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A bulletin from the report

Gendered Violence and Safety:

A contextual approach to improving security in women's facilities

Owen, Wells, Pollock, Muscat & Torres
(NIJ Award # 2006-RP-BX-0016)

Translating Research into Practice:

Improving Safety in Women's Facilities

Marianne McNabb, Criminal Justice Consultant

INTRODUCTION

In response to the Prison Rape Elimination Act (PREA), the research report, *Gendered Violence and Safety: A contextual approach to improving security in women's facilities*, investigated the context of gendered violence and safety in women's prisons and jails. This report describes the many factors contributing to interpersonal violence in women's facilities. The report includes many comments and observations from the women themselves that describe both the dynamics and context of this violence.

The researchers conducted 40 focus groups with inmates and staff in jails and prisons around the country. Separate staff (both custody and non-custody) focus groups were conducted, as well as detailed individual interviews with both staff and inmates. File and record reviews were also conducted, as well as analysis of a variety of reports.

The results of this study offer correctional administrators and policy-makers some thought-provoking insights, as well as possible approaches to enhancing safety for incarcerated women. The research covers a wide range of issues and topics, and highlights many areas for operational consideration, and it confirms what many correctional professionals have long known: paying attention to those factors that create a safe environment for women is good operational practice. This may result in more effective and efficient use of our resources; creating a safer environment for staff and volunteers; fewer reasons for inmates to resort to litigation and finally, returning women to their communities with more skills and the potential to succeed.

The researchers found that violence in women's jails and prisons is not a dominant aspect of everyday life, but exists as a potential, shaped by time, place, interpersonal relationships and staff actions. Additionally, they learned that any form of violence had the potential for escalating into a more serious and dangerous form.

Translating Research into Practice: Improving Safety in Women's Facilities (McNabb) is a bulletin from the report *Gendered Violence and Safety: A contextual approach to improving security in women's facilities* (Owen, Wells, Pollock, Muscat & Torres).

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For further information on the project, *Gendered Violence and Safety: A contextual approach to improving security in women's facilities*, please contact Barbara Owen at the Department of Criminology, CSU Fresno, barbarao@csufresno.edu

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This bulletin will focus on those factors, identified during the course of the project, related to prevention. Prevention, through staff training, and good operational policies, as well as inmate programs and services, is a primary strategy for ensuring safety for women. A comprehensive, multi-level approach to prevention is critical. Suggestions for policy or practice enhancements related to these factors will also be explored.

PREVENTION

I. Individual Factors

Through the focus groups and individual interviews, the women participating in the research described their unique route into the criminal justice system. It is generally quite different than the paths that bring men into custody.

Many of them have experienced a history of victimization, violence and trauma, beginning in their childhood. Their backgrounds include both physical and sexual trauma, often in the context of domestic/family abuse. Many also have a history of substance abuse, difficult or non-existent family relationships, as well as economic hardship. The women may be

supporting dependent children and/or intimate partners. Drug and alcohol use may also be part of the environment.

One of the effects of abuse and trauma is Post-Traumatic Stress Syndrome (PTSD). As described in the research, 'triggers' can recreate an abusive situation in the mind of the victim, no matter how far removed from the initial traumatic events. Typical responses to these triggers can include a violent reaction that is radically out of proportion to the threat, or an under-reaction, where the victim reacts in a passive way.

These factors impact how women experience incarceration. In addition, standard procedures used in male and female correctional settings, such as cell and body searches, use of restraints and segregation housing, can act as triggers to re-traumatize women who have histories of abuse. Cross gender supervision, especially in those areas where there should be some expectations of privacy, can further re-traumatize women.

