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Critical Issues Impacting Women in the Justice System: A Literature Review

This review was prepared by Barbara Owen, Joycelyn Pollock, James Wells, and Jennifer Leahy as part of a Cooperative Agreement between the National Institute of Corrections and The Moss Group in July 2014. It accompanies *Safety Matters: Relationships in Women's Facilities*, a blended learning training curriculum

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Introduction

Passed in 2003, the Prison Rape Elimination Act (PREA) serves as the framework for collecting descriptive data, improving policy and practice, and developing standards surrounding sexual violence in all correctional facilities. Over a decade later, practitioners and researchers alike acknowledge that implementing the Act should recognize that gender differences between female and male inmates require specific attention to female facilities. The 2012 Report of Review Panel on Prison Rape confirms the distinctive needs of female facilities in preventing sexual victimization with this statement:

The Panel is aware of the paucity of resources that are available to female correctional facilities when it comes to serving the particular needs of female offenders. The Panel encourages additional research into ways of creating healthy female prisons based on data that show the relationship between institutional practices (e.g., policies on touching between inmates) and the incidence of sexual victimization. The Panel also encourages the development of training tools especially tailored to helping staff who work in female facilities in addressing such issues as maintaining proper professional boundaries and creating an environment free of verbal harassment (Mazza, 2012, p. 60).

This summary literature review is but one step in the development of these training tools. In the following, we review the literature relevant to the study of violence and safety in women's prison. We begin with the demographic and background characteristics of female offenders. The pathways model is then described, which emphasizes the life experiences of women that contribute to criminal behavior. This review will then describe the subcultural elements of women's prisons that influence vulnerabilities, victimization, and violence. The types and prevalence of violence in women's prisons, particularly sexual assault, are also summarized. A summary of the National Inmate Survey, a PREA-mandated data collection that measures inmate self-reports is provided. This review then provides a summary of recent research by the authors that examines the context of gendered violence and safety in women's correctional facilities and results from a project that sought to validate an instrument intended to measure women's perceptions of safety and violence.

Characteristics of Female Offenders

Between 2011 and 2012, the national women's prison population has declined by 2.3%, from a high of 111,386 in 2011 to 108,866 in 2012. The numbers of incarcerated women has followed the slow decline of the overall U.S. prison population from the peak years of 2007-2009. In 1990, there were 44,065 women incarcerated in state and federal prisons (Sourcebook, 2008). In 2007, women incarcerated in state and federal prison numbered 115,308 (Sobel & Couture, 2008, p.4). By 2012, this number had dipped to approximately 108,866 women incarcerated, representing

just over seven per cent of the total prisoner (state and federal) population (Carson & Golnelli, 2013, p. 1). The number of women in prison varies from around a high of 13,549 (Texas) to fewer than 200 in states such as Maine, Vermont, Rhode Island and North Dakota (Carson & Golnelli, 2013, p. 3). While the size of any given prison population is tied to a state's population, prison populations are also affected by the state rate (per 100,000) of incarceration. Massachusetts and South Carolina have the lowest incarceration rate for women (15 per 100,000), while Oklahoma and Idaho share the highest rate at 126. Texas, with the largest prison population in the country, has a rate per 100,000 females of 88 (Carson & Golnelli, 2013, p. 9). The national rate (per 100,000) of incarceration for women has increased from 52 per 100,000 in 1997 to a high of 69 per 100,000 in 2007 (Gilliard & Beck, 1998; Sabol & Couture, 2008, p. 4). By 2012, this rate has decreased to an average of 63 per 100,000.

As noted by Carson and Golnelli (2013, p 4-5), much of the decline in the women's prison population can be attributed to Public Safety Realignment in California. This sentencing reform has resulted in a larger proportion of women serving what was formerly a state prison sentence in local county jails. In California, the women's prison population declined from over 11,000 in 2007-2008 to just over 6,000 in 2012.

There were 102,400 women in this nation's jails on any given day in 2012 (Minton & Golnelli, 2013, p. 6). Between 2000 and 2012, the number of women in jail women somewhat from 11.4% to 14% of the total jail population (Sabol, Minton & Harrison, 2007, p. 5; Minton & Golnelli, 2013, p. 7). The female inmate population increased 10.9% (up 10,000 inmates) between midyear 2010 and 2013, while the male population declined 4.2% (down 27,500 inmates). The female jail population grew by an average of about 1% each year between 2005 and 2013. In comparison, the male jail population declined an annual average of less than 1% every year since 2005 (Minton & Golnelli, 2013, p. 1).

This increase in female jail populations may continue –primarily as a result of the sentencing reform in California, which places lower-level offenders in local (county) custody. Women, due to their offense patterns, have been most affected by this change with approximately 10, 512 women in county custody in California.

Current research has established that female offenders differ from their male counterparts in demographics, personal histories, and pathways into crime (Richie, 1996; Chesney-Lind, 1997; Owen, 1998; Belknap, 2001; Pollock, 1998, 2002; Bloom, Owen & Covington, 2003, 2004; Chesney-Lind & Pasco, 2004; Bloom, 2005). Female prisoners are typically low-income, undereducated, and unskilled with sporadic employment histories. Like male inmates, female inmates are disproportionately African American, although, according to recent federal statistics, black women were incarcerated at a rate six times that of white women in 2000; however, by 2007, that ratio had declined to 3.7 times higher (348 vs. 95) (Sabol & Couture, 2008, p. 8).

In 2012, female offenders sentenced for violent crimes made up about 37% of the total female prisoner population in this country, with property offenders (28%), drug offenders (25%) and public order offenders (9%) making up the remaining two-thirds (Carson & Golnelli, 2013,p.10). Female offenders are much less likely than men to have committed violent offenses. Women

were responsible for only about 10% of all convictions for violent crimes in 2004, 26% of all property convictions, and 18% of all drug offenses (Bureau of Justice Statistics, 2008; note that 2004 seems to be the last year for which these data are available). Violent offenders receive longer sentences so they “stack up” in prison.

Women and Violent Crime

Although some researchers believe that women and girls are becoming more violent than in the past, their contribution to murder, robbery, rape, and kidnapping has been remarkably stable (Pollock & Davis, 2005; Chesney-Lind & Eliason, 2006). Women’s contributions to the total numbers of arrests for assault and aggravated assault do seem to be increasing; however, many argue that these increases are largely due to reporting and system practice changes, i.e., girls and women are more likely to be arrested today than in past years for the same behaviors (Steffensmeier & Allen, 1988, 1996; Pollock & Davis, 2005; Steffensmeier, Zhong, Ackerman, Schwartz, & Agha, 2006).

When women do commit violent crimes, their victims tend to be family members, acquaintances, and intimates, especially in the context of intimate partner violence. (Pollock & Davis, 2005; Chesney-Lind & Eliason, 2006; Steffensmeier & Allen, 1996; Steffensmeier, et al., 2006). Females were responsible for about 11% of all arrests for homicide. Males account for just under 90% of homicides in the U.S., the majority of which is directed at acquaintances and strangers. BJS data Cooper & Smith, 2011) shows that:

- Females are most likely to kill an acquaintance (32%), spouse (28%), or boyfriend/girlfriend (14%).
- Stranger-victims are the smallest category (7%). About a quarter of male victims are strangers.
- These partner-related crimes are committed generally by women at home, acting alone, provoked or responding to victim initiated attacks. They are more likely to use knives and to have had been drinking than when men kill their partners.
- Both women and men are more likely to kill men.

When data on assault is examined, the data shows that women are most likely to assault people close to them instead of strangers. Females convicted of assault are much more likely to have assaulted other females and to have some previous relationships with their victims.

Some research indicates that female violent crime is moving away from these victim groups into more distal targets. These violent female criminals are influenced by poverty stricken communities and the endemic drug trade (Kruttschnitt, Gartner, & Ferraro, 2002; Sommers & Baskin, 1993).

Pathways to Prison

Many researchers have contributed to the development of the Pathways Model of female criminality (Bloom, 2004; Bloom et al., 2003, 2004; Belknap & Holsinger, 1998; Belknap,

Holsinger, & Dunn, 1997; Chesney-Lind, 1997, 2000; Covington, 1998, 2000, 2001; Daly, 1992; Owen, 1998; Pollock, 1998, 2002; Richie, 1996; and Triplett & Meyers, 1995). This research follows Daly's (1992) "pathways" approach which identified several different pathways to crime for women:

- Street women (who left abusive homes only to become addicts, prostitutes, drug dealers or thieves to survive);
- Drug connected (who used drugs through significant others);
- Harmed and harming (who had chaotic living situations with abuse),
- Battered women (whose crime was only toward intimate partners); and
- Other (women who were economically motivated, and lacked any notable abuse history; they were not violent, and had no identifiable problem with drugs or alcohol; some were economically marginalized, but not all).

Owen's 1996 work in California prisons identified five pathways, which include, multiplicity of abuse, early family life, children, the street life and spiraling marginality.

The Pathways Model argues that women and men come to crime from different pathways. These researchers have differences between male and female offenders that result in different pathways to crime for women. For example, women are more likely to:

- Be primary caregivers of young children
- Have experienced childhood physical and/or sexual abuse
- Report physical and sexual abuse victimization as adults
- Have drug dependency issues
- Indicate psycho-social problems
- Have an incarcerated parent
- Come from a single parent household
- Suffer from serious health problems, including HIV/AIDS.

