Gender Matters: Creating Gender-Responsive Approaches for Justice-Involved Women

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Breaking Silos, Changing Systems: Meeting the Needs of Justice Involved Women & Girls in Santa Clara County

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Overview

The goals of this presentation are to provide the following:

• Profile of justice-involved women and girls;
• Overview of gender-responsive principles and strategies;
• Information and research on gender-responsive programs and services;
• Implications and examples for policy and practice; and
• Introduction of the “Women’s Toolkit”
Women in the Criminal Justice System

What do we know?
U.S. Incarcerates more Women than any other Country

201,200 United States (almost 1/3 rd of female prisoners worldwide)
84,600 China
59,200 Russian Federation
29,175 Thailand
4,060 England & Wales
449 Scotland
44 Northern Ireland

Over 1 Million Women Under Criminal Justice Supervision in the U.S.

18% of the total correctional population
25% of the probation population
14% of the jail population
7% of the prison population
12% of the parole population
Women in U.S. Prisons

• There were over 111,000 women incarcerated in U.S. state and federal prisons in 2013 (7.0% of the overall prison population).

• Female prisoners sentenced to over a year in state or federal prison grew by almost 3% between 2012 and 2013.
Women in U.S. Jails

• In midyear 2014, there were over 108,000 women in local jails (14.6% of the overall jail population), up from 92,368 (12.3%) in 2010.

• Approximately 60% of the jail population was not convicted but awaiting court action.

• The greatest increase in the female jail population was in California.
California Realignment

Post-realignment, new prison admissions of women declined by 60%.

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<tr>
<th>Year</th>
<th>Admissions</th>
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<tr>
<td>2007</td>
<td>11,888</td>
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<tr>
<td>2010</td>
<td>10,096</td>
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<td>2011</td>
<td>9,565</td>
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<td>2014</td>
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Source: CDCR 2014
Women in California Jails

• While women’s admissions to state prisons were significantly reduced, there was a 23.7% increase in the average daily female jail population between 2010 (8,637) pre-realignment and 2013 (10,684).

• In 2010, women comprised 12.2% of California’s jail population and in 2013, they made up 13%.
Women in the CJ System

Compared with men, women –

• Have more severe histories of sexual/physical abuse
• Have a higher prevalence of mental and physical health problems, including trauma related to abuse
• Most likely to have been convicted of a nonviolent crime
Women in the CJ System (cont.)

• Have patterns of drug abuse that are more socially embedded – revolving around their interpersonal relationships
• Are typically primary caregivers for minor children
• Have limited education and employment histories
• Respond differently to treatment and correctional supervision
Differences in Offense Patterns

• Female crime rates usually much lower than male rates

• Women’s crimes are predominantly:
  • Petty theft
  • Low-level drug use & sales
  • Fraud
  • Prostitution

• Gender gap is greatest for serious crime & least for less serious types of crime
Offenses

• In 2010, 25% of women in U.S. state prisons were incarcerated for drug offenses, compared to 17% of male prisoners.

• Property crimes comprised 29% of the overall sentenced female population in state prison and 18% of the male population.

• An estimated 37% of women in state prisons were held for violent crimes, compared to 54% of males.
What about Girls?

- Despite declining juvenile arrest rates, in the last two decades, girls’ share of the juvenile justice system increased at all stages of the process.
  - Arrests increased 45%
  - Court caseload increased 40%
  - Detentions increased 40%
  - Probation increased 44%

Source: Sherman & Balck (2015)
Arrests of Girls

- Prostitution (76%)
- Liquor Law Violations (40%)
- Domestic Battery (38%)
- Simple Assault (37%)
- Disorderly Conduct (35%)
- Curfew Violations (29%)
Who are the Girls?

- 45% of girls had experienced 5 or more Adverse Childhood Experiences (ACEs).
- Survivors of sexual abuse: Girls experience sexual abuse at 4.4 times the rate of boys.
- 31% of girls had experienced in-home sexual abuse.
- 84% had experienced family violence.
Race & Ethnicity

• In 2013, the imprisonment rate for African American women (113 per 100,000) was over twice the rate of white women (51 per 100,000).