According to staff and inmates involved in the research, there are additional individual attributes that may make women more vulnerable to victimization while incarcerated:

- mentally challenged, mentally ill and those with physical disabilities,
- age, both young and unsophisticated and older inmates,
- first timers of any age, particularly short-timers,
- non-English speakers,
- those who 'act like a victim', i.e., communicating fear and passivity
- conspicuous consumers, i.e., those who flaunt their resources
- those with particular types of offenses, e.g., cases related to harming children

What comes across so clearly in the words of the women is the notion that they do not come from safe environments and do not consider either jails or prisons to be safe places. The first responsibility of correctional administrators—whether a Warden or a housing unit supervisor—is to establish a safe environment, where women in confinement come to no harm.

Prevention/Intervention Strategies:

1. Classification and assessment activities generally take place during the intake and reception period of incarceration. These instruments are used to assess the individual inmate's needs and to assign them to the appropriate custody designation. In order to be effective, these instruments should be able to assess the specific needs of women, and to provide as much information as possible regarding prior trauma and victimization, in order to ensure they are directed to appropriate programs and services.

Many jurisdictions, including both jails and prisons, are now utilizing classification and risk/need assessment tools that have been developed and validated for women. These gender responsive tools recognize that women present a lower level of risk to institutional security and community safety.

2. New inmate orientation should include a practical discussion regarding how women can best protect themselves and avoid risky relationships and situations while incarcerated. This could effectively be paired with an orientation to the Prison Rape Elimination Act (PREA). In those institutions with long-term inmates, it might be beneficial to use a group to assist in orienting new women in productive ways to 'do their time'. A key element of orientation needs to address understanding and establishing personal boundaries.
3. Understanding that women come in to custody with histories of violence and abuse, it is critical that the programs and services provided to women be sensitive to this history and incorporate appropriate gender responsive principles. Providing clinical treatment to those who are still dealing with trauma is critical.
4. Related to this, women entering the correctional world need to be educated about trauma and the dynamics of PTSD, as well as how this may impact their behavior and the behavior of others.
5. In terms of those inmates who may be vulnerable to victimization, policies should be developed that address those issues that contribute to this vulnerability. These policies and practices could include heightened supervision as well as orientation and education programs specifically targeted to these vulnerabilities.

II. Relationship Factors

The research clearly describes the relational aspect of women in custody. Listening to the voices of the women in the focus groups and in the interviews provides a real appreciation for the depth and importance of these relationships to the women. The research data suggest that troubled relationships among the women make a significant contribution to the potential for violence and conflict in these facilities.

The majority of relationships in prisons and jails involve other inmates. From a practical standpoint, there is no way correctional policy makers or institutional wardens will be able to eliminate relationships among women. Significant research has been done that clearly demonstrates how and why women create and rely on interpersonal relationships. What administrators must address, however, is the nature of these relationships:

- Are they coercive or abusive?
- Do they create alliances that may impact the safe operation of the facility?
- What might the consequences be if these relationships hit troubled waters?

Because of their history and prior experiences, most women come into the correctional environment without the knowledge and skills to establish and maintain a healthy relationship. There may have been prior issues of power and control, of manipulation or exploitation. They bring these experiences with them into jail and prison. These experiences form the lens through which they view each other, as well as how they view staff. The research points to some of the reasons these relationships should concern administrators:

The reasons why these relationships involve violence are manifold: prior victimization of either or both partners, poor coping skills, the association between romantic relationships and commissary resources, and the lack of other outlets for self esteem or self validation, seem to be elements that contribute to relationship violence.

The research also cautions us to understand that not all relationship violence occurs in sexual relationships, it can and does include relationships between friends and cell-mates. It is also important

to understand that healthy relationships can be a source of strength.

One important area that is not mentioned in the research, but assumes huge proportions in the facilities, are the women's relationships outside the institution, especially those with their children. Prevention and intervention strategies could be very useful in this arena as well, with short and long term benefits. Most women will return to the community to care for their children. Children often visit the institutions where their mothers are incarcerated. Learning how to manage conflict, how to more effectively communicate and how to establish healthy boundaries could have a significant impact on family stability.

