 2006; Millson et al., 2010; Salisbury, Van Voorhis, Wright, & Bauman, 2009; Wright et al., 2009.

<sup>72</sup> Millson et al., 2009.

to have lived with one or more of their children prior to incarceration and more likely to have had primary child-rearing responsibilities, often as single parents.<sup>75</sup>

Consider the following:

- **A key source of stress for women while incarcerated is the limited ability to maintain a connection with their minor children.**<sup>76</sup> Indeed, roughly half of the mothers in custody report having had no visits with their minor children

while incarcerated.<sup>77</sup> Recent figures indicate that only 15% of incarcerated mothers have in-person visits with their minor children at least monthly.<sup>78</sup> When visits do occur, the nature of the correctional environment and the structure of the visits tend to negatively impact the quality of these already limited contacts.

- **In terms of reentry, mothers experience stress in regards to reunification with their children.**<sup>79</sup> When family members assume responsibility for childcare while women with dependent children are incarcerated, it is often with an expectation that the mothers will resume child rearing responsibilities immediately following release.<sup>80</sup> This can be particularly challenging as these women are attempting to navigate the reentry process, comply with numerous post-release supervision conditions, establish employment and financial stability, identify safe and suitable housing, engage in necessary treatment programs, all while attempting to adequately meet the range of needs for their children. When family members or others are unavailable to provide childcare while a mother is incarcerated, child welfare agencies intervene and may be granted custody or guardianship. When this occurs it may be difficult for women to regain custody and parenting rights upon their return to the community. In fact, many states have provisions for terminating parental rights because of incarceration.<sup>81</sup>
- **Another significant challenge for mothers involved in the criminal justice system is their experience with poverty and economic marginalization.** Financial hardship, often exacerbated by limited employment skills and lower educational attainment, is more common among justice involved mothers than fathers. This is further exacerbated by the greater likelihood for justice involved women with minor children to have experienced homelessness prior to incarceration.<sup>82</sup>

Taken together, limited contact, custody-related matters, limited support for child rearing, and financial hardship contribute considerable stress to incarcerated mothers. Research indicates that such stress is linked to institutional adjustment difficulties, as well as post-release recidivism.<sup>83</sup> As such, quality programs and services that promote routine and quality contacts with children and other family members and supports, facilitate effective parenting skills, and support family reunification play a key role in successful outcomes.<sup>84</sup>

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<sup>73</sup> Glaze & Maruschak, 2010.

<sup>74</sup> Glaze & Maruschak, 2010.

<sup>75</sup> Glaze & Maruschak, 2010.

<sup>76</sup> Covington, 2002.

<sup>77</sup> Glaze & Maruschak, 2010.

<sup>78</sup> Glaze & Maruschak, 2010.

<sup>79</sup> Schroeder & Bell, 2005.

<sup>80</sup> Hairston, 2002.

<sup>81</sup> See Bloom et al., 2003; Jacobs, 2001; Modley & Giguere, 2010.

<sup>82</sup> Glaze & Maruschak, 2010.

<sup>83</sup> Van Voorhis et al., 2010.

<sup>84</sup> For a review see Piquero, Farrington, Welsh, Tremblay, & Jennings, 2009; Women's Prison Association, 2009.

# Ten

## The costs of overly involving women in the criminal justice system are high.

Approximately 88% of women under the jurisdiction of correctional authorities are currently being supervised in the community by probation or parole agencies.<sup>85</sup> The less serious nature of their crimes, shorter criminal histories, and lower propensity for violence and aggression generally suggest that women pose a lower risk to recidivate and therefore a lesser threat to public safety than men.<sup>86</sup> Yet a substantial proportion of these women do not successfully complete supervision. When women violate the terms of their supervision, they may receive further sanctions and increased supervision requirements or may be remanded or returned to prison.<sup>87</sup> In a national study of post-prison recidivism, approximately 60% of women released from incarceration were arrested and nearly 30% were returned to prison within three years of release.<sup>88</sup>

Consider that:

- **Repeated exposure to the criminal justice system is detrimental to both women and their children.** For example, children must deal with issues of abandonment, weakened relationships with their mothers, and disruption to their care.<sup>89</sup> For the mother, reincarceration may further exacerbate her economic instability, increase parental stress, and destabilize positive relationships and other pro-social supports, resulting in further setbacks to her success in the community. While in prison, parents are likely to accrue thousands of dollars of child support or, in some cases, risk losing their parental rights.<sup>90</sup>
- **Costs can be avoided to state and local criminal justice systems, women, and their families.** Unsuccessful supervision outcomes with justice involved women are often a function of technical violations, rather than new crimes. Of interest is that the technical violations committed by women

often stem from unmet “survival needs” such as difficulty meeting financial obligations, lower employment skills, childrearing responsibilities, violence in relationships, and the inability to secure safe housing.<sup>91</sup> The difficulties with addressing survival needs have resulted in a revolving door phenomenon, with a large number of women moving from prison to the community and back again. Supervision agencies have the opportunity to interrupt this flow by exploring the reasons that women are unsuccessful and reconsidering their responses to parole and probation violations.<sup>92</sup>

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<sup>85</sup> The latest estimates from BJS indicate that 815,458 women were under probation and parole supervision in 2010 and 113,462 women were incarcerated in 2009. See Glaze & Bonzcar, 2011; West et al., 2010.

<sup>86</sup> Deschenes et al., 2006; Salisbury, Van Voorhis, Wright, & Bauman, 2009.

<sup>87</sup> Deschenes et al., 2006; Langan & Levin, 2002; Salisbury, Van Voorhis, Wright, & Bauman, 2009.

<sup>88</sup> Deschenes et al., 2006.

<sup>89</sup> Travis, Cincotta McBride, & Solomon, 2005.

<sup>90</sup> Travis et al., 2005.

<sup>91</sup> Salisbury, Van Voorhis, Wright, & Bauman, 2009.

<sup>92</sup> Readers are directed to the research literature on parole and probation violations; see also the National Parole Resource Center’s library: <http://nationalparoleresourcecenter.org/responding-%20to-violations-sanctioning>

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