



INSTITUTE ON WOMEN
& CRIMINAL JUSTICE

Improving Outcomes for Women in Reentry

A Policy Statement by the
Women's Advocacy Project
New York, NY
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Introduction

The Women's Advocacy Project (WAP) trains emerging leaders to craft solutions to the problems facing women in the criminal justice system. We are a diverse group of women who have experience with the criminal justice system and/or other public systems such as child welfare, homelessness, and public assistance. In WAP, women pair personal experience and policy education to create and carry out strategies for change. WAP is a project of the Institute on Women & Criminal Justice at the Women's Prison Association.

From January – December 2006, participants in the Women's Advocacy Project met to discuss the problems facing women returning home to their communities from prison and jail. All of us have some form of direct experience with reentry, either through our own lives, the lives of family and community members, or the work that we do. After looking at these issues from both personal and systems perspectives, we created this set of policy recommendations for change. These recommendations are aimed at improving women's chances of success in the community following incarceration.

Our Focus on Reentry

Mass incarceration has created a flood of people returning home from prison and jail. Women are the fastest growing segment of the prison population. The number of incarcerated women in the United States now stands at over 200,000. Over the last several years, a lot of attention has been paid to "reentry," the period of time when a person is coming back into the community from incarceration. Policymakers, service providers, and faith communities have begun to focus on how to support community members in transitioning home from prison or jail. As this document highlights, women face unique needs during the reentry process that must be addressed.

What is reentry? There are as many answers to this question as there are people in reentry. For most people, reentry is about both getting the resources we need to live and changing from the inside to live a more positive life. Our policy recommendations focus on the "concrete" needs that women

have during reentry such as employment, education, housing, and health care. We are aware that in addition to focusing on reentry, we must also focus on why we are sending so many women to prison in the first place. Our policy recommendations also address increasing funding for alternatives to incarceration.

While we were able to make many concrete recommendations, some aspects of the reentry process are highly personal and cannot be mandated through policy or legislation. We discussed how reentry is a mental process – a new mindset. For some people, reentry is actually a *first* entry into healthy community life. Many people experience reentry as a new beginning, a chance to find a new way to live, with new values and new responsibilities. Some people experience reentry as a time for recovery, re-education, and breaking the cycle of things that were. Everyone in reentry benefits from connection to supportive family and friends.

Our recommendations are targeted at those who have power to improve reentry for women: systems officials, state legislators, service providers, and women incarcerated or in reentry themselves.

Most policies are made at the state level. State legislators have the power to change laws and rally their constituents. There are many groups in New York who are currently advocating with state legislators to create better policies on reentry. We stand with them and support those efforts.

Systems officials – be they in corrections, child welfare, housing, or economic welfare – can often make small, administrative changes that can have a big impact on the everyday lives of women. We suggest a number of needed systems reforms that could reduce barriers to women’s success in reentry.

Thousands of women in New York City seek help from service providers when they are in reentry. They educate and support the women who are returning to their communities from incarceration. We hope this policy statement will help service providers better understand what women really need, and will improve service provision.

Finally, this statement is a tool for reaching women who are currently incarcerated or in reentry. We want to show the women a positive way and provide information about what is really going on, and what change is possible. We would also like to introduce them to advocacy. We are empowered through advocacy, and want to let other women know that they too have a voice that needs to be heard. We want to be a resource, and to provide hope for change.

Women’s Unique Needs in Reentry

Reentry is different for women. In order to understand why this is true, it is important to understand how the ways in which women enter the criminal justice system are different.

Many women in the criminal justice system have histories of poverty, trauma, and abuse. Some of us have experienced physical abuse, sexual abuse and/or incest as girls and young women. Some of us enter adult relationships where there is domestic violence. For some women, these traumas lead to self-medication, substance abuse and addiction. Drug dealing and prostitution can then become ways to support the addiction. Many other women have untreated mental health issues that lead them to contact with the criminal justice system.

Women also turn to crime to support their children – to pay the rent and keep food on the table. Many women have a lack of work experience and education to draw on. There is also the trauma of poverty itself. For women who grew up poor, they may want a better life for their children– and will commit crimes to be able to provide material things for their family.

When women are involved in crimes, their roles often differ from men's. Women tend to play subservient, low-level roles in the drug trade. Some of these include copping, steering, holding drugs, providing an apartment for use as a lab or base of operations. Some women work as drug mules, transporting large amounts of drugs over short or long distances. Many women who commit violent crimes do so in the context of relationships where there is domestic abuse and where they fear the safety of themselves or their children is at risk.

Our experience also tells us that women are treated differently by the criminal justice system. Like many men in the system, we lack adequate legal representation. Many women don't know how to navigate the criminal justice system. In crimes involving boyfriends or other loved ones, we are more likely to plead guilty than implicate our partner or family member. Lacking knowledge about how the plea bargaining system works, we may get longer sentences than our accomplices because we have less information to provide to the government. Society's expectations also affect how we are treated. We are still second-class citizens, valued mostly for our contributions to our households and our families. We are looked at with disgrace in court especially in regard to our children and the effect our decisions have had on our families.

Women's experience of incarceration is also different than men's. Women come into prison or jail with histories of trauma and abuse. Our interactions with correctional officers too often recreate these dynamics. And, there are few programs available to us to deal with past trauma and substance abuse.

Over three-quarters of women in prison are mothers. For mothers in prison, maintaining connection with their children is one of the biggest challenges they face. When our children are in foster care, "mandatory" visits often do not occur. Prisons are located far away from where our children are living, and their caregivers cannot afford to make the trip. Our parents and other family members may reject us because of our crimes. We get few visits from them as well. To deal with this reality, women find ways to build relationships and connections with each other in prison. Many women recreate the families they have left behind by bonding with other women inside, in an effort to get the support they need to survive the prison experience.