• The imprisonment rate for Latinas was 1.5% the rate of white women.
Family Background

- Likely to come from a single-parent home
- Almost 17% lived in foster care or in a group home
- More likely than men to have at least one family member that has been incarcerated: A recent study found that 1 in 4 women in the U.S. has an imprisoned family member.
Critical and Interrelated Issues

- Addiction
- Mental Health
- Trauma
- Physical Health
- Homelessness
- Crime
Mental Illness
Substance Abuse
Homelessness
Trauma
HIV/AIDS
Other Health Problems

Source: Vivian Brown, Ph.D.
Substance Abuse

- Approximately 80% of women in state prisons have substance abuse problems
- About half had been using alcohol, drugs, or both at the time of their offense
- Nearly 1 in 3 women in state prisons report committing the offense to support a drug habit
- Women in state prisons report higher drug usage than their male counterparts
Violence Against Women

• Women in the CJ system have extensive histories of physical & sexual abuse and are 3 times more likely than men to have a history of abuse.

• One-third of women in state prison & one-quarter of those in jails report being raped at some time in their lives.

• Women’s substance abuse is highly correlated with physical & sexual abuse.
Health Issues

- Males & females experience disease differently (cardiovascular disease, cancer, sexually transmitted diseases, HIV/AIDS)
- Women prisoners have backgrounds of inadequate health care & risky behaviors
- Women prisoners are more likely than men to test positive for HIV
- Pregnancy & reproductive needs
Mental Health

• Women in the criminal justice system have a higher incidence of mental disorders than women in general

• Women in the criminal justice system have histories of abuse associated with psychological trauma

• Approximately 75% with serious mental illness also have co-occurring substance abuse disorders

• Women with mental illness & co-occurring disorders experience difficulties in prisons and jails
Substance Abuse, Mental Health and Trauma

- The interrelationship of substance abuse, mental health & trauma is different in the lives of women
- The pathway to drug use & abuse is more complex for women
- Women who abuse drugs have higher rates of childhood physical & sexual abuse than men
- About 22% of women in jail are diagnosed with Post Traumatic Stress Disorder (PTSD)
Trauma History Among Criminal Justice-involved Women

- Women in the criminal justice system have much higher rates of childhood and adult trauma exposure than women in the general population.
- Trauma history is associated with alcohol and drug dependence, high-risk behaviors, sex work, and physical and mental health disorders among women in criminal justice settings.
Children

- Approximately 70% of women under correctional supervision have at least 1 child under 18
- Two-thirds of incarcerated women have children under 18
- An estimated 1.3 million minor children have a mother under correctional supervision
- More than a quarter of a million children have mothers in jail or prison
Education & Employment

• An estimated 55% of women in jail, 56% in state prisons & 73% in federal prisons have a high school degree

• Approximately 40% of women in state prisons were employed at the time of arrest compared to 60% of males

• 37% of women compared to 28% of men had incomes of less than $600 per month prior to arrest
Gender Matters

- Based upon the significant growth in women’s and girls’ involvement in the criminal justice system, it is important for policy makers and practitioners to acknowledge the appropriate role of gender in the criminal justice system.

- Gender matters significantly in shaping patterns of offending as well as the criminal justice system’s response to criminal offending.
Gender Matters (cont.)

- Gender is also important in examining the differential effects of current policies and practices.
- Current sentencing laws are based on male characteristics and male crime and fail to take into account the reality of women’s lives, characteristics, responsibilities, and roles in crime.
Criminal Justice Practices

• There is a need to develop gender-responsive programming for women and girls that is based on their life circumstances and pathways to crime.

• Criminal justice practices that impact women such as bail, sentencing, classification, management strategies, and transition to the community have gendered implications.
Making the Case
for Appropriate Policy & Practice for
Criminal Justice Involved Women

Gender responsiveness is key to meeting the
goals of the criminal justice system by:

- Acknowledging differences between men & women
- Targeting pathways to offending
- Developing policy & practice
Five Key Findings . . .

1. An effective system for females is structured differently than for males.

2. Gender-responsive policy & practice targets women’s pathways to criminality by providing effective interventions that address four central issues: substance abuse, trauma, mental health, & economic marginality.
3. Correctional sanctions & interventions consider the lesser degree of harm created by the typical offense patterns of women

4. Gender-responsive policy & practice consider women’s relationships (especially family) & their roles in the community when delivering both sanctions & interventions

5. Community services are essential to a gender-responsive CJ system
Women’s Reentry Challenges

- Reunification with Children
- Employment
- Housing
- Substance Abuse Treatment
- Medical and Mental Health Services
- Childcare
- Transportation
- Support Systems
The Gendered Effects of Current Policy

- The War on Drugs
- Welfare Benefits
- Housing
- Family Reunification
- Employment
Legal Barriers Facing Women Returning to Their Communities

