

A Theoretical Basis for Gender-Responsive Strategies in Criminal Justice

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Introduction

The number of women under criminal justice supervision in the United States reached over one million in 2001. In response, contemporary corrections has begun to consider the best way to effectively respond to women offenders. Female offenders are now a significant proportion of all offenders: they comprise 17 percent of the total number of offenders under correctional supervision, or one in every six offenders. These numbers have led to a reexamination of the ways in which correctional policy and practice affect the female offender. This paper describes the theoretical basis for gender-responsiveness in the criminal justice system and the conceptual foundation for a set of gender-responsive strategies designed to improve policy and practice regarding women (Bloom, Owen & Covington, 2002).

Current research has established that women offenders differ from their male counterparts regarding personal histories and pathways to crime (Belknap, 2001). For example, women offenders are more likely to have been the primary caretaker of young children at the time of arrest, they are more likely to have experienced physical and/or sexual abuse, and they have distinctive physical and mental health needs. Additionally, women are far less likely to be convicted of a violent offense, and they pose less of a danger to the community.

Women offenders are disproportionately women of color, low income, undereducated, and unskilled with sporadic employment histories. They are less likely to have committed violent offenses and more likely to have been convicted of crimes involving drugs or property. Often their property offenses are economically driven, motivated by poverty and/or the abuse of alcohol and other drugs. Women confront life circumstances that tend to be specific to their gender such as sexual abuse, sexual assault, domestic violence, and primary caregiver of dependent children. The characteristics of criminal justice-involved women thus reflect a population that is marginalized by race, class and gender (Bloom, 1996). For example, African American women are over-represented in correctional populations. They comprise only 13 percent of women in the United States; however, nearly half of women in prison are African American and they are eight times more likely than white women to be incarcerated.

Theoretical Perspectives on Women Offenders

Women in the criminal justice system come into the system in ways different from those of men. This is due partly to differences in pathways into criminality and offense patterns, and partly to the gendered effect of the war on drugs. A fuller understanding of women in the criminal justice system involves a discussion of the context of their lives in several key dimensions. These factors have been shown to affect women's lives quite differently than men's and to mediate the impact of the criminal justice system for women offenders. This paper summarizes that work in the following areas:

- race and ethnicity
- theories of women and crime
- relational theory and female development
- trauma theory
- addiction theory

Race and Ethnicity

In all cultures, the experiences and developmental contexts of women are different from those of their male peers. As such, all women, despite their racial, ethnic or social class backgrounds, have their life experiences molded by the variable of gender. However, the culture or social class context of each woman will influence how she experiences the variable of gender.

Culture may be seen as a framework of values and beliefs and a means of organizing experiences. Providing appropriate services and supervision for a woman calls for consideration of the particular circumstances of each woman—of her reality as it has been informed by her individual history, including her class, racial, ethnic, and cultural context. No two women exist in exactly the same circumstances and context, although all exist in the same circumstance as women.

It is imperative to realize that just as women's lives are different from men's, women's lives are not all the same. Although there are common threads because of their gender, it is important to

acknowledge cultural and other differences. For example, there are differences between the lives of African American women, Latinas, and Asian women. There are differences between heterosexual women, bisexual women, lesbian women, and transgendered women. There are differences between older women and younger women. There are differences due to privilege and oppression.

Any discussion of ethnicity raises definitional and conceptual issues. Ethnicity, as discussed here, is defined by culture: a shared identity and a shared ideological, normative, and behavioral framework. Though this shared cultural frame may overlap with race or national origin, the fit is usually imperfect. The categories “Asian,” “Latina,” “African American,” and “Native American” do not denote homogeneous populations but are convenient census and survey categories. For example, the category “Latina” includes Cubans, Mexican-Americans, Puerto Ricans, and other groups. The terms “African American” or “black” mask any variations that may exist, such as the differences between those whose families have been in the United States for many generations and those who have recently arrived from the Caribbean or from African nations (Gray & Littlefield, 2002; Mora, 2002; Kitano & Louie, 2002).

There are a myriad of differences experienced by women from different ethnic and racial backgrounds, including patterns of alcohol and drug use, importance of family, and role of mothers. Because of the Anglo-Saxon focus of our society and its neglect of cultural variability, ethnic minorities are either excluded or their difference is understood as a deficit (Espin, 1997). Being “different” often leads to marginalization and oppression due to lack of privileges and limited access to power. Culture and race can also affect “the degree to which ... women internalize negative racial stereotypes from the dominant society” (Sanders-Phillips, 1999, p. 198).

There is a risk of “cultural encapsulation” (Wrenn, 1962) when correctional personnel allow culturally-based perceptions of reality to dominate. A culturally encapsulated person, unable to see others through a different cultural lens, may regard as pathological what is normal for the minority cultural group (Falicov, 1998). The challenge is to become culturally attuned: that is, to become aware and accepting of the cultural differences when working with someone from a different cultural background.

