

INTERSECTIONS OF RACE AND GENDER  
ON PRISON PUNISHMENT AND ADJUSTMENT

By

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## ABSTRACT

Intersections of Race and Gender on Prison Punishment and Adjustment

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Mass incarceration has had several negative outcomes for poor communities of color. The past thirty years have resulted in disproportionate rates of African Americans being under correctional supervision. Feminist criminologists have discussed the negative impacts mass incarceration has had on women and have been advocating for research that examines the gender-specific dimensions of female incarceration. Intersectionality Theory (Crenshaw, 1989) was first introduced in legal studies to understand the double biases that women of color face by the justice system due to the simultaneous interaction effect of race and gender. Recent studies in feminist criminology also advocate for the focus of gender and its interaction with race in order to examine if women of color are punished more severely due to race and gender bias. The purpose of this study is to examine if categories of intersections based on race and gender result in disparate punishment outcomes in regards to official reactions to prison infractions. It is hypothesized that Black inmates are punished more severely for prison infractions than all other incarcerated groups. Data for this study come from the 2004 Survey of Inmates in State and Federal Correctional Facilities (SISFCF). Results show Black female and Black male inmates are

more likely to be administered the punishment of solitary confinement than all other groups. The findings of this study support the arguments made by intersectionality theory, and emphasize the importance of addressing the educational need of correctional officials, and their system of sanctioning prison infractions.



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*"Live as if you will die tomorrow, learn as if you will live forever"*

*Mahatma Gandhi*

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## CHAPTER 1

### **Statement of the Problem**

Research shows that the prison population has grown exponentially since the 1990's. The number of prisoners in state prisons increased from about seven hundred thousand to 1.3 million between 1990 and 2006. (Sabol, Couture, and Harrison, 2007). The substantial growth in the prison population has burdened correctional facilities with issues ranging from overcrowding in prisons to the lack of efficient resources to adequately address the needs of inmates (Clear, 2007; Jacobson 2006). Studies also suggest that minority communities, particularly African Americans are overrepresented in the correctional system (Tonry, 1995; Western 2006; Morgan and Smith, 2008; Mauer, 1999). Although African Americans constitute 12% of the general population, they represent about half of the prison population (Brewer and Heitzeg, 2008).

The disproportionate representation of African Americans in correctional facilities has been detrimental to the wellbeing of underprivileged communities of color. Studies have shown that a disproportionately large number of Black males from urban areas are incarcerated. Scholars explain this outcome as a manifestation of other systemic problems in the urban Black community such as lack of education, employment, economic growth, health challenges and high crime rates (Travis, 2006).

Along with the prison boom, another phenomenon affecting the prison system is the growing number of female commitments. Although both male and



female populations have grown in the past two decades, female incarceration has grown at a much faster rate. According to the Bureau of Justice statistics, there are about 90,000 women in correctional facilities. Of these women, a majority are African American and Hispanic. However, Black women are more likely to be incarcerated in comparison to White and Latina females (Bureau of Justice Statistics, 2004).

In trying to answer why there are a disproportionate number of men and women of color in correctional facilities, scholars have proposed that race and gender affect the treatment and sentencing of offenders in the criminal justice system (Morgan and Smith, 2008). "Significant gaps, especially with regard to race and social class, remain between self-report surveys and criminal involvement and official arrest statistics" (Wakefield and Uggen, 2010, p.391).

However, race and gender bias does not fully explain the demographic makeup of inmates, and their numbers. Scholars point out that factors related to socio economic status, and police surveillance contribute towards increasing the likelihood of entering the criminal justice system (Dauber, 2011; Wakefield, 2008). Scholars explain that at all points of interaction between poor communities of color and the criminal justice system, members from these communities are at risk of becoming incarcerated. Studies have shown that minorities are faced with not only increased surveillance, but that police tend to be biased in their approach towards racial and ethnic minorities, by arresting more African American and Hispanic people. The judicial system, courts, court appointed lawyers, and the appeals processes have also been identified as laden

with bias against people of color from underprivileged communities (Morgan, 2008, pg.412).

Literature explaining the effects of gender and race on incarceration is mainly qualitative. However, there have been a handful of studies that have quantitatively tried to establish the role played by race and gender (Steffensmeier & Demuth, 2006). Scholars studying crime and gender have emphasized that gender and its associated implications, is an explanatory factor in how offenders enter into the criminal justice system and the system's response to the offender (Burgess-Proctor, 2006; Leiber and Mack, 2003). Acknowledgement of gender intersection in examining crime is especially important because of the increasing number of female offenders in the criminal justice system. Yet, a valid theory of female criminality cannot be developed by grouping all women in the same category (Potter, 2006). Allied literature shows that race plays a major role in the treatment that women offenders receive within the criminal justice system. More research on race is needed to fully comprehend the interaction with gender in female offenders sentencing and prison adjustment (Moore & Padavic, 2009, p.280).

Price and Sokoloff (2004) indicated distinct differences within the juvenile justice system and the treatment of females based on race and sexuality. They found that young females, particularly heterosexual White females generally receive more lenient punishments for their crimes compared to that of their male counterparts. This difference in treatment was due to the perceived notion that white females are considered innocent, weak and more likely to be coerced

rather than be solely responsible for criminal acts. However, this advantage was not commonly afforded to girls from minority backgrounds. Concepts such as 'chivalry perspective' advance the view that women are 'weak' and need special consideration. In the context of the criminal justice system, the chivalry perspective implies that women are weak and dependent, and should not be handed a punishment, but rather be protected.

However studies have shown that race bias cuts into the gendered approach of the criminal justice system. Studies have confirmed the racial divide in the treatment of prisoners starting from the juvenile justice system. Chesney-Lind (1997) reported that a two track juvenile justice system developed in response to the deinstitutionalization of status offenses. Unfortunately, in this system black girls are termed as "deviant." The benefit of 'chivalry perspective' in which women were treated with more leniency (Curry et al, 2004) is limited by race, and benefits white women more than other minorities. The author asserts that this is a legacy that has been handed down from the time of racial discrimination in the country.

Female minorities may not be seen as docile and are not afforded the leniency afforded to white inmates. New research in feminist criminology emphasizes the importance of looking at the intersecting variables of race and gender to see if chivalry is afforded to all women or do women of color confront different circumstances.

The prison boom, the growing female inmate population, and the disproportionate amount of Black minorities in prison signify the necessity of understanding the intersections of race, and gender and how they interact with punishment outcomes. There have been few studies to examine how punishment is administered in the epitome of punishment which is the prison system. There is currently a disproportionate amount of minorities in the prison system and it is imperative to understand if there is a disparity in the amount of prison sanctions administered on inmates. The relationship between prison decision making authorities and the types of sanctions they deliver to inmates has not been widely explored. Some publications have examined the overuse of solitary confinement for sanctioning prison infractions, and the association of recidivism and prison adjustment (Chen & Shapiro 2007; Drago, Galbiati, & Vertova 2008). In order to administer the goals of punishment and ensure that prisons are not administering disparate treatment on specific racial groups, research is needed to understand if this disparity of prison administered punishment exists and how women are adjusting to a system that has historically been dominated by male inmates.

## **Present Study**

“The degree of civilization in a society can be judged by entering its prisons” Fyodor Dostoyevsky (House of Dead, 1862). Through his literary work, Dostoyevsky addressed the importance of prisoners’ rights and explained that a society will be judged based on how it treats its weakest members. Based on the facts previously indicated, the prison industrial complex has a great effect on poor and minority groups. The purpose of this study is to conduct empirical research on intersections and feminist criminology by specifically understanding if all women prisoners receive preferential treatment by the prison system regardless of their race. This research asks if certain inmates are punished more severely than others. There are a lot of studies on imprisonment (Taggart & Winn, 1993; Smith, 1994; Jacobs & Helms, 1996; Jacobs & Carmichael, 2001; Weidner & Frase, 2003; Yates & Fording, 2005), there is very little known about the treatment that inmates receive while incarcerated (Percival, 2009; Olson & Fording, 2011). This study will focus on punishment prisoners receive while incarcerated.

There are several reasons as to why treatment in prisons is an important area of study. First, data suggests that there are about 7 million people under some form of correctional supervision, which is indicative of the magnitude of problems and how many people it affects (BJS, 2013). Second, treatment of inmates in prison is associated with psychological well-being, and recidivism (Selke, 1993; Chen & Shapiro, 2007; Drago, Galbiati & Vertova, 2008).

Therefore, knowledge of how prison treatment affects offenders is useful for policies aimed at reducing recidivism. Incarceration has a disproportionate effect on the minority population (Yates & Fording, 2005; Western, 2006). It is possible that there is disparate treatment that also occurs inside the prison facilities.

Correctional Officers have discretion on how to punish or reward their inmates (Leibling, 2000). Prisons are a place for punishment, it would be expected that all inmates receive homogenous treatment. The present study will analyze if intersections and arguments made by feminist criminologists holds merit within the prison setting.

## CHAPTER 2

### **Theoretical Framework**

The theoretical framework for this study is derived from intersectionality theory. Intersectionality theory was proposed to address disparities in the legal system and was published from the late 1980s to early 1990s. The theory is attributed to research that is niche to the field of critical race studies, which frames inquiry into the limitations of the legal framework, and its implications for race, objectivity and neutrality. Intersectionality theory, as the name suggests frames inquiry into intersections, prominently those belonging to race, and gender (Nash, 2008, p. 3).

The pioneering work behind intersectionality theory is the research published by Crenshaw (1989) who proposed the notion that civil rights laws are limited in their handling of different forms of 'inequality and discrimination faced by people who suffer multiple, or "intersecting," axes of discrimination' (Best, 2011, p. 991). The pioneering research by Crenshaw has spurred inquiry regarding intersections in many disciplines including, psychology, political science and feminist criminology. Key points in the intersectional theoretical framework relevant to the proposed study are that discrimination and disadvantage based on gender and race can interact to produce distinctive forms of disadvantage for women of color (Crenshaw, 1989). Since being introduced in the field of social sciences, intersectionality theory has been largely favored by feminist scholars. Even though intersectionality theory is a relatively new

framework of inquiry, many scholars, especially in feminist criminology, advocate its use for answering questions about gender and criminality (Belknap, 2001; Flavin, 2004; Price & Sokoloff, 2004; Sokoloff & Dupont, 2005). Feminists who understand the importance of race in the context of feminist criminology support utilizing the intersectional approach in order to examine gender. Within intersectionality theory, race, gender, class and sexuality are regarded as variables that are dynamic in nature, historically steeped and can place individuals in a position of power or disadvantage (Crenshaw, 1989).

Intersectional theory implies that “researchers seeking to understand how patriarchy operates in the criminal and juvenile justice system must center their analyses on the “race/gender/crime nexus” (Chesney-Lind, 2006, p. 10). According to (Malicoat 2011, p.416-17) “intersectional theory ... suggests that a “matrix of domination” creates a hierarchy of privilege and oppression that can simultaneously locate an individual in a position of advantage and disadvantage, depending on the reference group being used for comparisons. Intersectional theory identifies gender, race, class and sexuality as interlocking points of disadvantage or advantage”. This theory suggests that the interaction of gender, race, sexuality and socioeconomic status can position certain groups of people in a unique category because the combination of these factors can place them in a position that can have negative repercussions and impact punishment outcomes. Therefore, studying the treatment of women must take into account the role of these intersecting variables.



Nash (2008) applauds intersectionality framework as the primary theoretical tool to fight issues of feminist hierarchy, patriarchal hegemony and exclusivity (p.2). Scholars emphasize the contributions of an intersectional approach to research. Leslie McCall, 2005 called it, "...the most important theoretical contribution that women's studies, in conjunction with related fields, has made so far...This important theoretical contribution has become the gold standard multidisciplinary approach for analyzing subjects' experiences of both identity and oppression." In the African American community, women and girls are disadvantaged because economic, gender, social and spatial factors compound their marginalization. In other words, as framed through the intersectionality theory, women and girls of color are positioned at the intersection of race and gender, and face discrimination which is compounded by both factors. In her analysis Crenshaw argued that because women of color were faced with the dynamic discrimination from their race and gender, their experiences were influenced by both variables. However, because the anti-discrimination laws rely on the 'single-axis' framework' women could make claims based on race or gender, but not both (Conaghan, 2008, p.3). Due to reliance of anti-discrimination laws on the 'single axis theory', courts viewed the experiences of discriminated black women as a 'hybrid' verses a 'pure' form of discrimination. As a result, black women were deemed ineligible class representatives of women or African Americans, to file claims under the antidiscrimination law. The combination or intersection of race and gender variables, in discrimination cases of African American women, challenged the norm of single identities which are

assumed in the anti-discrimination law (Crenshaw, 1989, p.139). This breakdown describes the complexities involved in studying gender, and supports the inclusion of intersections in gender related criminal justice studies so that relevant variables are not overlooked due to neglecting significant social structural factors, such as race and class.

Prior research on gender, inequality and crime has incorporated intersectionality theory. Research by Sampson and Wilson (1995) used intersections of race and class inequalities to propose a theory of race, crime and urban inequality. Lynch (1996) extended the work of Sampson and Wilson (1995) by using their intersectionality approach to theorize about race, class, gender inequality and crime. Other feminist criminologists, have used intersectionality framework to investigate and articulate the association of race, inequality and crime, Richie (1996), in the study of battered women of color, concluded that intersections of race, gender and class predict the likelihood of committing a criminal offense. In another study, Maher (1997) investigated how intersectionality theory, primarily variables of race, class and gender, help to frame life choices of women who are a part of the drug economy. The use of intersectionality theory has been advocated by Sokoloff and Dupont (2005) to develop theories of domestic violence.

This dissertation adds to the research in the field of feminist criminology and corrections. As reviewed above, Intersectionality theory is being increasingly utilized as a framework for understanding disparities within the criminal justice practice and research. This study is unique because it uses a large sample,

studies both males and females inmates, uses quantitative methods, and evaluates the role played by the intersection of race and gender, in order to see if it produces different outcomes for inmates in terms of the administration of sanctions within prison.

## CHAPTER 3

### **Review of Empirical Research**

#### ***Prisoners***

Carson (2014) published the recent Bureau of Justice Statistic's report about the current inmate populations in the United States. The report states that there are currently 1.6 million people incarcerated in state and federal prisons. The demographics of the inmates are as follows: thirty-seven percent are Black, thirty-two percent are White and twenty-two percent are Hispanic. More than half of the state prison population is incarcerated due to violent offenses (54%). Ninety-three percent of the prison population is comprised of men, although the population of women (7%) is growing. Forty percent of state inmates report not completing their high school education. Recidivism rates analyzed with 1990s data showed that forty-four percent of inmates are rearrested within the first year of release (Langan & Levin, 2002). The Sentencing Project (2007) reports that the prison demographics shed light on the fact that inmates are predominantly people of color, from low socio economic backgrounds and the disparity in the prison populations can be due to the fact that many of these inmates come from disadvantaged areas that are over policed.

The increase of women in a system that is predominately male emphasizes the need for understanding the strains, issues and needs of women in the correctional setting. There are several gender specific dimensions that help summarize the characteristics of women in prison. Research shows that

many incarcerated women have an at risk background, come from broken homes, and over half of them have received welfare at some point in their adult life. The research indicates that most of these women have experienced physical and sexual abuse in their childhood, and the research shows that they are more vulnerable to domestic abuse in their adult relationships (Siegel and Worrall, 2011). Along with the pains of imprisonment, women have unique concerns that require examination within the context of the correctional system.

Hardships, once incarcerated, include overcrowding, unaddressed mental health issues, poor healthcare, high risk of HIV, gang violence, lack of programming and lack of affective therapeutic programs pose obstacles for prison administrators and prison inmates. Significant numbers of inmates have substance abuse problems, and usually serve time for non-violent drug related offenses. Policy experts claim that many are in prison due to the War on Drugs policies that have a disproportionate impact on people of color (Welch, 2011). In their research, Hochstetler et.al. (2004) found that most prisoners come from disadvantaged backgrounds, which resulted in few resources, and were plagued by several problems before they began their prison sentences. For most prisoners, the challenges of incarceration coupled with their personal and family issues and, limitations, increase their problems and lead to a poor prison adjustment.

### ***Prison Infractions and Adjustment***

Researchers have found that poor prison adjustment has harmful effects on inmate rehabilitation and reintegration in the community, once they are released. Some experts view incapacitation and rehabilitation as two sides of the same coin, others favor coercive control over rehabilitation, or vice versa. In his research Lynch (2001) comments on the tension that exists in the policy making environment between the two camps: those who favor coercive control, and those who continue to stress the importance of rehabilitation opportunities. Lynch explains that, these two ideology camps affect how law enforcement agents approach the application of standard operating procedures, prisoner needs, and problems while maintaining discipline and order in the prisons.

Research has found that prisoner's socio-economic factors are associated with their experience with prison adjustment. These factors include age, education, employment, and economic background. Education is a prominent predictor of prisoner adjustment and experience while incarcerated. Higher education attainment is related with less depression and anxiety while in prison.

Prisoners more likely to cause disciplinary infractions include those who are younger, and have a low education attainment, such as high school degree. Also, prisoners who have a history of unemployment, belong to low economic strata, and live in an urban area, are more prone to causing disciplinary issues. Prisoners who have a prior experience with being incarcerated are also found to be more prone to disciplinary issues. Among prisoners, those who have a

history of unemployment, were also found to be associated with experiencing distress, other problems and prone to assault, while adjusting into the prison. (Porporino & Zamble, 1984; Wright, 1989, Finn, 1995).

Haney (2002; 2005) states that prison environments, particularly the negative elements, affect the prison adjustment process. Painful prison environment, can cause the prisoner to be affected in such a manner that they become carriers of negative actions and transfer its consequences into the community in which they are released. Through his earlier work, Haney (2001) offered the insight that, for a repeat offender, prison environment brings back the past experiences to memory. In this way, the prisoner is not only faced with the issues in their immediate physical environment, but they are also dealing with psychological effects of past incarcerations

Policies designed by state and federal governments have led to an increase in the prison population. Legal tools such as the 'three strikes laws', which augment the likelihood and period of incarceration at the federal and state level (26 out of 50 states) have been attributed with the increase in prison population. This propensity for mass incarceration in the U.S. has brought the purpose of incarceration into question. The departure from focusing on rehabilitation and the increased use of crime control and mass incarceration has helped to foster prison systems that became a breeding ground for inhumane treatment of prisoners (Welch, 2011). This policy framework, which has led to an increase in prison population, has rendered many correctional officers less interested in interfering with prisoner factions, gangs and, responding to prisoner

disciplinary issues with rehabilitative solutions. A rehabilitative solution approach is more focused on addressing the cause of conflict than, disciplinary action that matches the disciplinary infraction. (Haney, 2001). Correctional officers are the 'street level bureaucrats' (Lipsky, 1977; Maynard-Moody & Musheno, 2003) who are directly responsible for implementing policies related to the criminal justice system. They are important to construct an understanding of the shape and scope of the 'penal harm' approach adopted with prisoners, and how that changes in different policy environments (Vuolo & Kruttschnitt, 2008). Generally, a prisoner's disciplinary segregation status is used to limit involvement in educational and vocational programs offered in the prisons.

