

# Women in Segregation

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Fact Sheet

## Background

Many efforts to understand and reform the use of segregation—also commonly called solitary confinement or restrictive housing—focus on incarcerated men. This is largely because there are more men in prison and in segregation overall. According to a survey of 40 state prison systems for the fall of 2015, a total of 1,458 women, compared to 59,048 men.<sup>1</sup> However, what is often ignored are women's unique pathways into segregation and the differential impact that its restrictive conditions can have on them. This reality requires distinct attention to be placed on women in prison, especially those living in the most restrictive environments. Researchers, advocates, lawmakers, and correctional departments must begin to center women in discussions of mass incarceration—and the overuse of segregation that results from it—recognizing them as direct casualties of tough-on-crime policies both in the community and inside prison walls.

## Findings

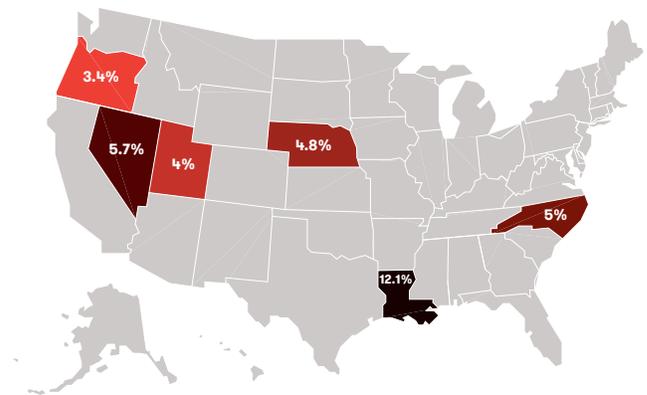
Through the Safe Alternatives to Segregation Initiative (SAS Initiative), the Vera Institute of Justice (Vera) partnered with eight states and two jail systems to analyze their use of segregation and recommend safe strategies to reduce their overreliance on the practice. Vera's findings on the women-specific issues raised by the use of segregation are outlined below.

**Vera researchers found that anywhere from 3 to 12 percent of women in the state prison systems studied were housed in segregation.**

Vera researchers found that in the six state prison systems it studied, between 3.4 percent and 12.1 percent of women were housed in segregation: Louisiana (12.1 percent), Nebraska (4.8 percent), Nevada (5.7 percent), North Carolina (5 percent), Oregon (3.4 percent), and Utah (4 percent). (See Figure 1.)

Figure 1

**Percent of women's prison population in segregation, Vera's partner sites**



Source: Analysis by the Vera Institute of Justice as part of the Safe Alternatives to Segregation Initiative (2018).

**Women tend to be sent to segregation for low-level, nonviolent behavior.**

Neither women's disciplinary records nor their risk of engaging in violence support the number of women held in segregation.<sup>2</sup> In fact, Vera found that the number of women in segregation for violent behavior or posing a threat to security is extremely low. Rather, women often spend shorter, more frequent periods in segregation than men for low-level—and arguably gendered—disciplinary write-ups.

- > Vera found that in the eight state systems it worked with, disobeying orders and other charges related to insubordination were almost always among the top charges for which women receive segregation sanctions. This is supported by other researchers in the field.<sup>3</sup>
- > Charges associated with substance abuse accounted for a large percent of women's disciplinary infractions in Utah and Nevada.<sup>4</sup>

- › In Oregon, Louisiana, and Nevada, women were frequently written up and punished for “displays of affection,” “non-assaultive sexual activity,” or “sexually stimulating activities”—all charges that may be associated with gendered stereotypes of incarcerated women and behaviors that may in fact relate to the ways in which women interact with and soothe each other in social environments (such as by hugging, holding hands, etc.).<sup>5</sup>

### **The conditions of segregation are sometimes more restrictive for women than men.**

Even though they are often sent to segregation for low-level conduct, women nevertheless may be placed in similar or even more isolating conditions than men. Because there are typically only one or two women’s prisons across a state, with just one or two units designated as segregation, women in disciplinary segregation, in administrative segregation, and on death row are often housed on the same unit.<sup>6</sup> With fewer resources and limited space for recreation and movement, staff have a difficult time keeping track of and operating the different out-of-cell times or programming requirements for each type of segregation. Thus, in Nebraska, for instance, although approximately 5 percent of women were in segregation, nearly 80 percent of those women were in the most restrictive form—compared to about 50 percent for men.<sup>7</sup> In Louisiana, incarcerated women were displaced due to flooding and moved to men’s facilities where space for them was extremely limited. This resulted in far more isolation in segregation than was experienced by men: women in segregation were held in temporary rooms the size of broom closets that lacked beds, toilets, or sinks. As of May 2018, Louisiana reportedly added beds and water coolers to these rooms.

