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From Reformatories, to Today, and into the Future: What Needs to Change for Female Offenders

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From Reformatories, to Today, and into the Future:

What Needs to Change for Female Offenders

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Introduction

Without a form of punishment, there would be no order and crime would thrive. In order to counteract delinquency, people have been establishing varying types of discipline. Originally prisons were only utilized as a form of punishment or a storage place for people that were awaiting trial or the expiration of their sentence (Rafter, 1997). Then the criminal justice system migrated towards a more humane system of Reformatories. As time has gone on, the justice system has evolved to intertwine punishment and reforming the prisoner for their return to civilization. As we progress, so does the criminal justice system. It is always working towards trying to figure out what works inside and out of the correctional institution. Additionally, due to the fact that “women in prison make up one of the most oppressed, vulnerable, and invisible groups in society,” they are constantly being overlooked (Cullen, Jonson, & Stohr, 2014, p. 87). As a result of this, the correctional system is far from having an ideal structure for optimal reform tactics and to achieve low to no recidivism.

Reformatories

At first, women were being added into the general population of the prison system and were mixed with male prisoners, except for their rooming situation (Cullen, Wilcox, Lux, Jonson, 2015). From there, women slowly began to be filtered out of the general population by use of either separate sections or independent buildings that were still on the same correctional complex as the male offenders (Cullen, Wilcox, Lux, & Jonson 2015). In the late 19th century, progressives brought about the Reformatories. The progressives happened to be of middle-class socioeconomic status, thus they formed the programs around their values (Carroll, 2017a). These Reformatories were completely disconnected from any male facilities and were built on their grounds, which also meant that they included entirely different regimens and ruling. The

reformatories were made up of cottages for a gentler and more domestic atmosphere and as a way to move away from the maximum security system (Rafter, 1997). Even though the separation of female institutions had good intentions, it did not aid women in receiving the attention or aid that they needed. Cullen, Wilcox, Lux, and Jonson (2015) explained how this detachment made the female offenders become neglected due to the low numbers and historical worth which led chaplains and physicians to not even visit the female institutions.

Inside of the Reformatories the women would be forced to train in only domestic actions, including cooking, sewing, and childcare (Carroll, 2017a). During this century, women were domestically grounded and the goal was to become the perfect caretaker and housewife, thus prison programming focused on this norm rather than educating the women or aiding them in finding a job. Additionally, women would be arrested for petty crimes that were not considered criminal for males, such as minor thefts, intoxication, or expressing promiscuity (Carroll, 2017a). Additionally, some women who were caught having a child out of wedlock, even if they were sexually victimized, would be sent to one of the reformatories (Rafter, 1997). During this process, if women were to act out or not conform to the suggested treatment then they would be considered “feeble-minded” and sent to an insane asylum (Carroll, 2017a). However, if some of the women had good behavior and were granted early release, they would be sent to “good homes” to become domestic servants (Rafter, 1997). Alternatively, since crime was viewed as a disease during this time, if a woman was viewed as incurable then she would be given a life sentence (Rafter, 1997). Furthermore, there were several types of treatments that would be done on these women. One of these was using mercury or silver for diseases such as syphilis or gonorrhea (Rafter, 1997).

In the end, the Reformatories were deemed a success as many women appreciated the help and later on maintained long-term marriages, however there were cases of women that would run away and there were claims that some inmates received cruel treatment (Rafter, 1997). Even though this type of program was deemed beneficial during the 19th century, it would not aid many women today. This is due to the fact that there was a lack of education, no healthcare, increased substance abuse, more exposure to abusive relationships, and there was very little social support for these women inside or outside the prison (Cullen, Jonson, & Stohr, 2014). Furthermore, just learning domestic skills would not aid any women in the more egalitarian workforce that exists currently. Also, the view of sexuality and acceptable drinking has changed, thus if the laws were the same then the majority of women would be in jail for having children out of wedlock or intoxication. In this day and age, women are being convicted for more than just petty crimes. These include drug use or selling, theft, assault, and even murder. According to Carson (2015), in 2014, 37% of women were incarcerated for violent crimes, 28% for property offenses, 24% for drug-related crimes, and only 9% for public order crimes. Hence, Reformatories would not be functional in today's new environment nor would fit the current societal view of women.

