

Making Women Count: Women Offenders in Massachusetts

This fact sheet provides current data on the numbers and key concerns of women offenders in Massachusetts. It outlines the rationale for removing women with county sentences from state prison; for greater use of gender-responsive treatment programs; and for increasing alternatives to imprisonment for low-risk women offenders. Its purpose is to inform policymakers, administrators and community leaders who are questioning the wisdom of policy trajectories that assume the women's prison population will continue to grow, and that more prisons will need to be built.

Background: U.S. Incarceration Rate and Cost

The U.S. has one of the highest incarceration rates in the world. In 2007, over two million prisoners were held in federal, state and local correction institutions; 203,100 were women (Sabol, West, & Cooper, 2009; Women's Prison Association, 2009).

- The growth in the incarcerated population is not matched by a comparable increase in crime: much of it is accounted for by mandatory minimum sentencing practices and parole limitations, and “three strikes and you’re out” policies.
- The total cost of incarceration in the U.S. is estimated at over \$5 billion a year. The average annual cost per prisoner is \$29,000 compared to \$2,750 for parole, and \$1,270 for probation (Warren, Gelb, Horowitz, & Riordan, 2008).

Incarceration in Massachusetts

Compared with most states, Massachusetts has a relatively low incarceration rate, ranking 48th in the nation. However, its population is expected to increase, the recidivism rate is high, and it has some of the highest costs:

- In 2004-2009, the Massachusetts prison population increased by 17%, from 8,600 to 10,000.
- Between 2009 and 2019 the Massachusetts prison population is projected to increase from 10,000 to 13,400 (Ware et al 2009).

- Between 2009-2019, the women's population is expected to increase at a greater rate than for men: 2.8% per annum compared to 2.5%.
- The projected increase in the women's population held in MCI-Framingham (MCI-F) alone is expected to go from a daily count of 606 to 784, 339 of whom are still expected to be county prisoners (Ware et al 2009).
- The three-year recidivism rate (former inmates who are reincarcerated) is 43%.
- In 2010, it cost almost \$46,000 a year to maintain an inmate (Executive Office of Public Safety and Security 2010).

Women in Prison

Historically, the neglect of women prisoners has often been ‘justified’ by their relatively small numbers. However, the population data can be misleading, since they are typically snapshot data based on a single day's count. In fact, data on population growth and annual figures reveal more complex trends.

The Myth of Small Numbers

- Between 1977-2004, the Massachusetts female prison population grew by almost 400%, with an average *annual rate of increase* of 8.7% per year (Women's Prison Association, 2005).
- In 2003-2007, the number of women *court commitments* to the Department of Correction (DOC) doubled from 981 to 1976. (D.O.C. Massachusetts, 2009).
- In 2008, women made up 32% of all court commitments to the DOC, and women made up 35% of the released population (Ware, Austin, & Ocker, 2009).
- The *average daily count* of incarcerated women in DOC and county Houses of Correction (HOC) is approximately 1400 but the *higher prison turnover rate for women* results in an annual count of incarcerated women at closer to 8,000 (Kates, Mignon, & Ransford, 2007; Kates, Ransford, & Cardozo, 2005).

The Myth of “Easy Time”

The length of women’s sentence is typically underestimated. In fact, women in Massachusetts are “over-incarcerated.”

- Although women’s “county time” averages 24 weeks, their average state sentence is 4.2 years, compared to 4.7 years for men.
- In 2008, almost half of the women who were sentenced to “county time” (minimum security) were held in the medium-maximum state prison at MCI-F, compared to 0.2 % of county sentenced men who were held in a state prison (DOC 2008).
- In November 2009, over 20% of women held at MCI-F were in the Awaiting Trial Unit (ATU), compared to 3% of men who were in state facilities awaiting trial.
- Half of the women in the ATU were held there because they could not pay even \$50 bail.

Inequities of family impact

An estimated two-thirds of women offenders in Massachusetts are mothers, over half of whom had lived with their children prior to arrest.

- In 2009, an estimated 15,000 children were affected by their mothers’ incarceration.
- When women are arrested, their children are displaced, unlike the children of male prisoners who tend to remain with their primary caregivers.
- Their children are more likely to be moved several times and to be separated from siblings.
- Women housed at MCI-F, far from their home communities, are at risk of losing contact with children and permanently losing custody.
- Half of the women inmates at MCI-F do not receive visits from their children (Kates, Mignon et al. 2007).
- Studies and reviews in 2005 and 2008 highlighted the poor physical conditions, and lack of care for pregnant women at MCI-F.

Inequities in access to treatment

Women offenders need gender-responsive resources to overcome addictions and histories of sexual and physical abuse.

- In 2004, a statewide review of DOC highlighted the lack of facilities for women at MCI-F, but their conditions are still problematic (D.O.C. Massachusetts, 2004).
- The ATU continues to hold women at 250% of capacity.

- In 2008, over two thirds of the sentenced women in MCI-F had a formal mental health diagnosis, compared to just over one quarter of the sentenced men.
- Women held in MCI-F instead of their counties are deprived of access to local gender-responsive resources that could help them to become rehabilitated (Kates 2010).

Recommendations

There is growing recognition throughout the U.S. of the need to reduce prison populations and the cost of incarceration. With 85% of women committing non-violent crimes they are appropriate for consideration of **Alternatives to Incarceration (ATI)**, e.g., jail diversion and pretrial diversion programs. Massachusetts could take the lead in:

1. Expanding the use of ATI (including Jail diversion and other forms of pre-trial diversion).
2. Diverting women to gender-responsive community-based treatment programs can prevent women from serving time in MCI-F for county offenses.
3. Reviewing bail practices to reduce the overcrowding of the ATU the state prison.
4. Exploring the increased use of probation and community corrections.
5. Increasing the use of Evidence-based practice, e., the introduction of innovation based on reliable research and proven program effectiveness.

Selected References

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