Sapiro (1999, p. 124) concludes that there is immense variation in the ways that gender is shaped in a complex sex/gender system. Bloom (1996) similarly makes this argument in her discussion of “triple jeopardy” (explored below) in the lives of women prisoners. There is also evidence that age creates different classifications and life experiences for women and men.

Triple Jeopardy: The Intersection of Race, Class, and Gender

While female offenders share many of the problems of their male counterparts, they also experience unique issues as a result of their race, class, and gender. Women of color, especially African Americans, are disproportionately incarcerated in the United States. In 1999, African American women were nearly eight times more likely to be incarcerated than white women (Bureau of Justice Statistics, 2001c).

According to a recent study by the Sentencing Project, from 1989 to 1994 African American women experienced the greatest increase in criminal justice supervision of all demographic groups studied (Mauer, Potler & Wolf, 1999). The 78 percent increase in criminal justice control rates for African American women was more than double the increase for African American men and for white women, and more than nine times the increase for white men. Nationally, between 1980 and 1992 the number of African American females in state or Federal prisons grew 278 percent, while the overall inmate population increased by 168 percent.

In a review of studies concerned with racial and ethnic differences among women offenders, McGee and Baker (2003) concluded that, in particular, women of color from low-income communities continue to bear the burden of punitive philosophies within the criminal and juvenile justice systems and have experienced the greatest criminal justice control of all demographic groups. Continuing stereotypes about women of color, particularly African American women, limit access to programs that relate to economic independence, family reunification, and reduced criminal involvement (McGee & Baker, 2003).

In their analysis of nearly 1,600 probation files between 1986 and 1989, these researchers found that about 42 percent of those in the sample had completed high school, and that the majority had been employed less than 40 percent of the time. The vast majority (84 percent) had been convicted of only one charge, with 83 percent having had no prior felony convictions. In analyzing the outcomes of these cases, they found that white women, at 54 percent, were more likely than African American women (35 percent) to have received such services as substance abuse treatment and mental health counseling as conditions of probation. McGee and Baker conclude that there is very little Afro-centric treatment throughout the criminal justice system.

Theories of Women and Crime

Contemporary theorists note that most theories of crime were developed by male criminologists to explain male crime (Belknap, 2001; Pollock, 1999; Chesney-Lind, 1997). Historically, theories about women's criminality have ranged from biological to psychological and from economic to social. Social and cultural theories have been applied to men, while individual and pathological explanations have been applied to women.

Pollock (1999) found that until recently, most criminology theory ignored the dynamics of race and class and how these factors intermix with gender to influence criminal behavior patterns (p. 8). In fact, she argues, a common belief is that adding gender to these analytic variables "tended to complicate the theory and were better left out" (Pollock, 1999, p.123). Due to this lack of attention, Belknap (2001) has called the female offender "the invisible woman."

Class membership, particularly poverty, is also racially and ethnically based. Across groups of women, class differences also emerge in forms such as disease patterns, response to treatment, and other behaviors. These findings support the contention that differences among women are also critical in providing women-sensitive policy and programs. Contemporary theorists argue for the integration of race, class, and gender in any analytic framework to study the experiences of women in the criminal justice system. Without such a framework, they assert, it is impossible to draw an accurate picture of the experiences of these women (Bloom, 1996).

Two primary approaches to explaining female criminality have been taken. The first involves theories that attempt to explain female criminality separately, without recourse to theories of male criminality. These theories are often based on assumptions about the female psyche that are without empirical support.

The second approach is demonstrated in traditional mainstream theories of crime developed to explain male criminality. This raises what some scholars refer to as the “generalizability problem” (Daly & Chesney-Lind, 1989). In addressing the issue of whether theories of men’s crime can be applied to women, criminologists have tested theories derived from all male samples to see whether they also apply to females. Others have borrowed from existing theories (e.g., social learning theory) or have recast the logic of a theory altogether.

The earliest work on women’s crime focused on women’s biology (Lombroso & Ferraro, 1894/1920). Lombroso and Ferrero explained female criminality by stating that women are throwbacks to an earlier evolutionary state in human development. Much of the literature that followed continued to focus on individual and pathological theories to explain female criminality, well into the 1960s.

In the mid-1970s, female criminality was often explained as a by-product of the women’s liberation movement (Adler, 1975). Simon (1975) attributed a rise in women’s involvement in property crime to increased opportunities to enter previously male occupations, such as banking and business. Steffensmeier (1980) criticized the liberation theory on the grounds that neither the status of women nor their patterns of offending had changed dramatically over time.

Feminist theorists have examined other factors that relate to female criminality. For example, the economic marginalization theory asserts that for women, it is the absence rather than the availability of employment opportunity that appears to lead to criminal behavior (Naffine, 1987). Much of women’s crime is petty property crime, often committed as a response to poverty and economic insecurity. Proponents of this theory suggest that the feminization of poverty, not women’s liberation, is most relevant to women’s criminality.