Today's Prisons

The current prison systems for women have changed drastically from the days of the Reformatories. Since the Reformatories, there was a shift in emphasis from treatment to punishment, managerialism, and gender equity (Carroll, 2017b). This meant that the idea of female offenders has changed and that they are no longer viewed as Kruttschnitt and Gartner (2000) said, "maladjusted and misguided individuals in need of treatment but as dangerous and irredeemable criminals in need of strict control" (as cited in Carroll, 2017b). Nowadays women

are more likely to be arrested for drug-involved crimes or property crimes instead of promiscuity or public drunkenness. In 2015, over half of the female offenders, about 60%, were incarcerated in federal prisons for drug-related crimes (Carroll, 2017b). In addition, about 25% of female offenders were incarcerated in state prison for drug crimes, around 27% for property crimes, and surprisingly about 36% for violent crimes (Carroll, 2017b). According to Kajstura (2018b), in 2018, only around 10% of women in state prisons were convicted of public order crimes and around 25% of women in state prisons are incarcerated for property or drug-related crimes. This shows that there has been a shift, from the past, within the criminal justice system and with civilians from focusing on petty public disorder crimes to drug or property crimes.

Today, the pains women face from imprisonment are more psychological and not physical, such as the loss of privacy, self-esteem, intimacy, their identity, and psychological isolation (Carroll, 2017b, Giallombardo, 1966). Thus, it has been viewed that female prisoners will attempt to cope with prison life quite differently than their male counterparts. For instance, they are less likely to adhere to the prison inmate code, which consists of not being weak, exploiting other inmates, not ratting out others, interfering with others, “bringing the heat” or being hostile, and to just do your own time (Carroll, 2017b). This inmate code tends to be identified with male inmates, however women have some similar aspects. These include no snitching, “see and see nothing,” and “hear and hear nothing” (Giallombardo, 1966). For the most part women will instead bond with other inmates and create extended “families” to deal with the stresses of incarceration (Carroll, 2017b). These “families” consist of women playing different roles as members of a family such as father, mother, grandchildren, siblings, or cousins (Carroll, 2017b).

One major change that has been implemented is the use of supermax prisons and the use of solitary confinement. Research has shown that women are especially vulnerable and can be traumatized from long-term experience with solitary confinement (Arrigo & Bullock, 2008). On top of the negative mental repercussions that solitary confinement brings about, there are also issues surrounding the fact that it has been used improperly for punishment. For instance, women may be placed in solitary confinement for minor infractions and even for trying to commit suicide (Arrigo & Bullock, 2008).

When looking at the changes that have occurred from the Reformatory era to today's prisons, numerous aspects have changed, and not necessarily for the better. The crimes that women tend to commit are more serious, supermax and solitary confinement have negative repercussions, and women have resorted to prison families in order to cope with the stressors that prison provides. Even though the Reformatory system was not ideal, in aspects such as the use of psychiatric institutions for ill-behaved inmates or the medical practices that were tested on these women, it was at least focused on females and their reform. As time progresses, identifying aspects that did not work from both time periods can ensure a better-adjusted system for the future.

Why This is Important

As mentioned, female offenders have been neglected for centuries. Since 1980, the population of female offenders inside state and federal prisons has increased eight times within only thirty-five years, from around 13,000 inmates to about 106,000 inmates (Spidle, 2017). Kajstura (2018a) mentioned how recently the rate for women being incarcerated is 133 for every 100,00 residents, which happens to be the highest incarceration rate for women across the entire world. Overall, as Kajstura (2018) mentioned the shocking fact that "only 4% of the world's

female population lives in the U.S., but the U.S. accounts for over 30% of the world's incarcerated women." Even though the incarceration rate for women has very recently been declining, the rate still remains at a historically high rate (Kajstura, 2018a).

