

Understanding Women's Pathways into Crime & "What Works" to Improve Outcomes Among Women in the Criminal Justice System

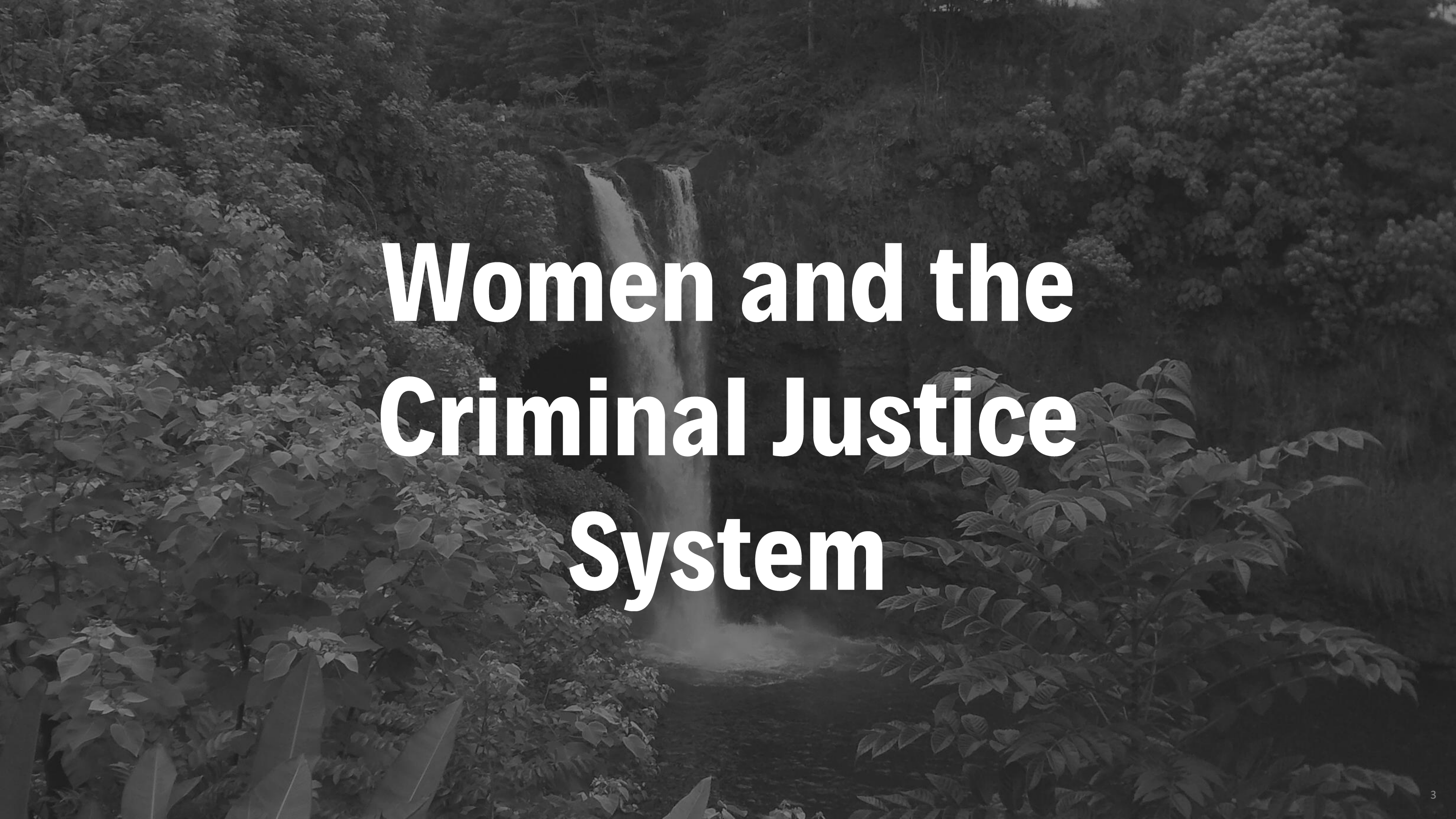
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Prepared by Aerielle Reynolds, MS

Overview

- Synthesize research on women involved in the criminal justice system
- Summarize the research on women's pathways into crime
- Describe the characteristics, needs, and barriers of justice involved women
- Review interventions, services, and evidence-based practices on reducing recidivism and supporting women to disrupt pathways into the criminal justice system



Women and the Criminal Justice System

Women and the U.S. Correctional System

Almost 40% of women in state prisons were sentenced for a violent offense as their most serious offense, followed by drug (26%) and property (25%) offenses.

Figure 1: Women sentenced to state prison, 2018

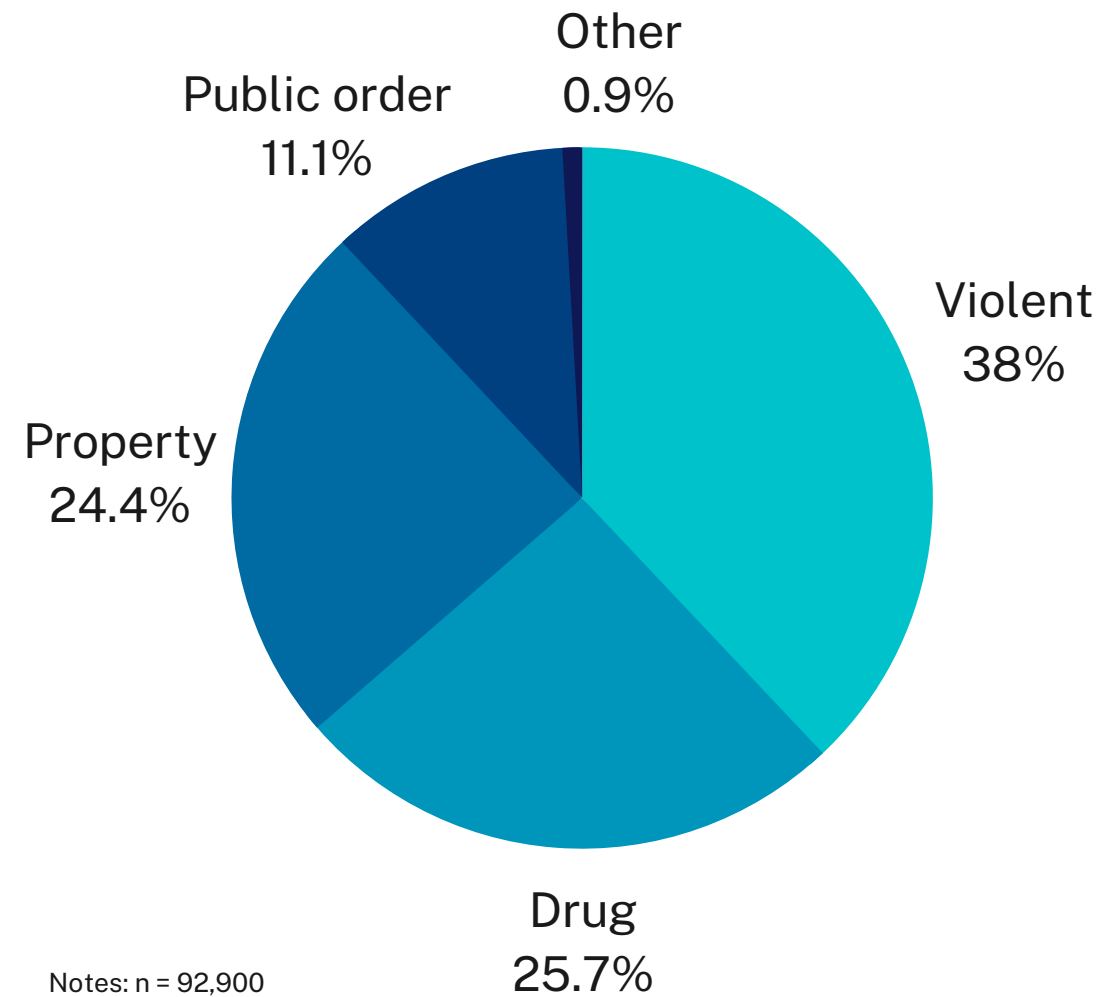
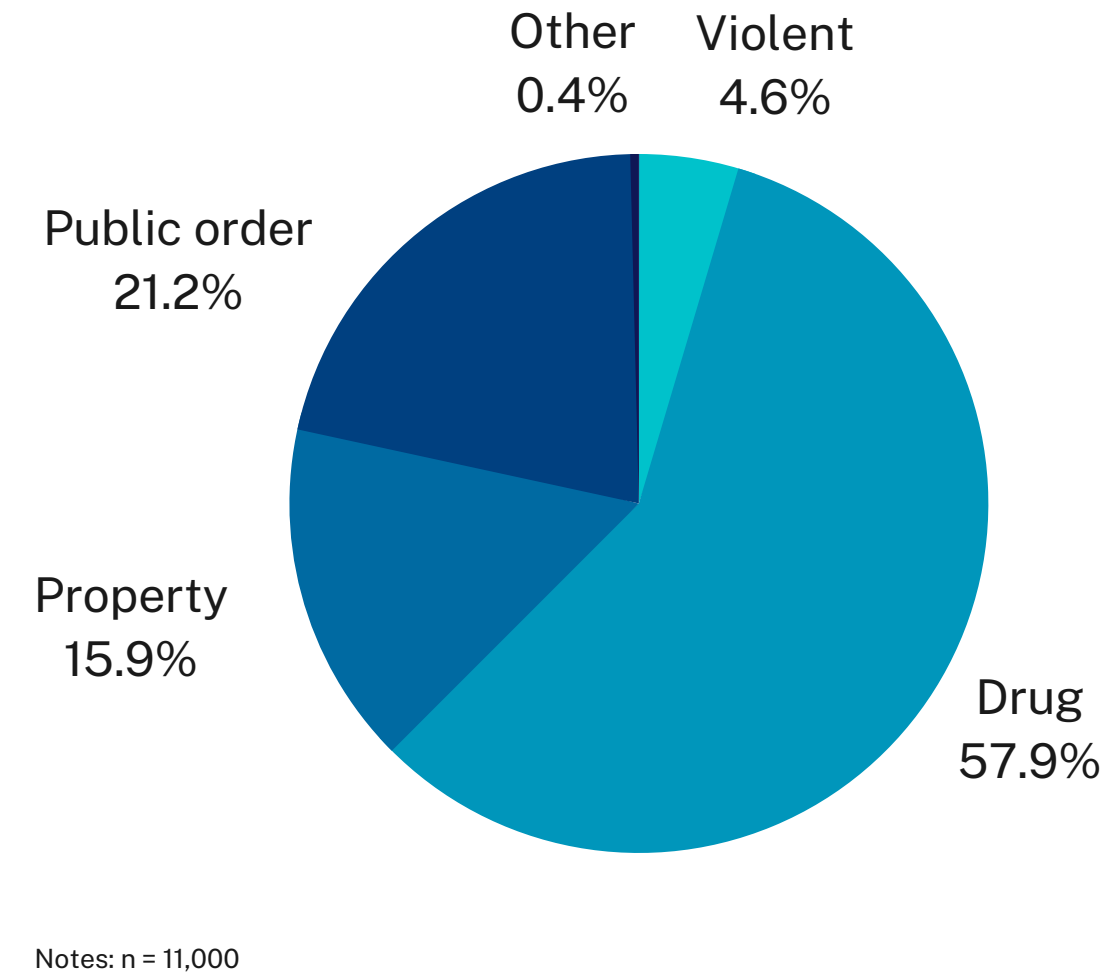
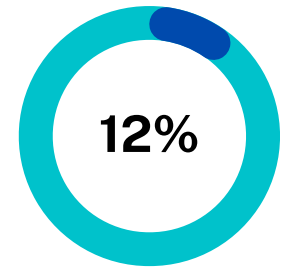


