

# National Resource Center

## on Justice Involved Women

### Fact Sheet on Justice Involved Women in 2016

Women's experiences within and outside of the criminal justice system are markedly different from justice involved men, and therefore their needs are unique. This resource provides some basic facts about justice-involved women, and how they are different from their male counterparts. It is intended for practitioners who wish to adopt more gender informed approaches and be more successful in their work with women.

#### Women Offenders as a Growing Population in American Criminal Justice

Women are a fast-growing criminal justice population according to trends over the past 30 years.

- Since 1980 the number of women in U.S. prisons has increased by more than 700% and has outpaced men by more than 50%.<sup>1</sup>
- While arrests have dropped overall during the past decade, the decrease is more pronounced for men (down 22.7% in 2014 as compared to 2005) than for women (down 9.6% in the same time period).<sup>2</sup> Still in 2014, over 1.3 million women were arrested in the U.S.<sup>3</sup> and women in local jails has increased 44% between 2000 and 2013.<sup>4</sup>
- In 2013, 1.2 million women were under the authority of the criminal justice system in some way shape or form.<sup>5</sup>

A recent study that looked at incarceration rates of women worldwide reports that –with the exception of Thailand and the U.S. itself, the top 44 jurisdictions throughout the world with the highest rate of incarcerating women are individual American states.

*-Kajstura & Immarigeon, 2015.*

The increase in justice involved women can be traced to changes in state and national drug policies that mandated prison terms for even relatively low-level drug offenses, changes in law enforcement practices (particularly those targeting minority neighborhoods) and post-conviction barriers to reentry that uniquely affect women.<sup>6</sup>

- Between 1986 and 1999, the number of women incarcerated in state facilities for drug related offenses alone increased by 888% (compared to an increase of 129% for non-drug offenses).<sup>7</sup>
- These policies had a differential impact by race and ethnicity.<sup>8</sup> While recently there has been a notable dip in the incarceration rate of black women, in 2014, the imprisonment rate for African American women was still more than 2 times the rate of imprisonment for white women. For Hispanic women incarceration rates were 1.2 times the rate of white women.<sup>9</sup>

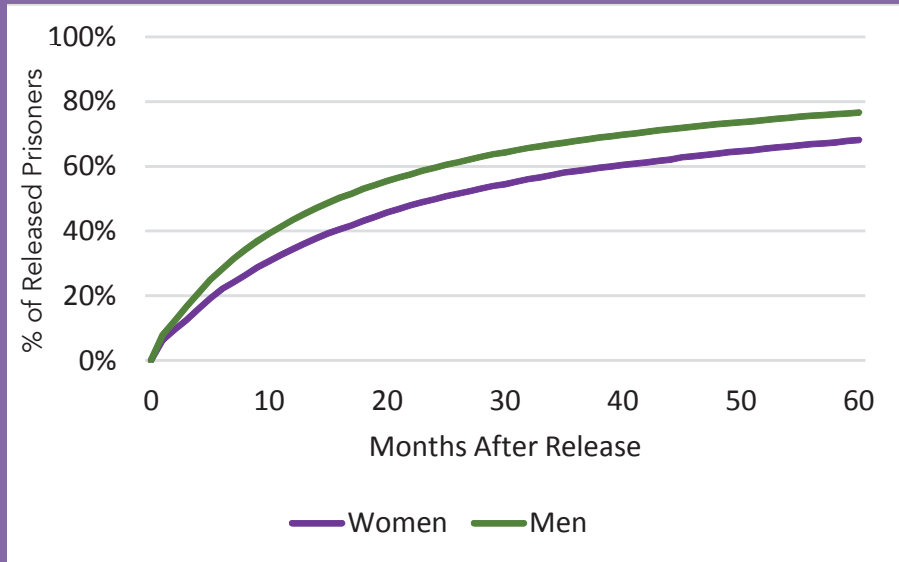
**This document provides up-to-date statistics on justice involved women and is intended to supplement the NRCJIW's *Ten Truths that Matter When Working with Justice Involved Women* published in 2012. For this and other resources, visit <http://cjininvolvedwomen.org/>.**

Women’s recidivism rates are similarly troubling to those of men. About one-quarter of women released from prison fail within 6 months (i.e., have an arrest for a new crime), one-third fail within a year, and 2/3 fail (68.1%) five years out from release.<sup>10</sup>

**Differences Between Male and Female Offenders**

There are important differences between male and female offenders in terms of offending histories, risk factors, and life circumstances. Some factors or dimensions are critical to both genders but observed with greater frequency among women. Others occur with relatively equal frequency in both genders but with distinct physical, personal, and social effects for women. And yet other factors are seen with women but not typically seen with men. These issues are described in detail below.