The process of adjustment into the prison, may affect a prisoner's life after incarceration. Studies have shown that those prisoners who have a difficult time adjusting and have more disciplinary issues within the prison are more likely to be incarcerated again (Gendreau, Little, & Goggin, 1996). On the other hand, studies have found that prison enrichment programs and preservation of family ties decreases the likelihood of reoffending once released (Gerber & Fritsch, 1995; Hairston, 1991). Studies have noticed gender differences linked with recidivism. Compared to men, women prisoners suffered a larger loss of visits from family over time, they also had more trouble maintaining contact with their children. As a result, women inmates are more susceptible to suffering a loss in their emotional and mental wellbeing (Koban, 1983; Fogel, 1993; Fogel & Martin, 1992).



The studies reviewed in this section reveal that extreme punishments, the lack of family contact and lack of effective treatment in prisons are precursors to why some inmates recidivate. More research must explore the effects intersections and gender to explain how these variables affect prison adjustment and if disparities exist when prison sanctions are administered.

### ***Solitary Confinement***

A central focus of the current study is to understand if there are disparities in the administering of prison sanctions. The types of sanctions which can be administered to inmates can range from the change of work assignment, to segregation from the rest of the prison population, which is also known as solitary confinement. Solitary confinement is one of the harshest sanctions used in the prison system. There are several reasons as to why there has to be more research about the use of solitary confinement. Recent media reports and research has highlighted the harmful effects of long periods of social isolation. Penal history has also shown that the long-term isolation of inmates resulted in several human rights concerns and recorded incidents of enhanced mental illness, depression and poor prison adjustment. Grassian et.al (1986) reported that an extended term in solitary confinement can make prisoners more likely to develop a whole range of adverse psychological reactions which are associated with long periods of isolation.

One of the first mentions of the practice of solitary confinement is found two hundred years ago. Quakers introduced the penitentiary system as a means for inmates to have self-reflection and perform penance in isolation (Vasiliades,

2005). Adhering to this ideology, the practice of solitary confinement gave the prisoner an opportunity to reflect on the offense and be reformed. Quakers used solitary confinement as a tool for prison management and rehabilitation.

However, despite the hopes for reform and rehabilitation, the Quakers observed several adverse effects of prolonged isolation. Rather than being reformed, the Quakers realized, that solitary confinement resulted in many prisoners becoming mentally ill. Also, their prison system was criticized for being too expensive and not being effective, as their methods did not reduce the number of people committing crimes. As a result, by the late 19<sup>th</sup> century, most countries did not continue the practice of solitary confinement (Shalev, 2008).

In the light of these historical findings about the detrimental effect of solitary confinement, it is questionable that modern day correctional facilities, and the penal system have reinstituted this tool of managing and controlling inmates. (Vasiliades, 2005). Modern day segregation units encompass a specific prison area, known in the most up-to-date maximum-security facilities as secure housing units (Vasiliades, 2005, p.74). Researchers have found that the overuse of solitary confinement today is because of many factors. These factors are due to the overcrowding of prisons due to the War on Drugs and legislative policies that require longer sentence lengths, mandatory sentencing, strict sentencing guidelines for minor offenses, having younger and more violent inmates and insufficient funding for proper security (Welch, 2011).

There are several physical and psychological harms affiliated with solitary confinement. Historical and modern research documents that physiological

harms associated with long periods of segregation include deterioration of eyesight, insomnia, heart palpitations, lethargy and several other symptoms. Psychological harms include anxiety, depression, anger, cognitive disturbances, self-harm, suicide, hallucinations, paranoia and psychosis. Research has also uncovered that prior history of medical or psychological disorders can become aggravated by being in solitary confinement (Cloyes et al. 2006); (Hayne, 2003); (Grassian, 2006).

There are several reasons as to why solitary confinement continues to be used in modern day prisons. The reasons include punishment, protection, prison management, national security, pre-trial investigation, and the lack of other institutional solutions. In regards to use of solitary confinement as a sanction, it is considered as the highest form of punishment for committing the most egregious prison offense. It is also used as a prison management technique to isolate inmates that are considered potentially violent, disruptive, and gang related (Shalev, 2009). Although solitary confinement is a convenient tool used in prison to isolate prisoners to prevent disruptions, violence and infractions, there have been inconsistent findings in regards to its effectiveness (Shalev, 2008). Therefore legal safeguards and constant reviews of those in isolation are necessary so that 8<sup>th</sup> Amendment protections against cruel and unusual punishment are not violated.

Solitary confinement is a very controversial punishment that has been historically documented for its harmful effects and challenges relating to cruel and unusual punishment. One of the research questions in the field of criminal

justice is whether minorities are overrepresented in the current prison population. Also, there is debate surrounding the use of questionable sanctions disproportionately on prisoners of color. Therefore, it is important to develop an understanding of how correctional officers use solitary confinement as a tool, and whether it is a tool that is more likely to be used on African American inmates. This research will also seek to understand which infractions are more likely to be committed in prison. Gender and solitary confinement are also a phenomenon that has not been largely explored, therefore this research will also look at gender-specific themes, race and prison infractions as it relates to the use of severe punishments like solitary confinement.

### ***The Development of Gender-specific Scholarship***

Criminologists have made several advancements in explaining female criminality since Lombroso's 1920 book entitled, *The Female Offender*. The major arguments of his research were that female criminals are born criminal, have atavistic anomalies and are intellectually inferior to men. Many have discredited Lombroso's research, but he was one of the first criminologists to make a distinction of gender when explaining female criminality. Other early works about female criminality depicted girls as having mostly sexual and emotional problems and represented them as being childish, seductive and devious (Thomas, 1923). Bloom and Covington (1998) explain that literature on female offenders explains it as "deviant behavior" ...that does not conform to traditional female stereotypes. The female "deviant" is deemed to be more deviant than her male counterpart and experienced greater stigmatization" (p.5).

Since this early scholarship of female criminality, females were not included in the mainstream theories about crime. Mainstream theories have mostly been centered on male delinquency, and most tests of these theories devote little or no attention to gender (Morris, 1987; Miller and Mullins, 2006). Chesney-Lind, (1989) argued that,

“The extensive focus on male delinquency and the inattention to the role played by patriarchal arrangements in the generation of adolescent delinquency and conformity has rendered the major delinquency theories fundamentally inadequate to the task of explaining female behavior.”(p.10)

Initial theories used to explain female criminality were simply adaptations of mainstream theories which were used to explain crime in general. These mainstream theories were developed, and were best suited to explain crimes committed by men. In earlier criminology, women were either depicted as feeble minded and sexualized creatures or completely ignored when researching delinquency. As a result, individual and pathological theories were employed to examine crimes committed by women, compared to the social and cultural theories which were used to explain crimes committed by men (Bloom and Covington, 1998).

Feminist criminology helped in the advancement of understanding female criminality and recognizing the importance of discussing gender. Daly and Chesney-Lind (1988) emphasized that in examining issues of female offenders, gender needs to be acknowledged independently as a variable of influence. The authors stressed that gender should not be reduced to a mere difference in biological and reproductive aspects between men and women, rather it needs to

be viewed as a complex variable, which is shaped by history, culture and society.

The field of feminist criminology helped to create scholarly work centered on women and gender specific dynamics. Feminist criminology focuses on how gender compounds the risk for delinquency in girls, and how gender inequality influences their delinquent activities (Miller and Mullins, 2006).

Some early scholarly works out of this movement were written after the liberation movement. Changes that accompanied the liberation movement included the growing number of women in the workforce. Women also realized that they had more opportunities to obtain legitimate work and be financially independent. Taking this change into account, some experts argued that a lack of economic opportunities served as a natural barrier to female criminality. With the availability of more economic freedom, women were not more assertive and thus more prone to committing offense. (Adler, 1975; Simon 1975). In her book, 'Sisters in Crime', Adler (1975) explains that, in the wake of female liberation, women realized that the societal expectations on conduct around them were relaxing, this encouraged women to engage in more masculine behaviors like violence, greed and likely to commit crime. In her analysis, Adler associated women emancipation movement and the increase in the propensity of women to commit crime. Adler termed female crime as the darker side of women's liberation. In 'The Contemporary Woman and Crime', Simon (1975) concluded that due to an increase in the opportunity to work, property related crimes increased because of working women. Additionally, Simon proposed that an

increase in the female offenders was due to the change in law enforcement's view of women. Courts and the sentencing that was being pronounced in courts, reflected the view that women and men offenders were being treated equally. These earlier works were criticized for their claims and met several challenges, but they helped continue research on gender and crime.

There have been several advancements to feminist scholarship since the 1970's. More research has focused on understanding a female offender and developing theories that help understand female criminality. Research in feminism has maintained that crime is influenced by gender. Not only does gender affect the way and intensity of criminal activity, it also affects how courts, and the remaining institutional actors responds to the offender. Previous research has established that there are differences in men and women offenders with respect to the pathways of crime, pattern of offense, behavior while incarcerated, and the needs in prison while incarcerated (Bloom et.al. 2002; Bloom, 2003). More recently, studies have also associated race and class, along with gender, as influencing variables in the way female offenders are arrested, treated before trial and sentenced (Burgess-Proctor, 2006; Leiber and Mack, 2003). Through research, several themes have emerged in studying female offending.

### ***Pathways for Female Offenders***

Feminist scholarship suggests that to fully explain and understand delinquency, gender differences between male and female offenders need to be

comprehensively understood. Scholars proposed that the influence of patriarchy must be acknowledged to build an understanding of the process of delinquency (Belknap and Holsinger, 2006; Daly and Chesney-Lind, 1988). With such a broad scope of inquiry, pathways between influencing variables are established. It helps to examine whether factors such as structural oppression, gender vulnerability, socialized and cultural perceptions of gender, and female response to male domination could be attributed to the problem (Belknap and Holsinger, 2006).

Research on the “realities” of girls, identified gender specific dimensions, on how girls first encounter the criminal justice system. A study on 493 girls that were admitted into a short term juvenile detention center concluded that many detainees had severe psychological and social issues. Eighty four percent of detained female juveniles with significant trauma displayed clinically treatable mental health conditions. The Study also revealed that many among these girls (79%) were sexually active. A few common factors identified in the study, show that most juvenile delinquent girls come from a dysfunctional family background; most of them were victims of sexual abuse and trauma, displayed high risk sexual behaviors, had problems with school, associated with deviant peers, and displayed mental health and substance abuse problems (Lederman, et.al. 2004).

Based on the literature reviewed, a profile of a typical female juvenile delinquent can be sketched (Owen, 1997; Bloom and Covington, 2001; Lederman, et.al. 2004)



. The typical juvenile female offender is between:

- The ages of 13 and 18;
- Has a dysfunctional family background, which results in family indifference to offender's legal needs that exacerbates a feeling of social isolation.
- Has a history of physical, sexual and emotional abuse.
- Has low educational attainment, and tends to drop out of school.
- Repeated status offenses, particularly running away
- Has a history of dependent relationships, where the partner is older, and in most cases male, especially with older males
- Suffers serious mental health illness, often coupled with a history or substance abuse
- Is more likely to represent a minority community.

This profile portrays that the female delinquents, and female offenders are victims of certain situations, who have been let down by their families, schools and other societal institutions.

### ***Family Problems and Female Delinquency***

For girls, problems with family, has been identified as a common denominator to the road leading to into the criminal justice system. An examination of self-reports of aggression showed that compared to boys, girls are more likely to have an altercation with their family, particularly parent or sibling (Chesney-Lind, 1998). It is possible that the girl's violent actions within family, are reactions, to their victimization within a dysfunctional family set up.

In other cases, girls resort to violence as a response to domestic violence. In their study Herrera and McClaskey (2001) interviewed mothers and 299 children about different forms of family abuse. Five years after the initial interviews, the researchers traced these children in the juvenile court records and collected information on the kind of abuse, gender, and other details. After examining the data, the authors concluded that compared to boys, girls, with a history of physical abuse were more likely to commit violent offenses. However, the difference was that compared to boys, most girls were referred for committing domestic violence. Yet the authors found that, compared to boys, girls who first commit an act of violence endure abuse longer and in a severe form. The author's main conclusion was that for a child, the likelihood of getting a referral to juvenile court increases in the presence of domestic violence.

In her study Davis (2007) has elaborated on how the pathway of female offenders into the correctional system, stems from offenders challenging parental discipline and the interactions of factors associated with it (p. 413). The author provides a trend analysis which shows that after the implementation of Juvenile Justice Delinquency Prevention Act, which was passed in 1974, institutionalization rates for girls reduced by 44%. However, the trend also shows that the detention use increased by 65% in the subsequent decade (1988-1997). One of the reasons offered by the author is that parents initially approach the court system, because they have trouble with their child adhering to discipline at home. Actions by the daughter, such as leaving the house, or resisting a disciplinary action, often causes the parents to physically react, preventing the

juvenile daughter from engaging in behavior that the parents do not agree with. The author identifies this scenario to be the cause of many family assault charges. She further explains, that after the initial contact and entry into court system, many girls get into trouble again for violating court orders (for example, running away) which pushes them further into the criminal justice system and makes them vulnerable to more adverse circumstances. Some authors suggest that, judges use violation of court orders as a 'technique for "bootstrapping" girls into detention' (Contreras, 2003; Davis, 2007). Essentially, girls would be placed on probation and if they did not adhere to the conditions, violations would be filed and they would be placed in detention as a sanction. Although they may have not committed a new delinquent offense, the "bootstrapping" method of social control aimed at controlling girls that engaged in behaviors that went against social norms that were acceptable for girls.

### ***Victimization***

Research examining female offenders has concluded that, most of them are victims of some form of abuse, such as incest, rape or other physical abuse. Most often, a retaliation to the abuse is the cause of their offense (Belknap and Holsinger, 1998; Chesney-Lind and Sheldon, 1998). Literature shows that compared to men in the correctional facilities, women were more likely to have a history of physical and sexual abuse (Bloom, Owen and Covington, 2004; Bloom et al., 2003a). In a survey of state female prison inmates it was found that 43% to 57% had a history of physical or sexual abuse (Gilfus, 2002). Similarly, Greenfeld and Snell (2000) report that 57% of women they interviewed in state

prisons had been physically or sexually abused, of which 69% were abused before the age of 18. After reviewing six national and local studies of women in prison, Browne, Miller, and Maguin (1999) found that compared to general population, the women in prison had higher incidence of sexual and physical abuse.

Similarly, a study of girls, who were court mandated to receive treatment for conduct problems and live in a residential facility, reveals that 76 % were sexually abused before the age of 13. Smith et al. (2006) who studied the girls also reported that most of them were witnesses to domestic violence and had at least one parent incarcerated. The authors also reported that these girls were at a high risk for choosing unsuitable partners, domestic violence, financial difficulty and making decisions with negative consequences, such as teenage pregnancy, and dropping out of school.

Many offenders run away from their homes, and or resort to substance abuse as a way of escaping victimization and coping with the trauma. Chesney-Lind and Sheldon (1998) state that running away is a survival tactic that they develop in response to the abuse. These girls also become more likely to have disturbed relationships, become depressed, engage in self harm and have suicidal thoughts. For girls, who run away from home, often end up living a life of prostitution, and suffering its associated negative consequences (Gilfus, 2002).

Childhood victimization is a common thread among both male and female offenders. However, research has found that it is a stronger predictor of

offending in women (English et al., 2001; Hubbard and Pratt, 2002). Experts point out that often, the occurrence of abuse marks a big event in a young girls mind and affects their social, emotional state of well-being (Arnold, 1990; Belknap and Holsinger, 1998; Chesney-Lind and Pasko, 2004; Silbert and Pines, 1981).

A review of literature on the risk of incarceration and history of abuse, reveals the following pathway for a victim of abuse. Literature suggests that victims of abuse tend to escape their situations by running away, and or resorting to substance abuse. Once, the girls run away, they find themselves in precarious situations and often end up being homeless, and living on the streets. In such situations, they are at a high risk for being arrested for theft, or other offenses, where they are involved in illegal activities to earn money. Most girls have relationships where abuse is common, and this puts them at high risk for committing violent acts against the abuser. In some cases, these women, being victims of abuse, are more prone to abusing others, mostly children. Not only this, once arrested for any crime, these girls and women face unfavorable and discriminatory welfare or immigration policies (Gilfus, 2002; Contreras, 2003; Belknap, 2007; Richie, 1996; Bloom et al., 2004; Owen, 1998).

For girl offenders, who have been victims of child abuse, delinquency is a form of escapism. Some researchers would argue, that delinquency offers them a way to avoid trauma. Regardless, delinquency causes girls, who are victims themselves to come in contact with the courts and the legal system. Studies have found that some girls, even with tendency for delinquent behavior, tend to

have a short criminal history not extending beyond adolescent years. In a study by Seigel and Williams (2003), it was shown that girls who had a history of physical abuse did not get arrested as either juveniles or adults. However, those who had a history of sexual abuse, ended up committing more violent crimes and had longer criminal histories.

In a study of girls and young adult female offenders, Owen and Bloom (1998) concluded that gender specific variables were strongly associated with delinquency. Similar to the literature cited before, their study also confirmed that factors of abuse (sexual, physical and emotional) correlated with the tendency for risky behavior and delinquency. Bloom et al. (2004) conclude that, “women’s most common pathways to crime are based on survival of abuse, poverty and substance abuse” (p.34). The literature reviewed suggests that offender’s history of sexual and physical abuse, lack of family support, and resources are factors which put them on a pathway, the consequences of which lead to incarceration.

Empirical evidence reveals that the criminal justice system fails some girls by criminalizing them and failing to protect them.

### ***Parenting***

Most women in prison are mothers. Data suggests that about two thirds of incarcerated women in federal and state prisons have a dependent minor (Bloom et al., 2003). Many of them are single mothers who are raising their children without help from significant others (Bloom et al., 2003). In such cases, these women rely on their extended family and resources within their immediate social

circle. Some resort to the help of social service agencies for support in raising their children (Glaze and Maruschak, 2008).

Many incarcerated mothers state that the sadness of being separated from their children, and a concern for their well-being while the mother is in prison, is the biggest cause of concern for them (Kazura, 2001, p. 68). They may become overwhelmed about ensuring safety for their children during their incarceration and may worry about their ability to provide for their needs upon release from incarceration (Greene et al., 2000). Parental strains may also have an effect on inmate prison adjustment. Women who are unable to continue ties with their children may adjust to prison poorly and suffer infractions due to their poor adjustment. This dynamic of lack of communication and involvement with children by parent inmates is an area that must be further explored because the collateral damages may affect the inmates' adjustment to their prison sentence and pose a risk to their children.

### ***Women and the Criminal Justice System***

Why do we incarcerate female offenders? Are we using incarceration as an effective means of punishment for women? These are important questions to ask in an era that is struggling with a budget crises and a correctional system that is spending billions of dollars annually to supervise and house offenders (Steinhauer, 2008). According to a Bureau of Justice report, there are 112,797 females incarcerated in the United States prisons (BJS, 2010). In 2008, women prisoners were seven percent of the total inmate population in the US prisons (Bureau of Justice Statistics, 2008).