Furthermore, women are less likely to:

- Be convicted of a violent crime
- Have any stable work history and, therefore, experience greater poverty

More recently, research (VanVoorhis, Groot & Bauman, 2010), Brennan, et al (2012) conducted in prisons and jails across the country have combined these factors into 3 related and overlapping pathways:

- Childhood victimization model shaped by sustained abuse in childhood leads to mental health issues and subsequent attempts to self-medicate with substance abuse.
- Relational model created by relationship dysfunction, intimate partner violence, and low self-efficacy within repeated victimization; culminating in mental health and substance abuse issues.
- Social and human capital model that is also shaped by family intimate relationship

dysfunction; low educational and vocational attainment, leading to low self-efficacy and employment/financial difficulty.

The Importance of Relationships

In addition to examining life course events, the pathways approach also incorporates the “relational model” of development for women, a suggested by Covington (1998). She argues that the primary motivation for women throughout life is not separation, but connection. Women’s emotional development is dependent upon relationships and when women feel disconnected from others, they experience disempowerment, confusion, and anxiety. Dysfunctional families where emotional support is weak or non-existent and where relationships with primary caregivers may be rife with violence or exploitation dramatically affect a woman’s ability to have healthy relationships in her adult life. Patterns emerge where the woman may form a sequence of intense, but dysfunctional relationships (Covington, 2000).

Women Offenders and Substance Use

Researchers have documented widespread drug and alcohol abuse among female offenders. Female offenders are more likely than male offenders to be drug abusers (Jordan, Schlengler, Fairbank & Caddell, 1996; Brewer-Smyth, Burgess & Shults, 2004). In a national survey of prison inmates conducted by the Bureau of Justice Statistics in 1991, findings indicated that female prisoners were more likely to have used drugs than male prisoners, and were more frequent users of drugs. In this study, it was reported that 65% percent of female inmates had used drugs regularly before their incarceration (Snell, 1994). As Pollock (2014, p 206) documents, women in prison are often heavier users of drugs than their male counterparts and their criminality is more likely to be tied to their drug use and the gender-based reasons for using. Heavier drug use has also been shown to contribute to more serious and frequent criminality. Finally, Pollock (2014, p, 207) suggests that women who report heavy drug use are “more likely to have experienced childhood sexual victimization, have serious thoughts of suicide, and show other signs of mental distress, especially depression.”

The use of drugs or alcohol to “self-medicate” is a pervasive theme in research on female prisoners (Maeve 2000; Battle et al., 2003). Green et al., (2005), in a study of jail inmates, reviewed a number of studies that linked childhood and adult sexual and physical victimization to drug and alcohol use, mental disorders, and criminality. In another study of female prisoners, drug use was found to be related to a disordered home life (Batchelor 2005). Most of the female prisoners had started drinking at an early age and had histories of self-injury, suicide attempts and traumatic loss. Batchelor suggests that drug and alcohol use can be seen as a way to cope with grief, and anger.

Women Prisoners and Mental Health Disorders

Female prisoners are likely to suffer from mental health disorders. Estimates suggest that 25% to over 60% of the female prison population require mental health services (see review in Pollock, 2002). For instance, Green, Miranda, Daroowala, & Siddique (2005) found in their jail sample that 98% of women had experienced trauma exposure, 36% reported some current mental disorder, and 74% had some type of drug/alcohol problem. Teplin, Abram, and McClelland (1996) reported

a 33% lifetime prevalence of Post-Traumatic Stress Disorder (PTSD) for incarcerated women. Others have also reported that about a third of incarcerated women have experienced violent trauma and exhibit signs of PTSD, and that women who have experienced abuse are about twice as likely to exhibit signs of mental illness (Jordan, et al., 1996; Powell, 1999).

Messina and Grella (2006) looked at the backgrounds of imprisoned women and their history of Adverse Childhood Experiences (ACE), a “freeworld” project which demonstrates a link between childhood trauma and physical health problems (CDC, 2005, 2008). The ACE study found a strong relationship between the cumulative number of events of childhood abuse and household dysfunction and multiple risk factors for the leading causes of death in adults, including chronic drug dependency and histories of attempted suicide and depression. In their sample of women in prison, they found that this group was more likely to have childhood traumatic events, ranging from 14.5% of the women reporting physical neglect to 47.6% reporting witnessing family violence. Problems with health, mental health, substance abuse and criminal behavior were found to be exponentially higher among women with multiple adverse childhood events. For example, within the category of mental health, there were increases in the proportion of women reporting use of psychotropics, previous mental health treatment, or previous suicide attempts, associated with greater exposure to childhood traumatic events. For example, 26% of the women with no childhood traumatic events reported use of psychotropic medications compared with 55% of those with 5 or more events.

Researchers who survey jail inmates report similar findings (Veysey, 1998; Haywood, Kravitz, Goldman, & Freeman, 2000). In their recent study of almost 500 women confined to jails, Lynn et al (2012, p. iii) found that 43% of participants met criteria for a lifetime serious mental illness (SMI), and 32% met SMI criteria in the past 12 months. Substance use disorders were the most commonly occurring disorders, with 82% of the sample meeting lifetime criteria for drug or alcohol abuse or dependence. Similarly, PTSD rates were high with just over half the sample (53%) meeting criteria for lifetime PTSD. Women also met criteria for multiple lifetime disorders at high rates. Finally, 30 to 45% of individuals who met criteria for a current disorder reported severely impaired functioning in the past year. Women with SMI reported greater rates of victimization and more extensive offending histories than women who did not meet criteria for lifetime SMI. While experiences of childhood victimization and adult trauma did not directly predict offending histories; instead both forms of victimization increased the risk of poor mental health, and poor mental health predicted a greater offending history. By using life history data, these researchers found that SMI significantly increased women’s risk for onset of substance use, drug dealing/charges, property crime, fighting/assault, and running away. In addition, experiences of victimization predicted risk of offending (Lynn, et al., 2012).

Victimization and Its Effects

One of the most consistent findings is that female offenders are very likely to have experienced violent victimization, especially sexual victimization, and how this experience results in gendered offenses and behavior while incarcerated (Bloom et al., 2003; Belknap, Holsinger, & Dunn, 1997; Belknap, 2001; Pollock, 1998, 2002; McClellan, Farabee, & Crouch, 1997; Human Rights Watch, 1996; Tjaden & Thoennes, 2006; Carlson, 2005; Browne, Miller, & Maguin, 1999; Harlow, 1999;

Snell, 1994; Pollock, 2002; Owen, 1998).

Browne, et al. (1999), for instance, found that in their sample of 150 New York female prisoners, 59% had been sexually abused and 70% had been physically abused as children, 49% had been raped as adults, and 70% had experienced severe intimate partner abuse. The most comprehensive national study was conducted by the Bureau of Justice Statistics researchers with Harlow (1999) indicating that 47% of women in state prisons reported physical abuse and 39% reported sexual abuse at some point in their lives; 25% and 26% reported experiencing physical abuse and sexual abuse before age 18.

Childhood sexual victimization has been linked to a wide range of physical and psychological consequences, including personality disorders, depression, suicidal and self-destructive behaviors, eating disorders, anxiety, feelings of isolation and stigma, poor self-esteem, poor social and interpersonal functioning, trust issues, substance abuse, sexual problems, and high risk sexual behavior (Breitenbecher, 2001; Islam-Zwart & Vick, 2004; Easteal, 2001; Ketrting & Feinaur, 1999). Cathy Widom (1991, 2000) argues that childhood experiences of victimization contribute to the multiple problems female offenders have in adulthood, including lack of intellectual performance, inability to cope with stress, suicide, abuse of alcohol and drugs, sensation-seeking and anti-social attitudes, and lower levels of self-esteem and sense of control.

Finkelhor and Browne (1985, see also, Browne & Finkelhor, 1986) describe several consequences that may occur from childhood sexual abuse. The first is that the girl becomes prematurely sexualized and learns to use sex to manipulate others and views herself primarily as a sexual commodity. A second consequence is that the girl feels betrayed by someone who was a trusted caregiver leading to dependency, impaired judgment of the trustworthiness of others, and vulnerability to abusive partners. A third consequence is pervasive feelings of powerlessness that extends into adulthood. The fourth consequence is that the girl grows up with a feeling of shame and guilt with a self-image that incorporates a feeling of “badness” that, in turn, translates to self-destructive behavior.

Most notable here are findings that show this prior victimization is linked to inappropriate sexual behavior, including high-risk sexual behavior (Breitenbecher, 2001; Islam-Zwart & Vik, 2004; Finkelhor & Browne, 1985; Browne & Finkelhor, 1986; Widom, 2000; Bloom, 1997; Maeve, 2000; Battle, Zlotnick, Najavits, Guitierrez, & Winsor, 2003; Green et al., 2005; Jordan, et al., 1996; Brewer-Smyth, et al., 2004; Mullings, Marquart, & Brewer, 2000; Mullings, Marquart, & Hartley, 2003; Surratt, Inciardi, Kurtz, & Kiley, 2004). Many of these studies suggest sexual victimization is correlated with re-victimization. Other researchers argue that some women are just as likely to be perpetrators of intimate partner violence as men (for a review, see Robertson & Murachver, 2007). Later researchers, looking at incarcerated populations, have found that violent female offenders are more likely to have experienced childhood victimization than property offenders (Brewer-Smyth, et al., 2004; Mullings, Pollock, & Crouch, 2002; Pollock, Mulling, & Crouch, 2006).