The Pathways Perspective

Research on women’s pathways into crime indicates that gender matters significantly in shaping criminality. Steffensmeier and Allan (1998) note that the “profound differences” between the lives of women and men shape their patterns of criminal offending. Among women, the most common pathways to crime are based on survival (of abuse and poverty) and substance abuse. Belknap (2001, p. 402) has found that the pathways perspective incorporates a “whole life” perspective in the study of crime causation. The pathways research has used extensive interviews with women to uncover the life events that place girls and women at risk of criminal offending. Other studies use presentence investigative reports (Daly, 1992) and official records (Widom, 2000). These diverse data collection strategies “sequence” the life events that shape women’s choices and behaviors.

Research on female offenders has established conclusively that women enter the criminal justice systems in ways different from those of male offenders. The following differences have been empirically documented:

- the role of violence, trauma and substance abuse in criminal pathways (Belknap, 2001; Browne et al., 1999; Daly, 1992; Dougherty, 1998; Owen, 1998; Pollock, 1999; Widom, 2000; Richie, 1996)
- offense and re-offense patterns (Kruttschnitt, 2001; Steffensmeier, 2001)
- the impact of responsibilities for children and other dependent family members, and reduced ability to support self and children (Enos, 2001)
- race and ethnicity and the impacts of these in terms of crime, violent partners, and substance abuse (Pollock, 1999; Bloom, 1997).
- connections with violent and substance-abusing partners (Browne, 1987; Richie, 1996).

Recent work on the totality of women's lives has established that because of gender, women are at greater risk of experiencing sexual abuse, sexual assault, and domestic violence. They are also more likely than men to have the responsibility of caring for children. The pathway research has identified key issues in producing and sustaining female criminality, explored below.

Histories of Personal Abuse

Empirical research has established that female offenders have histories of sexual and/or physical abuse that appear to be major roots of subsequent delinquency, addiction, and criminality (Pollock, 1999; Belknap, 2001; Chesney-Lind, 1997; Widom, 1995, 2000). Abusive families and battering relationships are also strong themes in the lives of female offenders (Chesney-Lind 1997; Owen & Bloom, 1995). Frequently, women have their first encounters with the justice system as juveniles who have run away from home to escape situations involving violence and sexual or physical abuse. Prostitution, property crime, and drug use can become a way of life for these individuals.

Mental Illness and Substance Abuse

Covington (1999) discusses the ways in which emotional disconnections contribute to criminal pathways. Many women suffer from some form of mental illness or co-occurring disorder. According to the Bureau of Justice Statistics (1999a), nearly eight in ten female offenders with a mental illness reported having experienced prior physical or sexual abuse.

The link between female criminality and drug use has been found to be very strong, with the research indicating that women who use drugs are more likely to be involved in crime (Merlo & Pollock, 1995). Approximately 80 percent of women in state prisons have substance- abuse problems (CSAT, 1997), and about 50 percent of female offenders in state prisons had been using alcohol, drugs, or both at the time of their offense (Bureau of Justice Statistics, 1999a). Nearly one in three women serving time in state prisons reports having committed the offense in order to obtain money to support a drug habit. About half describe themselves as daily users.

Economic and Social Marginality

Many women on the social and economic margins struggle to survive outside legitimate enterprises, which brings them into contact with the criminal justice system. Economic marginalization, often shaped by disconnections from conventional institutions such as school, work, and families, further increases the likelihood of criminal behavior. A significant proportion of women in the criminal justice system have little education or work experience and significant histories of personal abuse (Owen & Bloom, 1995; Owen, 1998; Chesney-Lind, 1997; Bloom, 1996).

Homelessness

A result of severed social relations, economic vulnerability, addiction, and abuse, homelessness is a frequent complication in the lives of women involved in the criminal justice system (Bloom, 1998). North and Smith (1993) reported that homeless women are far more likely than their male counterparts to have young children in their care and to be more dependent on public assistance. These women (23 percent) are also more likely than men (4 percent) to be victims of sexual abuse (North & Smith, 1993).

Relationships

Another gender difference found in studies of female offenders is the importance of relationships, with criminal involvement often having come about through relationships with family members and significant others (Chesney-Lind, 1997; Covington, 1998a; Owen & Bloom, 1995; Owen, 1998; Pollock, 1998). Women are often first introduced to drugs by partners who frequently continue to be their suppliers. Women's attempts to get off drugs, and their failure to supply partners with drugs through prostitution, often elicit violence from the partners; however, many women remain attached to partners despite neglect and abuse.