In the decade spanning 1995 and 2004, the number of women prisoners increased by 53%, and at year 2007, this percentage had increased to 67. Women's arrests also increased by 13%, and imprisonment rates increased by 36 % (BJS, 1996, 2008 ; Frost et al., 2006). The percentage of women increased within the total correctional population from 14 in 1990 to 18 in 2009, while men's percentage of the total correctional population, declined during the same period (Glaze, 2010).

Even though women accounted for 7% of the incarcerated population in 2008, when other forms of correctional tools are considered, women account for a noticeable percentage. For example, 23% of all supervised probationers in US were women (BJS, 2008).

In society, compared to women, men are assumed to be more likely to commit crime. Therefore, scholarship on the criminal precursors and behaviors of men is found in abundance.

As reviewed earlier, many female juvenile offenders enter the court system due to minor issues. Adler (1998) charges that many girls are held in correctional and medical facilities on the basis of minor, status and non-legal offense and behavior. A study of female youth offenders' status by Barnicol (2000) reveals that most females enter the criminal justice system for 'status offences' such as running away. This is inconsistent with the prescription of the Juvenile Justice Delinquency Prevention Act of 1975, which encouraged states to deinstitutionalize youth charged with non-criminal or status offenses. In addition, Barnicol (2000) reported that women faced an indifferent, and a partial



criminal justice system, where they were considered delinquent, not for exhibiting criminal behavior, but for not aligning to behavior that was perceived to be the gender norm. Status offenses were considered normal for men, but deviant for women, therefore, women received a harsher sentence for similar offenses than men. The study by Barnicol (2000) also shows that there is bias in the justice system against pregnant juvenile offenders, because the institutions are not equipped to handle such cases. A similar conclusion was drawn by Garcia and Lane (2010) who examined juvenile corrections facilities. They reported that these institutions are not prepared to handle the kind of clients (females) and the issues of clients that come into the juvenile correctional systems.

Studies on women have also found similar themes of disempowerment and differential treatment by criminal justice workers. Haney (2010) documented the reality of prison life for women, in her ethnographic research. The key conclusion from her work was that 'alternative gender responsive prisons have disempowered women, transforming their social vulnerabilities into personal pathologies and pushing them into a state of disempowerment' (p. 25). One of the prisons, Visions, was set up as an overtly therapeutic prison facility. She talks about how the therapy is not necessarily uplifting and benevolent, but can also be used as a tool of punitiveness, oppression and abasement at the hands of the state. In her book about prisons Brittons (2003) reports on how prison guards view women inmates as emotional, manipulative and petty and how they prefer to work with males. They also tend to think that men are more obedient and have real complaints whereas females do not. The review of literature has

demonstrated that most women in the criminal justice system are victims of abuse, the effects of which spread into other areas of their life increasing their likelihood of incarceration, damaging their social skills and limiting their economic and education opportunities.

### ***Studies on Intersections and the Criminal Justice System***

The intersections of race, gender and sentencing of females has been explored in the literature (Moore and Padavic, 2010). Conclusions from prior studies portray race as a powerful influencing factor in the justice system. In a study comparing sentencing outcomes for men and women of color, compared to white offenders, Leiber and Mack (2003) reported that certain behaviors were sentenced more harshly for African Americans. They also reported that in some cases, more grace was shown to African Americans than white offenders (p. 37).

The role played by social constructions of gender and race, in the sentencing of offenders was identified by Gaarder et al. (2004). They reported that Hispanic women faced a negative bias in courts, as officials stressed their gendered stereotype more than individual history of victimization and delinquency. In a similar vein, the study by Guevara et al. (2006) demonstrates that being white and a female is the best combination of race and gender in the criminal justice system. The authors found that 'females and Whites were less likely to be detained than males and African Americans, whereas White males were less likely to be detained than were minority males. There were no reported race differences between girls' (p. 275).

The literature reviewed leads to a conclusion that females are receiving harsher criminal justice responses despite engaging in less severe criminal activity, and the criminal justice system does not acknowledge the fact that for female offenders, victimization matters. Neither is the sentencing of female offenders sympathetic to their history of abuse and victimization. The intersection of race and gender, also reveals the bias in the justice system towards minority females, leading to their over representation in the prisons.

Scholarship seeking to understand the influence of gender, and the justice system, must pay attention to race, class and other social structural factors. In addition to studying intersections, current scholarship must also enhance this field of scholarship by using different methods of research. Most studies in this field have been qualitative and have referenced small samples that are not nationally representative of our current criminal justice population. Feminist scholarship is increasingly using intersections to study gender and the criminal justice system, therefore, future studies must employ larger samples to enhance our current knowledge on how intersections affect gender in the criminal justice system. These scholars have suggested that along with understanding gender specific dimensions attributed to the growing presence of females in the criminal justice system, more effort needs to be made to research whether females receive biased treatment in the justice system, based on the gendered stereotypes and the intersections of race, ethnicity, class and gender.

This study analyzes the intersections of social structural variables that previous studies have used such as race, family contact, social class and

gender. Previous research has indicated that childhood victimization is one of the leading factors that motivate anti-social behavior among female offenders and initiates contact with the legal system. This study will also look at intersections of childhood victimization and social structural variables to ascertain if gender and racial disparities exist in the prison system in regards to differential punishment inflicted on inmates for prison infractions and differential adjustment to prison. Intersections have mostly been analyzed using qualitative methods. The present study will add to feminist scholarship by using quantitative methods by analyzing a large sample of incarcerated inmates in an effort to have theoretically significant results. This research sample will study both men and women to assess whether significant gender differences exist. Even though there has been an increasing interest in researching female offenders, there is still limited understanding of inmate adjustment to prisons, and inmate punishment while in prison.

## CHAPTER 4

### **Methodology**

#### ***Data Source***

The dataset for this study is constructed from the Survey of Inmates in State Correctional Facilities (SISCF) conducted by the Bureau of the Census in 2004. The survey is a nationally representative sample of state prison inmates. The dataset includes personal interviews of inmates which provide a detailed account of inmate's current sentence, personal information including substance abuse, and involvement in prison activities.

The data set represents inmates across the nation that were incarcerated in state prisons during 2004. Not all of the inmates in the entire sample committed infractions while in prison, therefore a subset of inmates that admitted to committing an infraction were utilized for the purpose of the study. This subset provides us with a large sample of respondents to shed light on how intersections of race, family contact, type of prison infraction, victimization, social status and gender affected the adjustment and punishment of inmates surveyed in this study. The review of empirical research summarizes that incarcerated offenders are often victims themselves, most likely to be African American, and from economically deprived backgrounds. The research also reveals that it is important to understand if prisons are treating all inmates equally regardless of social constructs described by the Intersectionality literature. Victimization is

empirically relevant for male and female inmates, therefore, victimization will also be an area of interest for this study.

Drawing on the conclusions found in the literature reviewed in the previous chapter, this research asks the following empirical questions: Of those offenders incarcerated in 2004,

- 1) Are Black inmates sanctioned more severely for prison violations than other racial/ethnic groups?
- 2) Feminist criminologists and Intersectionality experts suggest that race affects how women are perceived and treated in the criminal justice system. Are Black female inmates punished more severely for prison infractions than White women?
- 3) Literature has shown that for women, prior victimization due to physical and sexual abuse, makes the offender more likely to commit violent crimes. The next question, examines the involvement of men and women inmates, who have a history of abuse, in prison violations. 3a) Are inmates who have suffered childhood victimization more likely to engage in prison infractions?
- 4) Do Black inmates engage in the most severe instances of prison infractions compared to all other racial groups?

- 5) Do inmates who have more contact with their children commit fewer prison infractions?<sup>1</sup>

### ***Hypotheses***

The following hypotheses are based on the empirical literature regarding intersectionality and gender based scholarship. The intersectionality paradigm asserts that 'Black women experience the combined effects of practices which discriminate on the basis of race and sex' (Crenshaw, 1989, p.64). Literature also reveals that white female offenders are treated more favorably than black female offenders.

*Hypothesis 1: Compared to white female inmates, black female inmates suffer more serious repercussions for prison violations.*

Intersectionality Theory also discusses that race is a central factor in terms of punishment outcomes and black offenders are punished more severely.

*Hypothesis 2: Compared to all other races, Black female inmates are more likely to be reprimanded by solitary confinement.*

Gender based scholarship emphasizes that childhood victimization is a pivotal turning point for female offenders and at times the onset of their criminal careers. Therefore, this study seeks to understand the relationship between victimization and prison adjustment.

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<sup>1</sup> Research has found that parents who are incarcerated, particularly women, have a difficult time adjusting to prison because of the stress associated with not being able to maintain family contact with their children. Inmates can have contact with children by visitation, letters or telephones. Contacts were grouped by less than monthly, more than monthly and never.

*Hypothesis 3: Inmates with a history of violent victimization commit more infractions in prison compared to women who are not victims.*

Studies on prison adjustment and punishment have found that extreme punishments, and the lack of family contact are precursors to recidivism. This study explores the relationship between inmate family contact and prison infraction.

*Hypothesis 4: Inmates, particularly women, who are in regular contact with their children are less likely to commit prison infractions than parent inmates who do not have regular contact with their children.*

## **Measures**

### *Independent Variables*

As stated previously, the Survey of Inmates in State and Federal Correctional Facilities (2004), is the source of all data variables in this study. On the basis of the literature reviewed, the independent variables that will be used for the purposes of this research are gender, age, race, prior childhood victimization, education level, type of prison infraction, and contact with children.

1) Gender is operationalized by asking the respondent if they are male or female. Gender was recoded as (Male 0, Female 1).



2) Age was measured by asking how old the respondent was and recoded as (1=18-25, 2=26-36, 3=37-47, 4=>47). <sup>2</sup>

3) Race was recoded into empirically relevant categories as (0=Other, 1=Black, 2=White).

3a) Intersectionality theory argues that gender and race can interact to produce different outcomes for women of color. Therefore an interaction variable<sup>3</sup> was created for BlackFemale, OtherFemale and WhiteFemale. An interaction variable was also created for males and labeled as BlackMale, OtherMale and WhiteMale.

4) Childhood victimization was measured by asking if respondents were ever sexually coerced before the age of 18 and if they were physically assaulted before age of 18. The victimization category will be divided into two different categories of sexual child victimization and violent childhood victimization. Sexual victimization was recoded as (Victimization prior to 18 no=0, Victimization prior to 18 yes=1) and violent victimization as (Violent victimization prior to 18 no=0, Violent victimization prior to 18, yes=1).

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<sup>2</sup> Research indicates that as a person ages, people are less likely to engage in criminal behavior (Sampson and Laub, 1993). Therefore age categories were created.

<sup>3</sup> The interaction variable for race and gender for females in SPSS was created by using the following logic: "If race="white" and gender="female" then BlackFemale=1, else BlackFemale=0. If race="other" and gender="female" then other female =1, else other female=0. White females were used as the base category and men were filtered out from the analysis by using the filter command in SPSS. So when BlackFemale=0 and other female=0, it implies that the person is definitely a white female.

5) Socioeconomic Status is a composite variable. It is operationalized by two variables. The respondent's education level, and monthly income prior to incarceration.

5a) Education level was measured by asking inmates of highest grade completed or school attended. This variable was recoded as (0=None, 1=Elementary School, 2= High school, 3= Higher education). In order to gain additional information about how many inmates in the sample obtained a high school diploma. Education was also measured by asking inmates if they obtained their high school diploma or GED (No=0, Yes=1).

5b) Income was measured by asking the respondent's monthly income before s/he was incarcerated. This variable was recoded as (0=low income (\$0-1999), 2=middle class income (\$2000-4999), 3=high income (\$5000 and higher).

<sup>4</sup> In light of the fact that this sample consists of incarcerated individuals, some may have earned their income by engaging in illegal activities. In order to have a better understanding of how many of the inmates in the study had illegal income prior to their incarceration, inmates were asked if they received illegal income the month prior to their current incarceration period. This variable was recoded as (0=no, 1=yes).

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<sup>4</sup> Based on the U.S. Department of Commerce Economics and Statistics Administration Report in 2010, there are several factors that must be determined to understand if a person meets the criteria of the middle-class or poverty class threshold. Family size, location and debt are all factors that must be considered. The poverty threshold for single-parent families' annual income is \$17,300. Middle class families can have two distinct classifications, which are low-middle class and high middle class. The low middle class annual income ranges can fall in between \$25,000- 50,000 and the high middle class annual income ranges can fall in between greater than \$50,000 to 122,800. Therefore, this category that measures monthly income was divided into categories to display poverty, the low and high middle class and the upper class.

6) Parenthood was measured by asking the respondent if they were the primary caregivers of children before incarceration (No=0, Yes=1).<sup>5</sup> Gender specific scholarship identifies that parenthood plays a significant factor in the lives of incarcerated women. This variable assumes that all inmates in this category are parents.

6a) Frequency of contact with children was measured by asking how often (0=Never, 1=less than once a month, 2=once a month and more) respondents had contact with their children within different categories of communication which include telephone, mail and visits. Type of contact was differentiated to assess whether inmates who had more physical contact (via visits) with children had fewer infractions than all other types of contact.

7) Prison Infraction was measured by asking if the respondent has been found guilty of having a prison infraction in their current prison term. The variable is recoded as (0=No, 1=Yes) and by asking the respondent to indicate the type of prison infraction they were found guilty of which was recoded as (1=Drug and alcohol, 2=Unauthorized Item, 3=Verbal or Physical Assault on a Staff member, 4=Physical Assault on an Inmate, 5=Disobeying Orders). See Table 2.

### *Dependent Variables*

The dependent variables for the purpose of this research are punishment and disciplinary action. Inmates were asked the types of sanctions they received

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<sup>5</sup> The respondents in this category were parents, but not all parents have custody and are primarily responsible for the care of their children. Therefore, primary caretakers of their children were identified by asking if respondents were the primary caretakers of their children prior to incarceration.

for their prison infractions. Types of punishment was recorded by asking what type of punishment the respondent received for any prison infractions committed in the current prison term. The variable was recoded as (0=No Punishment, 1= Solitary Confinement, 2= Confinement to Own Cell, 3= Other<sup>6</sup>). Disciplinary action was measured by asking respondents if, in this prison term, they were charged with a violation (0=No, 1=Yes).

### ***Method of Analysis***

The analysis uses a categorical dependent variable (prison punishment), hence the method of multinomial logistic regression is best suited to analyze the data. This form of logistic regression model predicts the probability of a categorical dependent variable, as predicted by multiple categorical independent variables, which can be binary or continuous (interval or ratio in scale (Green, 1993; Hosmer, Lemeshow, Sturdivant, 2013). Multinomial logistic regression, uses the maximum likelihood estimation to produce probability estimates. The

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<sup>6</sup> There were several punishment outcomes. Inmates were asked to identify which of the following punishments they received: no punishment, solitary confinement, confinement in own cell, higher level of custody, transfer to another facility, loss of good time, new sentence, given extra work, change of work assignment, other actions, formal reprimand or multiple punishments. The punishments that were grouped into the other category are higher level of custody (83 inmates received this punishment), transfer to another facility (24 inmates received this punishment), loss of good time (449 inmates received this punishment), new sentence (23 inmates received this punishment), given extra work (420 received this punishment), change of work assignment (71 inmates received this punishment), other actions (344 inmates received this punishment) and formal reprimand (186 inmates received this punishment). Multiple punishments was also grouped into the **other** category because 1,283 inmates admitted to receiving multiple punishments, but we do not know what punishments they were given within this multiple category. Ideally it would have been better if the data that was gathered would allow us to see what type of punishments were inflicted in the multiple category, however in this study, this data set does not permit us to do so. However, it is important to note that in this sample, out of all of the punishments that were given, solitary confinement yielded the highest frequencies. 1337 inmates admitted to being administered the punishment of solitary confinement, the next type of punishment inmates admitted to receiving was confinement to their own cell, 708 inmates admitted to receiving this punishment.

advantage of using this method is that it does not require the assumptions of linear normal distribution, and homoscedastic error plots. (Green, 1993; Hosmer, Lemeshow, Sturdivant, 2013). However, one has to be careful of the sample size and outliers within the estimation.

### **Summary**

This research study adds to the literature in the field of intersections, prison punishment practices, and gender based studies. The study analyzes a large dataset constructed with a nationally representative sample, which provides an opportunity to delve deeper into issues of gender and races, and how the intersection of such issues affect prison adjustment. There are relatively few quantitative studies in relation to these topics; this study hopes to provide statistical data to enhance knowledge about these very important topics that are affecting our correctional system today.

**Table. 1***DEPENDENT MEASURES*

<b>Variables</b>	<b>Values</b>	<b>Description</b>
<b><u>DEPENDENT VARIABLES</u></b>		
<b><i>Punishment</i></b>		
Punishment for Infraction	No Punishment=0 Solitary Confinement=1 Confinement to own Cell=2 Other=3	Type of punishments respondent received for Prison Infraction <sup>7</sup>
<b><i>Prison Infraction</i></b>		
Written up or found guilty for breaking rules	0=No, 1=Yes	Has the Respondent been found guilty of committing a prison violation?

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<sup>7</sup> The infractions are based on the infractions they have committed in the current custodial period at the time of the interview. Temporal pattern is not provided to assess whether infraction A gets a certain type of punishment. Ideally, this information would be helpful for research in regards to prison infractions and punishments because they can provide researchers with more detailed information about what type of prison infractions account for certain type of prison punishments. However, in this dataset, this information is not available. Future research should look into the temporal patterns of infractions and the punishment that is received as a result of the infraction.

**Table 2.***INDEPENDENT MEASURES*

<b>Variables</b>	<b>Values</b>	<b>Description</b>
<b><u>INDEPENDENT VARIABLES</u></b>		
<b><i>Demographics</i></b>		
Race	0=Other, 1=Black, 2=White	Respondent's Race
Gender	0=Female, 1=Male	Respondent's gender <sup>8</sup>
Age	1=18 to 25years, 2=26 to 36years, 3=37 to 47 years, 4=>48years	Respondent's age at time of interview
Income	0=Low income (1-1999), 1=Middle income (2,000-4,999), 2= High Income (>5000)	Respondent's monthly income prior to current incarceration
Illegal income	0=No, 1=Yes	Did the respondent receive illegal income a month prior to their current incarceration?
Education	0=No Schooling 1=Elementary School 2=High School 3=Higher Education	Respondent's educational level
HS Diploma	0=No, 1=Yes	Did the Respondent obtain their high school diploma/GED?
<b><i>Family</i></b>		
Parental Status	0=No, 1=Yes	Was respondent Primary Caretaker of child prior to incarceration?

<sup>8</sup> Intersectionality theory describes gender as a social construct that encompasses various layers of gender which includes sexuality. In this sample, gender was simply classified as male or female. Future research should examine gender identity to understand if disparity also occurs due to possible biases against the LGBT community.

