

# WPA Focus on Women & Justice

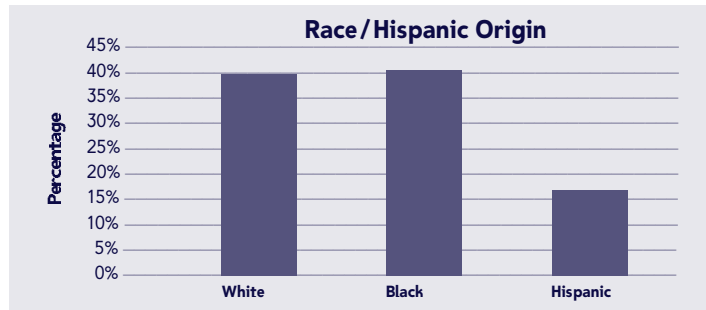
WOMEN'S PRISON ASSOCIATION

A Portrait of Women in Prison

December 2003

## THERE ARE OVER 97,000 WOMEN IN PRISONS TODAY. THEY ARE...

### Women of Color: The majority of women in State and Federal prison are non-white



**Nationally**, 63% of women in State prison and 67% in Federal prison are black or Hispanic.<sup>1</sup>

**In New York State**, 79% of women in New York State prisons are black or Hispanic.<sup>28</sup>

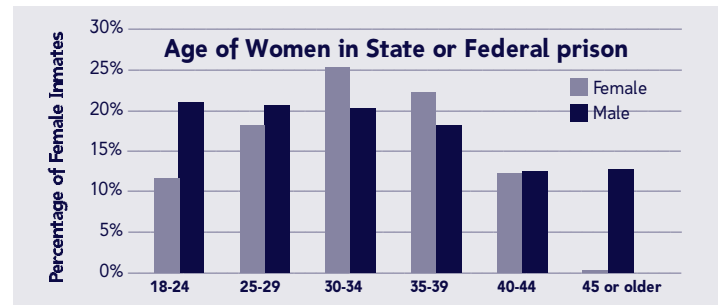
Only 24% of the United States population is black or Hispanic.<sup>29</sup>

### Thirtysomething: Most women in prison are past their prime years for committing crimes

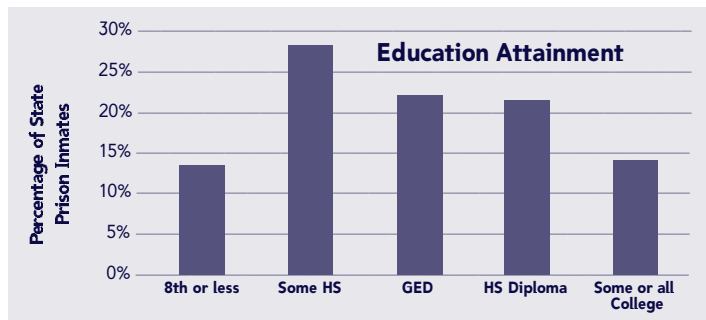
**Nationally**, 47% of women in State and Federal prison are in their thirties.<sup>2</sup> The median age of women in prison is 34.<sup>1</sup>

**In New York State**, 42% of women in New York State prisons are in their thirties.<sup>28</sup> The average age of women in New York State prison is 35.8 years old.<sup>28</sup>

Almost half of all arrests of women involve individuals under the age of 25. After age 30, arrest rates begin to decline.<sup>30</sup>



### In need of formal education: The majority of women in prison have low educational attainment



**Nationally**, 64% of women in State prison have not finished high school.<sup>12</sup>

**In New York State**, 29% of women in custody read below the 5th grade level.<sup>28</sup>

On average, women who graduate from college earn \$26,988 more per year than women without a high school diploma.<sup>31</sup>

## HOW DOES THIS COMPARE TO MEN?

- Men in prison are also predominately non-white: 63% of men in State and Federal prison<sup>2</sup> and 83% of men in New York State prisons<sup>28</sup> are black or Hispanic.
- Men in prison are slightly younger than their female counterparts: 38% of men in State and Federal prison<sup>2</sup> and 36% of men in New York State prisons<sup>28</sup> are in their thirties. The average age of men in New York State prisons is 34.6 years old.<sup>28</sup>
- Like women, men in prison have low levels of education: 69% of men in State prison did not finish high school,<sup>12</sup> and 28% of men under custody in New York State are reading below the 5th grade level.<sup>28</sup>

## Health and well-being

Women in prison are infected by many illnesses at a rate that far outpaces the rate of infection in the general population. As a result, correctional health care providers sometimes treat higher concentrations of ill women than health care providers in other settings do.

