

# Tougher Sentencing, Economic Hardships and Rising Violence

**Editor's Note:** Based on a previously published article in *Corrections Digest* on Sept. 29, 2000, this article has been expanded and updated by the author.

There has been a shift in the gender composition of the nation's correctional population, for more than 950,000 females are under correctional supervision. This shift has been caused by tougher substance abuse sentencing guidelines, economic hardships and rising violence levels among women. Although the male inmate population remains significantly larger, the escalating numbers of women in prison are causing a tilt in the U.S. prison population.

## An Increasing Trend

Within the past 20 years, statistics show that there has been an increasing trend in the amount of women being arrested, incarcerated and placed under supervision. These statistics indicate that the numbers are continuing to increase and also show that these women have come from similar backgrounds and have common characteristics.

In 1998, women accounted for 6.5 percent of state prison populations — an increase from the 1980 statistic of 4.1 percent, according to the Bureau of Justice Statistics (BJS). This trend is expected to continue because arrests of women have been rising at a faster rate than men — a 24 percent increase

in the early 1990s, compared to a 13 percent increase for males. In 1998, women accounted for more than one out of five of the nation's 14.4 million arrests.

The average increase in female incarceration in the 1990s was 8.3 percent and the annual rate of women sentenced to jails and prisons exceeded 10 percent in 18 states, led by Tennessee at 15 percent, North Dakota at 14.9 percent, Montana at 14.7 and Idaho at 14.3 percent.

According to BJS, most incarcerated females have monthly incomes of less than \$600 at the time of arrest, have suffered physical or sexual abuse, and have grown up in single-parent households.

## Drug Offenses

The 1990s have shown a significant increase in the amount of women being charged for drug and alcohol use as well as an increase in incarcerated repeat drug offenders. Although most sentences can be traced to substance abuse, violent crime also is on the rise.

Of the women in all prisons and jails, 34 percent are serving time for drug offenses and 32 percent for property offenses often related to crimes committed to support drug habits. By self-admission, three of every four are substance abusers. At the federal level, 72 percent of female inmates were sentenced for drug offenses.

The population of females incarcerated for more than one year soared 79 percent in the 1990s, primarily due to new sentencing guidelines that required incarceration for repeat drug offenders, according to BJS. Prison sentences for most women can be traced to substance abuse, however, there has been a significant rise in both violent crime and recidivism.

BJS reported that the number of state and federal female inmates more than doubled from 44,065 in 1990 to 90,668 in 1999. "Women were being charged in the 1990s for offenses that they were not charged with in earlier years — drug and alcohol use," said a BJS statistician. "Most of the women are from lower socioeconomic backgrounds and they buy their drugs on the street, while women from middle- and upper-income brackets get prescriptions or buy from dealers who are not standing on street corners," the statistician said.

In addition, the General Accounting Office found that the number of women incarcerated for drug offenses nearly doubled from 1990 to 1997. Black women are more than twice as likely as Hispanic women and eight times as likely as white women to be incarcerated for drug offenses.

## Regional Increases

The largest increments of the female inmate population were in the South and the West, which doubled over the decade. According to BJS, the

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female population in Southern prisons soared 144 percent (37,525), while Western female prison populations grew 96 percent (19,333). California had the second largest number of women in prison — 11,368. Of the 22,159 rise in the South, Texas accounted for nearly half (10,306 inmates) — a more than 400 percent increase from 2,196 in 1990 to 12,502 in 1999. Female inmates jumped 88 percent (14,143) in Midwest states and increased 55 percent to 9,754 in the Northeast.

tion grew at nearly that time pace — 62 percent — during that period, reports BJS. Fewer than half the children were living with parents before incarceration and fewer than half visited the incarcerated parents. However, about 60 percent of inmate mothers reported either getting telephone calls or mail from their children each week. *Incarcerated Parents and Their Children*, a BJS report, found that nearly 1.5 million minor children have

mothers or fathers in prison, an increase of more than 500,000 since 1991.

Of the nation's 72 million minor children (up to age 17), an estimated 2 percent had imprisoned parents in 1999. In 1999, 721,500 federal and state inmates had minor children. More than half the children with incarcerated parents (58 percent) were younger than 10 — the average age was 8.

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BJS statistics also show that among the large states, New York showed the smallest change, but still grew 35 percent. Vermont's female inmates declined from 24 in 1991 to 22 in 1998. The other states with fewer than 100 imprisoned females were Maine, North Dakota and Rhode Island.