Prevention/Intervention Strategies:

1. Topics covered during the intake/orientation phase need to include an open discussion of the policies and parameters of the relationships—both sexual and non-sexual—that women may engage in while in custody.
2. All inmates should be required to participate in programs that help them understand how to identify and develop healthy boundaries within and outside relationships, including those interactions with staff.
3. Related to this, provide programs, preferably led by trained clinicians, to educate women on the cycle of violence and provide alternatives to violence, such as conflict resolution, anger management, batterer intervention programs, and provide alternative ways for women to develop pro-social and healthy relationships with those they interact with.
4. Provide enough opportunities for involvement in effective programs and services that provide constructive activities while in prison and jail.
5. Review of current policy and practice regarding housing assignments and housing change requests should be done to ensure that the process is consistently fair and that avenues exist for women to change a dangerous or potentially dangerous housing situation. Incorporating an objective (outside the chain of command) review of determinations is one way to keep the process transparent.

III. Institutional Factors

For those of us running correctional facilities, this is the area where we have great potential to improve the safety of women under our custody. The improvement must include a change in some of our own attitudes and beliefs, as well as a willingness to confront a culture that does not necessarily support health and safety.

For the women involved in the research, the institution includes the physical space and climate of both the living units (dorm or cell) and the facility itself. As the report findings suggest, institutional factors:

... include the level of violence tolerated by the inmate population and the staff; the presence or absence of all forms of sexual harassment of women inmates by staff, a rehabilitative or custodial approach to facility management; attitudes toward women offenders, and verbal/non-verbal interactions that are degrading, humiliating, and/or serve to decrease one's self-esteem while also perpetuating feelings of worthlessness, hopelessness, and despair.

Women in the focus groups describe verbal interactions with both male and female staff. Verbal conflict was said to be part of everyday interaction between female inmates and staff. The lack of respect, the sexualized nature of much of what is said as well as the degrading things that are said to the women all constitute harassment and should not be tolerated. The women themselves refer to this as 'down talking' and it undermines all efforts at rehabilitation and in fact, re-traumatizes women. Staff must recognize this kind of communication as violence.

The research makes it very clear that violence among women inmates exists along a continuum; this verbal intimidation often leads to more serious and more harmful kinds of violence. Administrators must take a clear and firm stand against inappropriate language and all forms of "down-talking".

The researchers also found that 'place' has an important role in inmate perceptions of safety. In every institution involved in the study, both inmates and staff identify some facilities and housing units as more risky and dangerous than others. The research describes how living units function as

Translating Research into Practice: Improving Safety in Women's Facilities

“neighborhoods” and, as such, function as the physical place where the processes that shape violence or safety converge.

There are some environmental and social characteristics of these “neighborhoods” that promote these feelings of fear: many units are chronically overcrowded and under-supervised. There were repeated comments from the women in the focus groups that “anything can and might happen.”

In most correctional facilities, there is typically a lack of privacy and few areas that women can claim as their own space. Cleanliness is frequently an issue—women in the groups complained that they were not provided adequate supplies to keep their living areas clean. The women have a legitimate fear of contracting illnesses and diseases while in confinement.

Many correctional systems use only a rough classification sorting process when they assign women to living units. Mixing populations with varying degrees of vulnerability can cause serious conflict and jeopardize the safety of those most vulnerable. These living units are also often very noisy and chaotic, making an already problematic situation worse.

The absence of meaningful activities or programs contributes to boredom, and does nothing to assist inmates in developing marketable skills. Lack of economic resources or opportunities to work creates the potential for economic exploitation and conflict. This exploitation, which can take many different forms, includes stealing, intimidating and pressuring for commissary items or packages, or even begging.

Lack of economic resources can lead to debt. These debts can occur over failure to pay for services or over commissary items, or more seriously, contraband (tobacco now being the most popular form of contraband). Some interpersonal relationships between the women were also seen to be based on economic exploitation.

Research findings indicate that this economic conflict has the potential to escalate to more severe forms of violence. Retaliation for theft, reacting to extortion or settling debts was said to lead to verbal threats and physical violence.