• **Women in prison are far more likely to be HIV+:** The rate of HIV infection for women in the population at large was 0.3%.<sup>4</sup> Nationally, the percentage of women in State and Federal prisons infected with HIV is 3.6%, and in New York is 18%. These percentages are *twelve times* and *sixty times* the national rate, respectively.<sup>5</sup>

• **Hepatitis C is a serious concern:** Hepatitis C (HCV) can lead to long-term liver damage, cirrhosis and liver cancer if undetected or untreated. According to the Centers for Disease Control, the rate of HCV infection in the U.S. population is 1.3%, and the combined rate for male and female jail and prison inmates is 15%.<sup>6</sup> Most prison systems, including the one in New York State<sup>7</sup>, have only just begun testing for HCV. In California prisons, 25% of female inmates tested positive.<sup>8</sup>

• **High rates of mental illness:** Many women entering prison suffer from mental illness. Separation from their children and the stress of incarceration exacerbate their conditions.<sup>9</sup> Women in prison are *16 times* more likely than women in the general public to have had a psychiatric disorder.<sup>11</sup> They are *8 times* as likely to have been diagnosed with Antisocial Personality Disorder and *twice* as likely to have had a major depressive episode.<sup>11</sup> In New York State, over a quarter of incarcerated women are actively receiving mental health care.<sup>7</sup> Despite this, in one study of New York State prisons, female inmates cited a lack of available mental health counseling among their top three complaints.<sup>13</sup>

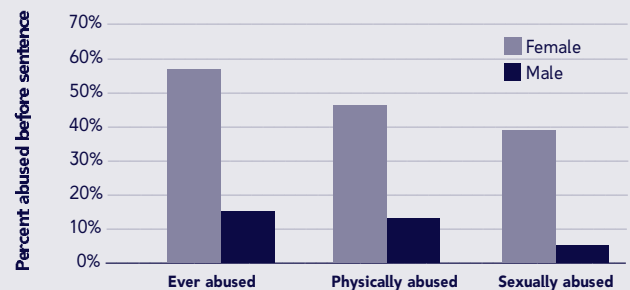
• **The majority of incarcerated women have histories of drug abuse:** Of women in State prison, 74% used drugs regularly before incarceration, 40% report using drugs at the time of offense and 84% report having used drugs at some point in the past.<sup>3</sup> In New York State in 2001, 66% of women and 53% of men reported drug use within the 6 months prior to incarceration.<sup>28</sup>

• **Many women in prison face the health care needs of growing older:** Almost 10,000 women in State or Federal Prison are over 45. As people age, the amount of time they spend in relatively good health declines, increasing the need for health care services.<sup>32</sup>

### The majority of women in prison report a history of abuse:

- 57% of women in State prisons report a history of physical or sexual abuse,
- 25% report being abused both before and after age 18, and
- 28% report both physical and sexual abuse.<sup>1</sup>

### Prior abuse of State prison inmates by gender



Data Source: Bureau of Justice Statistics. 1999. "Prior Abuse Reported by Inmates and Probationers." U.S. Department of Justice.

## Livelihood

Incarcerated women typically come from poor, inner-city neighborhoods where many people do not complete their education and work opportunities are limited. Indeed, this may increase their incentive to participate in economically-motivated crimes such as drug sales and property crimes. The limited amount of educational and vocational training programming available in prison makes it difficult for incarcerated women to increase their skills in preparation for release.

• **Unemployment is prevalent prior to prison:** Almost half of all incarcerated women were unemployed in the month before their arrest.<sup>19</sup>

• **Illegal activity as a form of work:** Many women in prison report engaging in illegal activities to support themselves, their children, parents, partners, and addictions.<sup>10</sup>

## Why are incarcerated women more likely than men to be HIV+?

Incarcerated women are up to *3 times* more likely than incarcerated men to be HIV+. Among the general public, this pattern is reversed: HIV infection is *2 times* higher for men than for women.<sup>14</sup> As the research presented below shows, female prisoners are more likely than male prisoners to be HIV+ because they are more likely to have engaged in risky sexual and drug behavior prior to incarceration:

### Sexual abuse, drug use and HIV infection:

- Women in State prisons are up to *8 times* more likely than men to have been sexually abused.<sup>17</sup>
- Women with a history of sexual abuse are *twice* as likely as non-abused women to have injected drugs.<sup>18</sup>
- Women with a history of sexual abuse are *2.8 times* more likely to engage in high-risk sexual behavior (including prostitution, unprotected sex, sex with multiple partners and sex with an injection drug user) than other women.<sup>18</sup>
- 1 in 2 HIV+ women in prison report a history of sexual abuse, compared to 1 in 4 HIV negative women.<sup>18</sup>

### Drug Use:

A similar percentage of men (69%) and women (74%) in prisons report using drugs regularly prior to incarceration.<sup>3</sup> However, in New York State prisons, women are *3 times* more likely than men to have used crack cocaine, and some evidence suggests that women in prison are more likely than their male counterparts to have injected drugs. Women were also found to be slightly more likely to have used heroin (17% versus 13%).<sup>15</sup> Risk of HIV infection is particularly high for injected drugs.<sup>16</sup>

- **Relationships influence types of criminal activity:** Women, especially those who commit crimes to generate money, frequently engage in criminal activities with their romantic partners.<sup>10</sup> Accordingly, women living with criminally-involved men have been found to be 37% more likely than other women to deal drugs.<sup>20</sup>
- **Lack of education and vocational training:** Sixty-four percent of women entering prison do not have a high school diploma and only

16% receive a GED while incarcerated.<sup>12</sup> This has a direct impact on their employability upon release. In the general population, 44% of women without a high school diploma are unemployed, but the likelihood of getting hired increases by 32% with the acquisition of a high school diploma.<sup>21</sup> Since only 29% of women participate in vocational training while incarcerated, most female prisoners remain significantly under-skilled to enter the labor market upon release.<sup>22</sup>

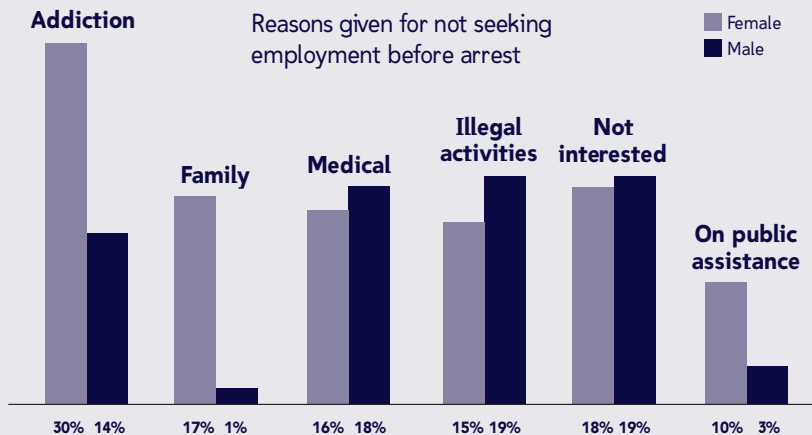
### Family Concerns and Addiction Influenced the Work History of Many Women in Prison

*In the month before their arrest, 48% of women and 30% of men did not have a job. Sixty-five percent of the unemployed women and 55% of the unemployed men were not looking for work.*

**Reasons for not seeking work vary:**

*Women were twice as likely as men to have had addictions keeping them from seeking a job.*

*Women were 17 times more likely than men to have had family responsibilities influence their decision about finding work.*



**Data Source:** U.S. Dept. of Justice, Bureau of Justice Statistics, and U.S. Dept. of Justice, Federal Bureau of Prisons. 2000. Survey of Inmates in State and Federal Correctional Facilities, 1997 [Computer file].

### Family and Children

*Unfortunately, for the majority of women in prison, incarceration is a family affair. Most come from families in which other members have some involvement in the criminal justice system. In fact, individuals with an incarcerated parent are more likely to be incarcerated themselves. This cycle has already evidenced in the lives of many women currently in prison, and puts at risk the 1.5 million children who currently have a parent in State or Federal Prison.*