### **The negative impacts of segregation can be greater for women.**

Even when women are housed in segregation environments that mirror those of men, the negative impacts can be much greater.

- › Women with mental illness tend to be overrepresented in segregation. For instance, in Oregon 84 percent of women in segregation had mental health treatment needs. This was also true in Utah, where nearly 63 percent of women in segregation had mental health needs; Louisiana, where 59 percent of women in segregation had mental health needs; and North Carolina where 37 percent of women in segregation had mental

needs requiring psychiatric medication and/or inpatient treatment.<sup>8</sup>

- › Incarcerated women are more likely to have histories of trauma and abuse.<sup>9</sup> Policies around strip searches and cell shakedowns—which tend to be more common in segregation and other high security prison environments—can retraumatize women and result in unnecessary discipline when symptoms of trauma are mistaken for aggression or defiance.<sup>10</sup>
- › Prisons rarely have policies that allow for adequate access to menstrual pads, tampons, or toilet paper, and segregation cells are rarely equipped with trash receptacles, which makes personal hygiene a challenge and can result in humiliating conditions for women.<sup>11</sup>
- › People in segregation often have limitations placed on visits and phone calls, which has far-reaching consequences for women and their families, since women in state prisons are more likely to be parents than incarcerated men.<sup>12</sup>

## Conclusion

Although the literature on the negative psychological and physiological consequences of isolation within prison is growing, and there is some movement in corrections departments to reduce the use of segregation, this work will be incomplete until the field brings incarcerated women to the forefront of the issue. Given the unique experiences of women in prison, looking at segregation as a singular policy is not enough. Segregation in women’s facilities must be considered separately and with the same sense of urgency as it is when men are placed in these restrictive environments.

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### Endnotes

- 1 Association of State Correctional Administrators (ASCA) and The Arthur Liman Public Interest Program of Yale Law School, *Aiming to Reduce Time-In-Cell: Reports from Correctional Systems on the Numbers of Prisoners in Restricted Housing and on the Potential of Policy Changes to Bring About Reforms* (Nampa, ID and New Haven, CT: ASCA and Yale Law School, 2016), 33, <https://perma.cc/Z7K3-3HND>.
- 2 One study found that the mean female rate of serious violence in prison was only 8.14 percent of the mean male rate for violence. See Miles D. Harer and Neal P. Langan, “Gender Differences in Predictors of Prison Violence: Assessing the Predictive Validity of a Risk Classification System,” *Crime & Delinquency* 47, no. 4