The increase that occurred over only a few decades is due to several factors, including the lack of programming to teach them to reform and learn from their prior actions and the lack of care overall that has been shown for female offenders. In addition, there were numerous laws that were added that ended up targeting female populations. For instance, the War on Drugs has focused on minority and female populations and even led to drug offenses being the largest number for female offenders (Spidle, 2017). Additionally, mandatory arrest policies that focus on domestic violence have led to more arrests and prosecutions women due to their involvement and that these matters are not handled informally anymore (Spjeldnes & Goodkind, 2009). Lastly, the "get tough on crime" movement has affected both males and females, which led to an increase in criminal justice system involvement and longer sentences for any type of violence (Spjeldnes & Goodkind, 2009). All of these factors have led the number of female offenders to increase over a few decades. Thus, with an increase of offenders, there is a need to ensure that the number decreases with treatments and programs to aid with reentry into the free world. If more money is not focused on changes in the system, then the system will just continue to grow with the existing issue of overcrowding. In the current standings, this money would instead go to building new prisons rather than trying to aid the current inmates on reforming and deterring their future illegal actions.

In addition to the larger number of female offenders, there is the issue of their children. There are around 1.3 million minor children that have a mother that is involved with the criminal justice system through probation, jail, or state of federal prison (Greenfield & Snell, 1999). More

than a quarter of a million of those children have a mother that is serving time in prison or jail, not just involved in probation or parole (Greenfield & Snell, 1999). The separation of mother and child can have an effect on both of them. Celinska and Siegel (2010) found that women incarcerated or awaiting trial experience stress and strain due to the thought of losing their child(ren) and would try to cope in several different ways. For instance, they would try to mother from prison, change their behavior, plan for the future, blame themselves, distance themselves from other prisoners, or idealize being a “good mother” (Celinska & Siegel, 2010).

Between males and females, females tend to face a significantly higher number of disadvantages and struggles in many aspects of their lives. It was discovered that female offenders are more likely to have had a close family member that had been incarcerated than male offenders (Spjeldnes & Goodkind, 2009). This can be a disadvantage due to the fact that it can introduce the individual to the world of crime and can create a lack of support due to separation. Furthermore, a study was done by James (2004) in 2002, found that half of female offenders, 50%, reported that they had experienced sexual abuse prior to their incarceration, whereas only around 10% of male offenders reported the same. In addition, James and Glaze (2006) reported that women are around 25% more likely to self-report that they have a mental illness than men. Lastly, Greenfield and Snell (1999) discovered that female offenders are more likely to experience financial hardships and that they are less likely to have been working a full-time job before incarceration, let alone even earning more than \$600 a month. Having a higher likelihood of experiencing these types of hardships can lead women to commit crime and can have an effect on them once they are incarcerated. Thus, it is important to pay attention to these characteristics inside and outside the prison when considering the motive for crime and how to aid the offender.

Issues in Current Prisons

In comparison to male offenders, the number of women in prison has always been significantly lower and women tend to have an increased amount of health issues and needs. Due to this, female offenders have been ignored for centuries and have even been historically deemed as less worthy of attention compared to their male counterpart (Cullen, Wilcox, Lux, & Jonson 2015). Thus, even though we continue to progress in the criminal justice system, there are still some major issues that originate from this lack of consideration and greatly influence women convicts today. For instance, proper health care and medical professionals are not always available inside of a prison even though women tend to have more medical needs, health complications, substance-abuse issues, histories of physical or mental abuse, and are more likely to have children under their care at the time of incarceration (Cullen, Wilcox, Lux, & Jonson 2015). As Spidle mentioned, “Women in prison complain of the lack of regular gynecological and breast exams and argue that their medical concerns are often dismissed as exaggerations” (Spidle, 2017, pg. 76). In addition, occasionally women are required to partake in cavity searches and this procedure is often done incorrectly which can cause medical issues and immense pain; which is simply due to a lack of educated medical professionals (Carroll, 2017b).