Figure 2: Women sentenced to federal prison, 2018



Sources: Sources: Bureau of Justice Statistics. (Female prisoners under the jurisdiction of state or federal correctional authorities, December 31, 1978-2015). Generated using the Corrections Statistical Analysis Tool.
Carson, E. Ann and Mulako-Wangota, Joseph. Bureau of Justice Statistics. (Percent of sentenced prisoners under federal jurisdiction, by offense, September 30). Generated using the Corrections Statistical Analysis Tool (CSAT) - Prisoners at www.bjs.gov. (2018).
Carson, E. Ann and Mulako-Wangota, Joseph. Bureau of Justice Statistics. (Percent of sentenced prisoners under state jurisdiction, by offense, sex, race, and Hispanic origin, December 31). Generated using the Corrections Statistical Analysis Tool (CSAT) - Prisoners at www.bjs.gov. (2018).

Women & Hawai'i's Criminal Justice System



12%

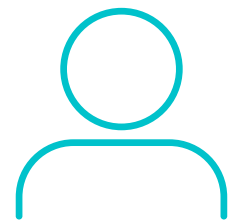
Incarcerated women

In 2018, women made up 12% of Hawai'i's combined jail & prison population



Hawai'i incarcerates a high proportion of women

- Higher incarceration rate than 16 other states
- Make up a larger proportion of the prison system than in any other state in the US



Hawai'i imprisonment rate, per 100,000 female residents:

1978: 4

2018: 42

High, 2007: 80

Sources: : Carson, E.A. (2020). Prisoners in 2019. Washington, DC: Bureau of Justice Statistics.

Carson, E. A. & Mulako-Wangota, J. Bureau of Justice Statistics. (Imprisonment rate of sentenced prisoners under the jurisdiction of state or federal correctional authorities per 100,000 U.S. residents, December 31, 1978-2019). Generated using the Corrections Statistical Analysis Tool (CSAT) - Prisoners at www.bjs.gov. (2019).

PSD Monthly Population Report, July 31, 2018 (assigned count).

The Sentencing Project. (2020). Fact sheet: Incarcerated women and girls. <https://www.sentencingproject.org/publications/incarcerated-women-and-girls/>

West and Sabol, 2009.

Women and Incarceration Rates in Hawai'i

The incarceration rate for women increased rapidly in Hawai'i in the 1990s, similar to trends in other parts of the country. However, in the late 2000s incarceration rates have trended mostly downwards.

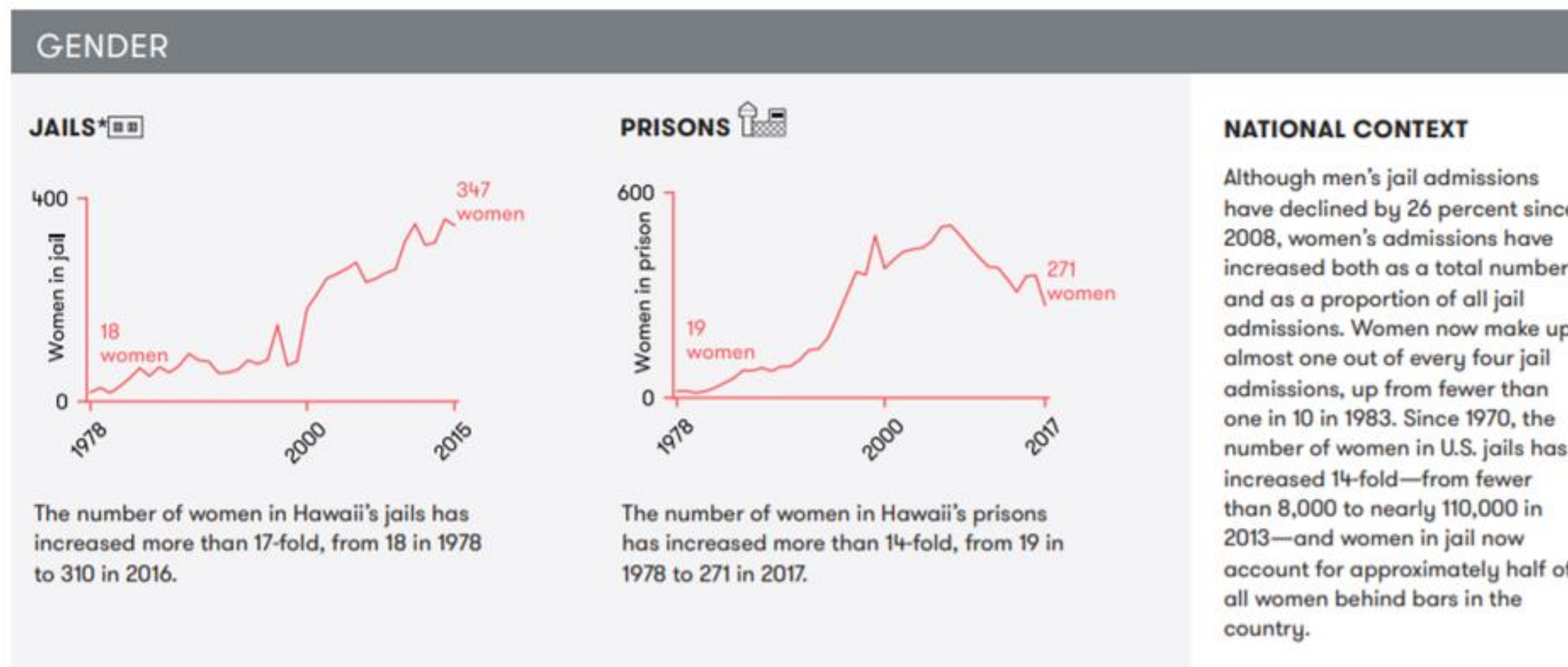
Figure 3: Prison Policy Initiative's analysis of the incarceration rate for women in Hawai'i



Incarceration Trends in Hawai'i Jails and Prisons

Vera Institute's analysis of statewide jail and prison data found that incarceration increased in both jails and prisons in Hawai'i from 1978 through the mid-2010s.