- (2001), 513-36, 521, <https://perma.cc/UFH5-6PXN>. Women's prison disciplinary records are similarly less serious when compared to men's. Karen Casey Acevedo and Tim Bakken, "Women Adjusting to Prison: Disciplinary Behavior and the Characteristics of Adjustment," *Journal of Health & Social Policy* 17, no. 4 (2003), 37-60, 38.
- 3 One study found that women were less likely than men to commit rule violations, and that both men and women were most likely to be written up for disobeying an order, being out of place, and possessing an authorized substance or contraband. See Katarzyna Celinska and Hung-En Sung, "Gender Differences in the Determinants of Prison Rule Violations," *Prison Journal* 94, no. 2 (2014), 220-41, 227.
  - 4 For more information on Utah and Nevada's use of write-ups for women, see Byron Kline, Jessi LaChance, Lionel Smith, and Lauren Galarza, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Utah Department of Corrections* (New York: Vera Institute of Justice, forthcoming May 2018); and Matthew Lowen, Elena Vanko, Stephen Roberts, and Navena Chaitoo, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Nevada Department of Corrections* (New York: Vera Institute of Justice, forthcoming May 2018).
  - 5 For information on Oregon's use of write-ups for women, see Allison Hastings, Elena Vanko, and Jessi LaChance, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Oregon Department of Corrections* (New York: Vera Institute of Justice, 2016), 59-61, <https://perma.cc/4MZB-AWMW>. For more information on Nevada's use of write-ups and segregation for women, see Lowen, Vanko, Roberts, and Chaitoo, *Findings and Recommendations for the Nevada Department of Corrections* (New York: Vera Institute of Justice, forthcoming May 2018). For information on Louisiana's use of write-ups for women, see David Cloud, Jessie LaChance, Lionel Smith, and Lauren Galaraza, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Louisiana Department of Corrections* (New York: Vera Institute of Justice, forthcoming May 2018). For the gendered-nature of charges against women, see Estelle B. Freedman, "The Prison Lesbian: Race, Class, and the Construction of the Aggressive Female Homosexual, 1915-1965," *Feminist Studies* 22, no. 2 (1996), 397-423; and Clarice Feinman, "Sexual Role Stereotypes and Justice for Women," *Crime & Delinquency* 25, no. 1 (1979), 87-94.
  - 6 *Disciplinary segregation* is used to punish incarcerated people, typically in response to violating facility rules. *Administrative segregation* is generally employed to remove someone from the general prison population who is thought to pose a risk to facility safety or security and people are generally sent there for an indeterminate period of time. Administrative segregation may be used for those who are believed to be members of gangs, convicted of high profile crimes, or considered at risk for violence; as determined by a risk tool or assessment done at intake; awaiting a hearing for a disciplinary infraction; or if they are at risk of harm or abuse in general population. Someone may be placed in administrative segregation even if they have not committed a rule violation. *Death row* is a separate housing unit for people who have been sentenced to death, and many states this housing unit operates similarly to a segregation unit.
  - 7 David Cloud, Jacob Kang-Brown, and Elena Vanko, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Nebraska Department of Correctional Services* (New York: Vera Institute of Justice, 2016), 28, <https://perma.cc/5FQ6-6TH8>.
  - 8 For more information on women with mental illness in these states, see Vera Institute of Justice, "Safe Alternatives to Segregation Initiative: Findings and Recommendations in Five Jurisdictions," <https://perma.cc/HB8D-9T8Z>.
  - 9 Rachael M. Swopes, Joanne L. Davis, and James A. Scholl, "Treating Substance Abuse and Trauma Symptoms in Incarcerated Women: An Effectiveness Study," *Journal of Interpersonal Violence* 32, no. 7 (2015), 1143-65. Also see John Briere, Elisha Agee, and Anne Dietrich, "Cumulative Trauma and Current Posttraumatic Stress Disorder Status in General Population and Inmate Samples," *Psychological Trauma: Theory, Research, Practice, and Policy* 8, no. 4 (2016), 439-46 (finding PTSD in 4 percent of general population sample but 48 percent of prison population sample, and a 70 percent rate of childhood sexual abuse among incarcerated women).
  - 10 Gina Fedock and Stephanie S. Covington, "Correctional Programming and Gender," in *Oxford Research Encyclopedia of Criminology* (Oxford, England: Oxford University Press, 2017), <https://perma.cc/ER6J-RSF5>.
  - 11 See Chandra Bozelko, "Prisons that Withhold Menstrual Pads Humiliate Women and Violate Basic Rights," *Guardian*, June 12, 2015, <https://perma.cc/6PZY-GLHS>. Also see Zoe Greenberg, "In Jail, Pads and Tampons as Bargaining Chips," *New York Times*, April 20, 2017, <https://www.nytimes.com/2017/04/20/nyregion/pads-tampons-new-york-womens-prisons.html>; and Amir Vera, "Why Women in Arizona are Sending a State Representative Pads and Tampons," *CNN*, February 13, 2018, <https://perma.cc/B9ND-VHA8>.
  - 12 Lauren E. Glaze and Laura M. Maruschak, *Parents in Prison and Their Minor Children* (Washington, DC: Bureau of Justice Statistics, 2008, revised 2010), 2 (finding that 62 percent of women and 51 percent of men in state prisons reported being parents; for federal prisons, 63 percent of men and 56 percent of women reported being parents), <https://perma.cc/5G8E-7VCY>.

#### For more information

To learn more about Vera's Safe Alternatives to Segregation Initiative, visit <https://www.vera.org/projects/reducing-segregation>. For more information about this project, contact Sara Sullivan, project director, at [ssullivan@vera.org](mailto:ssullivan@vera.org). The Vera Institute of Justice is a justice reform change agent. Vera produces ideas, analysis, and research that inspire change in the systems people rely upon for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly diverse communities.

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