Economic exploitation of women offenders by staff, as described by the women, takes two forms. In the less serious form, staff provides the women with

more desirable food or privileges, such as extra phone calls, in order to obtain extra work or to gain cooperation. The more severe form of economic exploitation almost always involves sexual exploitation, ranging from inappropriate sexual conversations and comments to touching and looking at the women's bodies to sexual acts. What is most disturbing is that the women are able to describe the “going rate” for these ‘exchanges’ and believe they are not being exploited. The implications of this, from a perspective of safety and violence, are appalling.

One of the first areas to target to address prevention is staff training. Training must provide correctional staff with a clear idea of the population they are responsible for supervising. This would include a thorough orientation to the profile of women offenders as well as the different way they enter the criminal justice world. Correctional administrators must prepare staff, to help them develop constructive attitudes and the interpersonal skills necessary to effectively respond.

It should go without saying that staff must also be trained in policy and applicable law regarding staff sexual misconduct, as well as the unique dynamics and prevention of sexual assault within facilities for women.

Many staff in the focus group project felt sexual violence between women was defined by their policies as well as by PREA, as being more difficult to detect and prove. Also mentioned was the difficulty in distinguishing between consensual vs. coerced sexual relationships. For this reason, staff felt that their ability to respond appropriately depended on the inmate reporting. Both inmates and staff identified the many reasons there would be no report: lack of knowledge about how to report; being afraid of retaliation or being considered a “snitch”; as well as a lack of confidence in the investigation process.

Even when there are appropriate policies in place, inmates are reluctant to report their concerns. As noted in the study, past victimization can also contribute to a woman's feelings of helplessness and hopelessness that inhibits their ability to seek protection.

Women inmates interviewed and surveyed for this project have also said that reporting information is not clear and that reporting phone numbers are often incorrect, inaccessible and use of these numbers can create feelings of vulnerability. These

Translating Research into Practice: Improving Safety in Women's Facilities

feelings are grounded in reality: the gossip network in an institution is remarkable; reporting an incident quickly becomes known to other inmates and staff. This lack of confidence in the reporting process, on the part of the women inmates, is a key finding in the study.

Correctional administrators should make a clear and careful distinction between the times a woman discloses sexual misconduct to gain treatment or counseling and when she might report to begin a formal investigation. Inmates should be provided a way to get treatment that is not necessarily tied to an investigation or disclosing names. This can only enhance trust and safety for women, and significantly supports the goals of PREA.

Prevention/Intervention Strategies:

1. Using an interdisciplinary review team, conduct periodic health and safety assessments of the institution, focusing both on physical plant considerations as well as the environmental aspects of the living units. Results of these assessments should go directly to the Warden/ Superintendent for review and action.
2. Establish a practice of a weekly facility walk-around by all managers, with information to be shared at executive team meetings. Increasing supervisory presence and accountability has a positive impact on creating a culture of safety.
3. Establish an inmate advisory group-composed of representatives of a good cross section of the population-from different housing units, custody levels, etc. The purpose of an advisory group would be to provide a recognized forum for communication and interaction, creating a safe place/time to talk and be listened to. In order to ensure credibility, make sure it is chaired by an executive level staff person.
4. Make muster or shift-briefing an identified time to talk about all aspects of institutional safety, and to debrief findings from walk-around, safety assessments, etc.
5. Consider how and where vulnerable populations are housed. Mixing these populations in with general population women can create serious problems. Depending on your facility, you may want to house them separately.
6. In order to address the economic exploitation (by either inmates or staff) of indigent inmates,

ensure that there are avenues available to all of the women to secure funds for commissary. Many jurisdictions provide a stipend for all types of programming, in addition to wages for institutional jobs. This can help level the playing field in terms of financial resources.