**Recidivism Rates of Prisoners Released from Prison in 30 States, 2005-2010**

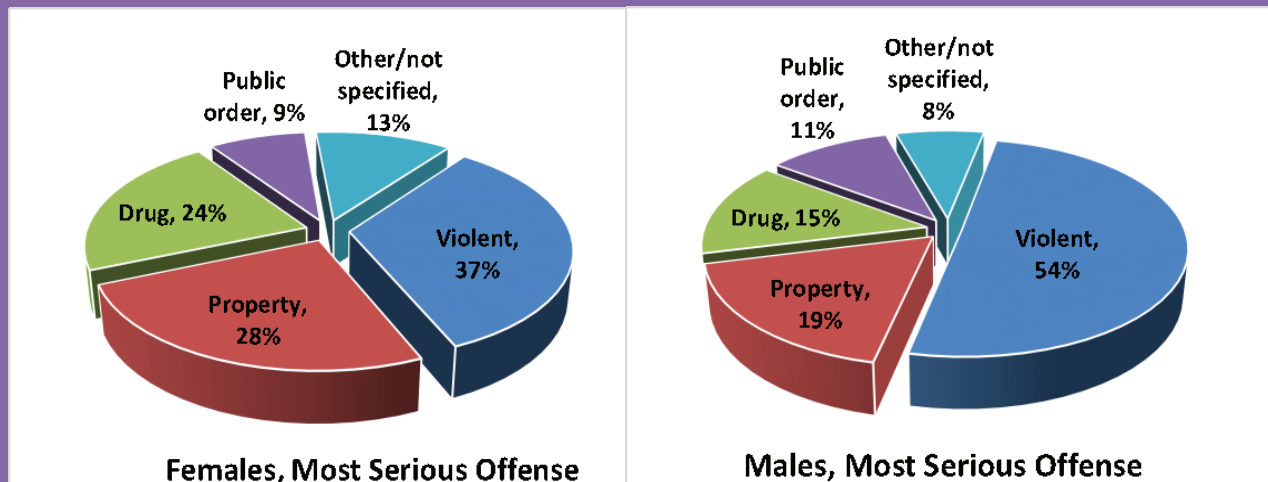


Source: Snyder, Durose, Cooper & Mulako-Wangota, 2016

**Offense Types and Use of Violence**

- Women are more likely than men to commit property crimes such as larceny-theft and fraud, and are also more likely to commit drug offenses, including drug possession and trafficking.<sup>11</sup>
- Women are less likely than men to have been convicted of a violent crime.<sup>12</sup>
- There is evidence that many women who do commit violent or aggressive acts often do so in self-defense (e.g., in situations of intimate partner violence), rather than in a calculated manner.<sup>13</sup> Also violent offenses by women are often committed against family members or intimates in domestic settings.<sup>14</sup>

**Types of Crime Committed, Percentage of Total Crimes Committed by Male and Female Inmates, 2014**



Source: Carson, 2015, Table 11

- Further, female offenders as a whole are at lower risk of serious or violent institutional misconducts<sup>15</sup> and are also less likely to reoffend in the community than male offenders.<sup>16</sup>

### *Victimization and Experiences of Trauma*

- Over the past decade, there has been great interest among researchers in the impact of trauma on justice involved populations generally, and women specifically.<sup>17</sup>
- Women under correctional supervision are more likely to report having experienced physical and sexual abuse as children and adults than their male counterparts.<sup>18</sup> A number of studies have found that about half (50%) of justice involved women report experiencing some kind of physical or sexual abuse in their lifetime, with some studies noted rates of trauma histories as high as 98%.<sup>20</sup>
- For some women, victimization can continue while they are incarcerated, either at the hands of staff or other women.<sup>21</sup>
- Another important difference between the abuse histories of men and women is the length of time in which they experience abuse. While the risk of abuse for males drops after childhood, the risk of abuse for females continues throughout their adolescent and adult lives.<sup>22</sup>

### *Mental Health*

- Given their extensive histories of trauma, it is not surprising then that women in jails and prisons report high rates of mental health problems such as depression, post-traumatic stress disorder (PTSD), and substance abuse.
- About 1 in 3 justice involved women meet criteria for current PTSD, with 1 in 2 meeting criteria for lifetime PTSD.<sup>23</sup>
- A national survey found that 55% of male adults in state prisons exhibited mental health problems as compared to 73% of women prisoners.<sup>24</sup>
- A multisite study of jail detainees found that 14.5% of men and 31.0% of women had current serious mental disorders.<sup>25</sup>
- There is some evidence that women with mental health problems may be more likely to commit violent crimes.<sup>26</sup> Women with mental disorders also have higher infraction rates than non-mentally ill females while incarcerated.<sup>27</sup>