Research using the pathways perspective continues to add to the portrait of female offending. Following are examples of scholarship in this area:

- Arnold (1990) suggests that for young African American girls from poor families, lawbreaking often represents a resistance to victimization. These girls experience a structural dislocation from family, education, and legitimate occupations. Arnold suggests that sustained criminal involvement becomes a rational coping strategy.
- Daly (1992) identifies the following categories: *street women*, *harmed and harming women*, *battered women*, *drug connected women*, and *other*.
- Richie's theory of "gender entrapment" (1996) explains the connection between African American women who have been battered and their pathways to crime.
- Owen (1998) identifies five significant factors in women's pathways to imprisonment: (1) the multiplicity of abuse; (2) early family life; (3) children; (4) the street life; and (5) spiraling marginality.

In identifying the specific events and contexts of women's lives that promote criminal behavior, the pathways perspective has made significant contributions to our understanding of women's criminality. This perspective appears to be most promising in terms of providing an empirical framework for the development of gender-responsive principles, policy, and practice.

Relational Theory and Female Development

One way of understanding gender differences is found in relational theory, which has developed from an increased understanding of gender differences and, specifically, of the different ways in which females and males develop psychologically.

Traditional theories of psychology have described individual development as being a progression from childlike dependence to mature independence. According to these theories, an individual's goal is to become a self-sufficient, clearly differentiated, autonomous self. A person would thus spend his or her early life separating and individuating in a process leading to maturity, at which point he or she would be equipped for intimacy. Jean Baker Miller (1976) challenged the assumption that separation is the route to maturity. She suggested that these accepted theories are describing only the experience of males, with a female's path to maturity being different. A female's primary motivation, said Miller, is to build a sense of connection with others. Females develop a sense of self and self-worth when their actions arise out of, and lead back into, connections with others. Connection, not separation, is thus the guiding principle of growth for girls and women.

Miller's work led a group of researchers and practitioners to create the Stone Center at Wellesley College in 1981 for the purpose of examining the qualities of relationships that foster growth and development. The Stone Center relational model defines connection as "an interaction that engenders a sense of being in tune with self and others and of being understood and valued" (Bylington, 1997, p. 35). Such connections are so crucial that many of the psychological problems of women can be traced to disconnections or violations within relationships, whether in families, with personal acquaintances, or in society at large.

Mutual, empathic, and empowering relationships produce five psychological outcomes: (1) increased zest and vitality, (2) empowerment to act, (3) knowledge of self and others, (4) self-worth, and (5) a desire for greater connection (Miller, 1986). These outcomes constitute psychological growth for females. Mutuality, empathy, and power with others are thus essential qualities of an environment that will foster growth in women. By contrast, Miller (1990) has described the outcomes of disconnections—that is, nonmutual or abusive relationships, which she terms a "depressive spiral." These outcomes are diminished zest or vitality, disempowerment, confusion or lack of clarity, diminished self-worth, and a turning away from relationships (Covington & Surrey, 1997, 2000).

Communication

Recent research and popular literature have also focused on gender differences in communication patterns (Tannen, 1990). Such communication differences have been attributed to distinct differences in socialization of women and men, resulting in "distinct female and male subcultures" (DeLange, 1995, p. 76). According to DeLange (1995):

When men and women listen, they use different behaviors and may, in fact, listen for different things. Men tend to listen for the bottom line, for some action to be taken or decision to be made; women tend to listen for details to fill in the full picture. Men use less eye contact and head nods; women ask more questions and tend to work at maintaining the communication Research has found that men generally talk more

than women and interrupt more. Women tend to engage in more self-disclosure, display more empathetic behaviors, and be more adept at decoding and translating nonverbal behavior into meaningful messages (p. 325).

Different communication patterns between women and men are particularly noticeable in group settings. In general, studies indicate that mixed-gender groups benefit men, while all-female groups are most beneficial to women (Lex, 1995).

Relationships and Women in the Criminal Justice System

The importance of understanding relational theory is reflected in the recurring themes of relationship and family seen in the lives of female offenders. Disconnection and violation rather than growth-fostering relationships characterize the childhood experiences of most women in the correctional system. In addition, these women have often been marginalized because of race, class, and culture, as well as by political decisions that criminalize their behavior (e.g., the war on drugs). “Females are far more likely than males to be motivated by relational concerns Situational pressures such as threatened loss of valued relationships play a greater role in female offending” (Steffensmeier & Allan, 1998, p. 16).

Although Gilligan, Lyons, & Hanmer (1990) reported that girls are socialized to be more empathic than boys, incarcerated women have been repeatedly exposed to nonempathic relationships. As a result, they may lack empathy for both self and others, or they may be highly empathic toward others but lack empathy for themselves. In order to create change in their lives, women need to experience relationships that do not repeat their histories of loss, neglect, and abuse.

When criminal justice policy ignores the dominant theme of connections and relationships that thread throughout the lives of female offenders, the ability to improve women’s lives through correctional intervention is significantly diminished. Additionally, when the concept of relationships is ignored in the correctional environment, the ability of the system or agency to operate effectively is undermined. Thus, a relational context is critical to success in addressing the reasons why women commit crimes, their motivations, the ways in which they change their behaviors, and their reintegration into the community. Understanding the role of relationships and connections is thus fundamental to understanding the female offender.