Given the unique ways in which women enter the criminal justice system and experience prison, it should be no surprise that reentry is different for us too. Women in reentry have a lot to accomplish at once. We have to start from scratch – find housing, a way to make money, reunite with our family, and stay sober. We do this with little support from our families and communities. There are not enough quality programs for women. For example, many drug programs that exist are geared toward men. Public systems are rarely gender specific in the way they deal with us. What follows are our recommendations for change.

What Needs to Change

A. Income and Education

Benefits

1. Start the application process for benefits during incarceration so that women are eligible for benefits immediately upon release.
2. Educate women about benefits for which they are eligible and how to navigate the system before they are released from prison or jail.
3. Train discharge planning staff and volunteers in how to help women apply for benefits before release and access them in the community.
4. Encourage people to obtain vital records such as birth certificates and ID while they are still in prison.
5. Accept prison release papers as a valid form of identification toward the point system needed to obtain New York State identification.

Education and Employment

6. Lift barriers to employment for people who have criminal convictions. Adopt the “Ban the Box” fair employment resolution that prohibits employers from asking about an applicant’s criminal history on the job application.
7. Decrease waiting lists, for educational classes by hiring more teachers and creating more classroom space.
8. Mandate educational programs for all people in prison who have not obtained a GED or high school diploma.
9. Restore accredited college programs in all NYS prisons.
10. Ensure that certificates and apprenticeship hours earned inside prison are honored in the community.
11. Ensure that vocational training offered in prison is relevant and useful on the outside.

Community Resources

12. Reduce barriers to community-based organizations coming into prisons to provide information and resources to women soon to be released.
13. Ensure that a wide variety of resource materials about services in the community are frequently updated and widely distributed. Make information from other states available to women who will be returning home to places other than New York.
14. Provide more opportunities for formerly incarcerated women to speak at correctional facilities about their successes and challenges in the community.

B. Housing

1. Eliminate barriers to receiving housing subsidies (such as Housing Stability Plus, which requires that those who receive it be on Public Assistance) that make many working people ineligible for assistance.
2. Change the definition of homelessness so that:
 - . People can qualify as homeless upon leaving prison or jail;
 - . People living in transitional shelters qualify as homeless.
3. Within correctional facilities, provide realistic, up-to-date information about housing opportunities available upon release.
4. Create more halfway houses for women to increase successful reentry back into the community.
5. Shift resources from emergency shelters to quality transitional housing.
6. Lift the NYCHA ban on people with certain criminal convictions.
7. Create more affordable and safe transitional and permanent housing.

C. Family *(for greater detail, please see WAP’s 2004 and 2005 recommendations on child welfare)*

1. Corrections should review their regulations in regards to mail, phone calls, and visitation, to ensure that they are family-friendly and do not have a negative impact on parents trying to maintain family relationships and retain custody of their children.
2. Change the classification system so family situation is taken into account and parents are not incarcerated far away from their children.
3. DOCS should end its contract with Verizon/MCI and provide telephone service that does not place a financial burden on families of the incarcerated.
4. Parents should have consistent legal representation so that they are well-informed of the steps necessary to reunify with their children.
5. Courts, parents’ attorneys, law guardians, ACS, and foster care agencies should make it a priority to ensure that visits between parents and children occur.

6. ACS and the courts should recognize services (such as parenting classes and substance abuse treatment) completed by parents in correctional facilities.
7. Foster care agencies, ACS, and corrections should work together to have incarcerated women produced for Family Court appearances.
8. Create more resources for counseling and therapy in the community for women and their children.

D. Health, Mental Health, & Sobriety

1. Parole and probation should maintain an up-to-date list of gender-responsive substance abuse and mental health treatment options for women in the community.
2. Create more gender-responsive substance abuse treatment, including:
3. Residential treatment that makes accommodations for children
4. Outpatient treatment that provides childcare
5. Treatment facilities throughout the city so that women can access support in their own communities.
6. Pass the Medicaid legislation in New York State (A03924) that would allow people to have access to this benefit immediately upon release from prison or jail.
7. Ensure quality care in correctional facilities for women's special health concerns.
8. Provide more access to licensed medical doctors in correctional facilities, and reduce reliance on physician's assistants.
9. Create more programs in both prison and the community to deal with women's past trauma in a gender- and culturally-appropriate way.
10. In correctional facilities, ensure that mental health medications are only prescribed upon proper diagnosis by a licensed mental health professional.

E. Criminal Justice Compliance

1. Reduce parole caseloads by hiring more parole officers.
2. Give greater weight to a person's personal growth during the time of incarceration when they appear before the parole board.
3. Provide resources for restorative justice and other models of justice that allow victims and their families to heal alongside people who have committed crimes.
4. Invest in alternatives to incarceration (ATI) and reduce reliance on prison and jail.
5. Make more women eligible for ATI by expanding the range of qualifying offenses and expanding the number of participating jurisdictions.
6. Provide specialized training to parole officers on working with women.

F. Civic and Community Life

1. Remove the ban on parolees fraternizing so that people returning home from prison can legally seek peer support from one another.
2. Restore voting rights to people on parole.
3. Ensure that people in prison are counted for the U.S. Census as residents of their home communities, not the prisons in which they have been sentenced to reside.
4. Stop the policy of deporting immigrants on the basis of their criminal histories, even after these matters have been fully adjudicated.