Figure 4: Vera Institute's analysis of jail and prison trends from 1978 through 2015/2017



Overall change in jail trends in Hawai'i (*not gender specific*):

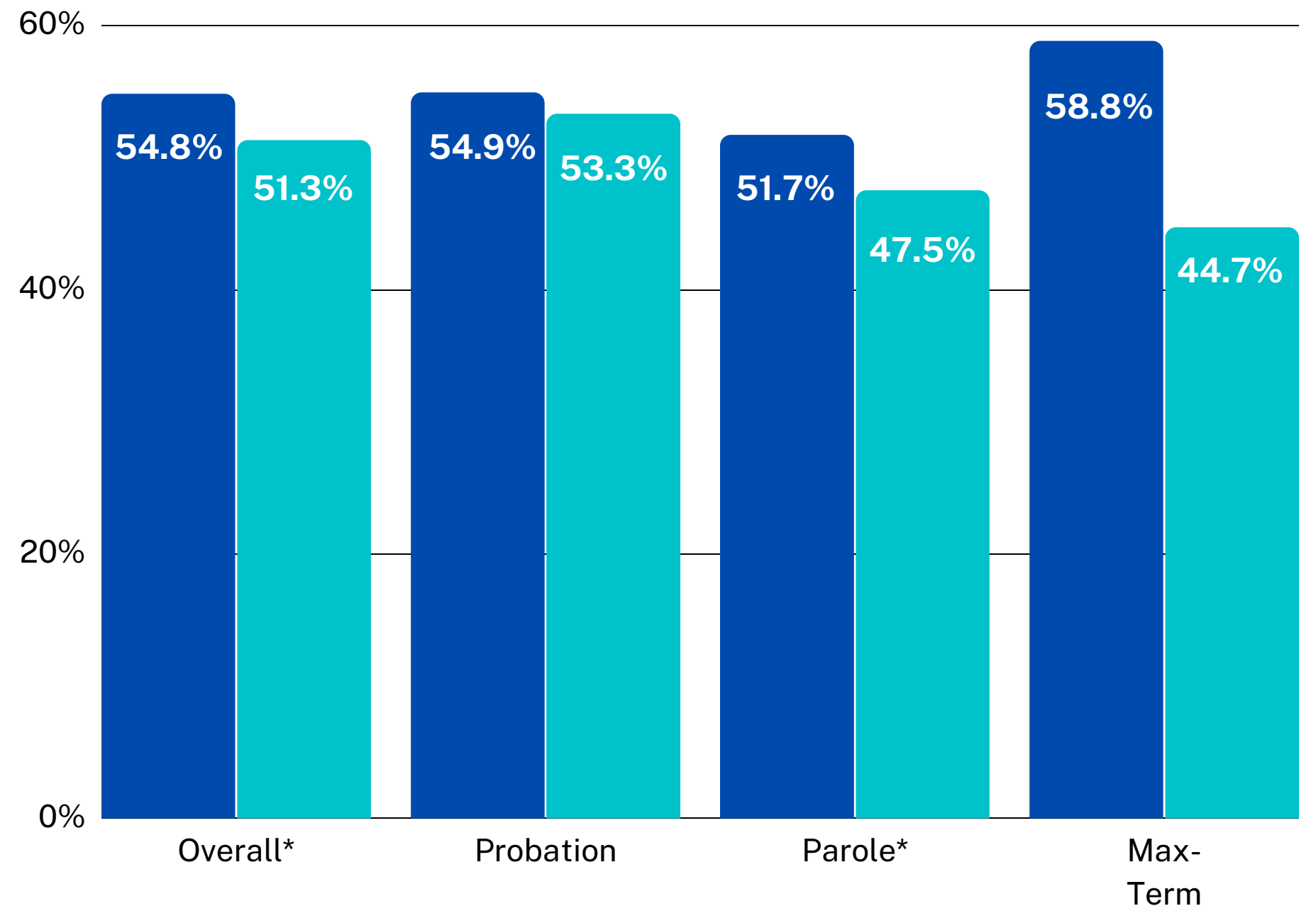
- **12%** decrease in admissions
- **6%** decrease in pretrial
- **0.5%** increase in sentenced population

Recidivism Rates by Gender in Hawai'i

In FY 2016, the difference in recidivism rates between men and women were statistically significant for the overall recidivism rate (regardless of status) and for parole.

There was no significant difference by gender for people on probation or those who maxed out of prison.

Figure 5: Percentage of men and women with at least one new arrest or supervision violation within three years



Notes: Max-term are individuals who served their entire sentence in prison and released without parole into the community. Only 38 women maxed out of prison. Recidivism is measured as any new arrest or revocation (from probation or parole) within three years from start of time in the community.

Men
Women

Women & Hawai'i's Criminal Justice System

Figure 6: Percentage of women by most serious offense across probation, parole, and max out from prison FY 2014–2018

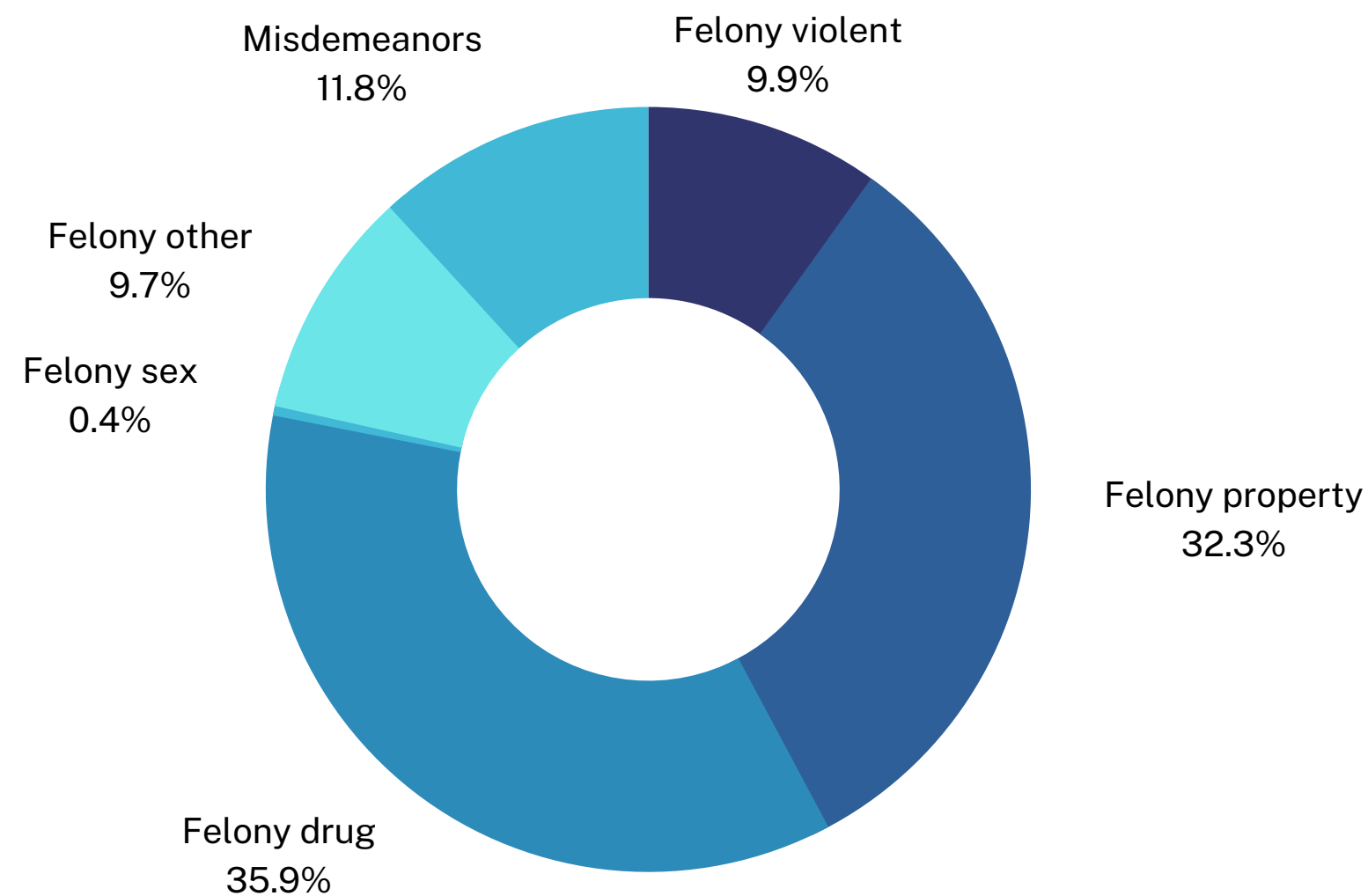


Figure 7: Social characteristics of women on probation, parole, and max out from FY 2014–2018

