

Council on Criminal Justice's Women's Justice Commission

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Policies have impacted justice-involved women

- Especially women with victimization, substance use, and mental health backgrounds
- Policies have “widened the net” cast over women:
 - Brought more women into the criminal legal system than previously warranted by their behavior
 - War on Drugs, pro-arrest/dual-arrest for DV
 - Ignore the context in which women’s misbehavior occurs including roles and motivations

These policies impacted the national profile of women in the system

- The typical justice-involved female is now:
 - minority
 - socially and economically marginalized
 - the primary caretaker of dependent children, and
 - characterized by substance use or abuse, victimization histories, and various health-related problems

“Gender-Responsive” factors

- Justice involved females appear to be unique from males in that:
 - they engage in qualitatively different offenses than males (primarily non-violent ones),
 - do so for different reasons,
 - pose less of a threat of violence across criminal justice settings, and
 - come under criminal jurisdiction via different paths than men
- These factors are said to be “gender-responsive” because they are:
 - either not typically seen among men, seen among men but occur at a higher frequency among females, or
 - occur in relatively equal frequency among justice involved male and females, but affect women in unique ways

GR and Pathways knowledge base thus far

- Evidence on different pathways
- Evidence that women engage in different "types" of crimes and are less violent
- Evidence prevalence differences
- Evidence on mental health, substance use, and victimization, as well as their co-occurrence

Gaps in knowledge thus far

- Pathways:
 - Pathways from an intersectionality lens
 - Indirect impacts of GR factors (especially MH, SU, Victimization) on reentry success and criminal behavior (e.g., through other risk factors such as employment, housing, etc.)
 - Strengths-based and resiliency-focused research especially on factors toward desistance for women – and how these are gendered (e.g., impact of children)
 - This could be expanded to safe housing, employment skills (that support a household), and homelessness.
- Differences in “Effects” of risk and need factors
 - Continuing exploration of GR factors as they occur in relatively equal frequency among males and females, but affect women in *unique* ways (we have examined the prevalence differences between M/Fs)
- Women’s experiences in different areas of system
 - Jails
 - Community Supervision

What About Women in Jail?

We know less about women in jails and under community supervision

- We know more about women's pathways *into* prison than we do about their pathways once they *leave* prison
 - Reentry needs, barriers
 - These could be expanded to include safety, homelessness, medical needs, childcare needs, employment, etc.
 - Resiliency and strength factors
- We also know less about women's incarceration in jail settings and how jails can become, perhaps like prisons, more gender-responsive and trauma informed
 - Management decisions, supervision strategies, housing and policy accommodations, etc.

Here's what we know about jails

- Jails hold “different” people than prisons – likely low-risk but high-need persons (“revolving door”)
- Jails house people for less time
- Jails have fewer services and less time to address needs

- Because people in jails will more likely reenter the community, jails could be important places of intervention
 - Especially for proximate, short-term and/or crisis needs

MI, SU, victimization & CODs may be even *more* problematic among people incarcerated in jails than prisons

- The prevalence of these problems may be even higher among people in jail, given that jails house any person who has been arrested, while prisons house only those convicted of serious crimes
- The lack of programming and classification in jails may exacerbate the problems created by mental illness, substance use, and CODs in terms of misbehavior and/or victimization while incarcerated in jails
- Due to the lack of programming offered by jails, it is more likely that mental illnesses, substance use problems, and CODs go untreated while the person is incarcerated

Policy implications

- To the extent that these needs (SU, MH, Victimization) are **more prevalent or impactful** among females who are in jail than males = area for research and policy change
- Research needs
 - More research on women's experiences in jails
 - Barriers and facilitators to reentry
 - Policies to make jails more trauma-informed and service-“forward”
 - What can jails do for proximate, short-term, and/or crisis needs (medication, governmental forms, etc.)

Specific questions for research on women in jails

- What do the women incarcerated in jail look like – are they high-need but low-risk?
 - Do women’s experiences in jail differ from men’s and why? Are these related to gender-responsive factors, such as mental health?
- How are their needs related to reentry success? These are the factors to focus on for jail services
 - Impact of MH, SU, Victimization – as “destabilizing factors” upon reentry
- Jail management, services, and policies
 - Expansion of services in jail to include victimization, SU, MH
 - Trauma-informed policies/procedures
 - Referrals and medications upon release (anecdotal evidence suggests that most community-based services are full and have long waitlists)
 - Educational opportunities – certificates – that offer women ‘livable’ wages and can be done in shorter incarcerations
 - One-stop “family justice centers” and connections with jails
 - Or jails as hubs for community-based organizations

Finally, some continuing global questions

- Unique experiences of women who are system involved
 - Childbearing, reproductive needs while in the system, children of incarcerated females
 - Victimization (types), MI (types), “clustering” events
- Areas of system that need more research
 - Jails, community correctional supervision
 - Outcomes beyond recidivism & focused on resiliency
- Implications for women in the system
 - Criminalization of victimization and other experiences *unique* to girls and women that bring them into the system and *keep them there*

Thank you!

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