

WJI LEGISLATIVE BRIEF



SUPPORT HB 3904

The Women's Correctional Services Act SPONSOR: Rep Juliana Stratton

The Women's Correctional Services Act (WCA) was developed as the result of a reform partnership led by the Illinois Department of Corrections (IDOC) and the WJI with support from the National Resource Center on Justice Involved Women (NRCJIW), CORE Associates, the USDOJ National Institute of Corrections (NIC) and a team of local stakeholders.

Overview of the Legislation: The Women's Correctional Services Act (WCA)

The legislation will require the Illinois Department of Corrections (IDOC) to create the state's first permanent Women's Division responsible for the management and oversight of all women's facilities in a manner consistent with gender responsive, trauma-informed and evidence-based best practices, policies, procedures and programs.

Requires the IDOC to appoint a Chief Administrator to oversee the new Women's Division that has received nationally-recognized, specialized training in gender responsive and trauma-informed practices, and will oversee the following requirements for all women's prisons and Adult Transition Centers (ATCs):

- ✓ The development and implementation of evidence-based, gender-responsive and trauma-informed practices that govern all Women's Division operations and programs;
- ✓ The creation of an ongoing gender responsive training curriculum;
- ✓ Implementation of a validated, gender responsive risk, needs and classification assessment tool;
- ✓ Implementation of a gender responsive case management system;
- ✓ Implementation of gender responsive discipline and sanctions;
- ✓ Collaboration with Parole to ensure that all staff working with women under community supervision are appropriately trained on gender responsive, trauma-informed and evidence-based practices.

Defines "Gender Responsive" as: *"activities, processes, programs and services that are guided by women-centered research and literature (socialization, psychological development, strengths, risk factors, pathways through systems, responses to treatment intervention, and other unique program and service needs. The interventions shall be considered relational, strength-based, trauma-informed, culturally competent and holistic."*

Defines "Trauma Informed practice" as: *"an operational framework that involves understanding, recognizing and responding to the effects of all types of trauma with emphasis on physical, psychological, and emotional safety."*

Statement of Need

Women/girls follow unique pathways into crime, and present risks that signal different intervention needs than men. As such, considerable research has been conducted to help policy makers, administrators and practitioners define and address gaps in women's services by identifying the critical differences between justice-involved men and women, as well as the most effective ways to address women's risks, strengths and needs. Accordingly, "Gender Responsive" (GR) assessment tools, policies, practices and programs have been validated for their effectiveness with women/girls, and are based on their unique pathways into and within the justice system. Studies have demonstrated that these practices can improve prison safety, result in fewer disciplinary infractions and reduce recidivism.

Despite the fact that proven gender responsive policies, practices and programs have been available for decades, many law enforcement and corrections systems have opted in favor of a "one-size-fits-all" approach to their operations and staff training programs due to the fact that women represent a smaller percentage of the justice population than men. In the long-run, however, **research has shown that such "gender neutral" practices work counterproductively to goals of safety, security, rehabilitation, reduced recidivism and even lower prison populations/cost savings among women.**

Profile of Women Incarcerated in Illinois Prisons

The pathways of justice-involved women are disproportionately carved by race, histories of sexual/domestic abuse and trauma that progress into higher rates of substance abuse and mental health issues. Incarcerated women are also more likely to be the custodial parent of children (*posing greater risk of intergenerational incarceration*).

- ✓ 98% of women prisoners in IL state prisons have experienced physical abuse, 75% experienced sexual abuse and 85% experienced intimate partner stalking and emotional abuse;
- ✓ 58% of women compared with 25% of men are on an IDOC mental health caseload, and 770 of the 1,800 women prisoners at Logan Correctional Center have been diagnosed as Seriously Mentally Ill (SMI);
- ✓ 85% of women surveyed in IL state prisons reported periods of regular alcohol and drug use and an average age of onset at 16.3 years old;
- ✓ 71% or more of women in IL prisons are parents, and a 2016 snapshot of Logan Correctional revealed that 1,304 of the 1,835 inmates there at the time were mothers to 3,700 children; and
- ✓ Despite a dramatic increase in incarceration among white women linked to the prescription opioid, heroin and methamphetamine epidemics and a large decline among African American women, African American women remain the most disproportionately impacted in IL prisons.

Why Do “Gender Responsive” Practices Matter?

To address challenges that arose from the 2013 conversion of Logan Correctional Center from a men’s prison into the state’s largest, most complex women’s prison, the IDOC partnered with the WJI, the USDOJ-NIC, the NRCJIW and 18 local stakeholders to conduct the “*Gender Informed Practices Assessment*” (GIPA). Findings revealed that a pervasive lack of gender responsive policies, practices, programs and staff training were having a detrimental impact on the facility, the staff, the women and the system as a whole, including:

- ✓ **More Discipline:** Women receive 3-5 times more disciplinary tickets, on avg, than men, primarily for “insolence”;
- ✓ **Longer Prison Stay, Higher Costs:** Disciplinary practices resulted in **88,000 more days in prison** for women at Logan (linked to the use of “Good Conduct Credit” revocation), equating to taxpayer costs for 241 prison beds;
- ✓ **High Use of Segregation:** In only 24-months, Logan issued 127,000 days of segregation to women prisoners, and the higher number of days (498-5,372) dramatically impacted SMI populations;
- ✓ **Increased Crisis Calls/Suicide Attempts:** Crisis Calls more than tripled and suicide attempts increased dramatically among women prisoners since the Logan conversion;
- ✓ **Lack of GR Assessments:** A gender responsive risk/needs assessment validated for women has not been applied;
- ✓ **Lack of GR Case Management & Programs:** There is not a gender responsive case management system linked to gender responsive programs in place to support the successful progression of women; and
- ✓ **Lack of GR Staff Training:** Other than a one-hour PowerPoint presentation, the IDOC had never implemented a staff training program on safely/effectively working with justice-involved women.

The Women’s Justice Initiative & Network

The Women’s Justice Initiative (WJI) works to bridge critical gaps between policy and practice regarding the manner that the risks/needs of girls and women are addressed throughout the criminal justice system; to grow a network providing greater access to evidence-based, gender responsive and trauma-informed programs and services in a systemic manner for justice-involved girls and women; and to build sustainable systems change strategies through cultivating partnerships and meaningful dialogue among corrections officials, law enforcement leaders, elected officials, policymakers, social service providers, academics, advocates, stakeholders and those directly impacted by the system. The WJI currently has projects housed at the **Test400K Foundation, Health & Disability Advocates (HDA) and TASC.**

The WJI Stakeholder Network includes a diverse group of national, state, local and global stakeholders that work in various ways to support efforts to build gender responsive systems: IDOC, National Resource Center for Justice Involved Women (NRCJIW), USDOJ National Institute of Corrections (NIC), CORE Associates, TASC, American Probation & Parole Association (APPA), Prison Reform International (PRI), Chicago Foundation for Women (CFW), Test400K Foundation, Health & Disability Advocates (HDA), NAMI Chicago, Wexford Health Sources, A Safe Haven (ASH), UIC Center on Public Safety & Justice, Orbis Partners, Illinois Justice Project, Thresholds, The John Howard Association (JHA), Cabrini Green Legal Aid (CGLA), WestCare Foundation, UCAN, Strengthening Chicago’s Youth (SCY), the Chicago Urban League and the Pierce Family Foundation. (As some partners do not take positions on legislation, this list is only indicates those that have support our mission in various ways to promote gender responsive systems.)

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