Batchelor, Burman, and Brown (2001) found that some young incarcerated women did not view certain behaviors or experiences as violent, such as attempted rapes by acquaintances or physical fights with siblings. One important finding of this research was that girls could not be neatly

categorized into victims and offenders. Also, in several studies, the concept of “respect” was found to be salient for marginalized female offenders as well as male offenders (Batchelor et al., 2001; Batchelor, 2005; Baskin & Sommers, 1998; Kruttschnitt & Carbone-Lopez, 2006; Pollock, 2002; Owen, 1998).

Maeve (2000) chronicles the high prevalence of childhood abuse among female prisoners. She explains that such abuse can lead to symptoms of Post-Traumatic Stress Disorder (PTSD), such as “over-remembering,” which may lead to lashing out violently to inappropriate cues; “under-remembering,” a type of disassociation, which may lead to reacting with passivity to an external threat; cyclical re-experiencing, which may lead to becoming involved in successive intense relationships that are “unstable” in a continual reenactment of “rescue, injustice, and betrayal;” and self-blame, which may lead to self-hate and self-destructive behavior.

Even greater numbers of female offenders have been victims of victimization in adulthood. Between 40% and 88% of incarcerated women have been the victims of domestic violence, also referred to here as intimate partner violence, and sexual or physical abuse prior to incarceration (Belknap, 2015; Pollock, 2014). This compares to lifetime prevalence rates of non-incarcerated women of about 18% for rape and 52% for physical assault (Bloom et al., 2003; Human Rights Watch, 1996; Tjaden & Thoennes, 2006; Carlson, 2005; Batchelor, 2005).

Cook, Smith, Tusher, & Railford (2005) found that, in their sample of incarcerated women, 99% reported experiencing at least one traumatic life event, 81% reported five or more. Some evidence indicates that white women in prison are even more likely than black women to have these experiences (Keaveny & Zausniewski, 1999). The data is clear that women in prison have experienced more traumatic events than non-incarcerated samples, and especially trauma that involves violence, either as a victim of violence or the loss of a loved one through violence. As Belknap (2015, p. 93) summarizes, “Undeniably, trauma is a key pathways to offending.” Dehart (2008, cited in Belknap, 2015, p. 93) further provides this illustration:

One study of incarcerated women found that across race, most women experienced sexual abuse, child abuse, and/or intimate partner abuse, with most experiencing more than one of these types of victimizations that were often on-going with multiple perpetrators.

Re-victimization

Sexual victimization, in childhood or adulthood, seems to be correlated with re-victimization. Studies consistently demonstrate that women and girls who are raped are more likely than non-victims to experience subsequent sexual victimization (Messman-Moore & Long, 2000; Tjaden & Thoennes, 2006). This certainly seems to be true for incarcerated women, although exactly why such women are vulnerable to re-victimization is unclear. For incarcerated women, it is most probably due to a variety of risky behaviors and their tendency to become involved with abusive partners and engage in high-risk sexual behavior. However, one study identified a greater vulnerability to sexual harassment and coercion from authority figures for those women who had experienced prior sexual victimization (Messman-Moore & Long, 2000).

Many studies show that prison can, in effect, re-traumatize women through their routine operational practice (Maeve, 2000; Covington & Bloom, 2006; Covington, 2012, 2013; Heney & Kristiansen 1997). Maeve, for example, argues that a prison operational practice can recreate trauma and aggravate the symptoms of PTSD. The experiences of pat-downs and strip searches are recreations of childhood sexual abuse, especially when the authority figure abuses his or her position. Maeve finds that female prisoners' violence, dissociation, depression, and self-mutilating behaviors could be predicted based on their prior histories. Women's violence in prison relationships can be understood by recognition of PTSD symptoms. For some women, erupting in violence reduces anxiety. Partners in prisons are also likely targets of abuse. She described one prisoner with an extensive history of childhood abuse who became increasingly anxious when a relationship was too peaceful; her comment was that "...I don't like it, it's not real—something's got to happen" (Maeve, 2000, p. 485).

Widom (1989a & b) linked early victimization to criminality for both sexes, although she found a correlation between early victimization and later violent crimes during adulthood only for men, not women. She did find, however, that early victimization was correlated with violent delinquency by female juveniles (Widom, 1991). Other researchers reported that while early victimization seems to be correlated with violent crime for male victims, the relationship is not so clear for female victims, who seem to be more prone to drug/alcohol and other non-violent crimes (for a review, see Holsinger & Holsinger, 2005).

In a study that examined the later lives of a sample of girls treated for child sexual abuse and a control sample, Siegel and Williams (2003, p. 79) found that sexual abuse was a significant factor in later violent criminality, but so, too, was familial neglect and abuse. The women in the victim sample were over twice as likely to have committed a violent offense as a juvenile and five times as likely to have run away. As adults, they were twice as likely to commit any crime, about twice as likely to commit a violent crime, and about seven times as likely to commit a drug crime.

Other researchers, looking at incarcerated populations, have found that violent female offenders are more likely to have experienced childhood victimization than property offenders (Brewer-Smyth, et al., 2004; Pollock, Mullings & Crouch, 2006). Brewer-Smyth, et al., (2004) link early violent victimization to neurobiological effects. In this proposed relationship, early abuse leads to either brain injury or adverse brain development because of elevated levels of cortisol (the stress hormone). A variety of behavioral effects may result, including reacting in violence to stressors or triggers that would not create a violent response in non-traumatized individuals.

Pathways and Race

A complete pathways model would include race and ethnicity to better understand how women come to prison. Henriques and Manatu-Rupert (2001), Richie (1996), and Simpson (1991) add race to the discussion of pathways to prison. Beth Richie's (1996) concept of "compelled to crime" and "gender entrapment" closely examines how intimate partner violence and culturally constructed gender identity must be combined in understanding black women's pathways to crime. Holsinger and Holsinger (2005, p. 227) discovered that race complicates the relationship between gender and violence. In their study of incarcerated female juveniles, they found that

black girls were less likely than white girls to report both physical (70% compared to 90%) and sexual abuse (46% compared to 62%), although both groups reported very high levels. White girls also reported more substance abuse overall. Holsinger and Holsinger (2005) conclude that any study of the relationship between victimization and criminality, especially violent criminality, should be disaggregated by race as well as gender.

Women's Prison Experience

There is a great deal of research indicating that the prison cultures of women and men are different and reflects, to a certain extent, differences between the sexes in the outside world. Men's prison culture has been described as a "jungle" where the strong prey upon the weak, and both expressive and instrumental violence is not uncommon (see Johnson, 2006; Pollock, 2004). Sexual assault is only one type of violence found in prisons for men, albeit, perhaps, the most feared. Sex, in men's prisons, seems to equal power, control, and violence.

The subculture in women's prisons has been described as very different from that found in prisons for men (Pollock, 2002; Owen, 1998). Unlike men's institutions, women's prisons were described with remarkably low levels of racial tension and violence (Kruttschnitt, 1983; Pollock, 2002). In general, older studies of women's prison subculture portrayed it as less violent and victimizing than the subculture in men's prisons. Women's sexual relationships are described as usually consensual rather than coercive; unlike men, women sometimes develop pseudo-families as a result of these relationships. These affiliations mimic familial relationships in society, with mothers, fathers, siblings, and children acting in general accordance with their role (Owen, 1998; Pollock, 2002; Girshick, 1999). While some current research disputes the presence of familial groupings (Greer, 2000), others note their continued existence (Keys, 2002). Inconsistent findings may be due to the type of institution, regional differences, or methodology.

Owen (1998), in one of the more comprehensive examinations of the women's prison subculture, describes "the mix" as the activities women engage in that are likely to get them into trouble with each other and with prison officials. The "mix" included involvement with homosexuality, use of drugs, and fighting. Owen's respondents advised new inmates to stay out of "the mix" in order to do their time with less trouble. There was little mention of violent sexual assault or coercion, especially for those women who stayed out of "the mix." In contrast, Alarid (2000), Greer (2000), and Pogrebin and Dodge (2001) suggest that this culture is changing, and sexual coercion and victimization does occur in women's prisons.

Women's Prison Violence: Types and Prevalence

Generally, women's prisons are considered safer than men's prisons. Organized conflict related to gangs and ethnic strife is extremely rare in women's prisons (Owen, 1998; Harer & Langan, 2001). Research shows that many female prisoners express feelings that prison is safer than the streets (Covington, 1998; Davino, 2000; Owen, 1998; but, for contrary findings, see Bradley & Davino, 2002, p. 357).