There are women that are incapacitated when they are pregnant. According to Greenfeld and Snell (1999), 6% of women in local jails and 5% of women in state prisons are pregnant when they are incarcerated. Even though that seems like a small percentage, it ends up being around 7,000 female offenders. Once these women enter into the prison and give birth, certain aspects such as being able to store extra breast milk or formula has been a conflictual debate among the correctional officers and system (Carroll, 2017b). Sometimes, inside of the prison system, there is no extra space nor the money for extra storage, however when women are

pregnant, they are not constantly producing milk so being able to store surplus milk ensures that the baby can be fed when needed. Thus, having the ability to store breast milk or having powder can be vital for the baby. In addition, all females typically have the right to have an abortion whatever their reason is for doing so. The case of *Planned Parenthood v. Casey* in 1992 even added to this right that women have, however women are still not guaranteed this right depending on where the institution is located (Spidle, 2017). Furthermore, only 3% of women in local jails and 4% of women in state prisons receive prenatal care after entering the prison system (Greenfield & Snell, 1999). This can have a major impact on the mothers and the children that are born inside of prisons.

In 1998, around 167,000 of children had a mother that is incarcerated, two-thirds of those children are under the age of 10 years old, and 65% of women that are imprisoned were the single caretaker of children still considered minors (Carroll, 2017b, Greenfield & Snell, 1999). Sometimes these children are able to be taken in by their relatives but if they are not then they will be forced into foster care. Only around 40 to 71% of these children are never even able to visit their mother (Cullen, Jonson, & Stohr, 2014). This is due to inconvenient visiting hours, limitations on calling, distance, and the lack of programs that promote interactions with children (Cullen, Jonson, & Stohr, 2014). In some instances, women have been treated unfairly in the criminal justice just simply due to the fact that they are mothers. For instance, there was a shocking case about a woman in Oklahoma that was a mother, and the father of her children violently abused her and her children (Kajstura, 2018a). Once it came to the verdict, the father received probation while the mother was sentenced to 30 years for failing to protect the children when the father had broken the daughter's bones (Kajstura, 2018a).

Another dilemma that still exists today is that there are insufficient programs or treatments for many convicts, especially for female offenders. There is a general lack of variety of programs or ones that are based specifically for women. For instance, Texas is the state that incarcerates the largest number of women, however it has very few educational or vocational programs that are open to female offenders (Kajstura, 2018a). However, of the prison programs that are available to women, the majority of them put women more at a disadvantage due to the fact that they only delegate the female offenders to female-dominated sectors instead of any type of field (Spidle, 2017). In addition, even if there are available programs, offenders might be automatically put into random programs even if the offender doesn't actually need that specific program (Cullen, Jonson, & Stohr, 2014). This issue even extends to the outside of the prison, once the prisoner is released. Due to gender and race characteristics, certain prisoners may not be able to reenter the labor market right away, even if they have excelled in treatment or outside programs. Wendy (2018) showed how, when compared to incarcerated men, incarcerated women are already at a disadvantage due to gender in the labor market, not including additional difficulties from negative racial disparities. Overall for ex-convicts, white males had the best chance in the labor market with Hispanic males and white females with the second best chance, and Hispanic and black females and black males having the most difficulty with the job market (Wendy, 2018). This shows that female convicts are already at a higher disadvantage due to the lack of programming and treatment.

Female prisoners are more likely to report having a mental disorder, however women are less likely to receive any type of responsive care than male offenders (Spidle, 2017). In addition, trauma tends to go untreated in female offenders, but if it is handled then the treatment is mainly focused on medication and not their psychological needs (Cullen, Jonson, & Stohr, 2014).

Additionally, female offenders often will be released into the community without their initial needs or issues even addressed (Cullen, Wilcox, Lux, & Jonson 2015).

When it comes to the staff of female prisons, there tend to be male correctional officers included. This can be problematic since they are required to be very invasive with offenders when it comes to strip searches and they have the ability to view these women while they are in the shower or on the toilet (Arrigo & Bullock, 2008). Furthermore, male guards are typically the ones who do cell extractions which can trigger post-traumatic stress or stress from past experiences such as rape (Arrigo & Bullock, 2008). Just as any other institution, there is sexual misconduct that occurs within the prison system, however this misconduct happens more often inside of female prisons rather than male prisons (Carroll, 2017b). Even though some of those tasks are required of male correctional officers in female prisons, there are times in which male correctional officers will also take advantage of the power they have over the female offenders and the accessibility of being very personal with them (Carroll, 2017b). According to Carroll (2017b), the majority of the time the sexual misconduct is because a male officer will compel the female inmates to have sex by withholding privileges or goods and using them as a means of reward. This can be detrimental to the female inmates, especially the ones that have experienced any type of sexual trauma in their past. Furthermore, these abuses may end up being covered up or even lied about, making the situation more terrifying to female offenders (Chandler, 2003). Sadly, as the number of female inmates increases so does the number of sexual misconduct cases (Carroll, 2017b). Of the 50 states of America, only 42 states have enacted legislation to attempt to prohibit any sexual misconduct (Carroll, 2017b). Even though there are laws, it still will not fully stop this occurrence.