### *Substance Abuse*

- In a 2006 Bureau of Justice Statistics study, over 60% of women met the DSM-IV criteria for a drug dependence or abuse problem during the year prior to their incarceration.<sup>28</sup>
- In a sample of women in 11 states receiving reentry services, two-thirds of the women had reported using illicit drugs during the 30 days before incarceration.<sup>29</sup>
- In a recent multi-site study of women in jails, 82% of the sample met lifetime criteria for drug or alcohol abuse or dependence.<sup>30</sup>
- A particular concern for women is that they are twice as likely as men to have co-occurring substance abuse disorders and mental illness (40.5% for women vs. 22.9% for men).<sup>31</sup>

### *Relationships*

- Research on female psychological development illuminates how female's identity, self-worth, and sense of empowerment are defined by and through relationships with others.<sup>32</sup> This is in contrast to males for whom the major developmental issues are achieving autonomy and independence.
- The criminal experiences of women are often best understood in the context of unhealthy relationships (e.g., a male partner who encourages substance abuse or prostitution).<sup>33</sup> Due to the high incidence of abuse, trauma and neglect experienced by justice involved women, their ability to achieve healthy, empathic and mutually empowering relationships is limited.

**Summary: Comparison of Female and Male Offenders**

	<b>Females</b>	<b>Males</b>
<b>Offending Patterns</b>	<ul style="list-style-type: none"> <li>Primarily commit property (28%) and drug offenses (24%) (Carson, 2015)</li> <li>About 1/3 are violent offenses (Carson, 2015), which are often targeted to a close relative or intimate partner (Van Dieten, Jones, &amp; Rondon, 2014)</li> </ul>	<ul style="list-style-type: none"> <li>Less than half are property (19%) and drug offenses (15%) (Carson, 2015)</li> <li>More than half (54%) commit violent offenses (Carson, 2015)</li> </ul>
<b>Victimization</b>	<ul style="list-style-type: none"> <li>Most common experiences include child and adult sexual violence and intimate partner violence (Miller &amp; Najavits, 2012)</li> </ul>	<ul style="list-style-type: none"> <li>Most common past traumas include witnessing someone being killed or seriously injured, and being physically assaulted. (Miller &amp; Najavits, 2012)</li> </ul>
<b>Mental Health</b>	<ul style="list-style-type: none"> <li>73% of female state prisoners exhibit mental health problems (James &amp; Glaze, 2006)</li> <li>Depression, anxiety disorders including PTSD, and eating disorders are more prevalent (Bloom, Owen, &amp; Covington, 2003; Kassebaum, 1999; WHO, 2010)</li> <li>Women prisoners are twice as likely as male prisoners to take prescription medications for mental health problems and receive therapy for their illness (James &amp; Glaze, 2006)</li> </ul>	<ul style="list-style-type: none"> <li>55% of male state prisoners exhibit mental health problems (James &amp; Glaze, 2006)</li> <li>Antisocial personality disorders are more prevalent (Bloom, Owen, &amp; Covington, 2003; Kassebaum, 1999; WHO, 2010)</li> </ul>
<b>Substance Abuse</b>	<ul style="list-style-type: none"> <li>60% of female state prisoners met the DSM-IV drug dependence or abuse criteria (Mumola &amp; Karberg, 2006)</li> <li>Twice as likely as men to suffer from co-occurring substance abuse and mental health disorders (CASA, 2010)</li> </ul>	<ul style="list-style-type: none"> <li>53% of male state prisoners met the DSM-IV drug dependence or abuse criteria (Mumola &amp; Karberg, 2006)</li> </ul>
<b>Relationships</b>	<ul style="list-style-type: none"> <li>Sense of self-worth is built from their connections with others (Bloom, Owen, &amp; Covington, 2003)</li> </ul>	<ul style="list-style-type: none"> <li>Psychological theories describe men's path to maturity as becoming self-sufficient and autonomous (Bloom, Owen, &amp; Covington, 2003)</li> </ul>
<b>Family Roles</b>	<ul style="list-style-type: none"> <li>Two-thirds of women in state prisons are mothers of a minor child (The Sentencing Project, 2015)</li> </ul>	<ul style="list-style-type: none"> <li>Less likely to serve as the primary caretaker of children (The Sentencing Project, 2007)</li> </ul>
<b>Poverty</b>	<ul style="list-style-type: none"> <li>Most earn lower monthly incomes than men (The Sentencing Project, 2007)</li> </ul>	<ul style="list-style-type: none"> <li>More likely to be employed full time (60% of men vs. 40% of women) (The Sentencing Project, 2007)</li> </ul>

### *Family Roles*

- Women are more likely to have served as the primary caretakers of children prior to entering prison<sup>34</sup> and have plans to return to that role upon release.<sup>35</sup> For many justice involved women, their children are often the motivating factor for their desistance from crime.<sup>36</sup>
- Justice involved women are concerned in an ongoing way with their children's welfare and the potential loss of legal custody. For instance, the Adoption and Safe Families Act of 1997 (ASFA) requires termination of parental rights when a child has been in foster care for 15 or more of the past 22 months. Given that average prison terms for women are 18 to 20 months, this time period has particularly serious consequences for incarcerated mothers.<sup>37</sup>