Variables	Values	Description
<b><i>Family Contact</i></b>		
Contact from children Calls, Mail, Visits	0=Never, 1=Less than once a month, 2=More than once a month	Contact with Respondent's children since incarceration
<b><i>Childhood Victimization</i></b>		
Sexual Victimization	0=No, 1=Yes	Respondent's sexual victimization prior to age 18
Physical Victimization	0=No, 1=Yes	Respondent's physical victimization prior to age 18
Written up or found guilty for breaking rules	0=No, 1=Yes	Has the Respondent been found guilty of committing a prison violation? <sup>9</sup>
Violation Type	Drug and alcohol=1 Unauthorized item=2 Verbal and Physical Assault on Staff=3 Assault on another inmate=4 Disobeying orders= 5	Type of prison infraction by the respondent

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<sup>9</sup> This question examines if the respondent was found guilty of committing a prison violation for their current term of incarceration at the time of the interview.



## CHAPTER 5

### **Results**

The study sample consists of inmates that admitted to committing some form of prison violation while incarcerated. The sample included 843 women and 4,200 men, a total of 5,043 respondents. Although this entire sample admitted to committing some form of prison violation, forty-three percent of respondents indicated that they were actually found guilty of a violation by prison officials (Table 3). Most inmates that committed violations while in prison were due to disobeying orders; approximately fifty-six percent of inmates committed this type of violation. Inmates also committed prison infractions that involved drug and alcohol violations which were about nine percent, some had unauthorized items which accounted for about sixteen percent. Another factor which explained prison infractions was violence-based violations. About six percent admitted to assaulting a staff member either physically or verbally and about fifteen percent admitted to physically assaulting another inmate (Table 4).

**Table 3**

*Percentage of inmates found guilty of their infraction*

<b><i>Found Guilty</i></b>	<b><i>Percent (%)</i></b>
Yes	43
No	57

**Table 4***Violations While in Prison N = 5,043*

<b><i>Violation</i></b>	<b><i>Percent (%)</i></b>
Drug or Alcohol Violation	8.6
Unauthorized Item	15.5
Verbal or Physical Assault on Staff	5.7
Physical Assault on Inmate	14.7
Disobeying Orders	55.6

Inmates were asked if they were given sanctions for their violations. Table 5 shows that of those inmates that were sanctioned approximately two percent suffered no punishment. Twenty-seven percent were sanctioned to solitary confinement, fourteen percent were confined to their own cell, and approximately fifty-seven percent were sanctioned with other forms of punishment.<sup>10</sup>

**Table 5***Type of Punishment for In-Prison Violation N=5043*

<b><i>Type of Punishment</i></b>	<b><i>Percent (%)</i></b>
No Punishment	2.3
Solitary Confinement	26.5
Confined to Own Cell	14
Other	57.2

Demographic and socio-economic variables drawn from the dataset are presented in table 6. The gender variable reveals that 83 % of the sample is

<sup>10</sup> Several punishments were grouped into the other punishment category. The punishments include higher level of custody, transfer to other facility, loss of good time, new sentence, given extra work, change of work assignment, other actions, formal reprimand and multiple punishments.

male, and 17 % is female. The racial breakdown of the inmates shows equal percentage of black and white inmates, at 44% each, remaining 11% inmates belonged to other race and ethnicity. The variable of educational history shows that 76% of the sample reported having some high school level education, about 12% had less than a high school education, and about 12% percent had some college education. About 29% of the sample had a high school diploma or a GED. The dataset shows that 63% of the inmates were employed the month prior to their incarceration. Some respondents also admitted to earning illegal income the month prior to their incarceration. About 30% of the sample admitted to earning illegal income. Another socio economic variable considered in the study is the monthly income of respondents prior to incarceration. Based on the dataset, 68% of the inmates were of low economic status with an income of less than two thousand dollars a month, 19% were middle-class which means they earned between two thousand and five thousand dollars a month, and 13% belonged to a high economic background, earning more than five thousand dollars a month. The age breakdown of the respondents reveals that 38% were between the ages of 26 to 36 years, younger respondents, between the ages of 18 and 25 comprised 24% of the sample. The sample had 28% respondents between the ages of 37 and 47, and the remaining 10% in the sample were 48 years and older.

**Table 6***Demographic Characteristics of the Sample N=5,043*

<b>Variable</b>	<b>Percent %</b>
<b>Sex</b>	
Female	16.7
Male	83.3
<b>Race</b>	
Black	44.4
White	44.1
Other	11.1
<b>Education</b>	
Never	0.2
Less than High School	11.6
High School	75.8
Higher Education	12.1
Obtained High school Diploma/GED	29.7
<b>Employment Month Prior to Incarceration</b>	64
<b>Illegal Income Prior to Incarceration</b>	30
<b>Economic Status based on Monthly Income</b>	
Low \$1-1199	68
Middle \$2000-4999	19
High More than \$5000	13
<b>Age at time of interview</b>	
18-25	23.6
26-36	38.4
37-47	27.7
48 and older	10.3

Table 7 describes the type of offenses the inmates are currently in prison for. Thirty-nine percent were in prison for violent offenses, approximately thirteen percent were involved with property offenses and financial gain crimes, twelve

percent were in prison for drug related offenses and three percent were in prison for public disorder crimes. Approximately thirty-three percent of the inmates were in prison for other reasons.

**Table 7**

*Criminal History N=5043*

<b><i>Type of Offense</i></b>	<b><i>Percent (%)</i></b>
Violent	39.3
Property and Financial Crimes	12.6
Drugs	12.3
Public Disorder	3.1
Other	32.8

Furthermore, respondents were asked to share their childhood victimization history. The data in Table 8 shows approximately three percent of the sample suffered from childhood sexual victimization and about seven percent of the sample suffered from childhood physical victimization. It is important to note that this table only represents the respondent's account of victimization as children, not as an adult.

**Table 8**

*Childhood Victimization History N=5043*

<b><i>Type of Victimization</i></b>	<b><i>Percent (%)</i></b>
Sexual victimization before 18	3.0
Violent victimization before 18	7.0

Figure 9 provides information regarding the parental status of inmates. Interviews collected information about whether or not they were the primary care

takers of their children. They were asked if they were the primary caretakers of their children prior to incarceration. The distinction of being primary care-takers was made because having a child does not necessarily mean that the child is in the custody of the parent. Primary care-taker indicates that the respondent's child was in their custody at the time of the current incarceration period. Twenty-two percent indicated that they were primary caretakers prior to their incarceration.

**Table 9**

*Primary Caretaker N=5043*

<b><i>Primary Caretaker Prior to Incarceration</i></b>	<b><i>Percent (%)</i></b>
Yes	22
No	78

The respondents were asked if they corresponded with their children via mail or telephone or visits. Table 10 displays that eleven percent of inmates never had contact with their children. Forty percent had contact with their children less than once a month. Forty-nine percent of the respondents shared that they had contact with their children more than once a month.

**Table 10**

*Contact with Children While in Prison N=1107*

<b><i>Contact With Children</i></b>	<b><i>Percent</i></b>
Never	11
Less than once a month	40
More than once a month	49

### *Summary of Descriptive Analysis*

Descriptive analysis was conducted to provide background information about the respondents interviewed in this sample. Information about race, socioeconomic status, family background, victimization history, prison infraction information, type of offense currently in prison for and prison punishment information were provided in this section.<sup>11</sup> The results of this sample indicate that most of the sample consisted of males (83%) and women were only 17 percent of the sample. There was an equal distribution of white (44%) and black inmates (44%). More than half of the population did not have a high school diploma. Most of the inmates (68%) also reported making less than \$2000 dollars a month prior to incarceration which puts them in the low income threshold. Most of the respondents in this sample were between the ages of 18 to 36. Several of the respondents were in prison for violent offenses (39%), however about 60 percent of the population consisted of inmates in prison for property or financial crimes, drugs, public disorder and other offenses. Most of the inmates did not report suffering from any form of childhood victimization. Family level data indicated that 22 percent were primary caretakers of their children prior to their current incarceration period. Most of the inmates had at least some level of contact with their children while they have been incarcerated.

Prison punishment is a central focus of this research. Descriptive results indicate that most inmates in this sample admitted to committing the infraction of disobeying orders of prison staff (55%). They also admitted to receiving different

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<sup>11</sup> Descriptive results were created by recoding the variables and using the frequency command in the SPSS program.

levels of punishment for their infractions. Most respondents indicated that they were punished by the use of other<sup>12</sup> forms of punishment (57%), followed by the use of solitary confinement at about 27 percent.

The socioeconomic findings of this sample correspond with the vast literature about the populations that are greatly affected by mass incarceration. Similar to the existing research, many of the respondents are from poor economic backgrounds and lack a high school diploma. There are a disproportionate amount of Black males in this sample. Many of the inmates are young and most are in prison for non-violent offenses. Further exploration of this population will examine the following subjects in greater detail: child victimization history, parent and child contact while in prison and the interaction effects of race and gender on prison infraction and prison punishment. The next sections will conduct bivariate and multivariate analyses in order to examine prison adjustment and punishment.

### ***Bivariate Results***

To recapitulate, this study examines the effect of intersections of gender and race on prison adjustment and prison punishments. The specific research questions examined in this study are: Of those offenders incarcerated in 2004,

1. Do Black Inmates receive a harsher sanction, than other racial groups, for committing a prison infraction?

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<sup>12</sup> Other forms of punishment include: higher level of custody, transfer to another facility, loss of good time, new sentence, given extra work, change of work assignment, other actions, formal reprimand and multiple punishments.



2. Are Black women punished more severely for prison infractions than White women?
3. Are inmates who have suffered childhood victimization more prone to committing prison infractions?
4. Do Black inmates engage in the most severe instances of prison infractions?
5. Do inmates who have regular contact with their children commit less prison infractions?

In order to understand basic preliminary differences between groups, several chi-square contingency tables were completed<sup>13</sup>. The first relationship (Table 11) explored the differences between the severity of punishment among females in three racial groups.

**Table 11**

*Punishment Based on Females and Race (N=841)*

<b><i>Type of Punishment</i></b>	<b><i>White Female (%)</i></b>	<b><i>Black Female (%)</i></b>	<b><i>Other Female (%)</i></b>	<b><i>X<sup>2</sup>(df)</i></b>	<b><i>P-value</i></b>
No Punishment	44	44	11	13.968(6)	.030*
Solitary Confinement	43	48	9		
Confined to Own Cell	43	45	12		
Other Punishment	51	35	14		

<sup>13</sup> In order to complete the bivariate statistics, the cross tabs function in SPSS was utilized to create several chi-square contingency tables.

The results of the chi-square test show statistically significant differences in the punishment outcomes of females belonging to the three race groups,  $X^2(6)=13.968$ ,  $p<.05$ . Black women in this population were more often punished by way of solitary confinement, and being confined to their own cell. Results show that of those women who received solitary confinement, 48% were Black women, in comparison to 43% of white females. Furthermore of those who received “confined to own cell” punishment, 45% were black women, in comparison to 43% percent of white women. Fifty-one percent of white women inmates were more likely to receive other types of punishment, compared to 35% of black women who got other types of punishment

The second relationship (Table 12) explored the differences between the severity of punishment among males in three racial groups. Chi-square tests reveal that in the dataset, there were significant differences in the severity of punishment that were given to men of different race groups.,  $X^2(6)=42.767$ ,  $p<.001$ . Black men in this population were more often punished by way of solitary confinement and being confined to their own cell. Results show that of those men who received solitary confinement, fifty-two percent were Black men, in comparison to thirty-eight percent of white males. Furthermore of those who received “confined to own cell” punishment, forty-nine percent were black men, in comparison to forty-one percent were white men. The results show more

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<sup>14</sup> Future research should look at significant differences between each of the punishment types. In this study, multivariate analyses were conducted to see differences based on interaction effects of race and gender and punishment types.

instances where 'other types of punishment' were given to white men (47%) compared to black men (42%).

**Table 12**

*Punishment Based on Males and Race (N=4178)*

<b>Type of Punishment</b>	<b>White Male (%)</b>	<b>Black Male (%)</b>	<b>Other Male (%)</b>	<b><math>X^2(df)</math></b>	<b>P-value</b>
No Punishment	38	44	18	42.767(6)	<.001
Solitary Confinement	39	52	9		
Confined to Own Cell	41	49	10		
Other	47	42	12		

The results of Table 13 display the differences in race and gender of those that were found guilty of a violation. Although everyone in this sample admitted to committing a prison violation, forty-three percent were actually found guilty of a prison infraction. The chi-square test shows statistically significant differences in males between in the three race groups,  $X^2(2)=14.233$ ,  $p<.05$ . Out of the males that were found guilty, 46% were white, 43% were black, and 11% were of another race. Contrary to the results for male inmates, the chi-square statistic for women indicates that there is no significant difference between the three groups.. Among female inmates who were found guilty of a violation, 50% were white, 38% were black, and 12 % belonged to other race classes.

**Table 13***Guilty for a Violation based on Race and Gender N=5043*

<b>Gender</b>	<b>White(%)</b>	<b>Black(%)</b>	<b>Other(%)</b>	<b>X<sup>2</sup>(df)</b>	<b>P-Value</b>
Male	46	43	11	14.233(2)	.001*
Female	50	38	12	1.543(2)	.462

Furthermore, a bivariate analysis was constructed to determine if there were differences between race, and the type of prison infraction that inmates were found guilty of (Table 14). The results show that there was a significant difference among the three race groups and the type of prison infraction that inmates were found guilty of  $X^2(2)=6.381$ ,  $p<.05$ . The results also show that drug and alcohol violations were more common in White inmates. Also, white inmates were more likely to have an unauthorized item, and disobey the orders of staff members inside the prison. Black inmates were more likely to engage in verbal/physical assault on staff, and assault on inmates as types of infractions.

**Table 14***Prison Infraction and Race N=1924*

<b>Type of Prison Infraction</b>	<b>Black</b>	<b>White</b>	<b>Other</b>	<b><math>\chi^2(df)</math></b>	<b>P-value</b>
Drug and alcohol	38.8	52.1	9.0	6.381(2)	0.041
Unauthorized Item	35.2	56.4	8.0		
Verbal/Physical Assault on Staff	54.1	37.6	8.0		
Assault on Inmate	46.6	42.2	11.0		
Disobeying Orders	42.7	46.3	11.0		

Further exploration was completed to examine differences based on the type of infraction as it relates to the intersections of race and gender for females (Table 15). Chi-square test indicates significant differences among the groups,  $\chi^2(8)=25.740$ ,  $p<.05$ . Among women who committed drug and alcohol infractions, 69% were white, 15% were black and 15% were of other races. Results show that of those women who conducted the infraction of having unauthorized items, 64 % were white, 20% were black and 15% were other race. Verbal and physical assaults on staff members were mostly committed by the black females interviewed in this group (70%), followed by women from other races (30%). Black women admitted to committing the infraction of assaulting another inmate at the highest rate (53%) followed by white women (36%) and women from other races (16%). The category of the disobeying orders of prison staff was mostly committed by white females (53%), followed by black females (36%) and other raced inmates (10%).

**Table 15***Prison Infraction and Race and Gender Females N=359*

<b>Type of Prison Infraction</b>	<b>Black Female</b>	<b>White Female</b>	<b>Other Female</b>	<b><math>\chi^2(df)</math></b>	<b>P-value</b>
Drug and alcohol	15.4	69.2	15.4	25.740(8)	0.001
Unauthorized Item	20.8	64.2	15.1		
Verbal/Physical Assault on Staff	70	0	30		
Assault on Inmate	53.2	36.2	16.6		
Disobeying Orders	36.2	53.4	10.2		

Differences in prison infractions among male inmates based on race were also examined (Table 16). Chi-square test indicates significant differences among the groups,  $\chi^2(8)=15.926$ ,  $p<.05$ . Among the men, white men admitted to committing the infraction of drug and alcohol possession at a higher rate than the other racial groups at 50%, followed by black males at 41% and inmates from other races at 9%. White male inmates also admitted to committing the infraction of possessing an unauthorized item at a higher rate than the other racial groups at 54%, followed by black inmates at 38% and other raced inmates at about 7%. Black male inmates admitted to committing the prison infraction of verbal and physical assault on a staff the most at 52%, followed by white inmates at 41% and males from other races at 6%. The infraction of committing an assault on an inmates was committed the most by black male inmates at 46 percent, followed by white inmates at 43% and other race inmates at 11 percent. White and black inmates admitted to disobeying orders at an equal rate of 44% and other race inmates admitted at 11%.

**Table 16***Prison Infraction and Race and Gender Males N=1565*

<b><i>Type of Prison Infraction</i></b>	<b><i>Black Male</i></b>	<b><i>White Male</i></b>	<b><i>Other Male</i></b>	<b><i><math>\chi^2</math> (df)</i></b>	<b><i>P-value</i></b>
Drug and Alcohol	40.8	50.7	9	15.926(8)	0.043
Unauthorized Item	38.4	54.7	6.9		
Verbal/Physical Assault on Staff	52.5	41.4	6.1		
Assault on Inmate	46	43	11		
Disobeying Orders	44.5	44.2	11.3		

Data on history of physical and sexual abuse was analyzed for differences among racial and gender groups. This analysis was conducted in keeping with the main conclusion in literature which asserts that childhood victimization leads to a life of crime, especially for female offenders (Owen, 1997; Bloom and Covington, 2001; Lederman, et.al. 2004).

In a stark difference from what the literature suggests, many respondents reported never being sexually or physically victimized as children (Table 17). Only three percent were ever sexually assaulted as children, and only seven percent were physically assaulted as children. Childhood victimization among the female respondents in this sample shows that six percent were sexually assaulted and five percent were physically assaulted. Table 18 presents the racial and gender breakdown of the respondents who admitted to being victimized as children. Thirty percent of respondents who admitted to being sexually victimized as children were White males. Twenty percent of those that

were sexually victimized as children were White females. Forty percent of those who were violently victimized as children were Black males and thirty-eight percent were White males.

**Table 17**

*Childhood Victimization on Entire Sample and Female Inmates N=336*

<b>Childhood Victimization</b>	<b>Percent</b>
Sexual Assault	3.0
Physical Assault	7.0
<b>Female Childhood Victimization N=46</b>	
Sexual Assault	6.0
Physical Assault	5.0

**Table 18**

*Childhood Victimization Based on Race and Gender N=336*

	<i>White Fem. (%)</i>	<i>Black Fem. (%)</i>	<i>Other Female (%)</i>	<i>X<sup>2</sup> (df)</i>	<i>p- value</i>	<i>White Male (%)</i>	<i>Black Male (%)</i>	<i>Other Male (%)</i>	<i>X<sup>2</sup> (df)</i>	<i>p- value</i>
Sexual victimization	20.7	11.9	5.9	1.67(2)	.434	30.3	19.3	11.9	10.160(2)	.006*
Violent Victimization	6.6	6.0	1.2	.858(2)	.651	38.2	40.0	8.4	.404(2)	.817

*Note: p<.01*



Moreover, based on gender-specific scholarship, parenting is a focal concern surrounding women and prison adjustment. The association between prison adjustment in terms of infractions, and being a parent was examined through a bivariate analysis. The chi-square test suggests significant differences,  $\chi^2(1) = 13.991$ ,  $p < .001$  between the two groups. Table 19 shows that a higher percentage of inmates (52) who were primary caregivers to their children before prison are not found guilty of prison infractions. Whereas, 48 % of the parents, who were primary caregivers to their children were found guilty of prison violations.