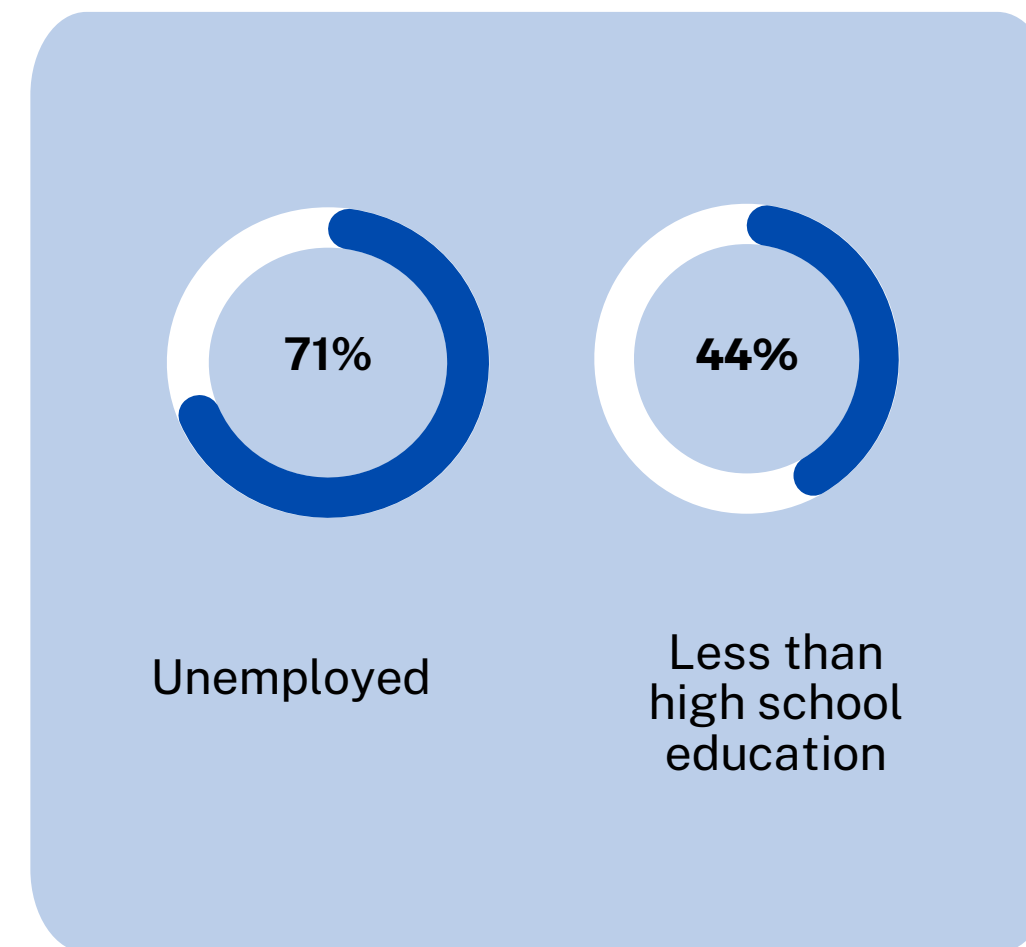
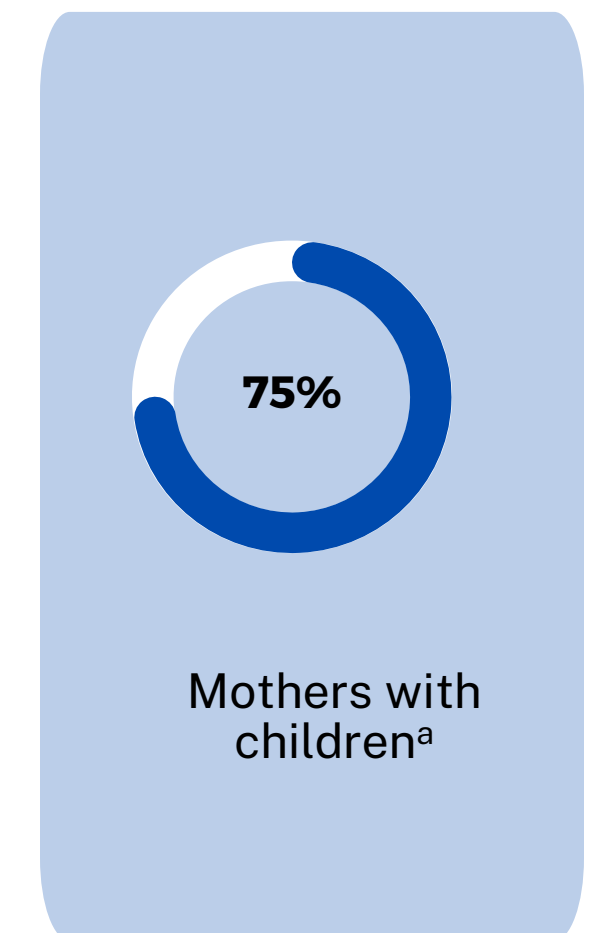


Figure 8: Percentage of incarcerated women with children in 2018



Notes: Data on women were analyzed in a study using the Level of Service Inventory, which includes women sentenced to probation, prison, and parole. It might not include all women sentenced in the state during the time period.
Sources: Wong, T. (2021). ICIS presentation: Gender analysis 2014–2018 trends. Interagency Council on Intermediate Sanctions. <https://icis.hawaii.gov/wp-content/uploads/2021/02/Hawaii-ICIS-Gender-Analysis-Presentation-Jan-2021.pdf>
^aHCR 85 Task Force. (2018). Creating better outcomes, safer communities: Final report of the house concurrent resolution 85 task force on prison reform to the Hawai'i legislature 2019 regular session. State of Hawai'i. https://lrb.hawaii.gov/wp-content/uploads/2018_CreatingBetterOutcomesSaferCommunities.pdf

Native Hawaiian Women & the Criminal Justice System

19% of female general population in Hawai'i

44% of female incarcerated population in Hawai'i

Native Hawaiian disparity is greater for women than men

Median age for first arrest: 31 years old

- 3 years younger than for White women
- 12 years younger than for Chinese women

Sources: Hawai'i Criminal Justice Data Center, 2000-2008.

Office of Hawaiian Affairs, "Databook 2006: Public Safety," March 2006. www.oha.org/pdf/databook/2006/DataBook2006PublicSafety.pdf.

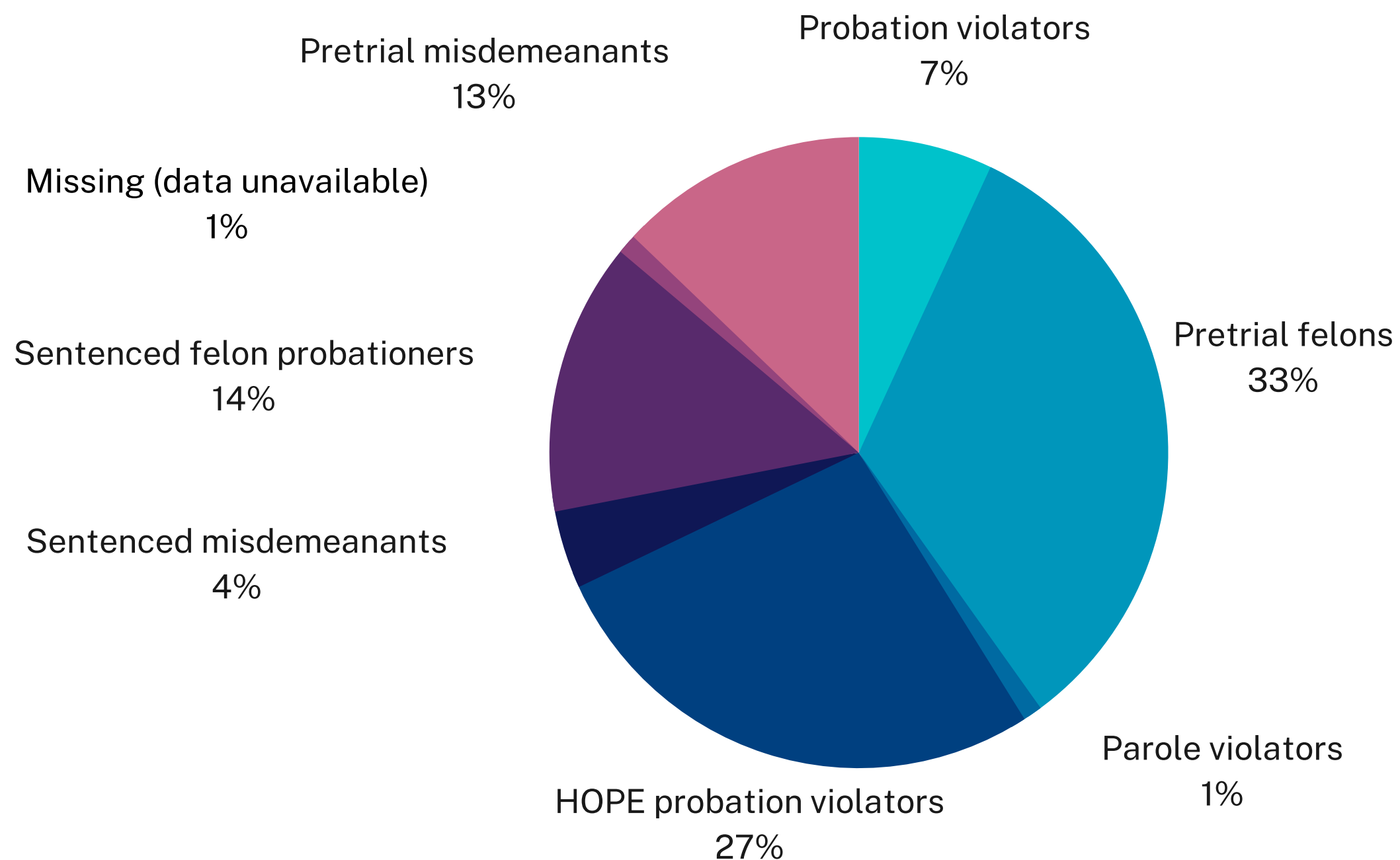
U.S. Census Bureau, "Hawai'i, S0201. Selected Population Profile, Native Hawaiian alone or in any combination, 2006-2008 American Community Survey," December 31, 2009.