For example, women offenders who cite drug abuse as self-medication often discuss personal relationships as the cause of their pain (Pollock, 1998). Abusive families and battering relationships are often strong themes in the lives of these women (Chesney-Lind, 1997; Owen & Bloom, 1995). This has significant implications for therapeutic interventions that deal with the impact of such relationships on women’s current and future behavior.

It is important that women learn about and experience healthy relationships as part of the intervention process. If women in the system are to change, grow, and recover, it is critical that they be in programs and environments in which relationships and mutuality are core elements. It is therefore essential to provide a setting that makes it possible for women to experience healthy relationships both with staff and with one another. However, the criminal justice system is designed in such a way as to discourage women from coming together, trusting, speaking about

personal issues, or forming bonds in relationships. In addition, women who leave prison are often discouraged from associating with other women who have been incarcerated, so there is a lack of continuity of relationships.

A pilot project in a Massachusetts prison found that women benefited from being in a group in which members both received information and had the opportunity to practice mutually empathic relationships with others (Coll & Duff, 1995). Female offenders also need to have respectful, mutual, and compassionate relationships with correctional staff. In an Ohio study, respect was one of the main things young women in detention said they needed from correctional staff (Belknap, Dunn, & Holsinger, 1997). Finally, women would benefit if relationships among staff and between staff and administration are mutual, empathic, and aimed at power *with* others rather than power *over* others.

Women Offenders and Their Children

Male and female differences in terms of relationships are best illustrated by examining women offenders and their children. It is estimated that 1.3 million children have a mother who is under criminal justice supervision (Bureau of Justice Statistics, 2000), and an estimated 70 percent of women offenders in the United States have a child or children under the age of eighteen (Bureau of Justice Statistics, 1999a).

As stated earlier in this report, the Bureau of Justice Statistics (2000) reported that in 1997, 65 percent of women in state prisons and 59 percent of women in Federal prisons had minor children. The majority were single mothers with an average of two children, and prior to their arrests they had been the custodial parents (Bloom & Steinhart, 1993). Many of these women felt enormous guilt about being absent from their children's lives and worry about whether they will regain custody of their children following their release (Bloom & Steinhart, 1993; Watterson, 1996). Bloom and Steinhart (1993) found that more than half (54 percent) of the children of incarcerated mothers never visited their mothers during the period of incarceration. Such barriers to visitation as the isolated locations of prisons and a lack of transportation exacerbate the problems of maintaining family ties and of reunification with children (Bloom & Steinhart, 1993).

Bloom and Chesney-Lind (2000) have discussed the implications of motherhood among U.S. women prisoners. They argue that mothers in prison face multiple problems in maintaining relationships with their children, and that they encounter obstacles created both by the correctional system and by child welfare agencies. Bloom and Chesney-Lind state that geographical distance between the prison and the children's homes, a lack of transportation, and limited economic resources compromise a woman prisoner's ability to maintain relationships with her children.

An estimated 4 to 9 percent of women are pregnant at the time of incarceration. Women who give birth while incarcerated are rarely allowed to spend time with the child after birth; mother-infant bonding is severely undermined by this lack of contact. Termination of parental rights also affects prisoner mothers. About half the states in the nation have policies that address the termination of parental rights of incarcerated parents (Bloom & Steinhart, 1993).

While the majority of women offenders are mothers, substance abuse and involvement in the criminal justice system may have affected their ability to maintain custody of their children. However, there is significant evidence that the mother-child relationship may hold significant potential for community reintegration. Incarcerated women tend to experience a sense of isolation and abandonment while in prison because of their inability to keep their families together. Research demonstrates that both male and female offenders who maintain ties to their families and communities during incarceration are less likely to recidivate (Holt & Miller, 1972).

For many women, the only source of hope and motivation they have while under criminal justice supervision is their connection to their children. Recognizing the centrality of women's roles as mothers provides an opportunity for the criminal justice, medical, mental health, legal, and social service agencies to develop this role as an integral part of program and treatment interventions for the female offender population. Promoting relationships between mothers and their children also entails providing programs and services that increase a women's ability to support her children following her release. The majority of women offenders are poor, with few job skills and little education. Without attention to the improvement of women's capacity to support themselves, responsible connections between mothers and their children cannot be maintained.

Relationships in Prison

Relationships also influence the ways in which women and men live and relate to others while in prison. There is a clear gender difference in the relationships women and men prisoners develop and maintain while incarcerated. As Elaine Lord, warden of Bedford Hills Correctional Facility in New York, states:

Women "do time" differently from how men do time. Men concentrate on "doing their own time," relying on feelings of inner strength and their ability to withstand outside pressures to get themselves through their time in prison. Women, on the other hand, remain interwoven in the lives of significant others, primarily their children and their own mothers, who usually take on the care of the children. Yet, the inmate continues a significant caregiving role even while incarcerated (1995, p. 266).