**Table 19**

*Primary Caretaker and Being Found Guilty of Infraction N=1107*

<i>Primary Caretaker</i>	<i>Guilty Violation Percentage</i>	<i><math>\chi^2(df)</math></i>	<i>P-value</i>
<i>Found guilty of a violation</i>		13.991(1)	<.001
Yes	48		
No	52		

Scholarship specific to gender suggests that that compared to men, women are more likely the primary caregivers of children. Table 20 presents the sample data according to gender and primary caregiving. It shows that, as expected, more women were primary caregivers (36%) than men (19%) before being incarcerated.

**Table 20***Primary Caretaker and Gender N=1107*

<b>Primary Caretaker</b>	<b>Percentage</b>	<b><math>\chi^2(df)</math></b>	<b>P-value</b>
Female	36.1	117.632(1)	<.001
Male	19.1		

The results of Table 21 provide a detailed look at the relationship between parental contact with children and prison infractions. The results of this table are based on the respondents who indicated that they were the primary caretaker of their child prior to incarceration. The results of the contact via telephone show that parents who had telephone contact with children more than once a month were least likely to be found guilty of a violation while in prison at twenty-six percent. The parent-inmates with no calls from their children were most likely to be found guilty at thirty-seven percent, followed by those parents who had less than one call a month from their children at thirty-five percent. The mail analysis showed that that parents who never got mail from their children were least likely to be found guilty for a prison infraction. Parents who had mail from children than once a month were most likely to be found guilty for an infraction at forty-three percent, followed by parents who had mail more than once a month from their children at thirty-five percent.

The results examining the relationship between child visits and prison infractions show that visitation more than once a month by children results in the lowest percentage of being found guilty for a prison infraction at seven percent. Never having visits from children results in the highest percentage of being found

guilty for prison contacts at forty-eight percent, followed by those parents who have less than once a month contact with their children at forty-three percent.

**Table 21**

*Contact with Child and Prison Infraction N=1107*

<b><i>Contact with Child</i></b>	<b><i>Found Guilty of Violation Percentage</i></b>	<b><i>x<sup>2</sup>(df)</i></b>	<b><i>P- value</i></b>
<i>Calls</i>		535.030(3)	<.001
Never	37.4		
Less than once a month	35.7		
More than once a month	26.5		
<i>Mail</i>		570.760(3)	<.001
Never	20.5		
Less than once a month	43.9		
More than once a month	35.4		
<i>Visits</i>		551.821(3)	<.001
Never	48.3		
Less than once a month	43.8		
More than once a month	7		

### *Summary of Bivariate Findings*

The preliminary results of the bivariate analysis in the category of punishment based on females and race found that there were significant differences within the group in reference to the punishments they received. Black women had higher percentages of receiving solitary confinement (48%) and confinement to their own cell (51%). White women had a higher percentage of receiving other punishments (51%) compared to all other groups. The male sample also yielded similar results. Punishment outcomes based on males and race show that there were significant differences in the group. Specifically, Black males reported the highest percentage of not receiving punishment (44%), they also indicated being punished by receiving solitary confinement the most (52%) and they revealed the highest percentage of being punished by being confined to their own cell (49%). White male inmates reported having the highest percentage of other punishments (47%) than all other groups. These results emphasize the importance of looking at race in terms of differences in punishment outcomes among both male and female prison populations. Although there was an equal distribution of both Black and White inmates, the punishment outcomes did not consist of similar equal distributions of punishment.

In order to understand differences in punishment outcomes, differences in prison infraction by race and gender are important to explore. The type of infraction an inmate commits helps determine the severity of punishment.<sup>15</sup> The

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<sup>15</sup> Temporal pattern is not provided in this data. For example, there is no way of knowing if infraction a equates to punishment a. Therefore the bivariate analyses conducted in this section provide preliminary

racial differences in punishment outcomes can possibly be explained by racial differences in the type of infractions that are committed by inmates. The results of the prison infractions and race inquiry reveal that there are differences in the types of infractions committed by the different race groups. White inmates had higher percentages of drug and alcohol infractions (52%), possessing an unauthorized item (56%) and disobeying orders of prison officials (56%), whereas black inmates had higher percentages of involvements in violent incidents such as verbal/physical assault on staff (54%) and assault on other inmates (46%). These findings suggest that there are differences in the types of fractions inmates commit if grouped by race.

Based on the reviewed literature, gender specific research asserts that victimization and parenting are important aspects in the lives of female offenders. Therefore, bivariate analysis was conducted to see if victims of child sexual or physical abuse reported violent prison infractions. Victimization is a pathway to criminality for many female offenders. However, very few inmates reported being victims of abuse as children.

Most of the primary caretakers of children prior to their current prison term were women. Previous literature indicated that it is important for mothers to continue contact with their children throughout their incarceration period. The bivariate results support this notion because inmates who had the most visits

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distributions of prison infractions based on race and gender. Future studies should gather data that can show temporal pattern to provide a clearer understanding of why punishment outcomes can differ due to infraction type.

with their children had the lowest percentage of being found guilty for a prison infraction compared to primary caretakers who had other types of contacts with their children.

To summarize, there were several bivariate analyses conducted. Key bivariate results indicate significant differences among the three race groups and punishment severity. There were also differences among the race groups and if they were found guilty of a violation. Other findings were that there were differences among the race groups and the type of prison infractions they have been found guilty for. Although literature suggests that most offenders have a history of childhood victimization, especially women, in this dataset the respondents did not report a high rate of childhood victimization.

Parenting was also an important factor in relation to prison infractions. Inmates who are parents and were the primary caregivers to their children before incarceration were less likely to be found guilty of prison infractions. In accordance with literature, more women inmates were found to be primary caregivers than men. Parents who had regular visitations by their children were the least likely to be found guilty of a prison infraction.

### ***Multivariate Results***

A multinomial logistic regression model (see Table 22) was estimated to examine the likelihood of type of punishment. One of the questions examined in this study is whether race, gender and type of prison infraction affect the type of punishments disbursed to the inmates. Since the dependent variable is categorical, that is, it has multiple outcomes, a multinomial logistic regression was used as the method of analysis to accomplish the objective. The dependent variable was defined to have four categories: (a) no punishment, (b) solitary confinement, (c) confined to own cell and (d) other punishments. The category of other punishments was used as the reference punishment category for this model. Other punishments included higher level of custody, transfer to another facility, loss of good time, new sentence, given extra work, change of work assignments, other actions, formal reprimand and multiple punishments, which is why it was used as the reference for this model. The model was statistically significant ( $X^2=193.328$ ,  $df=30$ ,  $p<.001$ ) and the Cox and Snell's Pseudo  $R^2$  was .096.

The output (Table 22) shows that race was not a predictor of the outcome of no punishment. Compared to men, women were more likely to receive no punishment ( $p<.05$ ). Relative to all other prison infractions, physical assault on another inmate is a predictive factor. Inmates who conduct physical assaults on another inmate are the least likely to receive no punishment.

The second category of punishment was solitary confinement. Relative to other punishments, and relative to white inmates, black inmates are more likely

to get solitary confinement ( $p < .05$ ). The relative risk of black inmates being in solitary confinement increased by a factor of 1.5 compared to white inmates. Inmates found guilty of drug violations, verbal or physical assault on a staff member (3.4) and physical assault on an inmate (3.1) are more likely to be punished by solitary confinement ( $p < .05$ ). The relative risk of solitary confinement increases by a factor of 3.4 for assault on staff member, and by 3.1 for assault on an inmate, relative to the outcome category of other punishment and violation category of disobeying orders. Relative to other punishments, and compared to male inmates, the risk of females receiving solitary confinement as a punishment decreases by a factor of 0.64, while holding the remaining variables in the model constant.

The third category of punishment was confined to own cell. Model outcome shows that race is not a predictive factor. The relative risk of being confined to own cell increased by a factor of 0.57 for inmates found guilty of physically assaulting another inmate. ( $p < .05$ ). Relative to all other punishments, females are less likely to get confinement to their own cell as a punishment, than males ( $p < .05$ ).



**Table 22**

*Multinomial Logistic Regression Model Predicting the Likelihood of Punishment for Prison Infractions*

<b>Dependent Variable Outcome</b>	<b>Predictors</b>	<b>B</b>	<b>Odd Ratio</b>	<b>Std. Error</b>	<b>p-value</b>
No punishment	Race-Other	-.309	1.362	0..419	.461
	Race-Black	-.086	1.090	0.302	.776
	<b>Race-White (Base)</b>				
	Violation-Drug/Alcohol	-1.776	.169	1.020	.082
	Violation-Un/Item	-.158	.854	.364	.189
	Violation-Verb./Physical Assault on Guard	-1.067	.344	1.026	.298
	Violation-Physical assault on Inmate	-2.175	.114	1.077	.032*
	<b>Violation-Disobeying Orders (Base)</b>				
	Contact With Children Never	-.046	.955	.561	.935
	Contact with Children Less than once a month	.709	2.032	.397	.074
	<b>Contact with Children more than once a month (Base)</b>				
	Sex-Female	.704	2.022	.297	.018*
	<b>Sex-Male (Base)</b>				
Solitary Confinement	Race-Other	-.037	.964	.203	.857
	Race-Black	.427	1.532	.122	.000**
	<b>Race-White (Base)</b>				
	Violation-Drug	.444	1.558	.198	.025*
	Violation-Un/Item	-.092	.912	.181	.609
	Violation-Verb./Physical Assault on Guard	1.224	3.401	.219	.000**
	Violation-Physical assault on Inmate	1.138	3.121	.150	.000**
	<b>Violation-Disobeying Orders (Base)</b>				
	Contact with Children Never	.006	.973	.193	.973
	Contact with Children less than once a month	.064	.684	.158	.684
	<b>Contact with Children more than once a month(Base)</b>				
	Sex-Female	-.442	.643	.161	.006*
	<b>Sex-Male (Base)</b>				
Confined to Own Cell	Race-Other	-.260	.771	.253	.304
	Race-Black	.254	1.289	.143	.076
	<b>Race-White (Base)</b>				
	Violation-Drug/Alcohol	-.501	.606	.272	.065
	Violation-Un/Item	-.108	.898	.184	.558
	Violation-Verb./Physical Assault on Guard	-.622	.537	.393	.113
	Violation-Physical assault on Inmate	-.559	.572	.246	.023*
	<b>Violation-Disobeying Orders (Base)</b>				
	Contact With Children Never	-.152	.859	.242	.273
	Contact with Children less than once a month	.199	1.220	.187	.530
	<b>Contact with Children more than once a month(Base)</b>				
	Sex-Female	-.606	.546	.197	.002*

	<i>Sex-Male (Base)</i>
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To test the interaction effects of race and gender in this study, a multivariate analysis was conducted to establish if the conclusions of intersectionality theory could be identified in the sample (Table 23). Intersectionality theory suggests that 'categories may intersect to produce unique forms of disadvantage' (Crenshaw, 1989, p.64). Although in the overall sample, women were least likely to receive punishments, the intersection of race and gender was assessed to see if the interaction effect had a unique outcome. As previously mentioned, based on the data, the category of other punishments includes a large array of punishments and this is the reason it was used as the reference for this model. The model was statistically significant ( $X^2=43.533$ ,  $df=6$ ,  $p<.001$ ) and the Cox and Snell's Pseudo  $R^2$  was .017.

The first category of the dependent variable, 'no punishment' is explored. The respondents were asked first if they were ever found guilty of a prison infraction. Some respondents received no punishment. Relative to receiving other punishment as a sanction, the interaction variable, constructed as a proxy for the effect of intersection of race and gender, was not a predictive factor of receiving no punishment.

The second category of punishment was solitary confinement. Relative to other punishments, black female inmates were more likely to receive solitary confinement compared to all other racial groups ( $p<.05$ ). The relative risk of black women being in solitary confinement increased by a factor of 1.64, compared to white female inmate. The third category of punishment was

confined to own cell. The intersection of race and gender is not found to be a predictive factor here.

**Table 23**

*Multivariate Results on the Interaction of Race and Gender for Females*

<i><b>Dependent Variable Outcome</b></i>	<i><b>Predictors</b></i>	<i><b>B</b></i>	<i><b>Odds Ratio</b></i>	<i><b>Std. Error</b></i>	<i><b>P-value</b></i>
<i>No Punishment</i>	Black Female	-0.400	1.492	0.366	0.275
	Other Female	-0.108	0.898	0.574	0.851
	White Female (Base)				
<i>Solitary Confinement</i>	Black Female	0.515	1.674	0.179	.004*
	Other Female	-0.295	0.745	0.296	0.32
	White Female (Base)				
<i>Confinement to Own Cell</i>	Black Female	0.454	1.575	0.251	0.071
	Other Female	-0.002	0.998	0.380	0.995
	White Female (Base)				

<sup>16</sup>

The effect of interaction variables, constructed by intersecting race and gender, were conducted for the male sample (Table 24). Similar to previous estimations, the category of other punishments was used as a base category. The model was statistically significant ( $X^2=56.986$ ,  $df=6$ ,  $p<.001$ ) and the Cox and Snell's Pseudo  $R^2$  was .010.

<sup>16</sup> Covariates such as prison infraction and contact with children were originally included however, SPSS displayed a warning that stated unexpected singularities in the Hessian matrix were encountered. This indicated that either some predictor variables should be excluded or some categories should be merged. Some combinations yielded zero counts and therefore these covariates were excluded. Future studies should include these covariates.

. The first category is no punishment. The respondents were asked first if they were ever found guilty of a prison infraction. Some respondents received no punishment. Relative to receiving other punishment as a sanction, the intersection of race and gender was also not a predictive factor of receiving no punishment, for the male sample.

The second category of punishment was solitary confinement. Relative to other punishments, black male inmates are more likely to get solitary confinement compared to all other racial groups ( $p < .05$ ). The relative risk of black men being in solitary confinement increased by a factor of 1.5, compared to white inmates. The third category of punishment was confined to own cell. Black male inmates were also more likely to receive confinement to own cell as a punishment compared to all other races.

**Table 24***Multivariate Results on the Interaction of Race and Gender for Males*

<b>Dependent Variable Outcome</b>	<b>Predictors</b>	<b>B</b>	<b>Odds Ratio</b>	<b>Std. Error</b>	<b>P-value</b>
No Punishment	Black Male	0.279	1.322	0.253	0.269
	Other Male	0.635	1.887	0.331	0.055
	White Male (Base)				
Solitary Confinement	Black Male	0.415	1.515	0.077	.000*
	Other Male	-0.059	0.943	0.128	0.647
	White Male (Base)				
Confinement to Own Cell	Black Male	0.289	1.335	0.095	.002*
	Other Male	-0.065	0.937	0.158	0.680
	White Male (Base)				

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*Summary of Multivariate Analysis*

This research attempts to answer several questions regarding race, gender, prison adjustment and in-prison punishment. Specifically, it attempts to explain whether the intersection of race and gender affects in-prison punishment due to prison infractions. The multivariate results indicate a number of factors that affect prison punishment outcomes. Solitary confinement is a controversial punishment and has been debated throughout

<sup>17</sup> Covariates such as prison infraction and contact with children were originally included however, SPSS displayed a warning that stated unexpected singularities in the Hessian matrix were encountered. This indicated that either some predictor variables should be excluded or some categories should be merged. Some combinations yielded zero counts and therefore these covariates were excluded. Future studies should include these covariates.

history. Due to its punitiveness, it is important to understand if disparity exists. The findings in Table 22 suggest that Black inmates do receive the punishment of solitary confinement more than White inmates. Other covariates that were included in this analysis were infractions, gender and contact with children. Inmates that committed drug violations, verbal or physical assaults against a guard and assaulted another inmate were also more likely to get solitary confinement than inmates who disobeyed orders of prison staff. Females were less likely to get solitary confinement than men.

The findings also looked at other punishment categories. In terms of receiving the punishment of Confinement to own cell, it was administered to inmates who committed a physical assault on another inmate more than inmates who disobeyed the orders of prison officials. Women received the punishment of confinement to own cell less than male inmates. Women were also more likely to receive no punishment compared to male inmates.

The results in Table 23 and 24 highlighted that race, gender and certain types of infractions can result in different punishment outcomes. Women in general are less likely than men to receive solitary confinement. Intersectionality theory asserts that the intersection of race and gender can produce unique outcomes. In order to test this theory, a multivariate analysis was also conducted to assess if the interaction of gender and race does in fact produce different punishment outcomes in terms of official reactions in prison. The findings suggest that Black women are more likely to receive the punishment of solitary confinement than white women. Black men are also

more likely to receive the punishment of solitary confinement and confinement to own cell compared to White men.

The findings in the multivariate analyses emphasize that intersections of race and gender do matter. Further research must assess cause and effect as it relates to infractions and the punishments that are administered.

However, the results in this section show that there is a tendency or pattern of Black inmates being punished by the use of solitary confinement more than White inmates.

## CHAPTER 6

### **DISCUSSION**

#### ***Revisiting Research Questions***

Mass incarceration, the disproportionate amount of people of color under correctional supervision and the growing population of women in prison are subjects that needed exploration because of the damaging effects of incarceration on inmates. Intersectionality theory provides a framework to study the issues related to gender and racial inequity that can be implemented by decision making officials in the criminal justice system. The questions examined in this study adds to the limited body of research belonging to the study of intersectional effects of race, gender, and prison sanctions. The research was designed primarily to understand if disparities exist in the administration of prison sanctions. While many women offenders share common risk factors, the intersection of race and gender can result in different punishment outcomes by decision makers in the criminal justice system. Intersectionality theory provides theoretical scholarship about the disadvantages that are confronted by women of color. It emphasizes the importance of looking at intersections of race and gender in order to understand that all women do not experience the same form of treatment by the criminal justice system. Intersectionality paradigm asserts that Black women experience the combined effects of practices which discriminate on the basis of race and sex and sometimes they experience discrimination as Black women (Crenshaw, 1989, p. 67). Gender specific scholarship points out that, white women are recipients of more leniency than black women in the criminal



justice system. The growing population of incarcerated women and the harmful effects of mass incarceration on women of color establish the importance of addressing concerns of disparity.

Advocates of Intersectionality indicate that not all women are treated the same by the criminal justice system. There are a disproportionate amount of minority inmates, specifically from underprivileged backgrounds. Prisons are a place for punishment and it would be expected that disparities do not exist in an institution that is expected to carry out punishments for offenders who have committed crimes. However, research has found that correctional officers have discretion and biases can also impact punishment outcomes within the prison setting. Therefore, the objective of this study was to analyze if intersections and arguments made by feminist criminologists account for differences in punishment outcomes within the prison setting. The following research questions were examined:

1. Are Black inmates sanctioned more severely for prison violations than other racial groups?
2. Feminist criminologists and Intersectionality experts suggest that race affects how women are perceived and treated in the criminal justice system. Are Black female inmates punished more severely for prison infractions than White women?
3. Literature has shown that for women, prior victimization due to physical and sexual abuse, makes the offender more likely to commit violent

crimes. The next question, examines the involvement of men and women inmates, who have a history of abuse, in prison violations. 3a) Are inmates who have suffered childhood victimization more likely to engage in prison infractions?

4. Do Black inmates engage in the most severe instances of prison infractions compared to all other racial groups?
5. Do inmates who have more contact with their children commit fewer prison infractions?

