

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/more-progress-is-needed-to-recognize-the-dignity-of-incarcerated-women>

### Public Facing Advocacy Writing

As this Womens History Month comes to a close, there are encouraging signs of a growing movement to uplift the dignity of women (including those who identify as LGBT/ GNC) who have come into conflict with the law.

In New York, after a decade of tireless advocacy by a coalition of survivors, currently and formerly incarcerated people, and partner organizations, both houses of the state legislature passed the [Domestic Violence Survivors Justice Act](#). The bill now awaits Governor Cuomos signature. The Act would allow judges greater discretion in sentencing survivors of domestic violence convicted of crimes directly related to the abuse they suffered, including to community-based alternatives to incarceration. Survivors currently in prison would be able to apply for resentencing, providing relief to incarcerated people who do not pose a risk to public safety.

Meanwhile, a newly introduced bill in Maryland [SB 809](#) would prevent involuntary placement of incarcerated pregnant and postpartum women in solitary confinement, with limited exceptions. Those who are ordered by a health care provider or who request to be placed in a medical unit must be given access to outside recreation, phone calls, visits, programming, and classes, avoiding the deprivation and [negative impacts](#) that often come with segregated housing. The bill, which [formerly incarcerated women helped to draft](#), also requires mechanisms that would allow people who are incarcerated to report violations of the new law.

Multnomah County, Oregon celebrated the grand opening of the Diane Wade House, an Afrocentric transitional home [that] provides culturally specific support services for women whose lives intersect with the justice system. Supported by the John D. and Catherine T. MacArthur Foundations Safety and Justice Challenge, the Diane Wade House was developed with guidance and expertise from community members, and residents receive mentoring from women who have also experienced incarceration. In addition to providing gender-responsive, trauma-informed mental health stabilization and support services, the House is expected to help [reduce unnecessary incarceration](#) and systemic racial and ethnic disparities.

Finally, a team of researchers at Johns Hopkins Medicine just released a [first-of-its-kind study](#) on rates of pregnancy and outcomes among women in prison in 22 states and the federal system. This study sheds much-needed light on the number of women who are pregnant while in prison and the outcomes of their pregnancies because, historically, those data have not been tracked by federal agencies or state prison systems. The research team found that during the one-year study period, almost 1,400 pregnant women were admitted to prison. More than 90 percent of those pregnancies ended in live births, with no maternal deaths.

A similar study of pregnancy outcomes among women incarcerated in local jails does not yet exist. As the authors of the Johns Hopkins study note, gaining a deeper understanding of womens health care needs when they are incarcerated is critical for addressing those needs and optimizing outcomes. Its also a matter of health equity, as black women are [disproportionately impacted by incarceration](#).

These are certainly examples of progress to be celebrated and replicated, and they represent just a portion of efforts happening all over the country to end mass incarceration of women often led by [formerly incarcerated women](#) and people. Yet, as Womens History Month ends, we must reflect on how much work there is left to do in reimagining justice for women, and we must approach that work with urgency. A [recent comment from a state legislator](#) that jails were never meant to be a country club during a discussion of legislation that would provide free pads and tampons to incarcerated women is indicative. First, the very real and [harmful impact of jail incarceration on women](#) and families has been well documented. Second, preventing women who are incarcerated from meeting their most basic health needs is not only dehumanizing, humiliating, and inequitable, its also dangerous.

As my co-authors and I wrote [Overlooked: Women and Jails in an Era of Reform](#) in 2016, we sought to understand why women in jails had become the fastest growing correctional population increasing 14-fold between 1970 and 2014, from under 8,000 to nearly 110,000. We learned quickly that the available data are scarce and largely dated, sometimes decades old. We are now partnering with communities to use their local data and to engage incarcerated women directly to gain a deeper understanding of drivers of womens jail incarceration. We know that change will not come without centering this work on the human dignity of the women we meet.

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