Within prison, relationships occur in three ways: relationships with children and family in the community, relationships with other women prisoners, and relationships with staff. Owen (1998) documents the gender differences that exist between male and female connections to the outside world, particularly in contacts with families and significant others.

In 1990, an American Correctional Association (ACA) survey asked women prisoners to name "the most important person in your life right now." The ACA (1990) reported that 52 percent of the women interviewed responded that their child (or children) was most important to them. Another 18 percent identified their mothers as most important to them. Just over 10 percent replied that a husband or significant other held this status (p. 54).

Relationships among women in prison are also important to an understanding of how women behave in an institutional environment. While in prison, women often develop close personal relationships as part of their adjustment to prison life, either in intense emotional relationships or through pseudo- or "play family" arrangements. The research on prison culture for women has

consistently described the “play family” or the “prison family” as the primary way in which women organize their relationships while in prison. The same sex relationships appear to be an important but not exclusive aspect of these families. Owen (1998) argued that a complicated pattern of personal relationships exist that have at their base emotional, practical, and material connections, as well as sexual and familial ties.

Somewhat related to the prison family, but not necessarily tied to it, is the existence of the romantic dyad, or couple. Women in prison form deep attachments to others that may or may not be sexual in nature and endure as friendships rather than romance. Research on prison staff also shows that many workers are often unprepared to respond appropriately to these relationships, and that a better understanding of women’s behavior with other women while in custody is needed.

Relationships with staff are also quite different in female and male prisons. Historical scholarship (Rafter, 1985; Freedman, 1981) details the oppressive and often sexually abusive nature of the relationship between male workers and female prisoners. Contemporary writers suggest that more subtle forms of oppression, such as invasive searches and privacy violations, characterize the modern relationship. In their study of classification, Van Voorhis and Presser (2001) suggest that staff often view women as more difficult to supervise because the staff members are “reacting to women’s different ways of problem solving, relating to staff, and doing time. Women ask more questions, question authority, want to discuss things, and challenge decisions. Staff who are inexperienced with these differences become irritated and more likely to write up the inmates in an effort to better control their behavior” (Van Voorhis & Presser, 2001, p. 20). Recent attention to staff sexual misconduct also demonstrates the need for further education on these issues.

Trauma Theory

The terms *violence*, *trauma*, *abuse*, and *PTSD* (post-traumatic stress disorder) are often used interchangeably. One way to clarify these terms is to think of trauma as a response to violence. Trauma is the injury done by violence and abuse, and it often requires treatment. PTSD is one type of traumatic response.

Women have different responses to violence and abuse. Some may respond without trauma, due to coping skills that may be effective for a specific event. Sometimes, however, trauma has occurred but may not be recognized immediately, because the violent event may have been perceived by the individual as normal.

Trauma occurs on multiple levels. “Trauma is not limited to suffering violence; it includes witnessing violence, as well as stigmatization because of gender, race, poverty, incarceration, or sexual orientation” (Covington, 2002a, p. 60). Root (1992) also expands the conventional notion of trauma to include not only direct trauma, but also indirect trauma and insidious trauma. Insidious trauma “includes but is not limited to emotional abuse, racism, anti-Semitism, poverty, heterosexism, dislocation, [and] ageism (p 23). The effects of insidious trauma are cumulative and are often experienced over the course of a lifetime. For example, women of color are subject to varying degrees of insidious trauma throughout their lives. According to Root, the exposure to insidious trauma activates survival behaviors that might be easily mistaken for pathological

responses if their etiology is not understood. Misdiagnosis of pathology can be a consequence of a lack of understanding of the impact of insidious trauma on women who have lived their lives under the impact of racism, heterosexism, and/or class discrimination.

Over the past hundred years, there have been a number of studies of trauma, with various experts writing about the process of trauma recovery (Herman, 1992). It is now understood that there are commonalities between rape survivors and combat veterans, between battered women and political prisoners, and between survivors of concentration camps and survivors of abuse in the home. Because the traumatic syndromes have basic features in common, the recovery process also follows a common pathway.

The theorists have based their constructs on a stage model of recovery, describing the stages in different language but referring to the same process. Essentially, recovery unfolds in three stages. The central task in the first stage is establishing safety; in the second stage, experiencing remembrance and mourning; and the third stage, reconnecting with ordinary life (Herman, 1992). There are several treatment models based on this three-stage process (Bloom, S., 2000; Covington, 1999; Najavits, 2002).

As the understanding of traumatic experiences has increased, mental health conceptualizations and practice have changed accordingly. It is now necessary for all service providers to become “trauma informed” if they want to be effective. Trauma-informed services are services that are provided for problems other than trauma but require that knowledge concerning violence against women and the impact of trauma. Trauma-informed services

- take the trauma into account;
- avoid triggering trauma reactions and/or retraumatizing the individual;
- adjust the behavior of counselors, other staff, and the organization to support the individual’s coping capacity; and
- allow survivors to manage their trauma symptoms successfully so that they are able to access, retain, and benefit from these services (Harris & Fallot, 2001).