### ***Summary of Findings***

Several layers of analyses were conducted in order to understand the intersections of different empirically relevant categories. The results of the bivariate and multivariate analyses are as follows:

#### **1) Do Black female inmates receive harsher sanctions than White females?**

*H1:* The first hypothesis was that Black female inmates receive a harsher sanction for prison infractions than White females. Among prison punishment category, solitary confinement is considered to be the most severe. The results show that compared to White female inmates, Black female prisoners reported the higher likelihood of being placed in solitary confinement.

#### **2) Are Black inmates more severely sanctioned for prison infractions?**

*H1:* The second hypothesis proposes that the likelihood of Black inmates (both male and female) receiving solitary confinement is much higher than other racial

groups. The results indicate that Black inmates are more likely to be sanctioned more severely by way of solitary confinement compared to all other racial groups.

**3) Are inmates who suffered childhood victimization more likely to engage in prison infraction?**

*H1:* The third hypothesis is that inmates who suffered from childhood victimization are more likely to engage in prison infractions while in prison. However, the analysis revealed that a very small amount of inmates in this sample suffered childhood victimization. Therefore, no significant differences exist in relation to severity of infraction and childhood victimization.

**4) Do inmates who have regular contact with children have less infractions?**

*H1:* The fourth hypothesis is that inmates who have regular physical contact with their children are less likely to engage in prison infractions. The analysis indicated that the inmates who were visited more than once a month by their children had the least amount of prison infractions than all other groups.

**5) Do Black inmates engage in the most violent prison infractions?**

*H1:* The fifth hypothesis is that Black inmates engage in the most violent prison infractions than all other racial groups. The analysis indicated that Black inmates reported the highest percentages of infractions that involved physically or verbally assaulting guards.

The first portion of this study examined descriptive data about the sample. Descriptive statistics revealed that the sample had characteristics that are similar to the U.S. prison statistics. Sabol's (2008) Bureau of Justice Statistics report

indicates that ninety-three percent of inmates are male and seven percent are female. Consistent with the greater prison population, there were many more males in this research sample. The present sample consisted of eighty-three percent male inmates and sixteen percent of female inmates. Racial demographics were also similar to the greater prison sample. Current inmate statistics reveal that the inmate population consists of forty percent white, forty-one percent African American males and nineteen percent of other racial/ethnic groups. The research sample has a fairly equal amount of White and Black respondents and the other racial/ethnic groups make up other. State offense breakdowns indicate that most inmates are in prison due to violent offenses. The study sample descriptive statistics also show similar findings. About 39% of this sample admitted to being in prison for violent offenses. Consistent with the literature concerning incarcerated populations, the sample utilized for this study also has low percentages of high school diplomas and are predominately from low economic income backgrounds.

Gender-specific research has found that childhood victimization and parenting are important factors among female offenders. An interesting finding regarding this study sample is that the women in this study had very low rates of childhood victimization. Several feminist criminologists have indicated that incarcerated women are victims of their troubled family life, many were products of broken homes and as juveniles they experienced physical and sexual abuse (Chesney-Lind, 1998; Chesney-Lind, 2004; Bloom, 2003). Only three percent of the entire sample experienced sexual victimization and only seven percent

experienced physical victimization as children. Only six percent of the female sample admitted to experiencing sexual assault as a child and only five percent admitted to physical assault as a child. Victimization has been argued as an imperative gendered factor in a woman's criminal pathway. Several feminist criminologists have indicated that females become involved with antisocial behavior as a way to escape their childhood victimization. They also asserted that this was a common theme in studies about female criminality (Gaarder and Belknap, 2002; Giordano, 2008).

Research on female inmates concludes that close to two thirds of all women incarcerated in state prisons are mothers (Berry et al., 2003). Twenty-two percent of the sample surveyed in this study indicated that they were primary caregivers of their children prior to incarceration. Similar to past findings, women were more likely to be primary caretakers of their children. Thirty-six percent of female inmates sampled in the dataset were primary caretakers of their children and out of the male population only nineteen percent were primary caretakers of their children. Most inmates indicated that they had regular contact with their children. The effect of parental status was investigated by conducting a bivariate analysis, with the variable of being found guilty of a violation. The results indicated that inmates that were primary caretakers were less involved with instances of being found guilty of a prison infraction (48%). Different types of contact with children by primary caretakers were analyzed. Primary caretakers who had regular (more than once a month) visitation with their children were the least likely to be guilty of prison infractions. This is an important finding because

there are currently about two million children that are children of incarcerated parents. Baunach (1985) found that mothers who are incarcerated suffer from the guilt of their actions because of how it affects their children. This in turn results in feelings of guilt, bitterness, anger and depression. They also fear having weakened relationships with their children. Their feelings of depression and anger can affect their prison adjustment (p.5).

Furthermore, the research also provided a detailed examination of the types of prison infractions inmates are most likely involved with, the amount that are actually sanctioned for infractions and the type of sanctions inmates receive. The results indicate that inmates that report having conducted an infraction are not always found guilty. This study found that forty-three percent of those who admitted to having committed an infraction actually were found guilty. Most of the inmates in this study admit to disobeying orders by staff. Other forms of prison sanctions such as extra work duties, multiple punishments or change in work assignment are utilized the most. Bivariate analysis was conducted to see if there were differences between racial groups and the type of infractions they were involved with. Results indicate that White inmates were more likely to engage in infractions that involved drugs, unauthorized items and disobeying orders of staff. Black inmates were more likely to have infractions that involved verbal and physical assault against a staff member and assault on an inmate. Further analysis was conducted to assess gender and racial differences. Black women were more likely to be involved with verbal and physical assaults against staff. They were also more likely to be involved with instances involving assault

on another inmate. White inmates had more instances of disobedience and drug infractions. These results provide information in regards to the racial differences in the types of infractions inmates are mostly involved with. The bivariate analysis provides results that indicate white male and female inmates are more likely to be involved in non-violent infractions, however black male and female inmates are more likely to be involved with violent prison infractions.

Multinomial logistic regression was conducted to test which independent variables relevant to this study such as gender, contact with children, type of infraction and race were significant in predicting different sanctions such as no punishment, solitary confinement, other punishment and confinement to own cell. Other punishments was used as the base model because most inmates indicated being punished by the use of other punishments. The results show that women were most likely to receive no punishment and least likely to be confined to their own cell or punished by solitary confinement. Infractions that were more likely to be punished by the use of solitary confinement were drug infractions and physical assault on staff or inmate. Contact with children was not a predictive factor for any of the punishments. The findings reveal that race is a predictive factor in being sentenced to solitary confinement in prison. In the multivariate analysis, black inmates were more likely to be punished by way of solitary confinement than white inmates. Consistent with previous literature, disparity in the infliction of punishment by the administration of justice continues to extend from the judicial process into the prison system. Black inmates were more likely to receive solitary confinement than other forms of punishment compared to

white inmates. Previous literature has indicated the negative side effects of solitary confinement and its coercive nature. Research has also indicated that there are a disparate amount of people of color that face the effects of the criminal justice system's control. This process of coercive control pervades from the initial encounter at arrest and based on the findings of this study, continue into prison.

This analysis uncovered that women are less likely to receive punishments such as solitary confinement and confinement to their own cell. However, the results indicate that further analysis had to be conducted on the role of being a black inmate and its interaction with gender. Another multivariate analysis was conducted to examine the intersectionality effect of being a black female inmate and the prison sanction outcome. The results indicate that Black females are more likely to be punished by solitary confinement than all other racial ethnic groups. This finding supports the intersectionality theory claim that, in the criminal justice system white women are looked upon more favorably than black women (Crenshaw 1989; Daly et al., 1998). When compared to men, women are least likely to receive solitary confinement and confinement to their own cell. However, this dynamic changes when we look at the interaction effect of race and gender within female inmates. Black females do receive solitary confinement more than all other racial groups and due to this finding, it supports the claim (Burgess and Proctor 2006) that more research must examine the interaction effects of race and gender when studying women that are involved with the criminal justice system.



### ***Interpreting the Results***

Research regarding prison infractions has primarily focused on men. With the growing population of female inmates, it is important to understand how women are adjusting to prison. Gender specific scholarship has found that there are several themes that are related to the involvement of women with the criminal justice system. These include the experience of childhood victimization and parental status of women. This research attempted to understand these dimensions by conducting analysis to assess if they affected female prison adjustment. In addition to this, recent feminist criminology research emphasizes the importance of understanding that all women do not have the same experience. Women of color tend to experience the effect of racial and gender discrimination. In order to understand all of these topics, several bivariate and multivariate analyses were conducted. This research utilized secondary analysis by examining the 2004 Inmate Survey. The study sample included inmates throughout the United States that were incarcerated in state prisons.

The growth of the female inmate population presents gender-specific issues. One specific issue this research analyzed is the issue of parenting. Many female inmates in this study were primary custodial guardians of their children prior to incarceration. This research attempted to examine how contact with children may affect prison adjustment. Feminist criminologists have found that many inmate mothers find that the concern about their children's well-being and separating from children as difficult stressors while in prison (Kazura, 2001). This can result in adjusting to prison poorly and suffer infractions due to their

poor adjustment. Few researchers have examined women specifically to understand this phenomenon. The finding that inmates who have regular visitation may be adjusting better to prison is an important policy implication and needs further exploration. Based on these findings, it can be hypothesized that women who are primary caretakers of their children and have regular visitation contact with their children have lesser instances of prison infractions. The benefits of regular visitation are that they serve as an incentive for inmates with children to comply with prison rules so that visitation privileges are not taken away, it can help ease the pains of deprivation that are caused within the prison system, and it can help prevent children of incarcerated parents from engaging in criminal activities as well.

In regards to childhood victimization, the findings in this study contradict the common assertion among feminist criminologists about childhood victimization being a pathway for gendered criminality. Very few women in this sample suffered childhood victimization and it can be inferred that childhood victimization was not the dominant pathway as to why these particular female inmates were in prison because very few of them experienced it. However, this research only looked at the sample of inmates that were involved with prison infractions; therefore the greater prison sample may have had larger childhood victimization rates. Also, adult victimization was not looked at in this study; therefore those numbers are unknown for this population. Recent studies about gender and criminality have found that childhood victimization may not be as imperative in criminal offending as other trajectories in the life of a female (Anderson, 2008;

Carbone-Lopez and Miller, 2012). This finding can have several policy implications because prior research has focused a great deal on childhood victimization as a dominant pathway to female criminality and several programs may have been created to help women cope with their victimization.

This research also provided more information in regards to the types of prison infractions inmates engage in while they are in prison. It is important to study how inmates adjust to prison because research has found that poor prison adjustment has harmful effects on inmate reintegration in the community. The experience prisoners undergo while in prison are with them when they are released and these negative experiences can result in higher recidivism rates (Haney, 2002; Haney 2005). This research has found that vocational programs may help inmates to adjust better to prison. An interesting finding was that most of inmates were found guilty for disobeying orders. More research must be conducted to address prison infractions especially because they affect the adjustment of inmates once they are released from prison.

Curry et al. (2004) discussed that the criminal justice system is at times lenient towards women because women were considered weaker, innocent and less responsible for their crimes (p. 323). However, Chesney-Lind (1997) warned that these stereotypes have created a two-track system that deems Black women as deviant and a separate system for White women. This research has uncovered that White women also committed prison infractions, but they were the least likely to receive any harsh prison punishment. The chivalry hypothesis was afforded to the White inmates in this sample and can be

explained by research that claims that White women are seen as weaker, innocent and less responsible for their crimes (Price & Sokoloff, 2004). However, Black women were more likely to be sanctioned to solitary confinement than all other females. This can be explained by previous research that has uncovered that race is a factor in how Black women are perceived and treated by the criminal justice system (Leiber & Mack, 2003).

Research has indicated that race is an issue when we look at sentencing practices (Brewer and Heitzig, 2008), however, few studies have examined if there are disparate outcomes in terms of sanctions that are administered in prison. There are currently about 1.6 million inmates incarcerated by the United States Correctional system. The past three decades of mass incarceration has had particularly devastating effects on minority communities. Several researchers have addressed the negative impacts of incarceration on the Black community. The current system is also facing a growth in the rate of female incarceration. Although there have been several studies to see if there is disparity within the criminal justice system, few have looked at disparity in prison punishment. Prison punishment is an important aspect to research because the average time an inmate currently spends in prison is two years. The goal of the corrections system is to protect society as well as provide an experience that deters an ex-inmate from recidivating. However, the punishment experience has proven to be traumatic and exposed inmates to post traumatic stress disorder and depression. Punishments such as solitary confinement have been controversial because it is considered one of the harshest forms of punishments

and several researchers have found that it can cause several mental health issues. This research attempted to understand if this disparity in punishment extends from sentencing into prison in the form of prison sanctions. Also, due to the growing female prison population, research is necessary to understand the intersections of gender and prison punishment. Intersectionality theory discusses the importance of looking at the intersections of race and gender, and how these intersectional categories can put women of color in difficult positions. Intersectionality theory suggests that race overshadows gender, when compared to black women, white women receive more favorable treatment and outcomes.

There has been a growing emphasis on the importance of examining the racialization of crime and punishment (Nash, 2008; Brewer and Heitzeg, 2008). This study examines if disparity exists within the prison system. The Intersectionality theory was utilized as the theoretical framework to devise a research plan to determine if the intersection of gender and race yield disparate outcomes for certain groups of inmates. Recent studies on gender and the criminal justice system has highlighted the fact that all women should not be grouped together because race plays a factor in how Black women are treated by the system (Daly, 1993, 1997; Belknap, 2001; Price & Sokoloff, 2004). Researchers have indicated that there are very few quantitative studies that have examined if intersections create disparities (Steffensmeier & Demuth, 2006). This research has utilized a sample of respondents in order to answer the question of whether or not disparities exist in the type of punishment inmates receive while they are in prison. Findings from this dissertation support the

argument that biases due to race and gender discrimination can create a distinct disadvantages for Black women (Crenshaw, 1989). This study examined different groups of women separately to see if social structural factors such as race did play a significant role in the administration of prison sanctions. The results support the notion that more research is needed on the issue of how administration of justice is affected by intersections of gender, race and class.

The most important finding of this research was the fact that there is a disparity in the implementation of solitary confinement as a sanction for Black male and Black female inmates. Based on the multivariate analysis, Black inmates, (male and female) were more likely to receive solitary confinement than other forms of punishment when compared to their White counterparts. This result emphasizes the importance of looking at race and disparity and the infliction of punishment by the criminal justice system. This finding is especially disturbing because of the several physical and psychological harms affiliated with this type of isolation. Some of the harms documented with solitary confinement include anxiety, depression, anger, suicide, hallucinations, psychosis and cognitive disturbances (Cloyes et al., 2006). Also, there have been inconsistent findings in regards to whether or not solitary confinement is effective (Shalev, 2008). Mass incarceration has had an extremely negative affect on communities of color and has shed light on the importance of understanding if race is a factor and how does race affect punishment. This research attempted to answer if race affects punishment within the prison setting. For the past thirty years, several researchers have tried to understand the disparity in criminal justice outcomes

(Pillavin and Briar, 1964; Kleck, 1981; Blumstein, 1982; Rocque, 2011).

However, results have varied and the debate still continues in literature regarding the proportionately large number of African Americans within the criminal justice system. Question to reckon with is whether the community is being targeted due to bias in the criminal justice system, or is something else occurring? The analysis reported in this study shows that Black men and women are being administered the harshest prison sanction more than other groups. However, it is difficult to understand if this is a deliberate racially motivated decision on the part of correctional officials.

Bivariate results indicated that Black inmates, both male and female had the most instances of violent prison infractions. However, this study could not conclude if a violent infraction was the cause of the solitary confinement. Future studies should continue looking at inmate infractions and punishments to assess if there are racial differences in the type of infractions that are committed. There are several questions that arise when trying to understand why Black inmates may have had infractions that involved violent incidents. Could the violence be a result of the fact that the inmates see the disparities in treatment within the prison and this frustration leads them to react aggressively? Could prison officials be reporting that inmates are being violent in order to justify solitary confinement? Could the overuse of solitary confinement be an intimidation tactic towards the Black inmates? Or do Black inmates consider prison authority illegitimate because of the perception that the criminal justice system is a system that is unjust to people of color? More research has to be conducted to examine these

questions because the fact that race was significant in terms of the administration of solitary confinement, proves that the issue of race and the administration of prison sanctions needs further explorations. Also, the policy implications related to this finding urge correctional departments to provide training to corrections officials that will reduce the overuse of solitary confinement on Black men and Black women inmates. In addition, it is especially important to continue looking at the disparity in how solitary confinement is being administered because of the adverse effects it has on inmates.

### **Limitations of Data**

There are several limitations to the dataset used for analysis. The respondents of this survey were all incarcerated offenders during the time of the research. Therefore, the information gathered in this study is limited to offenders who were incarcerated during 2004. However, research has shown that the demographics and problems related to incarcerated offenders has not changed significantly since 2004 (Olsen, et.al, 2013).

Additional limitations emerge from the method of data collection used to construct the dataset. As the data was gathered through interviews, the data is self-reported, and biased on inmate's interpretation of personal history. In other cases, inmates' responses may not be correct due to a lack of understanding of the definitional terms used in questions, or inability to interpret the question. In other cases, the inmates might not be motivated to respond appropriately, or have trouble remembering details from their past. Other limitations in the data



are assumed. Human error in handling data arise due to processing of raw information, recoding errors, missing values and ensuring that a proper representative sample is included in the study (Maxfield and Babbie, 2011). The literature accompanying the dataset suggests that all efforts were taken to ensure quality control in the collection and handling of data. The steps included review of survey design, pilot testing of questions, script used by interviewers, coder training and data processing controls. In survey research, one of the tough issues is non response of the respondents. In the dataset used for this study, of the 16,152 inmates in the sample, about 10% of the respondents (1,770), chose not to respond.

### ***Future Research***

Future studies should continue exploring if most women involved with the criminal justice system have a history as child abuse victims or are there other dominant factors that lead females into engaging in illegal activities. New feminist criminology studies should continue to explore the theme of childhood sexual and physical abuse along with other dominant pathways for female criminal behavior. Continuing research can help correctional facilities provide appropriate services to help rehabilitate female inmates.

Future research should continue to look at prison infractions and prison sanctions. After observing the result of bivariate analysis, which indicated that Black inmates were more likely to be involved with violent offenses, further analysis was conducted to examine the interaction effects of race, gender and type of prison infraction to examine if these combinations can explain the

differential prison punishment outcomes. However, none of these relationships yielded any significant results because the combinations created very small samples and an accurate understanding of this phenomenon could not be completed with such small groups. Therefore, this research could not confidently state that due to the fact that Black inmates were more likely to be involved with violent prison infractions this can help explain why they were more likely to be placed in solitary confinement. Future research must examine this further. However, previous literature has emphasized the importance of utilizing quantitative methods and large samples to study intersections and the present study adds to previous literature by utilizing a large sample of inmates and utilizing quantitative methods to answer complex questions about the intersection effects of race and gender.