Official reports indicate there are more "incidents" or disciplinary infractions in women's prisons

than men's. In her comparative study of Texas prisons, McClellan (1994) found that women were cited more frequently, but for petty offenses, not major misconducts. The conclusion of this study was that there tended to be more rigid and formalistic rule compliance expected of women. Pollock (2002) and Bosworth (2007) also suggested that staff expectations and differential responses to the behavior of women and men accounted for the greater number of disciplinary infractions for women.

Edgar and Martin (2003) found, in their study of prison violence in Britain, that female prisoners used weapons less frequently than males. If used, weapons were "at hand" rather than fabricated in advance. The female respondents in this British study reported almost never using violence to settle their differences and indicated that the female prison community disapproved of violence in most circumstances.

While serious physical violence between female prisoners is infrequent, especially assaults involving weapons, some research indicates that to characterize women's prisons as less violent than men's prisons is inaccurate. Wolff, et al., (2007, p. 592), in a comparative study of violence in men's and women's prisons, found that 20% of women and 25% of men reported being physically assaulted by another inmate during their current sentence. In this same study, about 29% of male inmates, compared to about 8% of female inmates reported physical violence by correctional officers. However, consistent with Edgar and Martin's research, women were much less likely to report being victimized with a weapon than male inmates (Wolff, et al., 2007, p. 592).

Similar to findings from prisons for men, female prisoners who commit violence in prison tend to be older, have longer prison sentences, and are more likely to have been committed for violent crimes. Researchers have found that while short-timers committed more minor infractions, female inmates, serving long sentences, were more likely to be disciplined for assaultive acts (Casey-Acevedo & Bakken, 2001). Other researchers note that situational factors may be more important than individual factors when explaining or predicting female violence in prison (Shaw, 1999).

In her study of women found guilty of serious prison infractions, Torres (2007) examined case records of 142 women who were placed in disciplinary housing. Women in disciplinary housing differed from general population inmates: They were more likely to be women of color; more likely to be convicted of a violent offense; and more likely to have a documented mental health diagnosis prior to their placement in disciplinary housing. The most frequently recorded rule violations included battery on staff, threatening staff, possession of a weapon, battery on an inmate with a weapon, and battery on an inmate. No sexual assaults were recorded in the disciplinary records reviewed. Most women's violent offenses were found to be preceded by verbal escalation leading to the physical conflict. Rule violations were found to escalate from past or earlier unresolved ongoing personal disputes, exchanges between staff and inmates, or during controlled movements of inmates by staff.

Some research indicates that the prison culture in women's prisons may be changing and becoming more similar to that found in men's prisons. For instance, Batchelor (2005) discovered

that female juvenile prisoners placed a high value on “respect,” similar to young men. The author pointed out that this emphasis stems from economic and social marginalization. Belknap, Holsinger and Dunn (1997) agree in noting that young women in the juvenile system objected to the way they were “disrespected.” The concept of respect was also noted in a study of adult women by Kruttschnitt and Carbone-Lopez (2006). They found that, in their sample of violent incarcerated women, disrespect and jealousy were mentioned almost equally as the primary motivation for violent acts, with self-defense a close third. They argue that “violent responses to disrespect may have relatively little to do with gender and more to do with social locations” (Kruttschnitt & Carbone-Lopez, 2006, p. 340).

Batchelor, et al., (2001) noted the prevalence of violence in young female prisoners’ lives. Almost all respondents had been verbally intimidated by offensive name-calling, threats, taunts, or ridicule. Gossiping, bullying and threatening behavior were identified as a very real form of violence that they had fallen victim to and, in some cases, employed against others. They noted that the young women often did not view certain behaviors or experiences as violent, such as attempted rapes by acquaintances or physical fights with siblings, even though objective observers would define these as examples of violence. Violent acts were more likely to be defined as such when they occurred in public with strangers, rather than in private with family or acquaintances. This indicates that violence is defined partially by one’s culture and perspective. What may be seen as violence to one person is not necessarily seen that way by another. Another important finding of this research was that the female offenders could not be neatly placed into victim or offender categories. They often had experienced both roles and were quite comfortable with the notion of violence as a solution to problems, especially when someone disrespected them. This study illustrates that violence is both an individual and a situational or cultural factor and it is “imported” to prison and juvenile facilities as part of the cultural socialization of some female offenders. It also emerges as an element of the prison environment, even for those who do not share the same socialization to violence (Batchelor, et al., 2001).

Sex and Sexual Assault in Prison

Most of the literature on sexual assault in prison concerns men’s prisons. Although it has been assumed that sexual assault occurs more frequently in men’s rather than in women’s prisons, researchers report difficulty in describing the scope of the problem in men’s prisons. Gaes and Goldberg (2004), in an exhaustive review of prior studies, found that this research is fraught with methodological difficulties. They show that the various studies have “used different questions,” that definitions “vary from rape to sexual pressure,” and studies use different time-of-exposure making any comparisons very difficult. Multiple factors affect reporting victimization to researchers and to authorities, including:

- The disinclination to admit socially undesirable behavior,
- A feeling that privacy is invaded by answering such questions,
- Fear of repercussions, and
- A fear of loss of status/reputation (Gaes and Goldberg, 2004, p. 2).

Existing studies report a wide range of prevalence rates. The lowest numbers are attached to

official reports, the highest numbers occur with anonymous surveys. Hensley (2000; also see, Hensley, Struckman-Johnson, & Eigenberg, 2000), in a review of the literature, reported prevalence rates in men's prisons ranged from 1.3% to 28%, although these percentages were from different studies, different states, and asked different specific questions. Struckman-Johnson, Rucker, Bumby, & Donaldson, S. (1996) reported that 22% of male prisoners in a maximum security prison reported sexual assault. In Hensley and Tewksbury's 2002 study of three facilities for men in Oklahoma, they found about 13.8% of inmates had been the victim of a sexual "threat" with only two actual rapes reported amongst the 174 respondents. Gaes and Goldberg's (2004) meta-analysis found that the average prison lifetime sexual assault prevalence rate was only 1.91%. Wolff, Blitz, Shi, Bachman, & Siegel, (2006) report a prevalence rate for male inmates of 4.3%, with 3.5% reporting "any abusive sexual contact" and 1.5% reporting nonconsensual sex acts. Importantly, the rate was higher for staff-on-inmate sexual victimization than it was for inmate-on-inmate (76 per 1,000 compared to 43 per 1,000) (Wolff, et al., 2006, p. 843).

Research on male sexual assault has identified the typical victim as a young, white property or drug offender who is physically small or weak. Other factors associated with being a victim include: mental illness or developmental disabilities, being middle class, not gang-affiliated, known to be homosexual or overtly effeminate, convicted of sexual crimes, those who are labeled as "rats," disliked by staff or other inmates, and previously sexually assaulted (Dumond, 2000).

Austin, Fabelo, Gunter & McGinnis (2006) examined over 2,000 reports of sexual assaults between 2002 and 2005 in the Texas prison system and reported the following findings:

- Reported assaults increased substantially after Texas began a "Safe Prisons Program" that promoted broader definitions of sexual victimization and encouraged reporting.
- There were a large number of unsubstantiated cases where the victim and/or assailant were transferred without any finding.
- Both victims and assailants represent only about 2% of the prison population.
- Reported victims were most likely young, white, and with a non-violent crime of conviction. They were also more likely to have a sexual offense as a crime of conviction, and there is some evidence to indicate that mentally ill inmates are a greater risk of victimization.
- Reported assailants were more likely to be black or Hispanic, gang-affiliated, and convicted of a violent crime.
- Incidents were most likely to occur in the daytime in housing cellblocks. Other locations for assaults were showers or bathrooms, followed by dorms.
- Injuries were noted in only about 10% of the reported assaults.

Fleischer and Kreinert 's (2006) qualitative research on sexual violence in men's and women's prisons indicated that while sexual assault was rare, stories and myths about rape were common. Twenty-two percent of the male respondents reported they were certain that at least one rape had occurred in a prison where they had served time. Almost that same number reported some

worry about or threat of rape. Sexual behavior in the prison did not fit neatly into categories of consensual and coercive, and included a range of utilitarian, manipulative, and exchange aspects. Their findings also included the following:

- Inmates indicated that they policed themselves to reduce sexual violence and rapists are unwelcome in the prison community.
- Protective social arrangements provided safety and social support.
- The definition of sexual violence as rape hinged on the relationship between the parties.
- Men's and women's prisons share a prison culture which results in similar interpretations of sexual violence.
- Debts sometimes led to sexual services being demanded as payment.
- Generally, prisoners found that there was less sexual violence than staff threats indicated. (Fleischer & Kreinert, 2006).

Jones and Pratt (2008) placed sexual violence in the context of all prison violence. They noted that the range of prevalence rates may be partially explained by the different definitions employed by researchers. While reports of completed, forceful rapes were rare, the number of reported victimizations increased when the researchers expanded the definition of victimization to other forms of sexual assault, coercion, or harassment. Another methodological problem noted is that some authors report incidence (the number of victimizations), while others report prevalence (the number of inmates who report one or more victimizations). These two numbers are not comparable. Finally, the measure of time varies from incidents of sexual violence in the last year to at any time during a prison sentence.