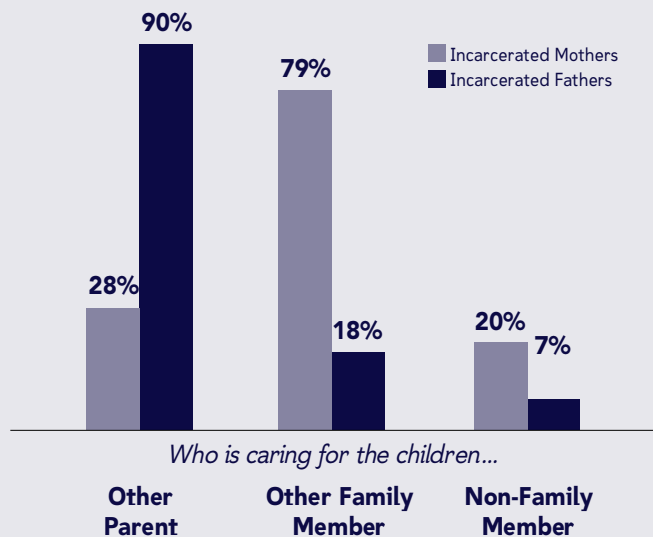
• **Family cycles of incarceration:** Two out of every three women in State prison have at least one family member who has been incarcerated. For 20% of women in State prison, the incarcerated family member was one of their parents. Four percent have had both parents serve time. Among the women serving time in State prison today, 12% - nearly 10,000 - have a child who is also incarcerated.<sup>19</sup>

• **Large numbers of mothers and children affected:** Women in State prison reported having an average of 2.38 children under age 18, leaving approximately 1 in 359 children with a mother away in prison.<sup>1</sup>

• **Mothers without their children:** Half of all women in prison are incarcerated more than 100 miles from their families.<sup>10</sup> Of the mothers who are imprisoned this far from home, 38% will not see their children *even once* during their incarceration.<sup>19</sup> In one study, 64% of the women in a State prison reported that being away from their children and/or family is what bothered them the most about incarceration.<sup>9</sup>

• **Pregnancy in prison:** Between 5% and 10% of all women entering prison are pregnant. Only four states—New York, California, Nebraska, and South Dakota—have prison nurseries.<sup>23</sup>

### Sixty-five percent of women in prison have minor children at home, compared to 44% of men. Who takes care of the children of incarcerated parents?



**Note:** Percentages add to more than 100% because many inmates have multiple children living with different caregivers.

**Data Source:** Mumola, Christopher J. 2000. "Incarcerated Parents and Their Children." Washington D.C.: Bureau of Justice Statistics.

## Criminal Justice Involvement

The majority of women in prison are non-violent offenders; most have drug addictions. Although a cycle of rearrest after incarceration is common, a significant proportion of women are rearrested and reincarcerated for parole violations.

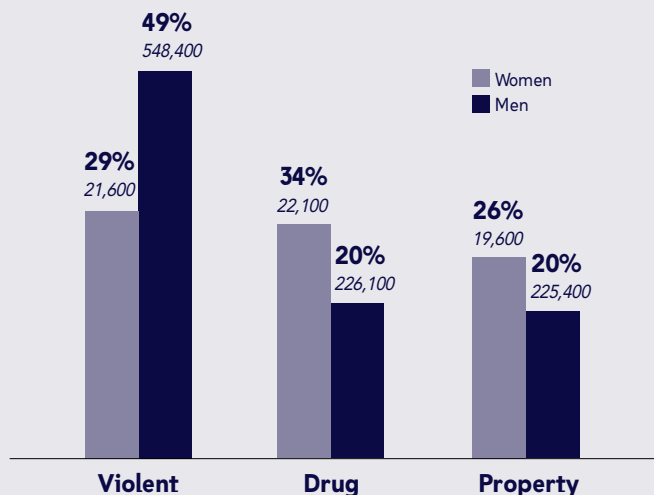
- **History of criminal justice involvement:** Nearly two-thirds of women in State prison have a history of prior convictions.<sup>1</sup>

- **Addiction and criminality are intertwined:** Forty percent of women in State prison report being under the influence of drugs when they committed the crime for which they were last arrested.<sup>3</sup> Research shows that women are more likely to commit their offense after the onset of drug use. They also decrease their criminal involvement once they overcome their addictions.<sup>24</sup>

- **Rearrest after release:** Fifty-eight percent of women released from State prison are rearrested within three years and 40% are reconvicted.<sup>25</sup> In New York State in 1997, 29% of women were returned to custody within three years.<sup>26</sup> Many admissions are actually re-admissions: in 2000, 30% of the women admitted to New York State prisons were parole violators.<sup>27</sup>

### Types of offenses for which men and women are incarcerated

- Men are 36% more likely than women to be serving time in prison for a violent crime.
- Women are 33% more likely than men to be in prison for drug-related crimes.



Data Source: Greenfeld, Lawrence A. and Tracy L. Snell. 1999. "Women Offenders." Washington D.C.: Bureau of Justice Statistics.

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