The Role of Physical and Psychological Safety

Safety is a critical and primary element in trauma work, and is a key environmental component of that work. The importance of environment is stressed in the field of child psychology (Winnecott, 1965; Stern, 1985), which demonstrates that the optimum context for childhood development consists of a safe, nurturing, consistent environment where the child experiences warmth and a sense of being cared for and understood. In the therapeutic process, the environment becomes the foundation for a corrective experience and is a cornerstone in the healing process. Community psychologists also emphasize the importance and role of environment as they seek to create communities that sustain life. A basic tenet of community psychology is that “environment cues behavior.”

Studies indicate that social support turns out to be critical to the recovery of victims, and the lack of that support is damaging (Bloom, S., 2000; Najavits, 2002). The growing awareness of the

long-term consequences of unresolved traumatic experience, combined with the disintegration or lack of communities of meaning (such as neighborhoods, extended families, and occupational identities), has encouraged a new look at the established practice of the therapeutic milieu model. The therapeutic milieu model provides an example of the environmental context needed for trauma survivors.

The term “therapeutic milieu” means a carefully arranged environment that is designed to reverse the effects of exposure to situations characterized by interpersonal violence. Trauma always occurs within a social context, and social wounds require social healing. As S. Bloom (2000) argues, “We have come to believe that retraumatizing people by placing them in environments that reinforce helplessness, scapegoating, isolation, and alienation must be viewed as antitherapeutic, dangerous, immoral, and a violation of basic human rights” (p. 85).

Safety has also been identified as a key factor in addressing the needs of victims of domestic violence and sexual assault. Research and practice have established the importance of both physical safety and psychological safety in addressing the problems of domestic violence and assault. Without both forms of safety, there is little likelihood of obtaining a positive outcome.

The therapeutic culture contains the following five elements (Haigh, 1999), all of them fundamental in both institutional settings and in the community:

- *Attachment*: A culture of belonging
- *Containment*: A culture of safety
- *Communication*: A culture of openness
- *Involvement*: A culture of participation and citizenship
- *Agency*: A culture of empowerment

Any teaching and reorientation process will be unsuccessful if the environment mimics the behaviors of the dysfunctional systems the women have experienced. Rather, the design of program and treatment strategies should be aimed at undoing some of the prior damage. Therapeutic community norms are consciously designed to be different: safety with oneself and with others is paramount, and the entire environment is designed to create living and learning opportunities for everyone involved, staff and clients alike (S. Bloom, 2000).

Safety in Criminal Justice Environments

Abuse and trauma histories have specific implications for an understanding of the need for safety and security within criminal justice environments. It has been well established that women in prison have extensive abuse histories and are also likely to have been involved with substance abuse. These background characteristics can make women offenders more vulnerable to inappropriate relationships with staff and can create the possibility of women-initiated sexual situations. The issue of staff sexual misconduct has gained most of its publicity and research attention in the prison setting, but there is significant concern with community corrections about staff sexual misconduct. Although the issue plays out differently in the community, essential elements remain the same.

Theory of Addiction

Depending on how one defines addiction, it can be said that addiction will afflict approximately 26 percent of all Americans at some time in their lives. It is also estimated that 25 to 40 percent of addicts are women (Kessler, McGonigal, Zhao, Nelson, Hughes, Eshleman, Wittchen, Hans-Ulrich, & Kendler, 1994). The damage caused by addiction is incurred not only by the addicts themselves, but also by their families and friends. This type of damage touches one in every three American families (Vaillant, 1983; Brown & Lewis, 1999).

Historically, addiction research and treatment have been focused on men, even though women's addictions span a wide scope, ranging from alcohol and other types of drug dependence to smoking, gambling, sex, eating disorders, and shopping (Straussner & Brown, 2002). According to the National Center on Addiction and Substance Abuse (CASA), 4.5 million women in the United States are alcohol abusers or alcoholics, 3.5 million misuse prescription drugs, and 3.1 million regularly use illicit drugs (CASA, 1996). Other studies estimate that 31 million women have a substance addiction (Drug Strategies, 1998).

It is important to have a theoretical framework to use when designing services for women. The model presented here is a disease model that has been developed for women (Covington, 1999). Decades ago, Gitlow (1973) argued:

The American Medical Association, American Psychiatric Association, American Public Health Association, American Hospital Association, American Psychological Association, National Association of Social Workers, World Health Association, and the American College of Physicians have now each and all officially pronounced alcoholism a disease. The rest of us can do no less (p. 8).