Suggestions

In order to combat these issues, there are several changes that should occur in the near future in order to ensure proper treatment and reform of female offenders. The first suggestion is that there should be some gender-specific programs or treatment on top of preexisting gender-neutral programs. Even though women have some of the same needs as men, such as treatment, education, and job training, female offenders are not receiving the care they need due to differences in their location, their smaller numbers, and simply their gender (Cullen, Wilcox, Lux, & Jonson 2015). As Cullen, Wilcox, Lux, and Jonson (2015) mentioned, current programs are still modeled after specifically male-built programs, continue to use their approaches, use male pronouns, and they have retained a historical approach of focusing on what are traditionally viewed as women's jobs. However, some female-based programs could aid with parenting skills, deal with a variety of types of traumas, all abuse, and victimization, create support networks, and have opportunities for female offenders (Cullen, Jonson, & Stohr, 2014). This could be helpful so that these women could save money on services and it could give them the courage that they can support themselves. For instance, there should be programs implemented that involve life and job skill components in order to prepare the women for their release. These would include learning about financial budgeting, balancing home responsibilities with work and children, and adopting vocational skills that are not traditionally viewed for females (e.g. plumbing or auto care), so that they can be more independent and self-sufficient (Wright, Voorhis, Salisbury, & Bauman, 2012). This will ensure that these women can be more independent and won't need to rely on family members and possibly provide confidence.

Another program that could aid female offenders is cognitive-behavioral therapy. Cullen, Wilcox, Lux, and Jonson (2015) mentioned how cognitive-behavioral therapy can work for

either gender, however there are changes that could make the treatment more female specific. As the Center for Substance Abuse Treatment states, women need better access to treatment that takes into account women's physical, psychological, emotional, spiritual, and sociopolitical issues (Spidle, 2017). In addition, women tend to be more emotional than men, thus allowing the female inmates to communicate with one another during sessions and create a more personal and supportive environment (Cullen, Wilcox, Lux, & Jonson 2015). A therapeutic alliance between the individual prisoner, the psychologist, and the whole group can create respect, trust, and can affect the progression (Cullen, Wilcox, Lux, & Jonson 2015). Lastly, as Carroll (2017b), had mentioned, cognitive-behavioral therapy would need to focus on female-specific thought patterns and would have to be less confrontational than traditional cognitive-behavioral therapy.

Since relationships and emotional connections can be very vital to women having programs that cultivate positive relationships inside and outside the prison can be very beneficial. These would try to ensure that the female offenders have positive outlets in their family and friend group and that they should remove any that negatively impacted their life or aided in their past criminal actions. Due to the fact that women are more likely to be involved with domestic abuse in their relationships with family or a significant other, having additional programs that include both anger and conflict management can help women deal with this trauma and try to move past it (Spidle, 2017, Wright, Voorhis, Salisbury, & Bauman, 2012). In addition, there should be education about domestic abuse, how it can effect these women and their children, the domestic abuse laws, how to handle the situation, and there should be services outside of the prison that can provide shelter for the victims of domestic abuse (Wright, Voorhis, Salisbury, & Bauman, 2012). This can ensure that any of the women that have experienced this type of

violence, they will know what to do if the situation ever occurs again and they will not feel trapped in that relationship.