Women in the Oahu Community Correctional Center

86% of the offenses for women are class C felonies or below

- 45% of those are misdemeanors, petty misdemeanors, technical offenses, or violations

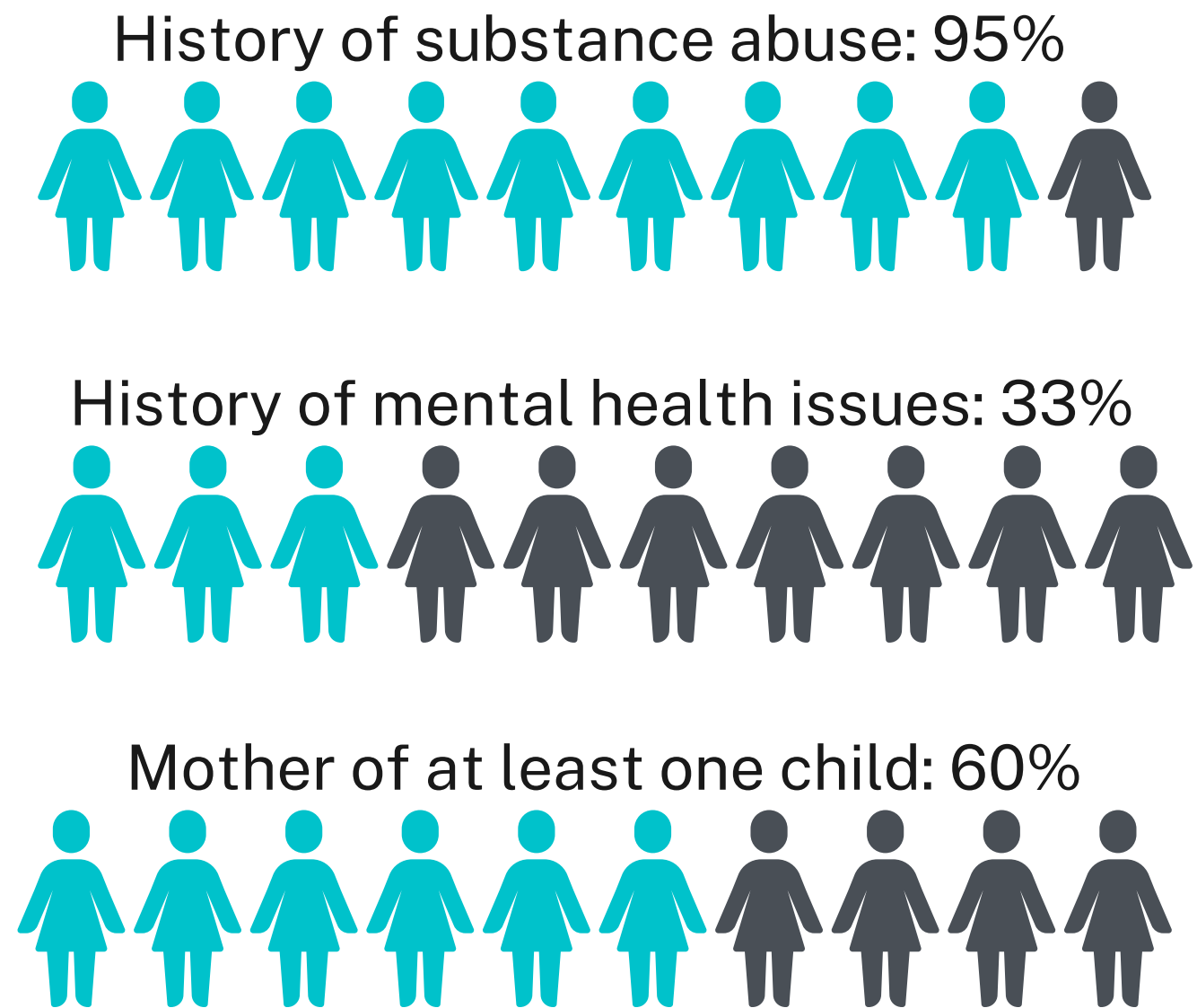
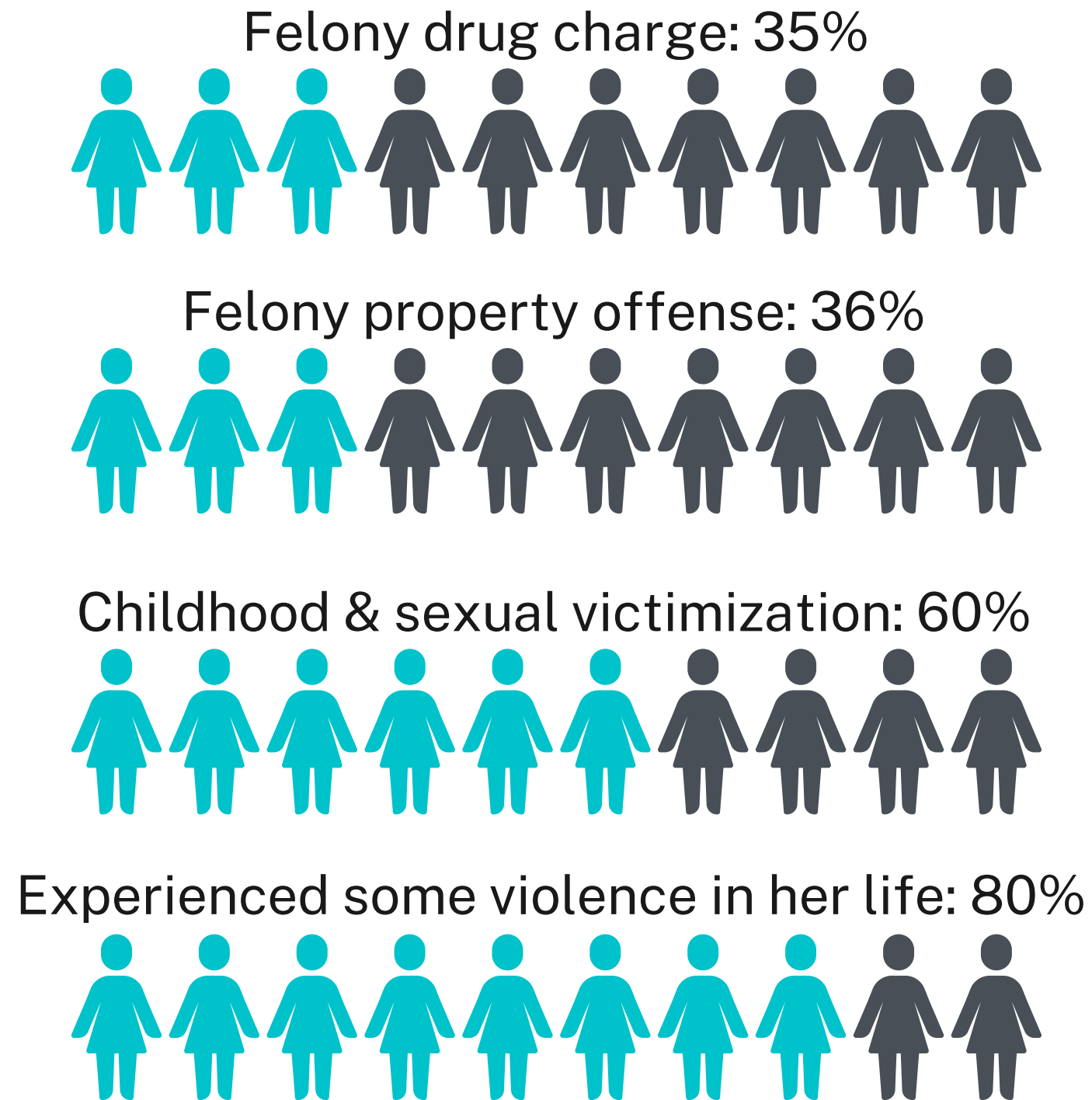
Figure 9: Percentage of women by jail classification status in 2018



Sources: HCR 85 Task Force. (2018). Creating better outcomes, safer communities: Final report of the house concurrent resolution 85 task force on prison reform to the Hawai'i legislature 2019 regular session. State of Hawai'i. https://lrb.hawaii.gov/wp-content/uploads/2018_CreatingBetterOutcomesSaferCommunities.pdf

Women's Community Correctional Center

Figure 10: Percentage of women with certain offenses and characteristics from WCCC study



Sources: Penney, D. (2013). Creating a place of healing and forgiveness: The trauma-informed care initiative at the Women's Community Correctional Center of Hawaii (No. 028152). Substance Abuse and Mental Health Services Administration. [https://www.nasmhpd.org/sites/default/files/7014_hawaiian_trauma_brief_2013\(1\).pdf](https://www.nasmhpd.org/sites/default/files/7014_hawaiian_trauma_brief_2013(1).pdf)

Main Takeaways from Data on Correctional Trends

Understanding the current context for involvement of women in criminal justice

● Data on the social characteristics for justice involved women in Hawai'i demonstrates a need to consider issues related to poverty, mental health, and culture to create more equitable outcomes.