### *Poverty and Economic Marginalization*

- Poverty is of particular concern for women involved in the criminal justice system. A greater percentage of women (37%) than men (28%) report incomes of less than \$600 per month prior to their arrest.<sup>38</sup> Most incarcerated women were previously employed in low wage, entry-level positions, and two-thirds earned a maximum wage of \$6.50 per hour.
- In interviews with women inmates in California, researchers found that the primary source of income was a legitimate job for only 37% of those women interviewed, while nearly 22% said their primary source was public assistance.<sup>39</sup> An additional 16% reported that selling drugs was their way of providing for themselves and their children.

### **Being Gender Responsive**

Gender responsiveness means understanding the differences in characteristics and life experiences that men and women bring to the criminal justice system and adjusting practices in ways that appropriately respond to those conditions.<sup>40</sup> There are numerous resources available from the National Resource Center on Justice Involved Women that provide guidance and research on gender responsive approaches with women. Visit <http://cjinvolvedwomen.org/>.

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## Endnotes

- <sup>1</sup> The Sentencing Project, 2015.
- <sup>2</sup> FBI, 2015.
- <sup>3</sup> FBI, 2015.
- <sup>4</sup> Glaze & Kaeble, 2014, Table 5.
- <sup>5</sup> Glaze & Kaeble, 2014.
- <sup>6</sup> Mauer, 2013.
- <sup>7</sup> Lapidus, et al., 2004.
- <sup>8</sup> Mauer, 2013.
- <sup>9</sup> The Sentencing Project, 2015.
- <sup>10</sup> Snyder, Durose, Cooper & Mulako-Wangota, 2016.
- <sup>11</sup> Carson, 2015; FBI, 2015.
- <sup>12</sup> Ibid.
- <sup>13</sup> Mordell, Viljoen & Douglas, 2012.
- <sup>14</sup> Rosseger et al., 2009. For more information on women who commit violent acts, including prevalence and typologies, see Van Dieten, Jones, & Rondon, 2014.
- <sup>15</sup> Hardyman & Van Voorhis, 2004; Van Voorhis, Wright, Salisbury & Bauman, 2010.
- <sup>16</sup> Snyder, Durose, Cooper & Mulako-Wangota, 2016.
- <sup>17</sup> For more information on how trauma impacts justice-involved women, see Benedict, 2014.
- <sup>18</sup> James & Glaze, 2006.
- <sup>19</sup> Browne, Miller & Maguin, 1999; Green, Miranda, Daroowalla & Siddique, 2005; Lynch, Fritch & Heath, 2012; Lynch, DeHart, Belknap & Green, 2012.
- <sup>20</sup> Beck, Berzofsky, Caspar & Krebs, 2013; Wolff, Shi & Siegel, 2009.
- <sup>21</sup> Covington, 2001.
- <sup>22</sup> Lynch, Fritch & Heath, 2012; Lynch, DeHart, Belknap & Green, 2012.
- <sup>23</sup> See e.g., Lynch, DeHart, Belknap & Green, 2012; Messina, Calhoun & Braithwaite, 2014.
- <sup>24</sup> James & Glaze, 2006.
- <sup>25</sup> Steadman, Osher, Robbins, Case & Samuels, 2009. Serious mental disorders included: major depressive disorder, bipolar disorder, schizophrenia spectrum disorder, schizoaffective disorder, schizophreniform disorder, brief psychotic disorder, delusional disorder, and psychotic disorder.
- <sup>26</sup> Lynch, DeHart, Belknap & Green, 2012.
- <sup>27</sup> Ibid.
- <sup>28</sup> Mumola & Karberg, 2006.
- <sup>29</sup> Garcia & Ritter, 2012. This study was the evaluation of the national Serious and Violent Offender Reentry (SVORI) Initiative.
- <sup>30</sup> Lynch, DeHart, Belknap & Green, 2012.
- <sup>31</sup> CASA, 2010.
- <sup>32</sup> See Bloom, Owen, & Covington, 2003; Covington, 2001.
- <sup>33</sup> Berman, 2005.
- <sup>34</sup> Mumola, 2000.
- <sup>35</sup> Hairston, 2002.
- <sup>36</sup> Cobbina, 2009; Wright, Van Voorhis, Salisbury & Bauman, 2012.
- <sup>37</sup> Raeder, 2013.
- <sup>38</sup> Greenfeld & Snell, 1999.
- <sup>39</sup> Owen & Bloom, 1995.
- <sup>40</sup> Bloom, Owen, & Covington, 2003.