Additionally, women will commit different crimes for a variety of reasons, which should be taken into account when determining their motivation, the risk of recidivism, and the type of program they should be enrolled in. These crimes can range from assault, substance abuse, prostitution, to theft (Cullen, Jonson, & Stohr, 2014). According to Cullen, Wilcox, Lux, and Jonson (2015), around one-quarter of females in state prisons were incarcerated for drug offenses, a little more than a quarter were committed for a property crime, and about a third are sentenced for a violent offense. Then, the motivation behind these acts could be for their children, self-defense, or just simply surviving. These types of crimes and motivations also are important for determining programs or treatment. Thus, there would need to be case management in order to assess needs regularly, the services that the women would need, and their ability to succeed in programs or when integrated into society (Cullen, Jonson, & Stohr, 2014).

Since more than half of the women that are incarcerated are single caretakers, then enacting situations and programs that include children could be significantly beneficial. Cullen, Wilcox, Lux, and Jonson (2015) explained how most states have a limited amount of women's prisons, normally only around one or two, which can create a large distance between the female offender and her family and support system. In order to combat this, the correctional system could attempt to keep women close to their homes, have long hours for visiting, or allow a higher number of visits (Cullen, Jonson, & Stohr, 2014). Under speculation, having a type of transportation would also be advantageous since children might not be able to get a relative to drive them to the prison. Furthermore, there should be programs inside and outside of the prison that can aid mothers with the stress of separation from their child and the negative stigmas that

they experience once they are released (Celinska & Siegel, 2010). These programs should help with the mother's maternal identity, provide support groups, help with self-transformation, and provide hope for the future for the mother and the child (Celinska & Siegel, 2010). There have even been programs that have allowed children to spend the night with their parent that the facility in a separated confined area (Wright, Voorhis, Salisbury, & Bauman, 2012). All of these aspects can be used as rewards for good behavior or positive steps in treatment, which can keep these women motivated for their future and their child.

In 2010 it was reported that more than half of the states were offering alternative programs for female offenders that were mothers but also had convicted a nonviolent crime (Spidle, 2017). This program included treatment centers where the female offenders would receive treatment for drug use, however they would also be allowed to have their children on this site and be able to live with them (Spidle, 2017). This type of set up would be ideal for female offenders who are mothers since it provides them treatment at the same time they would be able to visit and spend time with their child, their motivation to reform. These alternative programs should not be focused simply on mothers; there are a range of programs that could encompass all female offenders. For instance, the state of Wyoming recently decided to allow female offenders to attend a 6-month "boot camp" instead of serving 6-10 years in prison (Kajstura, 2018a). However, the only downside to this idea is that Wyoming had to send these female offenders to other states, as far away as Florida, due to the fact that their current camp only allows men (Kajstura, 2018a).

Lastly, there is always a need for support for offenders once they exit prison. Offenders need aid with post-release housing, employment, and their basic needs (Cullen, Jonson, & Stohr, 2014). However, women also need help with childcare and parenting (Cullen, Jonson, & Stohr,

2014). Thus, as La Vigne, Visher, and Castro (2004) explained, family is one of the most positive and influential aspects for offenders and it's the top reason for not recidivating. Parole officers can produce some assistance since they must manage and supervise these convicts. Although, there should be additional shelters or other places that are able to keep these offenders focused on staying out of prison. Under speculation, there could be more organizations that provide post-release housing opinions or places of employment that don't turn convicts away after they check the box on the application.

Legal Developments

There have been several laws that were past in the last few decades that have attempted to aid female offenders. However, even though these laws have promising intentions, they have not always been followed. For instance, in 1979, *Glover v. Johnson* made it a requirement that states needed to provide the same opportunities in education, rehabilitation, and vocational training for both male and female offenders (Spidle, 2017). Even though this should have been a long-standing occurrence, today male offenders are still receiving more opportunities than female offenders. This is shown by the study that Morash, Bynum, & Koons (1998) conducted when they surveyed several prisons and jails and asked administrators and correctional departments to name "effective, innovative, or promising" programs for women. They discovered that even women's prison administrators admitted that there was a lack of equality in programming between male and female offenders and that there is a need for better-qualified staff (Morash, Bynum, & Koons, 1998). Additionally, Morash, Bynum, and Koons (1998) reported that classification and the screening procedures were not adapted to female offenders, nor did it provide needed information, and were not even useful in determining the proper programming for female offenders. These techniques are used for both male and females and yet they do not

aid prison administrators with programming for female offenders and some of the staff explained that they won't even use the screening or classification to match offenders with programs or services (Morash, Bynum, & Koons, 1998). This goes to show that not only is there inequality in the number of programs for female offenders, but there is a disconnect between the offenders and the system on what female offenders actually need in the prison system.