More research should also be directed towards intersectional approaches to ascertain contextually rich information in regards to the combination of race and gender. The present research did not have information regarding inmates' sexual orientation, intersectionality also discusses the importance of examining biases related to gender identity and sexual preference in terms of punishment outcomes, upcoming research should try to examine all of the different layers associated with gender. Women and their adjustment, needs and treatment while in prison also need further attention because although women are still a relatively small amount of the inmate population, they are increasing at a faster pace than the male inmate population. An important finding of this research was that race was a predictive factor of receiving solitary confinement as a sanction. There are

several studies that indicate the harms associated with solitary confinement and its negative effects. In order to ensure that inmates are not receiving disparate prison sanctions due to race, further research is needed to explore if solitary confinement is being given to certain racial ethnic groups unfairly. Future research must also look at the finding that Black inmates are more involved with violent prison infractions than all other racial ethnic groups in prison and how this affects their prison outcomes. Rocque (2011) found that the belief that the criminal justice system treats minorities differently and unfair experiences can influence the perception of the legitimacy of the criminal justice system. This can have negative outcomes and lead to an increase in criminal behavior. A larger sample is needed to conduct this type of research and qualitative research can assist to examine what type of violent inmate behavior actually results in receiving solitary confinement. Another aspect of prison adjustment that needs further exploration is the impact of prison programs and prison adjustment for women. This research did not have a central focus on the impact of prison programs and prison adjustment, however more research is needed to explore this in female prisons because past research indicates the lack of diversity in female prison programs. This can also affect prison adjustment and punishment. The sample in this study indicated very low childhood victimization rates and therefore it was difficult to analyze how prior victimization affected prison adjustment, new research should examine this because of the prevalence of victimization in gender based literature. Finally, parenting plays a big role among women because female inmates are more likely to be custodial guardians of their

children prior to their incarceration. This can have devastating effects on inmate adjustment. The bivariate results indicated that inmates who had regular contact with their children reported the least amount of infractions is an important fact that needs further exploration. Several states have innovative programs for mothers of young children and several countries around the world have emphasized the importance of maintaining parental ties between parents and their children. Findings from this study show that mothers who have regular visitation have the least amount of guilty infractions. This finding shows promise in supporting more parenting programs in prisons. The impact of parenting and prison adjustment needs further exploration in order to create future policy initiatives to help prisons address the importance of maintaining familiar relationships while in prison.

### ***Recommendations***

Several topics were discussed in this study. Findings suggest that more attention has to be paid to the issues of race, gender, parenting, prison infractions and punishments. The following section discusses possible policy recommendations or research enhancements to the present system.

After examining parenting and prison infractions, some suggestions for policy makers are that prisons can utilize parenting programs to help inmates adjust better to prison. Uggen and McElrath (2014) argue the importance of studying new programs that are being introduced in the prison system that are promoting the bond between children and their incarcerated parents. Also, they

urge criminal justice institutions to become more proactive in reducing the stigmatizing and criminalizing effects of prison on children who are unable to maintain a strong relationship with their parent once the parent is incarcerated. The preliminary findings of this study support the notion that regular visitation may be a positive policy incentive for correctional facilities to explore.

Prison infractions are an issue among both male and female prisons. Results from this research have found that members of all racial ethnic groups participate in some instances of prison infractions. The punishments associated with prison infractions can be very coercive, namely solitary confinement. It is important to understand and address how current practices are being implemented because there is disparity in how punishment is currently being implemented. There are very few data sources to access the practices prisons implement in order to punish inmates for infractions. Prisons can begin to look at issues of recording and documenting prison infractions and outcomes associated with infractions. Therefore, more accurate depictions of punishment practices can be assessed. Better research can be conducted to assess if disparity is an issue. Effective educational and rehabilitative programs should also be explored to help ease the pains of imprisonment. Gender specific programming and treatment should also be considered with the growing female inmate population.

This study has found that Black inmates are receiving solitary confinement more than white inmates. Therefore, more research and education should be directed towards prisons. Officials should also look into training correctional personnel about implicit biases and creating policies that can lessen disparate

treatment in prisons. Due to the large amount of inmates that are from communities of color, prison officials can look into creating programs that cater to the needs of inmates coming from disadvantaged communities so that they are better prepared to reenter society upon their release. Solitary confinement research has indicated that it is not an efficient policy and there are several physical, mental and psychological consequences associated with its use.

### ***Conclusion***

Maintaining order in prison is a very difficult task and sanctions have to be put in place in order to ensure officer and prisoner safety. However, issues of violation of rights must be addressed if there is a disparity in the way sanctions are being administered. This research has found that race is a significant factor whether you are male or female. Although females are treated more leniently by the corrections system, this leniency is not afforded to Black females. Studies on solitary confinement report on the devastating and long lasting effects on inmates. Historically, solitary confinement was seen as a more humane way of punishing inmates and was the basis of the penitentiary system, however past practices have shown that it was an ineffective system and thus can worsen prison conditions, therefore it was an abandoned practice and has recently emerged in order to maintain prison control. However, other forms of prison control that are effective include the availability of affective prison programs and maintaining social support systems. In an era that is dealing with the adverse consequences of the mass incarceration, it is increasingly important to understand how to maintain order in the most just and humane way. Many

inmates return from prison after serving their prison terms in already impoverished communities and many of them are victims of horrible pasts themselves. The goal of punishment must be examined to identify if it is more important to provide inmates with skills and help that they need or continue to segregate and continue past practices that have clearly been disproportionately inflicted on communities of color and have had negative outcomes that continue to recycle inmates within the system. More policies and research efforts need to continue looking at prison adjustment, prison punishment, race and gender to continue efforts to create a more just, affective and humane system of punishment.

## References

- Acoca, L.(1999 ). Investing in Girls: A 21<sup>st</sup> Century Strategy. Juvenile Justice, Volume VI, Number 1.
- Adler, F. (1975). *Sisters in Crime*. New York: McGraw-Hill
- Alder, C. M. (1998). "Passionate and willful" girls: Confronting practices. *Women and Criminal Justice*, 9, 81-101.
- American Bar Association and National Bar Association. (2001). *Justice by gender: The lack of appropriate prevention, diversion, and treatment alternatives for girls in the justice system*. Washington, DC: American Bar Association Juvenile Justice Center.
- Anderson, T. (2008). Introduction. In Anderson, T (Eds), *Neither Villain Nor Victim: Empowerment and Agency Among Women Substance Abusers*(p.1-9). New Brunswick, NJ: Rutgers University Press.
- Andersen, M., & Collins, P. H. (2004). *Race, class, and gender* (5th ed.). Belmont, CA: Wadsworth.
- Arnold, R. (1990). Women of color: Process of victimization and criminalization of Black women. *Social Forces*, 17, 153-166.
- Baines, M. and Alder, C.(1996). Are Girls More Difficult to Work With? Youth Workers Perspectives in Juvenile Justice and Related Areas. *Crime and Delinquency*. 42:467.
- Barak, G., Flavin, J., & Leighton, P. S. (2001). *Class, race, gender, and crime: Social realities of justice in America*. Los Angeles: Roxbury
- Baricol, L.A.(2000). The Disparate Treatment of Males and Females within the Juvenile Justice System. *Journal of Law and Policy*. Vol.2, pg. 429-457.
- Bartusch, D.J. and Matsueda, R.L.(1996). "Gender, Reflected Appraisals, and Labeling: A Cross-Group Test of an Interactionist Theory of Delinquency," *Social Forces* 75(1):145-177.
- Baunach, J.M. (2002). Parenting Programs in Women's Prisons. *Women and Criminal Justice* (14), 131-140.
- Beckett, K., Nyrop, K., & Pfingst, L. (2006). Race, Drugs, And Policing: Understanding Disparities In Drug Delivery Arrests. *Criminology*, 44(1), 105-137.



- Beckett, K., & Western, B. (2001). Governing Social Marginality Welfare, Incarceration, and the Transformation of State Policy. *Punishment & Society*, 3(1), 43-59.
- Belknap, J. (2001). *The invisible woman: Gender, crime, and justice* (2nd ed.). Belmont, CA:Wadsworth.
- Belknap, J. and Holsinger, K.(2006). The Gendered Nature of Risk Factors for Delinquency. *Feminist Criminology*, 1:48.
- Berry, P.E. and Eigenberg, H.M.(2003). Role Strain and Incarcerated Mothers: Understanding the Process of Mothering. *Women and Criminal Justice*, (15), 101.
- Blanchette, K.B.(2001). Classifying Female Offenders for Effective Intervention: Application of the case-based principles of risk and need. Comprehensive paper submitted in partial fulfillment of Ph.D. (Psychology), Carleton University.
- Block, C.R. et al..(2010). Long-Term Patterns of Offending in Women. *Feminist Criminology*, 5:73.
- Bloom, B., Covington, S., and Raeder, M. (2002). Gender-responsive strategies: Research, practice, and guiding principles for women offenders. Final draft National Institute of Corrections. Washington, D.C.
- Bloom, B.E. and Covington, S.S.(2001). "Effective Gender-Responsive Interventions in Juvenile Justice: Addressing the Lives of Delinquent Girls," Paper Presented at the 2001 Annual Meeting of the American Society of Criminology Atlanta, GA, November 7-10, 2001.
- Bloom, B. E. and Covington, S.S.(1998). "Gender-Specific Programming for Female Offenders: What is it and Why is it Important?" Paper Presented at the 50th Annual Meeting of the American Society of Criminology, November 11-14, 1998, Washington, D.C.
- Bloom, B., Owen, B., Deschenes, E., & Rosenbaum, J. (2002a). Moving toward justice for female juvenile offenders in the new millennium: Modeling gender specific policies and programs. *Journal of Contemporary Criminal Justice*, 18, 37-56.
- Bloom, B., Owen, B., Deschenes, E., & Rosenbaum, J. (2002b). Improving juvenile justice for females: A statewide assessment in California. *Crime & Delinquency*, 48, 526-552.

- Bloom, B., Owen, B., Covington, S.(2002). A Theoretical Basis for Gender-Responsive Strategies in Criminal Justice. Presented at the American Society of Criminology Annual Meeting. Chicago, IL. November 2002.
- Bloom, B. (Eds.). (2003). *Gendered Justice: Addressing Female Offenders*. Durham, N.C.: Carolina Academic Press.
- Blumstein, A. (1982). On the racial disproportionality of United States' prison populations. *The Journal of Criminal Law and Criminology*, 73, 1259–1281.
- Bottcher, J. (2001). Social Practices of Gender: How Gender Relates to Delinquency in the Everyday Lives of High-Risk Youths, *Criminology* 39:893-932.
- Brewer, R. M., & Heitzeg, N. A. (2008). The Racialization of Crime and Punishment Criminal Justice, Color-Blind Racism, and the Political Economy of the Prison Industrial Complex. *American Behavioral Scientist*, 51(5), 625-644.
- Bridges, G. S., & Steen, S. (1998). Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. *American Sociological Review*, 554-570.
- Bright, C.L. and Johnson-Reid, M.(2008). Onset of Juvenile court Involvement Exploring Gender-Specific Associations with Maltreatment and Poverty. *Child Youth Serv. Rev.* 30(8) :914-927.
- Bright, C.L., Ward, S.K, and Negi, N.J.(2011). "The Chain Has to be Broken":A Qualitative Investigation of the Experiences of Young Women Following Juvenile Court Involvement. *Feminist Criminology*, 6(1): 32-53.
- Britton, D.M. (2003). *At Work in the Iron Cage: The Prison as Gendered Organization*. New York University. NY, NY.
- Britton, D. M. (2004). Feminism in criminology: Engendering the outlaw. In P. J. Schram & B. Koons-Witt (Eds.), *Gendered (in)justice: Theory and practice in feminist criminology* (pp. 49-67). Long Grove, IL: Waveland Press.
- Burgess-Proctor, A.(2006). Intersections of Race, Class, Gender, and Crime: Future Directions for Feminist Criminology. *Feminist Criminology*, 1:27-47.
- Campbell, A. (2012). A place apart: the harm of solitary confinement (Doctoral dissertation, University of Toronto).

- Carson, E. A. (2014). Prisoners in 2013. Bureau of Justice Statistics, September 2014.
- Cauffman, E., Feldman, S., Waterman, J., Steiner, H.(1998). "Posttraumatic Stress Disorder Among Female Juvenile Offenders," *Journal of the American Academy of Child and Adolescent Psychiatry*, 37(11):1209-1216.
- Cauffman, E. et al. (2008). Bad Boys or Poor Parents: Relations to Female Juvenile Delinquency. *J. Res. Adolescence*, 18:4:699-712
- Chen, M. K., & Shapiro, J. M. (2007). Do harsher prison conditions reduce recidivism? A discontinuity-based approach. *American Law and Economics Review*, 9(1), 1-29.
- Chesney-Lind, M. (1997). *The female offender: Girls, women, and crime*. Thousand Oaks, CA: Sage Publications.
- Chesney-Lind, M., & Shelden, R. G. (2004). *Girls, delinquency, and juvenile justice*. Los Angeles, CA: West/Wadsworth.
- Chesney-Lind, M.(1989). Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency. *Crime and Delinquency*, 35(1): 5-29.
- Chesney-Lind, M., and Eliason, M.(2006). From Invisible to Incurable: The Demonization of Marginalized Women and Girls. *Crime and Media Culture*. 2(1), 29-47.
- Chesney-Lind, M.(2006). Patriarchy Crime and Justice: Feminist Criminology in an Era of Backlash. 1:6:6-26.
- Chesney-Lind, M., & Pasko, L. (2004). *The female offender: Girls, women, and crime*. (2nd ed.).Thousand Oaks, CA: Sage.
- Chesney-Lind, M., and Sheldon, R. (1998). *Girls Delinquency and Juvenile Justice*. (Belmont, CA: West/Wadsworth).
- Chesney-Lind, M. (1997). *The Female Offender: Girls, Women and Crime*. Thousand Oaks, CA: Sage Publications.
- Christian, J. and Thomas.S.S.(2009). Examining the Intersections of Race, Gender and Mass Imprisonment. *Journal of Ethnicity in Criminal Justice*, 7(1), 69-84.

- Clear, T. R. (2007). *Imprisoning communities: How mass incarceration makes disadvantaged neighborhoods worse*. Oxford University Press.
- Cloyes, K.G., Lovell, D., Allen, D.G., Rhodes, L.A. (2006) Assessment of psychological Impairment in a super maximum security sample. *Criminal Justice and Behavior*, 33(6):760-781.
- Collins, P. H. (2000). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. (2nd ed.). New York: Routledge.
- Contreras, A.M.(2003). Girls in America: Sex and Deviancy in the Age of HIV/AIDS. *Journal of Race and Justice*, 7, 357-??.
- Carbone-Lopez, K. and Miller, J.(2012). Precocious Role Entry as a Mediating Factor In Women's Methamphetamine Use: Implications for Life-Course and Pathways Research. *Criminology*, 50(1), 187-220.
- Covington, S.(2007). "The Relational Development of Women's Psychological Development: Implications for the Criminal Justice System," Published in *Female Offenders: Critical Perspectives and Effective Interventions*
- Crenshaw, K (1989) 'Demarginalizing the Intersection between Race and Sex: A Black Feminist Critique of Anti Discrimination Doctrine, Feminist theory and Anti Racist Politics' University of Chicago Legal Forum, 139167.
- Crenshaw, K (1991) 'Mapping the Margins: Identity Politics, Intersectionality and Violence against Women' *Stanford L Rev*, 43: 12411279.
- Curry, T. R., Lee, G., & Rodriguez, S. F. (2004). Does victim gender increase sentence severity? Further explorations of gender dynamics and sentencing outcomes. *Crime & Delinquency*, 50(3), 319-343.
- Daly, K. and Chesney-Lind, M. (1988). Feminsim and Criminology. *Justice Quarterly* 5:497-538.
- Daly, K. (1993). Class-race-gender: Sloganeering in search of meaning. *Social Justice*, 20, 56-71.
- Daly, K. (1994). Gender and punishment disparity. In M. Myers&G. Bridges (Eds.), *Inequality, crime, and social control* (pp. 117-133). Boulder, CO: Westview.

- Daly, K. (1997). Different ways of conceptualizing sex/gender in feminist theory and their implications for criminology. *Theoretical Criminology*, 1, 25-51.
- Daly, K., & Chesney-Lind, M. (1988). Feminism and criminology. *Justice Quarterly*, 5, 497-538.
- Daly, K., & Maher, L. (1998). Crossroads and intersections: Building from feminist critique. In K. Daly & L. Maher (Eds.), *Criminology at the crossroads: Feminist readings in crime and justice* (pp. 1-17). New York: Oxford University Press.
- Daly, K., & Stephens, D. J. (1995). The "dark figure" of criminology: Towards a Black and multi-ethnic feminist agenda for theory and research. In N. Hahn Rafter & F. Heidensohn (Eds.), *International feminist perspectives in criminology: Engendering a discipline* (pp. 189-215). Philadelphia: Open University Press.
- Davis, C.P. (2007). At-Risk Girls and Delinquency Career Pathways. *Crime and Delinquency*, 53(3), 408-435.
- Dowden, C. and Andrews, D.A. (1999). "What Works for Female Offenders: A Meta- Analytic Review," *Crime and Delinquency*, 45(4), 438-452.
- Drago, F., Galbiati, R., & Vertova, P. (2009). The deterrent effects of prison: Evidence from a natural experiment. *Journal of Political Economy*, 117(2), 257-280.
- Dostoyevsky, F. (1862). *The house of the dead*. Penguin.
- English, D., Widom, C., & Brandford, C. (2001). Childhood victimization and delinquency, adult criminality, and violent criminal behavior: A replication and extension (NCJ 192291). Washington, DC: National Institute of Justice.
- Feodor Mikhailovich Dostoyevsky (1821-81), available at <http://www.bartleby.com/73/1527.html>
- Finn, M. A. (1995). Disciplinary incidents in prison: Effects of race, economic status, urban residence, prior imprisonment. *Journal of Offender Rehabilitation*, 22 (1-2), 143-156.
- Flavin, J. (2004). Employment counseling, housing assistance... and aunt yolanda?: how strengthening families' social capital can reduce recidivism. *Criminology & Public Policy*, 3(2), 209-216.

- Fogel, C. I. (1993). Hard T: the stressful nature of incarceration for women. *Issues in Mental Health Nursing*, 14(4), 367-377.
- Fogel, C. I., & Martin S. (1992). Mental health of incarcerated women.. *Western Journal of Nursing Research*, 14, 30-47.
- Gallagher, C.A. and MacKenzie, D.L.(2000). A Meta-Analysis of Corrections-Based Education, Vocation, and Work Programs for Adult Offenders. *Journal of Research in Crime and Delinquency*, (47), 347-368.
- Garcia, C.A. and Lane J.(2010). Looking in the Rearview Mirror: What Incarcerated Women Think Girls Need From the System. *Feminist Criminology*, 5(3), 227-243.
- Gendreau, P., Little, T., & Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: what works. *Criminology*, 34(4), 575-608.
- Gerber, J., & Fritsch, E. J. (1995). Adult academic and vocational correctional education programs: A review of recent research. *Journal of Offender Rehabilitation*, 22(1-2), 119-142.
- Gilfus, M.E. 2002). *Women's Experiences of Abuse as a Risk Factor for Incarceration*. The National Online Resource Center on Violence Against Women, 1-13.
- Giordano, P.C., Cerkevich, S.A. and Rudolph, J.L.(2002). Gender, Crime, and Desistance: Toward a Theory of Cognitive Transformation. *AJS*. Vol. 107, No. 4, 990-1064.
- Glaze, L.E. (2011). Correctional population in the United States, 2010. Bureau of Justice Statistics: Bulletin. Washington, D.C.: US Department of Justice
- Goldstein, N.E. et.al.(2003). Co-morbid Symptom Patterns in Female Juvenile Offenders. *International Journal of Law and Psychiatry*, 26:565-582.
- Goodkind, S.(2005). Gender-specific Services in Juvenile Justice System: A Critical Examination. *Affilia*, 20(1), 52-70.
- Grassian, S., & Friedman, N. (1986). Effects of sensory deprivation in psychiatric seclusion and solitary confinement. *International Journal of Law and Psychiatry*.