- Hawai'i experienced significant growth in incarceration in the 1990s, which impacted women just as it did in other parts of the country.
- Whether sentenced to state probation or prison, half or more of women were sentenced for drug or property offenses as their most serious offense.
- Data from 2018 indicates many women were in jail for pretrial or violating HOPE probation, however, jail populations have been more dynamic the past few years and more data on women is needed to understand the current profile of women in jail.
- In the state's annual recidivism studies, few women max out of prison making it difficult to compare them to women who are released onto parole, however, other research would suggest women should receive some form of support during the reentry process from institutions to ensure long-term success.



Women's Pathways to Crime

Women's Pathways

History of Abuse

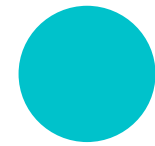
- Characterized by early physical and sexual abuse, neglect, and trauma.
- Entrance to street life, often engaging in drugs, prostitution, or property crime to survive.
- Prominence of abusive families and battering relationships.
- Common pattern of mental illness, depression or anxiety, social withdrawal, mistrust, hostility, and substance abuse.
- First encounters with justice system as juveniles, as runaways escaping violence and abuse.
- Major root of subsequent delinquency, addiction, and criminality.

Women's Pathways

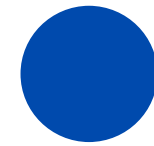
Substance Use and Mental Illness



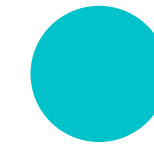
Pattern of using and trafficking drugs.



Often collaborating with intimate partners or family members.



Drug users more likely to be involved in crime, and many commit offense to obtain money to support drug use.



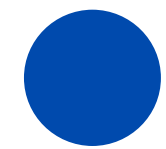
Many female offenders suffer from mental illness or co-occurring disorder.



High preponderance of those with mental illness also reporting substance use.

Women's Pathways

Social and Economic Marginalization



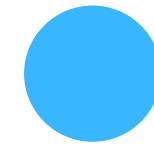
Pattern of poverty, homelessness, and educational and vocational problems.



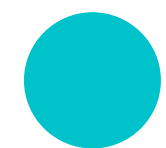
Homelessness resulting from severed social relationships, economic vulnerability, addiction, and abuse.



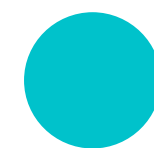
Economic marginalization, disconnections from conventional institutions, and little education and work experience - further increases the likelihood of criminal behavior.



Linked to disorganized families, ineffective parenting, significant histories of abuse, and socialization in subcultural and deprived settings.



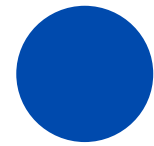
Intersection of gender, race, and class among certain offenders.



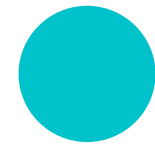
Crime based on poverty and survival, often involving property crimes.

Women's Pathways

Relationships



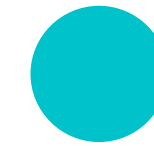
Criminal involvement stemming from family members and significant others.



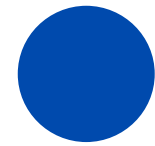
Introduction to crime and substance use.



Combination of dysfunctional intimate relationships that, over time, appeared to erode self-efficacy.



Linked to adult victimization, depression and anxiety, and substance abuse.



Extreme victimization from violent partners, leading to criminal behavior that is seen as unlikely apart from this relationship.

Female Offender Typologies

Serious, Chronic Offender

High-risk, complex pattern of early physical and/or sexual abuse and neglect, child behavior problems, school and family problems, delinquency, low self-control, an aggressive, withdrawn, hostile personality, and chronic adult criminality.

Adolescent-Limited Offender

Mostly avoiding serious offenses, and then desisting from crime by early adulthood.

Normal or Situational Offender

Characterized by a relative absence of risk factors, later onset, and relatively minor histories of property or drug offenses. Also characterized by little early abuse, few early school problems, and few psychological abnormalities.

Offending Patterns of Women:

Life Course Perspective

Participation

Females less likely to participate in crime than males. Prevalence peaked in the late teenage years for males but not for females.

Onset

Age of onset older for females. The mean (F: 29 and M:22) and median (F:27 and M:19) age of onset was much older for women. Significantly more women began offending at age 45 or older.

Desistance

Peak age of termination was 41 for women and 39 for men. Women had considerably and significantly more conviction-free years at the end of the follow-up period.

Frequency

Women's average life span offense frequency was less than half that of men. Women's mean convictions declined with age. Individual offense frequencies over the life span did not differ by gender.

Chronicity


Female chronic offenders had significantly earlier age of onset, longer duration, and higher likelihood of a violent offense.

Crime Mix

Property crimes predominate for women. Proportion of property crimes increases with age for women. Proportion of violent offenses lower for women.

Patterns

Sporadic offending pattern more frequent among women. Very few women following high-rate chronic trajectory; pattern less common for women.

A dark, atmospheric landscape featuring a range of mountains in the background, partially shrouded in mist or low clouds. The foreground shows a dark, calm body of water. The overall tone is somber and dramatic, with a monochromatic color palette of greys and blacks.

Women's Characteristics, Needs, and Barriers to Success

Drug Use Among Women

State prisoners

- 60.2% meet criteria for drug dependence or abuse
- 59.3% used drugs in the month prior to their offense
 - Slight decrease from 1997
- 17% used methamphetamines in the month prior to their offense
 - More likely than men

Federal prisoners

- 42.8% meet criteria for drug dependence or abuse
- 47.6% used drugs in the month prior to their offense
 - 11% increase from 1997
- 15% used methamphetamines in the month prior to their offense
 - More likely than men

Prison population driven by sentences for non-violent drug offenses
Disproportionately more likely to be incarcerated for drug offenses

Mental Health Issues Among Women

12.4% of women in the US general population with any symptoms of a mental health disorder

73.1% of female state prisoners had a mental health problem

61.2% of female federal prisoners had a mental health problem

- Female prisoners have higher rates of mental health problems than males

23% of female state prisoners were diagnosed with a mental health problem by a professional

75% of state prisoners with a mental health problem also met the criteria for substance dependence or abuse

Documented suicide attempt rates of 28 to 42% among incarcerated women

Abuse and Trauma Among Women

Abuse and neglect in childhood

- Emotional abuse: 58%
- Physical abuse: 54%
- Sexual abuse: 51%
- Emotional neglect: 53%
- Physical neglect: 41%

Associated with past suicide attempts

- Higher childhood trauma score
- Higher psychological distress score
- Longer duration of current incarceration

Risk factors for future suicide attempts

- Childhood trauma
- Psychological distress
- Lack of legal employment before incarceration

Adult abuse is an important predictor for accelerated time to recidivism

Sources: Clements-Nolle, K., Wolden, M., & Bargmann-Losche, J. (2009b). Childhood Trauma and Risk for Past and Future Suicide Attempts among Women in Prison. *Women's Health Issues*, 19(3), 185–192. <https://doi.org/10.1016/j.whi.2009.02.002>

Vigesaa, L. E. (2013). Abuse as a Form of Strain Among Native American and White Female Prisoners: Predictors of Substance-Related Offenses and Recidivism. *Journal of Ethnicity in Criminal Justice*, 11(1–2), 1–21. <https://doi.org/10.1080/15377938.2013.739384>

Sex Work and Sexual Exploitation

Relationship to Victimization and Criminality

Highly related to

- Chronic violent victimization
- Poverty
- Previous traumatic experiences
- Illicit drug use

Experiences of abuse and running away from home lead to a greater risk for sexual exploitation and drug use

Many sex workers use drugs and alcohol

- Drug dependence may precipitate entry into sex work
- Others may use as a coping mechanism

Can lead to increased health risks

May be an attempt to alleviate extreme poverty, along with selling drugs

Sources: Berman, J. (2005). *Women offender transition and reentry: Gender responsive approaches to transitioning women offenders from prison to the community*. Washington, DC: National Institute of Corrections.