## Incarcerated Mothers

The number of children with incarcerated parents rose 60 percent in the 1990s and by 1999, affected one of every 50 children. The prison popula-

### States With the 10 Largest Female Inmate Populations in 1999

State	1999	1990	Percent Change
Texas	12,502	2,196	469.3
California	11,368	6,502	74.8
Florida	3,820	2,664	43.4
New York	3,644	2,691	35.4
Ohio	2,841	1,947	45.9
Illinois	2,802	1,183	136.9
Georgia	2,607	1,243	109.7
Oklahoma	2,316	1,071	116.2
Louisiana	2,268	775	192.6
Virginia	2,119	927	128.6

### Women in the Correctional System, December 1998

Jails	63,800
Probation	721,400
Federal Prisons	9,200
State Prisons	75,200
Parole	82,300
<b>Total</b>	<b>951,900</b>

### Characteristics of Female Inmates, 1997

Characteristics	Percentage of Inmates
Drug use	84.0
Alcohol use	55.7
Under influence of drugs or alcohol at time of arrest	53.1
Physical or sexual abuse	57.2
Have minor children	64.3
Unemployed	49.3
Failed to complete high school	63.9

Source: BJS.

Incarcerated parents were overwhelmingly male (93 percent) and predominantly held in state prisons, rather than federal facilities (89 percent compared to 11 percent). The number of incarcerated women with minor children rose 98 percent to 126,100 between 1991 and 1999.

Half the parents in state prisons were black, about one-quarter were white and one-fifth were Hispanic. In 1999, an estimated 767,200 black children, 384,500 white children and 301,600 Hispanic children had parents in prison. The percentage of black children with incarcerated parents (7 percent) was nearly nine times higher than that of white children (.8 percent). Hispanic children were three times as likely as white children to have parents in prison (2.6 percent).

State inmate parents were less likely to be violent offenders (44 percent) than inmates without children (51 percent). Three-quarters of state inmates who were parents had prior convictions, and the majority (56 percent) had previously been incarcerated.

About 60 percent of parents in state prisons reported having used drugs in the month before their offenses and 25 percent reported histories

of alcohol dependence. More than one-third of parents committed their offenses while under the influence of alcohol. About 14 percent of parents reported mental illnesses; 70 percent of parents did not have high school diplomas; and 27 percent of parents were unemployed at the time of their arrests.

## Women's Health Care in Prison

Pregnancy, drug and alcohol addiction, HIV/AIDS and other sexually transmitted diseases (STDs) are just a few factors that make women's health care in prison a unique challenge. These problems are on the rise as the female prison population increases. Although data show that these women have a greater need for health care, health care distribution has been unbalanced, particularly in smaller states.

Even in the largest jurisdictions — California, Texas and the federal system — which house one-third of the female inmates, health care is disproportionate. Civil rights attorneys brought lawsuits against the Central California Women's Facility in

Chowchilla and the California Institution for Women in Frontera to improve the delivery of health care, although the circumstances were extreme because a contract laboratory in 1997 falsified the results of Pap smears and hepatitis and HIV tests.

The incidence of HIV among women inmates is 50 percent higher than among males and the prevalence of mental illness is more than twice as high among women than men. One in every 20 female inmates is pregnant at admission.

## Conclusion

Drug and alcohol use, unemployment, a history of sexual abuse and incomplete education are several factors that contribute to the increasing trend of women in prison. Although the male inmate population remains significantly larger, the female prison population has been escalating at a high rate during the past several years. The amount of women with HIV, AIDS and other STDs also has increased, causing unique challenges in the prison health care system. Pregnancy and incarcerated mothers also have caused a challenge for the prison system. The larger the increase, the large these challenges will be in the coming years.

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## Change in Female Incarceration, 1990-1999

Jurisdiction	1999	1990	Average Percent Change
U.S. Total	90,668	44,065	8.3
Federal	9,913	5,011	7.9
All States	80,755	39,054	8.4

## States With 10 Fastest Annual Growth Rates of Female Incarceration, 1990-1999

State	Annual Percentage Increase	Total Inmates in 1999
Tennessee	15.0	1,368
North Dakota	14.9	70
Montana	14.7	262
Idaho	14.3	399
Hawaii	13.9	553
West Virginia	13.6	239
Mississippi	13.5	1,405
Louisiana	12.7	368
Colorado	12.1	1,213

Source: BJS