It is clear that our understanding of male sexual violence in prison has suffered from a lack of consistent methodology. The disagreement regarding prevalence between studies can be largely attributed to the definition of victimization. Lockwood (1983) was one of the earliest researchers who argued that forcible rape was rare, but sexual harassment was endemic in prisons for men. More recently, Keys (2002) noted that inmates argue that "turning out a punk" is a skill and much more common than physical rape. Submitting to sex was described by Keys' respondents as "accommodation," "a favor," "a relief of anxiety," "fulfillment of an obligation," or "solidifying alliances" (Keys, 2002, p. 268). Trammell's (2006) respondents also described the participation of "wives" or "punks" as something less than consensual, but short of being physically coerced. They struggled to find an accurate term and settled on "business arrangement." The question as to whether or not the resulting relationship is actually consensual or coercive remains unanswered.

Research on Sexual Assault in Women's Prisons & Jails

In their review of prison sexual assault studies, Gaes and Goldberg (2004) stated the few studies that have considered sexual assault in women's facilities find that the prevalence of sexual victimization appears to be lower than sexual victimization in men's prisons. Austin, et al., (2006), in their study of reported sexual assaults in Texas, indicated that prison staff held the belief that sexual behavior in women's prisons was more often consensual and not coercive as in the men's

facilities. However, these researchers stated, “We are not persuaded that this is indeed the case. Clearly a separate and more detailed assessment of sexual assault among female prisoners is needed” (Austin, et al., 2006, p. viii). In their study of official reports of sexual assaults in the Texas prison system, Austin and colleagues found that assailants in women’s prisons were likely to be black, and that both victims and assailants in women’s prisons were likely to have violent crimes of conviction.

Hensley, Castle, and Tewksbury (2003) administered surveys to all female inmates in one facility, with 4.5% of the 245 respondents reporting victimization by some form of sexual coercion. These numbers referred solely to inmate-on-inmate assaults while Austin’s study included both inmate-on-inmate and staff-on-inmate assaults.

Struckman-Johnson and Struckman-Johnson (2000, 2002, and 2006) conducted early prevalence studies. In an early study of three men’s prisons and one women’s prison in Nebraska, using anonymous mail surveys, Struckman-Johnson and colleagues found that 22% of the men and 7.7% of women reported being “pressured” or “forced” into sexual contact (Struckman-Johnson, et al, 1996, p. 74). A later study, conducted in seven men’s prisons and three prisons for women, found that prevalence rates varied by the institution (Struckman-Johnson & Struckman-Johnson, 2000, 2002). In the three prisons for women, the prevalence rates for rape ranged from zero to five percent; and “sexual assault” (which included more behaviors than forced genital sex) ranged from 6% to 19%. The reports of sexual coercion ranged from 11% to 21% between the institutions. Another finding of this study was that, while the majority of sexual victimization (between 55% and 80%) was perpetrated by other inmates, there was a sizeable percentage perpetrated by officers or staff (Struckman-Johnson & Struckman-Johnson, 2000, 2002).

Struckman-Johnson and Struckman-Johnson (2006) also reported that female victims in their sample were less likely to identify their perpetrator as black than were male victims, and that male victims were more likely to report a completed rape than were women, whose worst victimization was more often something less than a completed physical rape. These researchers have also compared the perceptions of inmates and staff concerning the prevalence of sexual coercion. In every facility, staff’s perceptions of prevalence were dramatically lower than those of female inmates. In the first facility, inmate-respondents reported that 21% of inmates were sexually coerced (staff reported 10%), the second facility’s respondents reported 11% (and staff reported 2%), and in the third facility, inmates reported 13% (and staff reported 4%) (Struckman-Johnson and Struckman-Johnson (2002).

Wolff and her colleagues have published a number of articles from their survey of sexual assault in prison, with a sample of 6,964 men and 564 women (i.e., Wolff, et al., 2006; also see Wolff, Blitz, & Shi, 2007; Wolff, et al., 2007; and, Wolff, Shi, Blitz, & Siegel, 2007). The authors argue that their study improved on the previous studies in representativeness, validity, and reliability. The researchers asked about nonconsensual sexual acts (forced sex acts, including oral and anal sex), and abusive sexual contacts (intentional touching of breasts, buttocks, groin areas). They found that rates of sexual victimization varied significantly by gender, age, perpetrator, facility, and the way the question was worded. They found that the reported rate of inmate-on-inmate sexual

victimization in the previous six months was four times higher for women than for men (212 per 1,000 compared to 43 per 1,000) (Wolff, et al., 2006, p. 842). Prevalence rates over the course of a prison sentence for inmate-on-inmate sexual assault was two times higher for female inmates than male inmates (39/1000 vs. 16/1000), and staff-on-inmate was about one and one-half times higher (53/1000 vs. 34/1000) (Wolff, et al, 2006, p. 840). In large part, the increased number of reports by women was accounted for by abusive sexual contacts, not sexual acts. Women were six times more likely to report abusive sexual contacts and twice as likely as male inmates to report non-consensual sex acts. In more recent analysis, Wolff and Shi (2011) update their research on patterns of victimization and feelings of safety inside prison for both male and female inmates. In their surveys of 6,964 males and 564 females in New Jersey prisons, sexual touching was reported more often than sexual assault, particularly for female inmates. Males reported victimization by staff more frequently than females did. While both males and females reported feeling safe, inmates reporting past victimization indicated the lowest levels of safety.

Using a broad measure of in-prison sexual victimization, which included completed and attempted sexual assault as well as unwanted touching and sexual abuse, Blackburn (2006) conducted a study utilizing self-report surveys among 436 incarcerated women in Texas. She found that 17% of the inmates reported such victimization, with 3% of the sample reporting a completed sexual assault, or rape, while incarcerated. The majority of the sample (86%) believed that in-prison sexual assault occurs and 72.7% indicated that they would officially report an in-prison sexual assault if they were so victimized. Blackburn (2006) found no significant demographic differences between victims of in-prison sexual victimization and non-victims indicating that it may be difficult to identify those women most likely to be sexually victimized while incarcerated.

As more studies have been completed, it has become apparent that researchers must separate sexual assault (a forced sexual interaction involving genital contact or genital/mouth or hand contact) from sexual misconduct, which involves unwanted touching and verbal sexual harassment. Furthermore, Hensley and Tewksbury (2002) have argued that sexual coercion rather than sexual assault in prisons for women is by far the most neglected topic of prison researchers. Emerging research indicates that distinguishing consensual from coerced sexual relationships in women's prisons may be more difficult than earlier researchers assumed (Owen & Wells, 2005; Greer, 2000; Fleisher & Krienert, 2006; Alarid, 2000). The studies reviewed herein indicate that the amount of sexual victimization ranges across different correctional facilities, indicating both institutional and individual factors affect the risk of victimization. In discussing sex and sexuality in women's prisons, Pardue, Arrigo and Murphy (2011) suggest that all aspects of sexuality in women's prisons need reexamination to develop a clearer picture of consensual and non-consensual sex. The researchers develop five categories: "suppressed sexuality, autoeroticism, true homosexuality, situational homosexuality and sexual violence" (p. 282).

Coerced vs Consensual Sex

The difficulty in distinguishing consensual from coerced sexual relationships in women's prisons continues. Some research indicates that a little less than half of female prisoners have participated in sexual relationships with other prisoners, with age (younger) and length of

sentence (longer) being most predictive of participation (Hensley, Tewksbury, & Koscheski, 2002). Most of the women who engage in homosexual relationships in prison did not have that sexual orientation outside of prison. Inmates refer to this sexual involvement as “gay for the stay.” In a study of 35 female inmates in Midwestern correctional institutions, Greer (2000) found that, although the majority of female inmate respondents indicated they did not wish to become involved in an intimate relationship with other female inmates, such relationships were prevalent. The motivations for such relationships included economic manipulation, sincere attachment, loneliness, curiosity, sexual identity, peer pressure, sexual release, and diversion from boredom. Greer (2000) also found that over 71% of female inmate respondents believed that sexual relationships were based on manipulation rather than genuine affection or attraction.

Fleischer and Krienert (2006) explored the “socio-sexual” nature of prison culture for both incarcerated women and men, and suggested that women may experience sexual violence and coercion in ways not previously described. Both Owen (1998) and Fleischer and Krienert (2006) found that female prisoners could decline participation in sexual relationships, but that fear and lack of knowledge about “how to do time” often compromised their ability to say no to requests or pressure for sex. Other studies have examined the prison rape “lore” or myths (Fowler et al, 2010).

Alarid (2000) suggests that some passive female inmates submit to verbal sexual coercion. In a case study, she reported the first person observations of one incarcerated woman who detailed her experiences of prison sexual victimization. According to this respondent, women were approached early in their prison sentence, but if they were “prison Christians” or made it clear that they didn’t want to “play,” they would be left alone. Alarid’s respondent argued that it was the “stud” women who play the masculine role who were more likely to be the target of sexual aggression from “femmes” (those women who did not display masculine characteristics) because there were fewer of them. She also observed that many women, because of previous victimization and lack of healthy relationships on the outside, did not recognize the coercive nature of their prison relationships. Because most women capitulated to sexual coercion, force was unnecessary. Women entered into relationships because they wanted to “belong” to somebody to combat loneliness. Another reason, however, was that they were intimidated by threats of violence, or being “set up” (i.e., with contraband). Types of sexual coercion described by Alarid’s respondent included verbal sexual harassment, genital exhibition, and masturbation.