Chesney-Lind, M., & Pasko, L. (2013). *The female offender: Girls, women and crime*. Los Angeles, CA: Sage.

Javdani, S., Rodriguez, E. M., Nichols, S. R., Emerson, E., & Donenberg, G. R. (2014). Risking it for Love: Romantic Relationships and Early Pubertal Development Confer Risk for Later Disruptive Behavior Disorders in African-American Girls Receiving Psychiatric Care. *Journal of Abnormal Child Psychology*, 42(8), 1325–1340.

<https://doi.org/10.1007/s10802-014-9875-8>

Strathdee, S. A., West, B. S., Reed, E., Moazan, B., Azim, T., & Dolan, K. (2015). Substance Use and HIV Among Female Sex Workers and Female Prisoners. *JAIDS Journal of Acquired Immune Deficiency Syndromes*, 69(Supplement 2), S110–S117. <https://doi.org/10.1097/qai.0000000000000624>

Verona, E., Murphy, B., & Javdani, S. (2016). Gendered pathways: Violent childhood maltreatment, sex exchange, and drug use. *Psychology of Violence*, 6(1), 124–134. <https://doi.org/10.1037/a0039126>

Motherhood and Criminal Justice Involvement

65% of incarcerated women were mothers of minor children

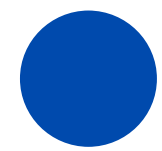
- 64% of them lived with their children prior to incarceration

In Hawai`i, incarcerated women losing custody of their children and never regaining custody is a common occurrence

Among Hawai`i many women who are on parole are mothers, in 2001

- Most were mothers by age 19
- 71% had at least one child by their first sentence
- 17% had their parental rights terminated for at least one child by the state
- 47.3% reunited with their children immediately after release from prison

Barriers to Success



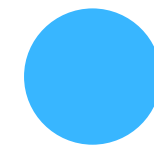
Low educational attainment.



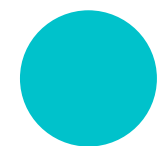
Access to safe, affordable housing.



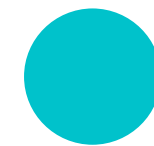
Lack of prior work experience.
Access to job training, employment services. Barriers to employment such as criminal history questions on applications, license restrictions.



Lack of transportation.



Access to substance abuse treatment, mental health treatment, and physical health care.



Lack of childcare.



Restrictions on social support services, including public housing, food stamps, welfare benefits.

A black and white photograph of a bird perched on a branch with palm trees in the background. The bird is the central focus, facing right. The background consists of several palm trees and other foliage, creating a layered, natural setting. The overall tone is somber due to the monochrome palette.

Supporting Women in Prison and Supervised in the Community

Risk and Needs Principles from Research

Steps to incorporating the evidence-based principles of risk and needs to reduce reoffending in programs and supervision



Gender Responsive Corrections

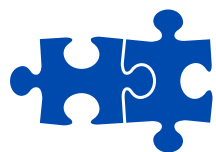
Gender responsive approaches incorporate the following steps into the risk and needs model:



Assess risk and needs with an assessment developed for women and validated on women



Target women's pathways to crime by addressing the intersecting issues faced by women



Match women with programs and services that address their needs following research on women and women's pathways, including interventions that

- Focus on self-efficacy
- Follow a strengths-based approach
- Reflect the lived experiences of women involved in crime and the justice system
- Address needs such as social and cultural factors, abuse, violence, family relationships, and substance abuse and co-occurring disorders



Assessing Risk and Needs for Women

Studies suggest the Level of Service Inventory (LSI) predicts recidivism for women and works by:

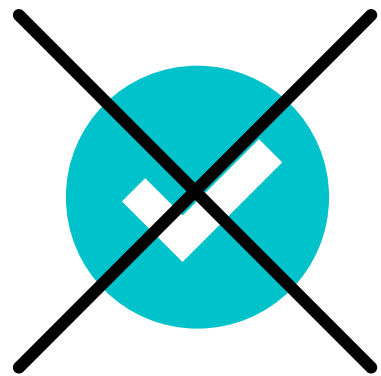
- Classifying individuals into different levels of risk for reoffending
- Includes domains which categorize risk factors into needs areas

Other studies suggest implementing a gender responsive trailer with the LSI or using a gender responsive assessment can improve the assessment process for women by:

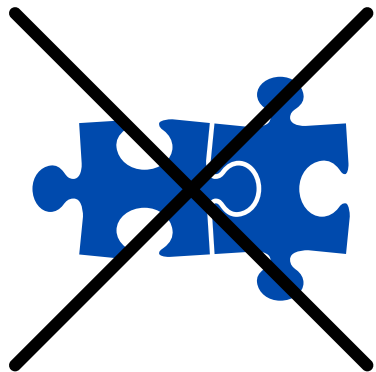
- Aligning the assessment process with the women's pathways research
- Making an improvement in the prediction of risk
- Identifying needs specific to women
- Identifying strengths specific to women



Gender Responsive Critiques of Gender Neutral Assessment Processes



Women might be over-classified as higher risk → Too much supervision and programming for some women, which could decrease success or increase recidivism



Lack information on needs for women → Lack ability to match programs and services for women



Assessment Research in Hawai`i

A study by Davidson & Chesney-Lind (2009) of LSI assessments conducted on men and women in Hawai`i found:

- LSI was predictive of reoffending for both women and men, however,
 - Alcohol and drugs domain was more predictive than the total LSI score for women
- Though many domains predicted risk for women, context was different for women and impacts our understanding of women's needs, for example,
 - For men, family relationships might promote stability, but for women they might be characterized by abuse and other more complicated aspects



Example of Gender Responsive Needs

Women's Risk and Needs Assessment (WRNA)

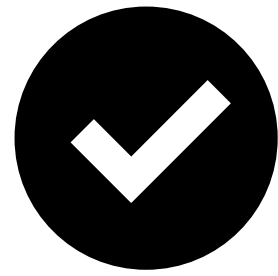
Trailer:

- Anger
- Depression symptoms
- Psychotic symptoms
- Child abuse
- Relationship dysfunction
- Family support

Women's Risk Needs Assessment Project

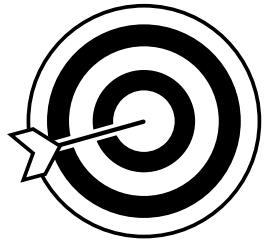
<https://socialwork.utah.edu/research/ucjc/wrna/index.php#P>

In 2008, the National Institute of Corrections in cooperation with the University of Cincinnati announced the availability of a series of new risk/need assessments for adult, women offenders. The assessments include: 1) a full instrument, The Women's Risk/Needs Assessment (WRNA), which assesses both gender-neutral and gender-responsive factors and affords separate forms for probation, prison, and pre-release; and 2) the Women's Risk/Needs Assessment - Trailer (WRNA-T) which is designed to supplement existing risk/needs assessments such as the Level of Service Inventory - Revised or the Northpointe COMPAS. The WRNA-T is also available in separate forms for probation, prison, and pre-release populations.