- Personal Responsibility & Work Opportunity Act of 1996
- Temporary Assistance for Needy Families (TANF)
- Higher Education Act of 1998
- Public Housing - Section 8
- Adoption and Safe Families Act Act of 1997
Theoretical Perspectives

• Pathways Perspective
• Relational/Cultural Theory
• Trauma Theory
• Addiction Theory
The Pathways Perspective

- A focus on women’s and girls’ voices & their lives
- Examines the specific life course events that place women and girls at risk for offending
- Combines concepts of social context & personal choice/agency
- Investigating the links between crime and
  - Childhood & adult events
  - Trauma & substance abuse
Relational/Cultural Theory and Female Development

• Stone Center Relational Model: Connection with others guides growth for females

• Gilligan’s theory of female “moral” development

• Communication
Relational/Cultural Theory

- Reasons why females commit crimes
- Behavior under supervision
- Motivation for change
- Reintegration into the community
- Relationships with children & significant others
Trauma Theory

- Trauma is the injury done by violence & abuse
- Trauma occurs on multiple levels
- Trauma recovery (Herman)
- Trauma-informed services
Theory of Addiction

- Holistic health model (Covington)
- Relational aspects of addiction
- Incorporation of trauma & relational theories
Gender-Responsive Strategies:

Research, Practice, and Guiding Principles for Women Offenders


Barbara Bloom, Ph.D.
Barbara Owen, Ph.D.
Stephanie Covington, Ph.D.
Gender-Responsive Treatment

• Creating an environment through:
  • site selection
  • staff selection
  • program development
  • content and material
• that reflects an understanding of the realities of the lives of women and girls, and
• addresses and responds to their strengths and challenges.

Guiding Principles for Gender-Responsive Services

- Gender
- Environment
- Relationships
- Services & Supervision
- Economic & Social Status
- Community
Guiding Principles

• **Gender:** Acknowledge that gender makes a difference.

• **Environment:** Create an environment based on safety, respect, and dignity.
Guiding Principles (cont.)

- **Relationships:** Develop policies, practices, and programs that are relational and promote healthy connections to children, family, significant others, and the community.

- **Services & Supervision:** Address substance abuse, trauma, and mental health issues through comprehensive, integrated, culturally relevant services and supervision.
Guiding Principles (cont.)

- **Socioeconomic status**: Provide women with opportunities to improve their socioeconomic conditions.

- **Community**: Establish a system of comprehensive and collaborative community services.

Source: Bloom, Owen, & Covington 2003
Effects of Gender on Current CJ Practice

- Classification & assessment procedures
- Women’s services & programs
- Staffing & training
Risk/Needs Assessment

Influenced by two theoretical perspectives:

- The Canadian Model – gender-neutral (Andrews, Bonta, Gendreau, Hoge)

- Feminist/Gender Responsive Model (Bloom, Owen, Covington, Chesney-Lind)
Women’s Risk/Needs Assessment

Gender Neutral:

- Criminal history
- Criminal thinking (sample variations)
- Antisocial associates
- Vocational/educational
- Financial problems
- Low family support
- Housing problems
- Substance abuse
Women’s Risk/Needs Assessment (cont.)

Gender Responsive:

- Mental health history
- Depression/anxiety (symptoms)
- Psychosis/suicidal (symptoms)
- Victimization/trauma
- Relationship dysfunction
- Parental stress
- Housing safety

And strengths (self-efficacy, family support, parental involvement, and educational assets)

Source: National Resource Center on Justice Involved Women
The Foundation for Women’s Services

• Safety
  • Community
  • Institutional

• Rehabilitation
  • Programming
  • Treatment
  • Services
Approaches for Developing Gender-Responsive Programs and Services

Structure

• Contemporary theoretical perspectives on women’s particular pathways into the criminal justice system (e.g., relational theory, trauma theory) fit the psychological and social needs of women and reflect the realities of their lives.

• Treatment and services are based on women’s competencies and strengths and promote self-reliance.
Structure (cont.)

- Women-only groups are used, especially for primary treatment (e.g., trauma, substance abuse)
- Staff members reflect the client population in terms of gender, race/ethnicity, sexual orientation, language (bilingual), and recovery status.
- Female role models and mentors are provided who reflect the racial, ethnic, and cultural backgrounds of the clients.
Approaches for Developing Gender-Responsive Programs and Services

Content and Context/Environment

• To fully address the needs of women, programs use a variety of interventions with behavioral, cognitive, affective/dynamic, and systems perspectives.

