

March, 2007

Locking Up Abuse: What Female Prisoners Face Before, During, and After Incarceration

—By Kenya McCullum

Despite the misconception of the justice system that tends to be advanced by the media, real-life crime and punishment tends to be far more complicated. While people should indeed be held responsible for their actions, a "lock 'em up and throw away the key" approach to jurisprudence may not necessarily serve the interest of justice — particularly when you examine the underlying issues associated with female incarceration.

There are currently over 11,000 women in prison in California, many of whom are incarcerated as the direct or indirect result of abuse. For instance, many of these women committed crimes in order to defend themselves and their children from an abusive partner. Others have either committed crimes, or confessed to ones they did not commit, at the behest of an abuser. Others have been arrested for drug charges, after self-medicating to numb the pain of being abused.

"One of the main things I've learned is that the vast majority of women who become incarcerated have been victims of childhood sexual and/or physical abuse," says Karen Levine of the San Francisco Sheriff's Department Women's Reentry Center — an organization that gives women vital services upon being released from imprisonment. "It has kind of been the elephant in the living room, this whole issue of childhood sexual abuse. It's unbelievable that we haven't been doing more treatment around this."

But for many female prisoners, the cycle of abuse doesn't end when they are behind bars, because they are thrown into a prison system that is rife with even more abuse.

"The level of sexual abuse and sexual harassment is pervasive and omnipresent in women's prisons. The majority of guards in women's prisons are men. Prisons are set up to ensure that there's no privacy so people are surveilled constantly. That means that men are watching women while they bathe, while they use the bathroom," says Cynthia Chandler, the co-founder of Justice Now, a local organization dedicated to protecting the legal rights of female prisoners. "The entire geography of the institutions are set up to create a sexually harassing environment, then on top of it, there's sort of a culture of sexual harassment and abuse where that type of abusive behavior is tolerated and permitted and extremely difficult for a woman to report."

Breaking Free From Victimization

Since 2000, Justice Now has championed for the legal rights of female prisoners, particularly mothers.

Under California law, the state can take away children from prisoners who are not able to reunify with their children within six months — which is impossible given the lengthy sentences many of them are serving. Although the majority of women in prison have been charged with nonviolent crimes and are not a threat to their children, the state will still terminate their parental rights.

"Eighty percent of women in prison are mothers and the vast majority of them are the primary care provider for their child. So when men go to prison, there's frequently still a mom available to help take care of the kids — but when women go to prison, there usually isn't anyone else," says Chandler.

In addition to working to reunite prisoners with their children upon release, Justice Now is also lobbying the legislature to pass a compassionate release law, which would allow prisoners who are terminally ill with a short time to live the chance to be released to the care of their families in order to tie up loose ends and create an environment of closure when they pass.

And while Justice Now works on the bigger picture related to the needs of female prisoners, the San Francisco Sheriff's Department Women's Reentry Center provides them with the day-to-day services that they need in order to survive. Since last summer, the Center — which is, in many cases, literally the first stop that women make on the road to re-assimilation after being released — has given women everything from clothing and food to help finding employment, housing, and childcare.

Levine also noted that counseling is an important part of re-assimilation, as it not only helps women cope with the abuse they have suffered in their lives, but it can also help keep them from being incarcerated again — which is particularly important because women in California have a 68 percent rate of recidivism.

"If we look at the history of prisons in the United States, and California specifically, conditions have not gotten better," says Chandler. Although organizations like Justice Now and Women's Reentry Center go a long way toward helping female prisoners, she believes that the whole prison system needs a complete overhaul before these problems can truly be solved.

For more information on services for incarcerated women, visit .