The Necessity of Reform for Incarcerated Females

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Abstract

- Incarceration rates have continued to rise in the United States since 2002, affecting women in disproportionate rates.
- Although crime rates within the United States in the last fifty years have not changed significantly, a shift in legislation has contributed to a higher number of arrests and jail time, specifically for the female populace.
- Females are not provided access to equal opportunities, education, or programs in comparison to their male counterparts.
- Due to the lack of sufficient resources, incarcerated settings foster the development of worsening mental health conditions for females who face jail or prison sentences.
- By advocating for reform for incarcerated females, individuals can help initiate lower recidivism rates and smaller prison populations overall.

In the fall semester of 2019, I was a member of the Justitia Learning Community through the McAnulty School of Liberal Arts. Through the learning community, I was able to take two undergraduate courses inside the Allegheny County jail to learn alongside the males incarcerated in the jail. While the experience was very eye opening, I realized that my understanding of the incarcerated population was minimal, if not nonexistent, initially. Although I was unable to speak with any incarcerated females at the jail, I conducted a significant amount of research to learn about the unique experience of incarcerated females.

Incarcerated females are offered the fewest number of programs and resources (Sawyer). A report written by the United States General Accounting Office in 1980 describes incarcerated females as "not [being] provided comparable vocational, educational programs, or facilities [to men prisoners]" (Report to the Congress). The American Psychological Association (APA) confirms this narrative today, noting one state that offered nearly thirty parenting programs at male facilities but only two for incarcerated females (Clark).

The nearly 14-fold increase was the result of three main causes: a shift in the way police patrol crime, an increase in legislation surrounding minor and non-violent crimes, and a change in sentencing policy (Harmon and O'Brien, 643). At the beginning of Nixon's presidency, the incarceration rates among females were only 7 per 100,000, but by the early 2000s, the rates had risen to 69 per 100,000, but by the early 2000s, the rates had risen to 69 per 100,000 (Harmon and O'Brien, 643). The nearly 14-fold increase was the result of three main causes: a shift in the way police patrol crime, an increase in legislation surrounding minor and non-violent crimes, and a change in sentencing policy (Harmon and O'Brien, 643). Even though the level of crime has not significantly changed, the legislative changes created "security concerns" and thus a violation of prison policy (Kubiak and Labelle, 416). Bras or tampons are often a "security concern" and thus a violation of prison policy (Blikanger).

The Female Incarcerated Population

Although the American incarceration system contains evident gender disparities, the racial dynamics among both female and male populations are largely the same. Not only are female incarceration rates growing at a rapid pace, the Vera Institute of Justice, otherwise referred to as "Vera," lists "women of color, those who are overrepresented, poverty and low income, survivors of violence and trauma, and [those who have] high rates of physical and mental illness and substance abuse in our current criminal justice system." Despite knowing this, female incarceration rates are more negatively impacted than their male counterparts (Riley, Subramanian, and Swavola, 7). Furthermore, more than sixty percent of females in jail are not convicted but only unpaid for bail before trial (The Crime Report). In a setting which fails to provide adequate healthcare, occupational, and therapeutic services, many women, especially the innocent awaiting trial, leave the incarcerated setting more negatively impacted than before they entered. Additionally, Vera notes that most females, when compared to males, are charged with lower level offenses—mostly property and drug related—and tend to have less extensive criminal histories (Riley, Subramanian, and Swavola, 7). Despite the prevalence with which female commit minor, non-violent crimes, they are often not given lighter sentences.

The Crime Report, an online criminal justice publication, describes the ability for mothers to see their children while in jail as "an essential element in helping them reintegrate in civil society," but this jail system makes this process hardly possible to allow females an activity that is considered "essential" to their "reintegration into civil society," the incarceration system is often considered a "security concern" and thus a violation of prison policy (Blikanger).

Because the American Justice System has yet to reform itself enough, external forces must apply pressure to encourage reform. By advocating for change through political discourse, citizens can voice their concerns to bring attention to the injustices females face while incarcerated. This allows the lack of people who gather to discuss political issues and advocate for change, can be organized to discuss the sexism which continues to infiltrate the corrections system. Members of these groups can contact local and national justice programs or write to legislators to increase awareness and encourage legislative reform.

Separate facilities would allow an atmosphere free from the traumatic experiences women currently report while incarcerated. For example, in 2014, women accounted for 46 percent of the sexual abuse victims, despite only making up 7 percent of the overall state prison population (Piecora). The Jurist, a legal news and research online publication, noted that the nature of current female institutions, which have not expanded to fit the growing populace, are "difficult to police" and put women at greater risk to be the victim of sexual assault while incarcerated (Piecora). The National Institute of Justice (NIJ) reports that females who participate in sex-specific intervention programs were almost 30 percent less likely to recidivate (CrimeSolutions.gov).

References

- "Women in Prison: The Delinquent and "Most of Them Are the Primary Caretakers of Their Children" (Spicer), lowering female recidivism rates would substantially improve the likelihood of their children committing crime while their mother is incarcerated, reducing incarceration rates overall (Prisons for Women). By reducing incarcerations, state and government would be budgeting less money for the corrections system overall, thus saving money to devote to other areas.

Discussion

Females are not provided access to equal opportunities, education, or programs in comparison to their male counterparts.

The Incarcerated Female Populace

By advocating for reform for incarcerated females, individuals can help initiate lower recidivism rates and smaller prison populations overall.

Background

Beginning in the early 1990s, America experienced a significant rise in arrests and incarceration rates like it had never seen before. The election of President Richard Nixon in 1968, and his ‘get tough on crime’ movement brought about significant changes in policy (Harman and O'Brien, 643). At the beginning of Nixon’s presidency, the incarceration rates among females were only 7 per 100,000, but by the early 2000s, the rates had risen to 69 per 100,000 (Harmon and O'Brien, 643). The nearly 14-fold increase was the result of three main causes: a shift in the way police patrol crime, an increase in legislation surrounding minor and non-violent crimes, and a change in sentencing policy (Harman and O'Brien, 643). Even though the level of crime has not significantly changed, the legislative changes created during the early 90s to expand criminal policy to include jail time for minor, non-violent crimes, they are often not given lighter sentences.

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Because 80 percent of incarcerated females are mothers, and ‘most of them are the primary caretakers of their children’ (Spicer), lowering female recidivism rates would substantially improve the likelihood of their children committing crime while their mother is incarcerated, reducing incarceration rates overall (Prisons for Women). By reducing incarcerations, state and government would be budgeting less money for the corrections system overall, thus saving money to devote to other areas.