7. All staff should receive training concerning appropriate ways to manage and supervise female offenders. A strong emphasis must be on training staff to be respectful and to avoid demeaning, derogatory or abusive language. Staff working with incarcerated women also need to understand the role of trauma and victimization in the how the women enter prisons and jails. The National Institute of Corrections, through their technical assistance avenues, provides curriculum and materials that can be used in a jail or prison setting.
8. Ensure that reporting and investigation policies/procedures that protect confidentiality provide treatment and referrals for services, while maintaining safety for victimized women are in place and routinely reviewed.
9. Create a variety of ways for inmates to report sexual abuse and monitor the effectiveness of these reporting mechanisms. Monitoring may include feedback through the inmate advisory council or anonymous inmate surveys.
10. The research team recommends that institutions adopt a review team concept, whereby multiple individuals review specific reported cases. The review team could include individuals who are not parties to the report, but who are knowledgeable of correctional policies and procedures and issues of victimization. This could be another opportunity to demystify the investigation process for both inmates and staff.

IV. Societal Factors

Correctional facilities, whether they are city or county jails, or state prisons, exist within communities. Historically, these communities have had very little involvement in the day to day operation of these facilities. Unless there was an escape or some other high-profile event, few in the community concerned themselves with either the inmates or the staff working in them. For their part, correctional administrators were cautioned to keep a low profile, not to invite attention and to maintain a world closed to the general public.

These institutions mirror, often to an exaggerated degree, some of most damaging aspects (beliefs and attitudes) present in the 'real world'. Such attitudes include racial, religious, sexual orientation and gender prejudice and discrimination, economic inequalities to name a few. As noted by the researchers: norms, beliefs and social and economic systems can also reinforce individual, relational and institutional risk factors.

Expanding the involvement of the larger community in the life of the institution can result in a safer environment for both the inmates and the staff and institution. Normalizing the environment, broadening staff and inmate horizons and introducing community resources are a few of the benefits of opening the closed world.

Prevention/Intervention Strategies:

1. Seek ways to involve the community. Some suggestions include: establishing community advisory boards, creating community work initiatives, establishing internships with local colleges and universities, taking advantage of all opportunities to publicize the activities within the institution, increasing the involvement of volunteers. Providing mentors and credible role models may be one of the most beneficial aspects of opening the institution to the community.
2. Seek whatever resources are necessary to increase family interaction and visitation; the great majority of women return to their children and seek to maintain those ties. Parenting classes may be an additional way to assist women in creating and maintaining safe and healthy relationships with their children.
3. Utilize the expertise of professionals in the community who understand and can help address the issues of domestic violence and sexual assault. They can assist in a variety of ways: developing and delivering initial orientation, providing clinical treatment or assisting with program development. This may involve developing formalized agreements and protocols.
4. Attitudes, beliefs and stereotypes regarding women, including homophobia, need to be challenged and changed; train and educate staff and inmates regarding negative perceptions.

5. Recruit and hire the best staff. Spending time at the front-end is critical. Use all available screening tools and seek the assistance of skilled professionals to ensure that those hired possess the background, skills, attitudes and abilities to promote a safe environment.

CONCLUSION

The scope of this multi-state and multi-facility research is remarkable and the findings even more so. In this short bulletin, only the surface has been scratched. The depth and complexity of the project findings and report call out for further analysis and certainly for a sustained conversation regarding the results. This work challenges those of us who design and administer correctional facilities for women to think and act in different ways. In our response to sexual violence, we need to move beyond just counting and sanctioning. While these are important, there is more to be done in terms of prevention, intervention and treatment; a more comprehensive approach is needed.

The good news is that safety for women in jail's and prisons has improved. Women said that policies and sanctions regarding staff sexual misconduct had curtailed the most obvious forms of this prohibited sexual behavior; staff, too, recognized the effect of these policies. What we know about incarcerated women and their pathways into criminality has also increased. Many talented and innovative individuals see the need for a holistic, research-based approach in designing interventions for women offenders. The response to the Prison Rape Elimination Act on the part of correctional administrators and policy makers has meant a serious realignment of priorities and resources.

This research provides another rich resource for our profession and moves the corrections field closer to improving safety in women's correctional facilities, and meeting the goals of PREA.