• The environment is child friendly, with age-appropriate activities designed for children.
Services/treatment address women’s practical needs, such as housing, transportation, childcare, and vocational training and job placement.

Participants receive opportunities to develop skills in a range of educational and vocational (including nontraditional) areas.

Emphasis is placed on parenting education, child development, and relationship/reunification with children.
Staffing and Training

• Recruit staff who have both the interest and knowledge, ability and skill to work with women under criminal justice supervision

• Provide training in gender-responsive and trauma-informed practice

• Cross-train staff in substance abuse and mental health treatment
Emerging Research and Best Practices

• Use evidence-based and gender-responsive research to inform the development of tools and interventions

• Target women’s specific risk factors

• Create environments that are safe, supportive, and respectful

• Assure that interventions are trauma-informed
Emerging Research and Best Practices

• Acknowledge how relationships affect women’s lives

• Develop coordinated case management that is strength-based, trauma-informed, relational, and culturally competent

• Build partnerships with a range of community organizations (public and private) to establish gender and culturally responsive multidimensional, wraparound services
Women-Centered Materials and Programs That Show Improved Outcomes

- **Helping Women Recover** (Covington)
- **Beyond Trauma and Healing Trauma** (Covington)
- **Beyond Violence** (Covington)
- **Seeking Safety** (Najavits)
- Female Offender Treatment and Employment Program (CA)
- In-Prison Substance Abuse Program (S. Covington’s curriculum)
- Women Offender Case Management Model (NIC)
- **Moving On** (Van Dieten & MacKenna)
Treatment Components Associated with Better Outcomes for Women

Review of 38 studies with randomized and non-randomized comparison group designs:

• Child care
• Prenatal care
• Women-only admissions
• Supplemental services and workshops on women’s focused topics
• Mental health services
• Intensive case management
• Comprehensive programming
New Study of Correctional Interventions for Justice-Involved Women

• A meta-analysis of a range of programs serving justice-involved women found that there is “preliminary evidence from high quality studies that gender-informed programs are more effective than gender-neutral approaches.”

Source: Gobeil, Blanchette & Stewart (2015)
Challenges to Implementing New Practices in Community/Correctional Settings

- Staff training
- Fidelity to treatment protocols
- Correctional vs. therapeutic orientations
- Working within the culture of “mistrust” within prisons or CJ environments
- Resources (manuals, workbooks)
- Program assessment & evaluation

Source: Grella, 2008
Meeting the Needs of Women in California’s County Justice Systems: A Toolkit for Policymakers and Practitioners

- The toolkit describes how counties can benefit from developing criminal justice solutions focused on women.

- It is designed to provide sheriffs’ departments, probation departments, practitioners and other leaders with a blueprint for addressing women who are under local supervision.
Women’s Toolkit Goals

- Ensure that local justice systems are more gender-responsive and that women and their specific needs are not overlooked as decision-makers implement new policies and practices.

- Enable county justice systems to take full advantage of significant new state and federal funding streams available to implement rehabilitative alternatives to jail incarceration.
Goals Continued

• Help safely reduce counties’ reliance on incarceration through implementing less restrictive alternatives and developing strategies to better manage female jail populations; and

• Provide information on research-based community-based programs and services for women in the justice system.
KEY STEPS TO A GENDER-RESPONSIVE COMMUNITY JUSTICE SYSTEM

1. Women’s Advisory Group
2. Profile of Female Populations
3. Provider Network Assessment
4. Service Delivery Enhancement
5. Risk/Needs Assessment
6. Integrated Case Management
7. Pretrial/Sentencing Alternatives
8. Data Collection
9. Leadership Structure
10. Public Education Campaign
Recommendations

• Women are a population that can greatly benefit from Realignment and Prop. 47.

• An overriding goal should be to reduce reliance on incarceration. California and its counties can reap significant cost benefits by reducing the need to expand costly prisons and jails.

• These savings can be invested in evidence-based, gender-responsive/trauma-informed approaches for women, as well as improved planning and programming for men.
Going Forward: What is Our Work?

- Reducing women’s incarceration
- Expanding pre-trial and sentencing options
- Developing a collaborative case management system
- Enhancing women’s programs and services
- Investing in the community
“...women whose lives represent all women’s issues—*magnified*. ”
Resources

• Barbara Bloom: bloom@sonoma.edu
• Center for Gender and Justice
• Women’s Toolkit: Californians for Safety and Justice