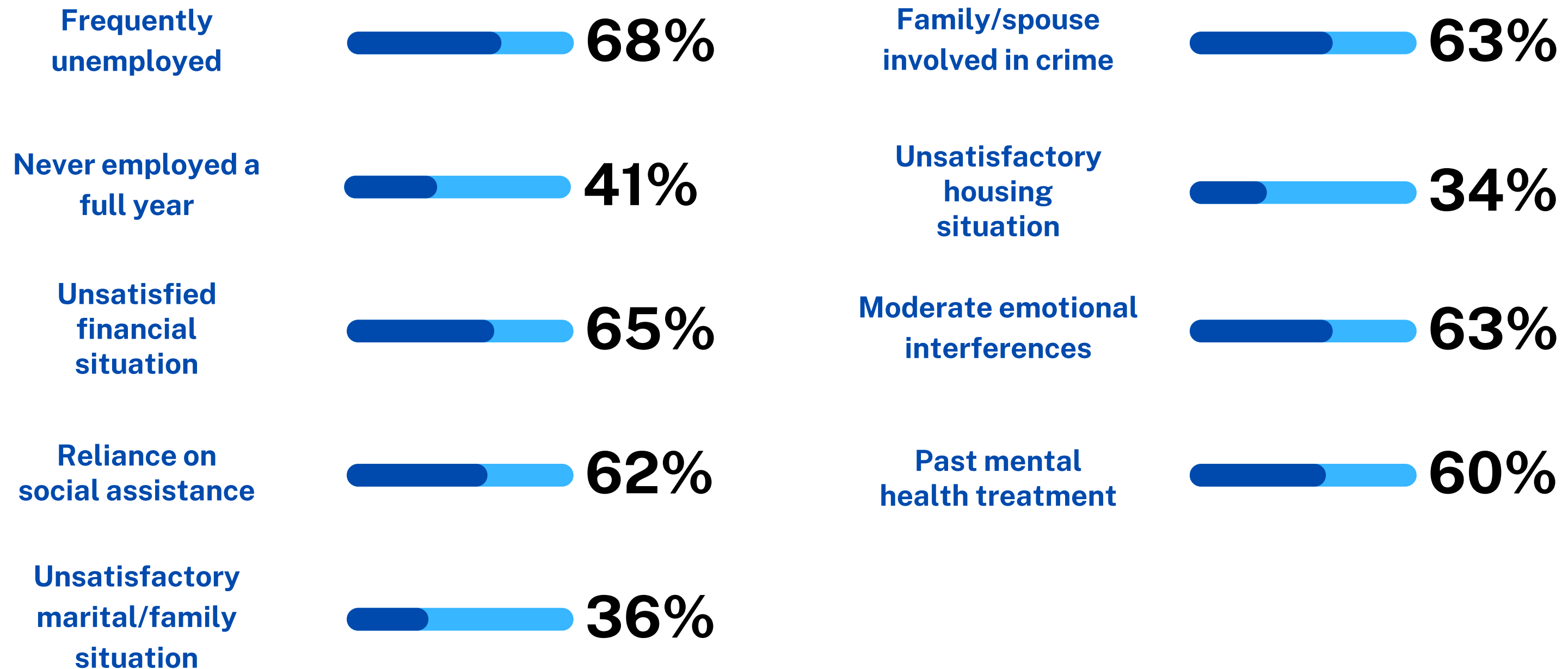
Vary Supervision & Services by Risk

Correctional Setting	Operationalizing Risk
Supervision on probation or parole in the community	Supervision level: A higher risk individual reports more often than a lower risk individual
Programming and services in prison and jail	Program dosage: A higher risk individual receives more programs and services than a lower risk individual
Reentry from incarceration into the community	Support before and after release: A higher risk individual receives more programming inside and more supervision at release than a lower risk individual



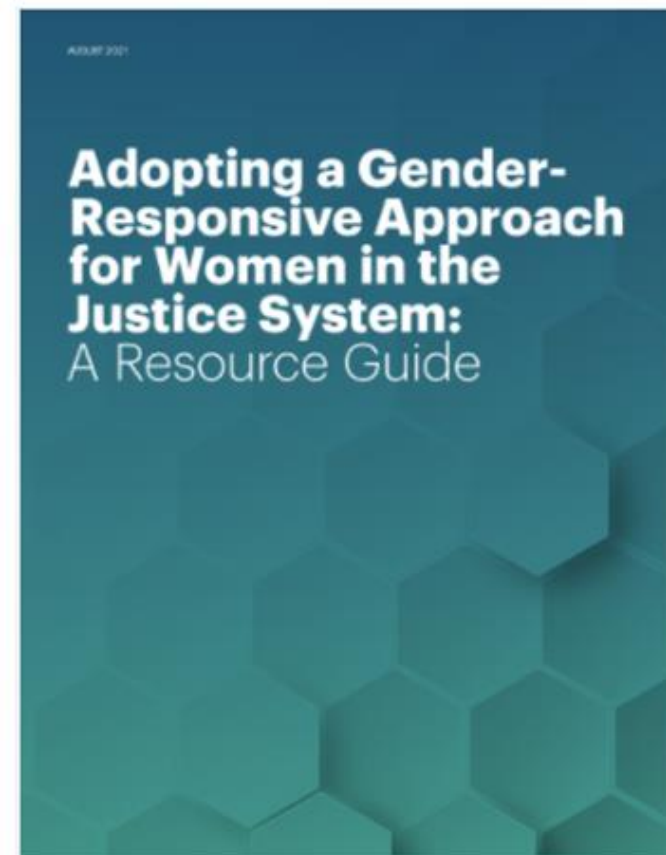
Risk Factors from Local Assessments





Figure 11: Average scores for women on a selection of items from the Level of Service Inventory (LSI) among women on probation, parole, and prison FY 2014–2018



Gender Responsive Interventions

Examples of Programs Used Nationally to Address Gender Responsive Needs and Support Women



-  Collaborative Case Work with Women
-  Wraparound prison and reentry services and programs
-  Program curricula that target gender responsive needs and use modalities that reduce reoffending
-  Parental incarceration and prison nursery programs



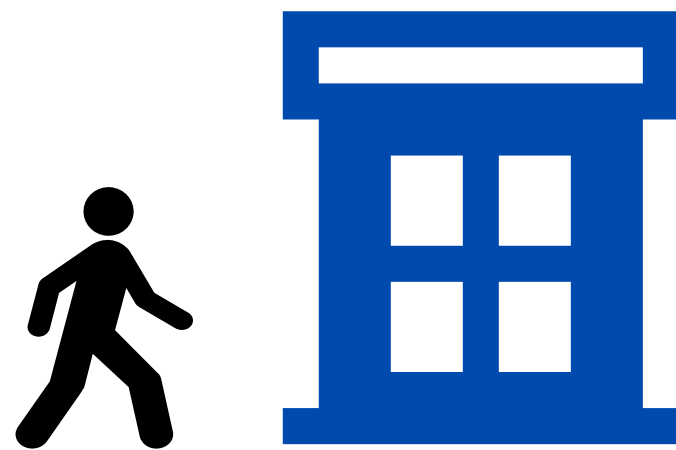
Studying Gender Responsive Effects

One study compared outcomes for women in a gender responsive drug court program to those in mixed-gender programs and found that women were:

- Twice as likely to complete program
- Less substance use
- Fewer mental health issues and reduced PTSD symptoms
- Better in-treatment performance and treatment participation
- Less criminal activity and lower arrests rates
- Less likely to be remanded to jail and terminated from treatment
- More positive perceptions related to treatment experience

Reentry Framework

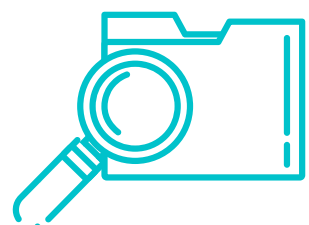
Reentry is a process that begins when someone enters prison...



....and continues as they exit prison and transition into the community



Risk and needs assessment should be done at intake to prison to separate individuals by risk of reoffending, determine programming intensity to reduce risk, and identify needs to match women with programs.



Women should be monitored with reassessments and evaluated with other mechanisms such as reviewing progress in case plans to gauge how they are progressing in addressing their needs and preparing to reenter the community.

Trauma Informed Care

System-wide effort

Mindful of the historical trauma exposure of incarcerated women

Recognizes how this exposure may:

- Affect behavior
- Play a role in incarceration
- Play a role in rehabilitation

Includes designing a system of treatment for a person with trauma that considers trauma survivors' vulnerabilities & triggers

Trauma Informed Care

Correctional staff and care providers should be prepared in:

- Understanding trauma
- Understanding the survivor
- Understanding available services
- Understanding the service relationship

Aims to increase autonomy and sense of control

Goal is not to shelter from trauma history, but to give appropriate and healthy ways to cope

Primary focus should include life skills, education, and development of coping mechanisms

Main Takeaways from the Research on Gender Responsive Corrections

Applying the research from local and national sources to understand "what works" to help women exit the correctional system successfully

● A substantial amount of research exists to support the use of actuarial risk and needs assessment to identify someone's likelihood of reoffending and should be used to inform decisions around supervision and services for women.

● Some studies, including research conducted locally, suggest assessments or trailers that include gender responsive risk factors could improve prediction and help correctional staff identify needs specific to women.

● A strength of the state's assessment system is the use of one consistent validated, actuarial risk and needs assessment across probation, parole, and prison (LSI); adopting the WRNA trailer could improve gender responsive assessment and promote continuity.

● Information on needs from gender responsive assessments in the local population could be used to identify the resources need to meet the needs of women in the criminal justice system in Hawai'i.

● In a gender responsive approach, assessment should inform supervision and interventions in order to target women's needs to reduce their chances of reoffending and to help them succeeding after their sentence ends.

Identifying Gaps in Knowledge

Identifying current limitations to research and data collection on women involved in the criminal justice system in Hawai`i

- Most research on correctional practices that reduce recidivism focuses on assessment and interventions in prison systems, but less data and knowledge exists for jails.

- Data on women are pulled from disparate data sources, making it difficult to understand women's pathways in and out of the criminal justice system in Hawai`i.

- Though incarceration has impacted women greatly over the past few decades, it is important to examine the three main categories driving incarceration rates (entries, exits, and length of stay) in order to make meaningful reductions in incarceration.

An aerial photograph of a tropical coastline. On the left, a large, dark, rocky mountain rises from the shore. A bay with clear, turquoise water is visible, with a small pier extending into it. In the distance, a range of mountains stretches across the horizon. To the right, the ocean is a deep blue, with several small, rocky islands and a larger, prominent island with a rounded, rocky peak. The sky is filled with soft, white clouds. The image is overlaid with a white triangular shape on the left and a blue triangular shape on the right, meeting at a diagonal line.

Thank you!

Feel free to contact us
if you have any questions.