Another court case, *Todaro v. Ward* (1977), found that female offenders were not receiving access to health care, which is illegal for offenders and even violates the Eighth Amendment, protecting individuals against cruel and unusual punishment (Spidle, 2017). This was shown by the fact that in Morash, Bynum, & Koons's (1998) study, they discovered that around 75% of states had received services for female offenders from outside sources. These services included hospitals and departments that were focused on education, vocational education, health, and mental health (Morash, Bynum, & Koons, 1998). Additionally, they found that state mental health agencies were involved in only 12 states and only 6 states had agencies that provided drug treatment services (Morash, Bynum, & Koons, 1998). Furthermore, *Cooper v. Morin* (1980) and *Cantering v. Wilson* (1982), added to the fight for all offenders to have equal status under the law and pushed for "gender neutral" treatment (Spidle, 2017). There are some programs that do provide a "gender neutral" basis, although there needs to be many more in order to achieve better results for female offenders.

A law passed in 2007, called The Second Chance Act, which granted funding for offender reentry programs and research on specific groups, such as women and parents (Spjeldnes & Goodkind, 2009). However, programs and research still need to happen in areas that are greatly lacking inside the prison system. For instance, it was found that around 35% of correction institutions do not aid the mentally ill in finding new mental health services once they

are released (Spjeldnes & Goodkind, 2009). Additionally, substance abuse is a significant issue for a large portion of offenders, thus it is detrimental that less than 10% of all offenders, males and females, receive sufficient addition services (Spjeldnes & Goodkind, 2009). Lastly, even if there are ideal programs outside of prison, the pre-release planning is often done too late to ensure that the offender can easily transition into their post-release programs (Spjeldnes & Goodkind, 2009).

In the Next 20 years

In the future, prisons and jails should become a last resort for offenders, both males and females, unless they are either serious, repeat, or extremely dangerous (Cullen, Wilcox, Lux, & Jonson 2015). There are several other options that could be used instead of throwing individuals directly into prison for something that could be handled elsewhere. For instance, individuals who are caught buying or possessing any type of drug could be sent to a rehabilitation center where they could receive care from psychologist and medical professionals. This would be better than the prisoner being neglected in a prison with correctional officers who are not trained specifically to deal with those cases, in addition to the long list of other offenders that may require more attention. This alone would greatly decrease the number of inmates for all criminal justice institutions; specifically, this would decrease the female population in federal prisons by 60%, state prisons by 25%, and jails 30% (Kajstura, 2018b).

For female prisons, the system should be need-based, focus more on treatment, avoid any practices that may rekindle past traumas, and ensure that the institutions are more child-friendly (Carroll, 2017b). Overall, there should be a different type of management style for female offenders than for male offenders. As respondents from Morash, Bynum, and Koons's (1998) study explained, this management would need to include staff that can respond to a range of

emotions and be willing to openly communicate back with the offenders. Specifically, the staff would need to be well-rounded in listening, patience, being aware of emotional dynamics, and being fair, firm, and consistent (Morash, Bynum, & Koons, 1998).

Furthermore, when it comes to treatment and programs, there needs to be more mental health and substance abuse programs overall and these need to have an emphasis on parenting and healthy relationships (Carroll, 2017b). Motherhood can be stressful, especially when there is a possibility of separation. Thus, there needs to be programs and support groups for all of the female offenders that are caretakers of around 1.3 million children (Celinska & Siegel, 2010).

Hopefully in the future some of these changes will take place in the criminal justice system and be able to make a difference for the over 206,000 current female offenders that are incarcerated (Kajstura & Immarigeon, n.d.). If no modifications are made, then the rate of incarceration for female offenders will continue to rise and money will be wasted on increasing the number of institutions rather than the number of programs and treatment services. Nowadays there is a focus on women having more equality and the idea of feminism, however, why has that idea not spread to the criminal justice system?

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