The concept that the “stud” or masculine woman was more likely to be the victim of sexual aggression seems to run counter to intuition as the general assumption has been that the “masculine” or “stud” inmate initiates the relationship (see a critical review of this assumption in Chesney-Lind & Eliason, 2006). Some support for the idea that “studs” do not necessarily act in a dominant or predatory role compared to “femmes” is given by Keys (2002) who found that there was no power differential between the two roles. He especially noted that this egalitarianism was quite different from the relationship between the “punk” and “wolf” role found in prisons for men.

In contrast, Trammell (2006) describes the “stud” as the one who “calls all the shots” and several

inmate narratives explained how weak women would “hook up” with a stronger, bigger woman who controlled her. On the other hand, one inmate narrative described an assault of a stud/masculine woman. The inmate described a woman who said she was a “dyke” and then refused to give oral sex to her “girlfriend” because she “really liked guys.” This resulted in the girlfriend and others raping her with a curling iron, although the inmate respondent explained it was not rape because she “deserved it” for lying.

Alarid’s (2000) respondent described preferential treatment by correctional officers toward “femmes” who looked more feminine. If no other evidence was available, “femmes” were more likely to be considered the victim rather than the aggressor, and “studs” spent more time in punitive segregation for fighting. Alarid concludes that unreciprocated love, jealousy, and sexual pressuring are the causes for most violence in women’s prisons.

Greer’s (2000) respondents also described sexual jealousy and the attempt to control partners as one of the main factors in prison violence. In fact, some of her respondents characterized the nature of the violence as similar to domestic violence on the street as this quote indicates:

They fight ... and it is jealous like...hollering at her, “you don’t do this, you don’t talk to her, you don’t give her nothing, you don’t take nothing, you do what I say, I am here for you.” I don’t think so. You know, I mean personally, I ate enough shit off men [not] to have a woman check [control] me (Greer, 2000, p. 458).

Smith (2006a & b) points out that a potential result of the PREA focus on sexual assault and victimization in men’s and women’s prisons is that consensual sexual activity between inmates will be targeted and punished by correctional authorities. She notes that sex may occur between female inmates for trade, freedom, transgression, safety, and love. According to Smith, sex is considered a fundamental right and, even though a prison sentence involves a great deal of limitations on one’s freedom, it may be that individuals should retain this particular self-expression. This principle should be kept in mind in developing policies and procedures designed to reduce sexual victimization in prison.

The most common location for sexual assaults by inmates is in cellblocks, according to Wolff et al., (2007), Austin et al. (2006), and Struckman-Johnson and Struckman-Johnson (2006). In contrast, other researchers have found that sexual assault and coercion was more likely to occur in open dormitory style housing that contained female offenders convicted for crimes against persons (Struckman-Johnson & Struckman-Johnson, 2000, 2002). Alarid (2000) also identified dormitory style housing as the more likely location of sexual victimization. Restricted housing where women did not receive as much access to programming or privileges was also seen as high risk. These conflicting findings could be due to counting different types of victimization. It may be that while physical rapes occur in cells, other forms of sexual coercion and harassment occur in dormitory settings.

Reporting Sexual Assault

Official reports of sexual victimization (inmate-inmate or staff-inmate) are almost certain to be

lower than the actual number of incidents. Inmates indicate in most studies that they would be unlikely to report any but the most extreme cases of sexual victimization. Calhoun and Coleman (2002) found that the female inmates in their study agreed that the consequences of exposing sexual assault are too costly to both the inmate and the staff, and therefore underreported. Hensley, Tewksbury, and Koscheski (2002) suggest that the lack of female inmate's reporting sexual coercion may be due to fear of repercussions, and wanting to protect their social image or reputation to other inmates because being a victim may be seen as a sign of weakness. Fowler et al., (2010), Miller (2010) also examine inmates perceptions of and resistance to reporting sexual assault.

Prison lore and prison myths have also been shown to shape definitions about sexual assault and willingness to report. Fleisher and Krienert (2006) discuss the impact of these myths on men and women. Fowler, Blackburn, Marquart and Mullins (2010) suggest that parameters used by inmates to define sexual assaults differ from those used by prison officials, creating a discrepancy between inmate and staff definitions. The likelihood of reporting decreased inversely proportionate to the amount of time the inmate had served. Worley, Worley and Mullings (2010) studied rape lore and found that both sexual orientation and length of time served were significant influences in awareness of prison sexual assault.

National Surveys Conducted by the Bureau of Justice Statistics

As required by the federal legislation, the Bureau of Justice Statistics (BJS) collects data from a range of sources to carry out a statistical review and analysis of sexual victimization in correctional facilities. The National Inmate Survey (NIS) surveys inmates in US prisons, jails and other correctional facilities to determine the prevalence and incidence of this victimization. This survey is part of the National Prison Rape Statistics Program which also collects administrative records of reported sexual violence and interviews former prisoners and youth about their victimization experiences while incarcerated. Three waves of the NIS have been conducted. The Survey of Sexual Violence (SSV) collects data annually from administrative records on the incidence of sexual victimization in adult and juvenile correctional facilities.

Although not discussed here, BJS also conducts a survey of youth in custody via the National Survey of Youths in Custody (NSCY) (Beck, 2014). In addition to these studies of incarcerated populations, BJS has released the National Former Prisoner Survey (NFPS) that sampled former prisoners through parole offices around the US. Taken together, these data provide an empirical picture of reported sexual victimization in jails and prisons throughout the country. This review outlines BJS findings that relate to gender issues and women's facilities.

Sexual Victimization in Prison and Jails Reported by Inmates: The National Inmate Surveys

The Bureau of Justice Statistics (BJS) collects a range of individual-level data from a national sample of inmates through the National Inmate Survey (NIS). The NIS waves provide statistical data on non-consensual (forced or pressured) sexual acts and abusive sexual contacts and includes inmate/inmate victimization and staff sexual misconduct and victimization. Here, we

summarize the findings relevant to adult women in the most current administrations of these three studies. The changes among the three waves of the NIS are statistically insignificant: here we report more recent data. Like all measures of prison and jail behavior, these rates varied across many dimensions (Note: The various waves of the NIS report different details in their publications. Details related to inmate gender were not consistent across the three reports. However, Allen Beck of BJS has indicated in a personal communication that, although not reported consistently, the measures relating to women's experience with sexual victimization were consistent across these three waves.)

The NIS-3 (Beck, Berzofsky, Caspar & Krebs, 2013, p.6) found that an estimated 4% of prison inmates and 3.2% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff during the last 12 months (or since admission). Staff sexual misconduct also includes the willingness to have sexual relations with staff. Here, we highlight findings relevant for women across these NIS waves:

- Using the same methodology since 2007, the rate of sexual victimization among state and federal prison inmates was 4.5% in 2007 and 4.0% in 2011-12; the difference was not statistically significant. Among jail inmates, the rate of sexual victimization remained unchanged – 3.2% in 2007 and 3.2% in 2011-12.
- Rates of inmate-on-inmate sexual victimization among prison inmates were higher among females (4.7%) than males (1.9%). Beck et al., 2010, p. 12; Beck et al., 2013, p. 18).
- Sexual activity with facility staff was reported by 1.9% of male jail inmates, compared to 1.4% of female jail inmates (Beck et al., 2013, p. 18).
- Rates of inmate-on-inmate sexual victimization in jails were significantly higher among inmates who: were white, had a college degree or more (compared to those who had not completed high school), reported a sexual orientation other than heterosexual, , and had experienced sexual victimization before coming to the facility compared to those who had not (Beck et al., 2013, p. 18).
- Among inmates who reported inmate-on-inmate sexual victimization in state and federal prisons, males (16%) were more likely than females (6%) to have been victimized 11 or more times in the last 12 months, or since admission if less than 12 months (Beck et al., 2010, p. 21).
- The NIS-2 also found that males were more likely than females to report having been bribed or blackmailed to take part in sexual activity (42% compared to 26%), offered protection (39% compared to 19%), or threatened with harm or a weapon (48% compared to 30%) (Beck et al., 2010, p. 21).
- Males were more likely than females to report more than one perpetrator (25% compared to 11%), that the perpetrator was of Hispanic or Latino origin (24% compared to 16%), and that one or more incidents were initiated by a gang (20% compared to 4%) (p. 21) (Beck et al., 2010, p. 21).
- Among inmates who reported staff sexual misconduct, nearly 16% of male victims in prison and 30% of male victims in jail said they were victimized by staff within the first 24 hours, compared to 5% of female victims in prison and 4% of female victims in jail (Beck et al., 2010, p.5) (Beck et al., 2010, p. 21).