Much of what has been learned about alcoholism has informed the understanding of the addictive process generally. Additionally, health professionals in many disciplines have revised their concepts of all disease and have created a holistic view of health that acknowledges the physical, emotional, psychological, and spiritual aspects of disease (Northrup, 1994). Alcoholics Anonymous (AA) was one of the first proponents of a holistic health model of the disease of addiction, encompassing all of these aspects.

The holistic health model of addiction, with the inclusion of the environmental and sociopolitical aspects of disease, is the theoretical framework recommended for the development of women's services (Covington, 1999; 2002a). This is consistent with information from the National Institute on Drug Abuse (NIDA) and the Center for Substance Abuse Treatment (CSAT):

- The reality, based on twenty-five years of research, is that drug addiction is a brain disease, one that disrupts the mechanisms responsible for generating, modulating, and controlling cognitive, emotional, and social behavior (NIDA, 1998).
- Alcohol and drug use disorder, or addiction, is a progressive disease, with increasing severity of biological, psychological, and social problems over time (CSAT, 1994).

Although the debate over models will continue, this updated and expanded disease perspective offers a more helpful approach to the treatment of addiction for women because it is more comprehensive and meets the requirements for a multidimensional framework. In contrast, the disorder model focuses on social learning theory and a cognitive-behavioral approach (Parks, 1997), thereby minimizing the importance of genetic studies, the affective aspects of the problem and its solution (Brown, 1985), and the sociopolitical and environmental elements involved. The holistic health model allows clinicians to treat addiction as the primary problem while also addressing the complexity of issues that women bring to treatment: genetic predisposition, health consequences, shame, isolation, and a history of abuse, or a combination of these. For example, while some women may have a genetic predisposition to addiction, it is important in treatment to acknowledge that many have grown up in environments in which drug dealing, substance abuse and addiction are ways of life. In sum, when addiction has been a core part of the multiple aspects of a woman's life, the treatment process requires a holistic, multidimensional approach.

A generic definition of addiction as “the chronic neglect of self in favor of something or someone else” (Covington, 1998b, p. 141) is helpful when working with women. This view conceptualizes addiction as a kind of relationship. The addicted woman is in a relationship with alcohol or other drugs, “a relationship characterized by obsession, compulsion, nonmutuality, and an imbalance of power” (Covington & Surrey, 1997, p. 338). The relational aspects of addiction are also evident in the research that indicates that women are more likely than men to turn to drugs in the context of relationships with drug-abusing partners in order to feel connected through the use of drugs. In addition, women often use substances to numb the pain of nonmutual, nonempathic, and even violent relationships (Covington & Surrey, 1997). Therefore, it is important to integrate trauma theory and relational theory when developing substance abuse services for women.

Toward a Vision of Gender-Responsiveness in Criminal Justice

We argue that consideration of the differences in male and female pathways into criminality, their differential response to custody and supervision and their differing realities can lead to better outcomes for both men and women offenders. We also found that that addressing the realities of women's lives through gender-responsive policy and programs is fundamental to improved outcomes at all phases of the correctional system. As this system becomes more responsive to the issues of managing women offenders, it will be more effective in targeting the pathways to offending that both propels and returns women into the criminal justice system.

Five key findings form the basis for gender-responsiveness within the criminal justice system. These findings are:

- An effective system for female offenders is structured differently than that for male offenders.
- Gender-responsive policy and practice targets women's pathways to criminality by providing effective interventions that address three central issues: trauma and violence, substance abuse and economic marginality.

- Correctional sanctions and interventions consider the lesser degree of harm created by the typical offense pattern of the female offender.
- Gender-responsive policy and practice considers women’s relationships, especially with children, and their roles in the community in delivering both sanctions and interventions.
- Community services are essential to a gender-responsive correctional system.

The following guiding principles are designed to address criminal justice system concerns through proposed strategies for improving management, operations, and treatment of women in the criminal justice system. In order to improve services and supervision for women offenders, we suggest the criminal justice system should consider the following:

<i>Gender</i>	Acknowledge that gender makes a difference.
<i>Environment</i>	Create an environment based on safety, respect, and dignity.
<i>Relationships</i>	Develop policies, practices and programs that are relational and promote healthy connections to children, family, significant others, and the community.
<i>Services and Supervision</i>	Address the issues of substance abuse, trauma, and mental health through comprehensive, integrated, culturally-relevant services and appropriate supervision.
<i>Economic and Social Status</i>	Improve women’s economic/social conditions by developing their capacity to be self-sufficient.
<i>Community</i>	Establish a system of community supervision and reentry with comprehensive, collaborative services.

Contemporary perspectives on female criminality including pathway, relational and developmental theories are the conceptual basis for gender-responsive strategies. First, a focus on women’s lives and their personal histories highlights the connections among crime, substance abuse, violence and trauma. Second, the pathways perspective uses a variety of research

methodologies in the search for explanations of criminal behavior. Third, the pathways and relational explanations offer specific targets for criminal justice intervention. These descriptions are particularly useful in developing an empirical framework for gender-responsive principles, policy and practice.

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