- Grassian, S. (2006). Psychiatric effects of solitary confinement. *Wash. UJL & Pol'y*, 22, 325.
- Greenberg, D. F., & West, V. (2001). State prison populations and their growth, 1971–1991. *Criminology*, 39(3), 615-654.
- Greene, William H., (1993). *Econometric Analysis*, (5<sup>th</sup> ed.). Prentice Hall, 1993: 720-723.
- Guevara, L., et.al. (2006). Gender and Juvenile Justice Decision Making: What Role Does Race Play?. *Feminist Criminology*, 1(4), 258-282.
- Halpern, D. and LaMay, M. (2000). The Smarter Sex: A Critical Review of Sex Differences in Intelligence, *Educational Psychology Review*, 2229-246.
- Haney, L.A.(2010). *Offending Women: power, punishment and regulation of Desire*. University of California Press.
- Hairston, C. F. (1991). Mothers in jail: Parent-child separation and jail visitation. *Affilia*, 6(2), 9-27.
- Harrison, P. M., & Karberg, J. C. (2004). *Prison and jail inmates at midyear 2003*. Bureau of Justice Statistics Bulletin.
- Harwig, H. and Myers, J.(2003). A Different Approach: Applying a Wellness Paradigm to Adolescent Female Delinquents and Offenders. *Journal of Mental Health Counseling*, 25, 57-75.
- Haney (2003) Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement. *Crime & Delinquency*, 49(1), 124-156.
- Haynie, D. (2003). Contexts of Risk? Explaining the Link between Girls' Pubertal Development and Their Delinquency Involvement. *Social Forces*, 82, 355-397.
- Herrera, V.M., and McClaskey, L.A.(2001). Gender Differences in the Risk to Delinquency Among Youth Exposed to Family Violence. *Child abuse and Neglect*, 25,1037-1051.
- Herrera, V. and McCloskey, L.A. (2003). Sexual Abuse, Family Violence, and Female Delinquency: Findings from a Longitudinal Study. *Violence and Victims* 18, 319-334.
- Hubbard, D., & Pratt, T. (2002). A meta-analysis of the predictors of delinquency among girls. *Journal of Offender Rehabilitation*, 34, 1-13.

“Jaycees in Prison,” *Time*, May 14, 2008.

Jacobson, M. (2006). Reversing the punitive turn: The limits and promise of current research. *Criminology & Public Policy*, 5(2), 277-284.

Jacobs, D., & Carmichael, J. T. (2001). The politics of punishment across time and space: A pooled time-series analysis of imprisonment rates. *Social Forces*, 80(1), 61-89.

Jacobs, D., & Helms, R. E. (1996). Toward a political model of incarceration: a time-series examination of multiple explanations for prison admission rates. *American Journal of Sociology*, 323-357.

Kaba, F., Lewis, A., Glowa-Kollisch, S., Hadler, J., Lee, D., Alper, H., ....& Venters, H. (2014). Solitary confinement and risk of self-harm among jail inmates. *American journal of public health*, 104(3), 442-447.

Kleck, G. (1981). Racial discrimination in criminal sentencing: A critical evaluation of the evidence with additional evidence on the death penalty. *American Sociological Review*, 46, 783–805.

Konopka, G. (1966). *The Adolescent Girl in Conflict*. Englewood Cliffs, NJ: Prentice-Hall.

Laak, J. et al. (2003). Incarcerated Adolescent Girls: Personality, Social Competence and Delinquency. *Adolescence*, 38 (150), 251-265.

Lederman, C.S., Dakof, G.A., Larrea, M.A., Hua, L. (2004). Characteristics of Adolescent Females in Juvenile Detention. *International Journal of Law and Psychiatry*, 27, 321-337.

Leiber, M.J. and Mack, K.Y. (2003). The Individual and Joint Effects of Race, Gender, Family status on Juvenile Justice Decision Making. *Journal of Research on Crime and Delinquency*, 40(1), 34-70.

Leiber, M.J., Brubaker, S.J., and Fox, K.C. (2009). A Closer Look at the Individual and Joint Effects of Gender and Race on Juvenile Justice Decision Making. *Feminist Criminology*, 4 (4), 333-358.

Liebling, A. (2000). Prison officers, policing and the use of discretion. *Theoretical Criminology*, 4(3), 333-357.

Levick, M.L. and Shermen, F.T. (2003). When Individual Differences Demand Equal Treatment: An Equal Rights Approach to the Special



Needs of Girls in the Juvenile Justice System. Boston College Law School Public Law and Legal Theory Research Paper Series. Paper 12.

Lombroso, C. (1920). *The Female Offender*. New York: Appleton.

Lynch, M. J. (1996). Class, race, gender and criminology: Structured choices and the life course. In D. Milovanovic & M. D. Schwartz (Eds.), *Race, gender, and class in criminology: The intersections* (pp. 3-28). New York: Garland.

Lynch, J. P. (2001). *Prisoner reentry in perspective*.

Maccoby, E. and Jacklin, C. (1974). *The Psychology of Sex Differences*. Stanford, CA: Stanford University Press.

Maher, L. (1997). *Sexed work: Gender, race, and resistance in a Brooklyn drug market*. Oxford, UK: Oxford University Press.

Maschi, T., Schwalbe, C.S., Morgan, K., Gibson, S. & Violette, N.M.(2008). Exploring the Influence of Gender on Adolescents' Service Needs and Service Pathways, *Children and Youth Services Review*.

Mallicoat, S.C.(2007). Gendered Justice: Attributional Differences Between Males and Females in Juvenile Courts. *Feminist Criminology*, 2(1), 4-30.

Maschi, T., Schwalbe, C.S., Morgan, K., Gibson, S. & Violette, N.M.(2008). Exploring the Influence of Gender on Adolescents' Service Needs and Service Pathways, *Children and Youth Services Review*.

Mauer, M. (1999). The crisis of the young African American male and the criminal justice system (p. 3). April.

Mauer, M., & King, R. S. (2007). *Uneven justice: State rates of incarceration by race and ethnicity* (pp. 1-23). Washington, DC: Sentencing Project.

Maxfield, M., & Babbie, E. (2011). *Basics of research methods for criminal justice and criminology*. Cengage Learning.

Mazerolle, P., Brame, R., Paternoster, R., Piquero, A. and Dean, C. (1997). "Onset Age, Persistence, and Offending Versatility: Comparisons Across Sex," paper presented at the annual Society of Criminology meeting, Sand Diego, November

- McCall, Leslie (2005) 'The Complexity of Intersectionality', *SIGNS: Journal of Women in Culture and Society* 30(31): 1771–802.
- Mears, D., Ploeger, M., and Warr, M. (1998). "Explaining the Gender Gap in Delinquency: Peer Influence and Moral Evaluations of Behavior." *Journal of Research in Crime and Delinquency* 35, 251-266.
- Messerschmid, J.W.(2011). The Struggle for Heerofeminine Recognition Bullying, Embodiment ad Reactive Sexual Offending by Adolescent Girls. *Feminist Criminology*, 6, 203.
- Milovanovic, D., & Schwartz, M. D. (Eds.). (1996). Race, gender, and class in criminology: The intersections. New York: Garland.
- Miller, J. and Mullins, C.W.(2006). Status of Feminist Theories in Criminology. Chapter from "Taking Stock: Status of Criminological Theory" by Cullen, Wright and Blevins.
- Mirowsky, J. and Ross, C. (1995). Sex Differences in Distress: Real or Artifact? *American Sociological Review* 60, 449-468.
- Moore, L.D. and Padavic, I.(2010). Racial and Ethnic Disparities in Girls Sentencing in the Juvenile Justice System. *Feminist Criminology*, 5 (3), 263-285.
- Morenoff, J. D. (2005). Racial and ethnic disparities in crime and delinquency in the United States. Ethnicity and causal mechanisms, 139-173.
- Morgan, K. D., & Smith, B. (2008). The Impact of Race on Parole Decision-Making. *Justice Quarterly*, 25(2), 411-435.
- Morris, A. (1987). *Women, Crime and Criminal Justice*. Oxford: Basil Blackwell.
- Morris, R. (1964). "Female Delinquents and Relational Problems. *Social Forces* 43,82-89.
- Nash, J. (2008). Re-thinking Intersectionality. *Feminist Review* 89, 1–15
- Owen, B. (1997). Profiling the needs of young female offenders: final report to the Executive Committee California Youth Authority. Fresno, CA: Department of Criminal Justice Administration, Sonoma State University, 53pp.
- Office of Juvenile Justice and Delinquency Prevention. (1998). Female Juvenile

- Offenders: A status of the states report. 115pp.
- Office of Juvenile Justice and Delinquency Prevention. (2008). Violence by Teenage Girls: Trends and Context. Girls Study Group. 21pp.
- Office of Juvenile Justice and Delinquency Prevention. (2009). "Resilient Girls-Factors that Protect Against Delinquency," Girls Study Group.
- Office of Juvenile Justice and Delinquency Prevention (2008). "The Girls Study Group-Charting the way to Delinquency Prevention for Girls," Girls Study Group.
- Office of Juvenile Justice and Delinquency Prevention (2010). "Suitability of Assessment Instruments for Delinquent Girls," Girls Study Group.
- Office of Juvenile Justice and Delinquency Prevention. (2009). Juvenile arrests 2008. Retrieved July 16, 2010 from <http://www.ncjrs.gov/pdffiles1/ojjdp/228479.pdf>
- Olson, J. (2013). Social construction and political decision making in the American prison system (s).
- Olson, J., & Fording, R. C. (2011). Beyond the Imprisonment Rate: The Social and Political Determinants of Prisoner Treatment. In APSA 2011 Annual Meeting Paper.
- Ousey, G. C., & Lee, M. R. (2008). Racial Disparity in Formal Social Control An Investigation of Alternative Explanations of Arrest Rate Inequality. *Journal of Research in Crime and Delinquency*, 45(3), 322-355.
- Pasko, L.(2010). Damaged Girls: The History of Girls Sexuality in the Juvenile Justice System. *Journal of Criminal Law and Criminology*, 100(3), 1109-1130.
- Pajer, K.A.(1998). What Happens to "Bad Girls?" A Review of Antisocial Adolescent Girls. *American Journal of Psychiatry*. 155:7, 862-870.
- Pajer, K., Gardner, W., Rubin, R., Perel, J. and Neal, S. (2001). Decreased Cortisol Levels in Adolescent Girls with Conduct Disorder. *Archives of General Psychiatry* 58, 297-302.
- Percival, G. L. (2009). Testing the impact of racial attitudes and racial diversity on prisoner reentry policies in the US states. *State Politics & Policy Quarterly*, 9 (2), 176-203.

- Piliavin, I., & Briar, S. (1964). Police encounters with juveniles. *American Journal of Sociology*, 69, 206–214.
- Porporino, F. J., & Zamble, E. (1984). Coping with imprisonment. *Canadian Journal of Criminology*, 26, 403.
- Potter, H. (2006). An argument for Black feminist criminology: Understanding African American women's experiences with intimate partner abuse using an integrated approach. *Feminist Criminology*, 1, 106-124.
- Price, B.R. and Sokoloff, N.J. (2003). *The Criminal Justice System and Women: Offenders, Victims, and Workers*. (3rd ed.). New York: McGraw-Hill.
- Richie, B. (1996). *Compelled to crime: The gender entrapment of Black battered women*. New York: Routledge.
- Robinson, R.A.(2007). It's Not Easy to Know Who I am" Gendered Salience and Cultural Place in the Treatment of a "Delinquent" Adolescent Mother. *Feminist Criminology*, 2, 31-56.
- Robinson, M. B. (2002). *Justice blind?: Ideals and realities of American criminal justice*. Upper Saddle River, NJ: Prentice Hall.
- Rocque, M. (2011). Racial Disparities in the Criminal Justice System and Perceptions of Legitimacy A Theoretical Linkage. *Race and Justice*, 1(3), 292-315.
- Rodriguez, S.F., Curry, T.R., Lee, G.(2006). Gender Differences in Criminal Sentencing: Do Effects Vary Across Violent, Property, and Drug Offenses? *Social Science Quarterly*, 87 (2), 318-339.
- Sabol, W. J., Couture, H., & Harrison, P. M. (2007). *Prisoners in 2006* (NCJ 219416). Washington, DC: Bureau of Justice Statistics.
- Sampson, R. J., & Wilson, W. J. (1995). 'Toward a theory of race, crime, and urban inequality. *Race, crime, and justice: A reader*, 177-190.
- Selke, W. L. (1993). *Prisons in crisis*. Indiana University Press.
- Shalev, S (2009) *Supermax: controlling risk through solitary confinement*. Devon: Willan Publishing
- Sheppard, R.E.Jr.(2003). Girls in the Juvenile Justice System. *William and Mary Journal of Women and Law*, 9(1), 31-41.

- Silbert, M., & Pines, A. (1981). Sexual child abuse as an antecedent to prostitution. *Child Abuse & Neglect*, 5, 407-411.
- Siegel, J. and Williams, L. (2003). "The Relationship Between Child Sexual Abuse and Female Delinquency and Crime: A Prospective Study. *Journal of Research in Crime and Delinquency* 40, 71-94.
- Siegel, L., & Worrall, J. (2011). Introduction to criminal justice. Cengage Learning.
- Simon, R.K. (1975). *The Contemporary Woman and Crime*. Washington, DC: U.S. Government Printing Office.
- Simon, R. (1975). *Women and Crime*. Lexington, MA: Lexington Books.
- Smith, D.K. et.al.(2006). Adolescent Girls Offending and Health-Risking Sexual Behavior: *The Predictive Role of Trauma*. *Child Maltreatment*, 11(4), 346-353.
- Squatriglia, H.(2008). Lesbian, Gay, Bisexual and transgender Youth in the Juvenile Justice system: Incorporating Sexual Orientation and Gender Identity into the Rehabilitative Process. *Cardozo Journal of Law and Behavior*, 14,793.
- Sampson, R., & Wilson, W. J. (1995). Toward a theory of race, crime, and urban inequality. In J. Hagan & R. D. Peterson (Eds.), *Crime and inequality* (pp. 37-54). Stanford, CA: Stanford University Press.
- Shalev, S. (2008). A sourcebook on solitary confinement.
- Sokoloff, N., & Dupont, I. (2005). Domestic violence at the intersections of race, class, and gender. *Violence Against Women*, 11, 38-64
- Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The interaction of race, gender, and age in criminal sentencing: The punishment cost of being young, black, and male. *Criminology*, 36(4), 763-798.
- Steffensmier, D. and Demuth, S.(2006). Does Gender Modify the Effects of Race Ethnicity on Criminal Sanctioning? Sentencing for Male and Female White, Black and Hispanic Defendants. *Journal of Quantitative Criminology*, 22: 241-261.
- Steffensmeier, D. and Haynie, D. (2000). Gender, Structural Disadvantage, and Urban Crime: Do Macrosocial Variables Also Explain Female Offending Rates?. *Criminology* 38,403-438.

- Steffensmeier, D. and Allan, E.(1996). Gender and Crime: Toward a Gendered Theory of Female Offending. *Annual Review Sociology* 22,459-87.
- Thibodeau, J.(2002). Sugar and Spice and Everything Nice: Female Juvenile Delinquency and Gender Bias in Punishment and Behavior in the Juvenile Courts. William and Mary *Journal of Women and Law*, 8 (3), 489-518.
- Thomas, W.I. (1923). *The Unadjusted Girl* .New York: Harper and Row.
- Taggart, William A., and Russell G. Winn. 1993. Imprisonment in the American States. *Social Science Quarterly* 74,736–49.
- Travis, J., & Christiansen, K. (2006). Failed reentry: The challenges of back-end sentencing. *Geo. J. on Poverty L. & Pol'y*, 13, 249.
- Tonry, M. H. (1995). *Malign neglect--Race, crime, and punishment in America* (Vol. 95). New York: Oxford University Press.
- Uggen, C., & McElrath, S. (2014). Parents Behind Bars- First in a Series: Parental Incarceration: What we Know and Where We Need to Go. *J. Crim. L. & Criminology*, 104, 597-667.
- Vasiliades, E. (2005). Solitary Confinement and International Human Rights: Why the US Prison System Fails Global Standards. *Am. U. Int'l L. Rev.*, 21, 71.
- Vuolo, M., & Kruttschnitt, C. (2008). Prisoners' adjustment, correctional officers, and context: The foreground and background of punishment in late modernity. *Law & Society Review*, 42(2), 307-336.
- Wakefield, S., & Uggen, C. (2010). *Incarceration and stratification. Annual Review of Sociology*, 36, 387-406.
- Weber, L. (2001). *Understanding race, class, gender, and sexuality: A conceptual framework*. Boston: McGraw-Hill.
- Weber, L.,&Parra-Medina, D. (2003). Intersectionality andwomen's health: Charting a path to eliminating health disparities. In M. Texler Segal,V. Demos,&J. Jacobs Kronenfeld (Eds.), *Gender perspectives on health and medicine: Key themes* (pp. 181-229). Oxford, UK: Elsevier.

- Weidner, R. R., Frase, R. S., & Schultz, J. S. (2005). The impact of contextual factors on the decision to imprison in large urban jurisdictions: A multilevel analysis. *Crime & Delinquency*, 51(3), 400-424.
- Western, B. (2006). Punishment and inequality in America. Russell Sage Foundation.
- Wright, K. N. (1989). Race and economic marginality in explaining prison adjustment. *Journal of Research in Crime and Delinquency*, 26(1), 67-89.
- Yates, J., & Fording, R. (2005). Politics and state punitiveness in black and white. *Journal of Politics*, 67(4), 1099-1121.
- Zahn, M.A., Agnew, R., Fishbein, D., Miller, S., Winn, D.M., Dakoff, G., Kruttschnitt, C., Giordano, P., Gottfredson, D.C., Payne, A.A., Feld, B.C., Chesney-Lind, M.(2010). "Causes and Correlates of Girls' Delinquency," Office of Juvenile Justice and Delinquency Prevention. Washington, D.C.
- Zatz, M. (2000). Convergence of race, ethnicity, and class on court decision-making: Looking toward the 21st century. In J. Horney (Ed.), Policies, process, & decisions of the criminal justice system: Criminal justice 2000 (Vol. 3, pp. 503-552).Washington, DC: U.S. Department of Justice.