- Among victims of staff sexual misconduct in prison, male victims of staff sexual misconduct (64%) were more likely than female victims (30%) to report incidents that involved no pressure or force. A similar pattern was reported by victims in jail, with an estimated 56% of male victims and 31% of female victims reporting one or more incidents that involved no pressure or force by staff (Beck et al., 2010, p. 21).
- Nearly 82% of the female victims in prison said they were pressured by staff to engage in sexual activity, compared to 55% of male victims in prison (Beck et al., 2010, p. 23). For both male and female inmates, the perpetrator of staff sexual misconduct was most likely of the opposite sex (Beck et al., 2010, p. 21).
- For men in prison, 69% reported sexual activity with female staff, and an additional 16% reported sex with both female and male staff. For women prisoners, 72% reported a male perpetrator, with an additional 19% reporting both male and female perpetrators (Beck et al., 2010, p. 24). Jail inmates were more similar, with about 2/3 of female and male inmates identified an opposite sex perpetrator (Beck et al., 2010, p. 21).
- Female juveniles between the ages of 16-24 held in adult prisons and jails reported inmate on inmate victimization rates between 4.4% and 5.7%, compared to male juveniles of the same age who ranged between 1.5% and 1.8% (Beck et al., 2013, p. 22).
- An inverse pattern is shown when looking at staff sexual misconduct for the same age group, females report between .8% and 1.7%, compared to males ranging from 2.6% to 3.3% (Beck et al., 2013, p. 22).
- When considering mental health status and inmate-on-inmate sexual victimization, females with serious psychological distress report 12.9% serious victimization in prison and 5.8% in jails, compared to men at 5.6% in prison and 3.2% in jail (Beck et al., 2013, p. 27).
- Staff sexual misconduct reports of those females with serious psychological distress in prison report 5.2% compared to men at 5.7%. Jails report females at 1.7% and males at 4.0% (Beck et al., 2013, p. 27).
- Non-heterosexual female inmates are 2.5 times more likely to be sexually victimized than heterosexual females (Beck et al., 2013, p. 27).

The NIS-3 added questions about serious psychological distress (SPD) to their study. The NIS-3 found higher rates of reported sexual victimization by other inmates and staff among sampled prison inmates who indicated serious psychological disorders at 6.3% than those without any indication of SPD at 0.7%. This pattern held for jail populations as well. Females with an anxiety-mood disorder or SPD in prisons and jails were much more likely to report inmate/inmate sexual victimization, as shown in this table:

Inmate/inmate sexual victimization and mental health status

	<u>No mental illness</u>		<u>Anxiety-mood disorder</u>		<u>Serious psychological distress</u>	
	Jail	Prison	Jail	Prison	Jail	Prison
Female	2.3%	3.4%	2.8%	8.9%	5.8%	12.9%

Male	.5%	.5%	1.1%	2.2%	3.2%	5.6%
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This gender pattern was not found in the prevalence of staff sexual misconduct and mental health status. Both female (5.2%) and male (5.7%) prison inmates with SPD reported higher rates of staff sexual misconduct than those without such mental health status. Male jail inmates at 4% were more likely to report victimization than female jail inmates at 1.7%.

Inmates who reported a sexual orientation as gay, lesbian, bisexual or other “non-heterosexual” were among those with the highest rates of sexual victimization in 2011-12 (Beck, et al, 2013, p. 7). Male inmates with a non-heterosexual orientation were more likely to report victimization by both inmates and staff. Female inmates with this orientation also reported higher rates than those females with a heterosexual orientation.

Sexual Victimization Reported by Adult Correctional Authorities

In January 2011, Guerino and Beck reported the results of their annual Survey of Sexual Violence (SSV) of official records of prison and jail reports of sexual violence. This analysis found that women were disproportionately victimized by inmates in state and federal prisons and local jails (Guerino & Beck, 2011, p. 6).

While women represent 7% of sentenced prison inmates, they accounted for 21% of all victims of inmate-on-inmate victimization in the prisons. In jail settings, women are about 13% of the population, but accounted for 32% of the inmate victimization. Women were also disproportionately victimized by staff sexual victimization in these official records (Guerino & Beck, 2011, p. 8). These official reports differ somewhat from the inmate reports gained in the NIS-2.

Sexual Victimization Reported by Former State Prisoners

In May 2012, BJS released the National Former Prisoner Survey (NFPS), adding another dimension to our understanding sexual violence among incarcerated populations (Beck & Johnson, 2011). Based on a sampling of parole offices in 40 states, the NFPS collects data on the totality of time spent in prison and thus cannot be compared directly to the NIS approach. However, it is designed to encourage a fuller reporting of victimization of those released from prison by eliminating an immediate risk or retaliation or a “code of silence” in prisons (Beck & Johnson, 2011, p. 7). The differences between female and male prisoners found in the NIS data was also found in these data: “The reports of former prisoners confirm the large and statistically significant difference between male and female rates of inmate-on-inmate sexual victimization” (Beck & Johnson, 2011, p. 15). Highlights of this study (Beck & Johnson, 2011, p.5) include:

- The rate of inmate-on-inmate sexual victimization was at least 3 times higher for females (13.7%) than males (4.2%).
- The rate of “willing” sexual activity with staff was higher among males (4.8%) than females (2.6%), and the rate of unwilling sexual activity was higher among females (2.5%) than males (1.1%).
- Among heterosexual males, an estimated 3.5% reported being sexually victimized by

another inmate. In comparison, among males who were bisexual, 34% reported being sexually victimized by another inmate. Among males who were homosexual or gay, 39% reported being victimized by another inmate.

- Female heterosexual inmates reported lower rates of inmate-on-inmate victimization (13%) and staff sexual misconduct (4%) than female bisexual inmates (18% and 8%, respectively).
- Among female homosexual or lesbian inmates, the rate of inmate-on-inmate sexual victimization was similar to that for female heterosexual inmates (13%), while the rate of staff sexual victimization was at least double (8%) that for female heterosexual inmates (4%).

The tables that follow display the BJS NIS-3 findings for female facilities only.

Table 1 – Table 1 displays percentage of inmates reporting sexual victimization by another inmate and staff sexual misconduct. The Table also displays the percentage of inmates reporting a combined measure of any sexual victimization. The highest rate reported via the composite score was just over 19%. Inmate sexual victimization was reported at a high of 15.3% with 10.7% the highest report rate for staff sexual misconduct.

Characteristics of state and federal women's prisons and prevalence of sexual victimization, by facility, by type of incident, National Inmate Survey, 2011-12

Percentage of Inmates Reporting (Table 1)

Facility Name		Sexual Victimization Overall	Sexual Victimization Inmate on Inmate	Staff Sexual Misconduct
Alabama				
	Julia Tutwiler Prison	14.1%	10.0%	6.8%
Alaska				
	Hiland Mountain Corr. Ctr.	12.9%	9.9%	3.0%
Arizona				
	ASPC- Perryville	9.1%	7.5%	2.1%
California				
	California Inst. for Women	6.7%	3.6%	4.2%
	Central California Women's Fac.	10.1%	9.5%	2.1%
	Valley State Prison for Women	11.5%	11.5%	3.9%

Colorado				
	Denver Women's Corr. Fac.	19.3%	13.4%	10.7%
Connecticut				
	York Corr. Inst.	12.0%	11.0%	2.5%
Delaware				
	Delores J. Baylor Women's Corr. Inst.	13.6%	10.7%	7.0%
Florida				
	Broward Corr. Inst.	12.0%	5.4%	7.3%
	Levy Forestry Camp	6.1%	4.7%	1.4%
Georgia				
	Lee Arrendale State Prison	5.9%	5.9%	0.0%
Illinois				
	Decatur Corr. Ctr.	1.1%	1.1%	0.0%
	Dwight Corr. Ctr.	10.7%	9.2%	4.2%
Indiana				
	Rockville Corr. Fac.	7.6%	5.8%	1.8%
Maryland				
	Maryland Corr. Inst. For Women	12.7%	8.4%	5.6%
Minnesota				
	MCF - Shakopee	13.0%	12.8%	0.5%
Missouri				
	Women's Eastern Reception, Diagnostic and Corr. Ctr.	8.7%	7.8%	1.3%
Nevada				
	Florence McClure Women's Corr. Ctr.	16.3%	16.3%	2.1%
New Hampshire				
	New Hampshire State Prison for Women	8.2%	5.8%	2.4%

New Mexico				
	New Mexico Women's Corr. Fac.	14.3%	12.2%	6.0%
North Carolina				
	Mary Frances Ctr.	0.0%	0.0%	0.0%
	North Carolina Corr. Inst. for Women	13.0%	11.4%	4.9%
Ohio				
	Northeast Pre-Release Ctr.	7.6%	5.2%	2.4%
Oklahoma				
	Dr. Eddie Warrior Corr. Ctr.	9.4%	8.1%	2.4%
	Mabel Bassett Corr. Ctr.	17.5%	15.3%	3.4%
Oregon				
	Coffee Creek Corr. Fac.	10.8%	8.0%	4.7%
Pennsylvania				
	Cambridge Springs State Corr. Inst.	4.1%	3.7%	0.9%
	Muncy State Corr. Inst.	11.4%	8.9%	3.6%
South Carolina				
	Camille Griffin Graham Corr. Inst.	8.7%	6.5%	3.0%
South Dakota				
	South Dakota Women's Prison	13.2%	12.4%	2.6%
Texas				
	Carole Young Medical Fac. Complex	1.7%	1.2%	1.3%
	Henley State Jail	2.4%	1.7%	0.8%
	Murray Unit	15.3%	11.3%	4.4%
	Plane State Jail	4.4%	2.1%	2.3%
	Woodman Sate Jail	1.3%	1.3%	0.0%

Virginia				
	Brunswick Women's Reception and Pre-Release Ctr.	0.0%	0.0%	0.0%
Federal Facilities (Bureau of Prisons)				
	FCI Greenville Camp	4.1%	3.3%	0.8%
	FCI Marianna Camp	0.6%	0.6%	0.0%
	FCI Tallahassee	5.8%	4.0%	2.3%
	FMC Carswell	4.2%	4.2%	0.4%
	FMC Lexington Camp	0.8%	0.8%	0.0%
	FPC Alderson	2.7%	2.3%	0.4%
	USP Hazelton – Female	5.2%	4.4%	0.8%

Source: Beck, A. J., Berzofsky M., Caspar R., & Krebs, C. (2013). *Sexual victimization in prisons and jails reported by inmates, 2011-2012*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics. Appendix Table 1 and 2 combined.

Table 2

Table 2 examines these self-reports in terms of severity for both inmate/inmate victimization and staff sexual misconduct.

Percentage of female prison inmates reporting sexual victimization by level of coercion, by facility, National Inmate Survey, 2011-12

		<u>Inmate-on-inmate</u>		<u>Staff sexual misconduct</u>		
		Physical ly forced	Pressure d	Physical ly pressure d	Pressure d	Withou t force or pressur e
Alabama						
	Julia Tutwiler Prison	5.0%	7.8%	4.0%	5.5%	2.4%
Alaska						
	Hiland Mountain Corr. Ctr.	5.9%	8.3%	.7%	3.0%	1.6%
Arizona						

	ASPC- Perryville	4.3%	6.5%	1.3%	1.8%	1.7%
California						
	California Inst. for Women	1.9%	3.0%	0.6%	3.7%	1.2%
	Central California Women's Fac.	7.5	5.4	1.5	2.1	0.0
	Valley State Prison for Women	8.8	10.7	3.1	3.6	0.7
Colorado						
	Denver Women's Corr. Fac.	9.7%	11.8%	7.3%	8.8%	3.2%
Connecticut						
	York Corr. Inst.	7.2%	9.1%	0.4%	2.4%	0.3%
Delaware						
	Delores J. Baylor Women's Corr. Inst.	6.0%	5.8%	0.6%	5.2%	3.2%
Florida						
	Broward Corr. Inst.	2.3%	3.6%	4.7%	3.5%	1.3%
	Levy Forestry Camp	4.7	3.6	1.4	1.4	0.0
Georgia						
	Lee Arrendale State Prison	2.5%	4.4%	0.0%	0.0%	0.0%
Illinois						
	Decatur Corr. Ctr.	1.1%	0.0%	0.0%	0.0%	0.0%
	Dwight Corr. Ctr.	6.8	6.9	2.6	3.7	0.5
Indiana						
	Rockville Corr. Fac.	2.6%	4.0%	0.3%	0.0%	1.4%
Maryland						
	Maryland Corr. Inst. For Women	4.8%	5.1%	0.9%	5.6%	1.4%
Minnesota						
	MCF - Shakopee	7.3%	10.2%	0.2%	0.5%	0.0%
Missouri						
	Women's Eastern Reception, Diagnostic and Corr. Ctr.	6.2%	4.1%	0.4%	1.3%	0.4%
Nevada						
	Florence McClure Women's Corr.	12.0%	11.3%	0.4%	2.1%	0.0%

	Ctr.					
New Hampshire						
	New Hampshire State Prison for Women	4.3%	3.3%	2.4%	2.4%	1.2%
New Mexico						
	New Mexico Women's Corr. Fac.	6.8%	8.9%	4.5%	5.3%	2.4%
North Carolina						
	Mary Frances Ctr.	0.0%	0.0%	0.0%	0.0%	0.0%
	North Carolina Corr. Inst. for Women	7.1	9.1	2.5	2.5	4.0
Ohio						
	Northeast Pre-Release Ctr.	2.4%	4.7%	0.0%	2.4%	0.0%
Oklahoma						
	Dr. Eddie Warrior Corr. Ctr.	6.7%	6.5%	1.7%	2.4%	1.2%
	Mabel Bassett Corr. Ctr.	9.5	13.2	1.4	2.5	1.5
Oregon						
	Coffee Creek Corr. Fac.	5.5%	5.5%	1.1%	3.9%	1.3%
Pennsylvania						
	Cambridge Springs State Corr. Inst.	2.8%	3.0%	0.0%	0.4%	0.5%
	Muncy State Corr. Inst.	5.7%	6.0%	1.0%	3.2%	0.3%
South Carolina						
	Camille Griffin Graham Corr Inst.	3.3%	4.4%	0.7%	1.1%	1.2%
South Dakota						
	South Dakota Women's Prison	7.9%	9.9%	0.0%	1.9%	0.7%
Texas						
	Carole Young Medical Fac. Complex	0.4%	1.2%	0.8%	1.3%	0.5%
	Henley State Jail	1.7%	0.0%	0.0%	0.8%	0.0%
	Murray Unit	6.9	7.4	1.0	3.6	1.1
	Plane State Jail	1.7	1.1	1.0	2.3	0.0

	Woodman Sate Jail	0.8	1.3	0.0	0.0	0.0
Virginia						
	Brunswick Women's Reception and Pre-Release Ctr.	0.0%	0.0%	0.0%	0.0%	0.0%
Federal Facilities (Bureau of Prisons)						
	FCI Greenville Camp	0.0%	3.3%	0.0%	0.8%	0.8%
	FCI Marianna Camp	0.6	0.0	0.0	0.0	0.0
	FCI Tallahassee	1.7	3.5	0.0	0.8	1.5
	FMC Carswell	1.5	4.2	0.0	0.4	0.0
	FMC Lexington Camp	0.8	0.0	0.0	0.0	0.0
	FPC Alderson	1.3	2.3	0.4	0.4	0.0
	USP Hazelton - Female.	3.3	3.6	0.8	0.8	0.0

Source: Beck, A. J., Berzofsky M., Caspar R., & Krebs, C. (2013). *Sexual victimization in prisons and jails reported by inmates, 2011-2012*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics. Appendix table 3

Table 3

Finally, Table 3 shows the percentage of female inmates who report non-consensual sexual acts and those who report abusive sexual contacts only.

Percentage of female prison inmates reporting nonconsensual sexual acts and abusive sexual contacts, inmate and staff incidents combined by facility, National Inmate Survey, 2011-12

Facility Name		Nonconsensual Sexual Acts	Abusive Sexual Contact
Alabama			
	Julia Tutwiler Prison	6.1%	8.0%
Alaska			
	Hiland Mountain Corr. Ctr.	6.2%	6.7%
Arizona			
	ASPC- Perryville	4.7%	4.5%
California			
	California Inst. for Women	1.4%	5.3%

	Central California Women's Fac.	4.8	5.3
	Valley State Prison for Women	6.1	5.4
Colorado			
	Denver Women's Corr. Fac.	7.0%	12.2%
Connecticut			
	York Corr. Inst.	6.5%	5.5%
Delaware			
	Delores J. Baylor Women's Corr. Inst.	6.2%	7.4%
Florida			
	Broward Corr. Inst.	5.0%	7.1%
	Levy Forestry Camp	1.6	4.5
Georgia			
	Lee Arrendale State Prison	3.5%	2.4%
Illinois			
	Decatur Corr. Ctr.	1.1%	0.0%
	Dwight Corr. Ctr.	4.0	6.7
Indiana			
	Rockville Corr. Fac.	4.1%	3.5%
Maryland			
	Maryland Corr. Inst. For Women	5.8%	6.9%
Minnesota			
	MCF - Shakopee	7.6%	5.4%
Missouri			
	Women's Eastern Reception, Diagnostic and Corr. Ctr.	6.0%	2.6%
Nevada			
	Florence McClure Women's Corr. Ctr.	10.9%	5.4%
New Hampshire			
	New Hampshire State Prison for Women	4.3%	3.9%
New Mexico			

	New Mexico Women's Corr. Fac.	5.2%	9.1%
North Carolina			
	Mary Frances Ctr.	0.0%	0.0%
	North Carolina Corr. Inst. for Women	4.9	8.0
Ohio			
	Northeast Pre-Release Ctr.	4.7%	2.8%
Oklahoma			
	Dr. Eddie Warrior Corr. Ctr.	5.4%	4.0%
	Mabel Bassett Corr. Ctr.	8.5	8.9
Oregon			
	Coffee Creek Corr. Fac.	6.5%	4.3%
Pennsylvania			
	Cambridge Springs State Corr. Inst.	2.0%	2.2%
	Muncy State Corr. Inst.	5.7	5.7
South Carolina			
	Camille Griffin Graham Corr Inst.	4.4%	4.3%
South Dakota			
	South Dakota Women's Prison	8.6%	4.6%
Texas			
	Carole Young Medical Fac. Complex	1.3%	0.4%
	Henley State Jail	1.7	0.8
	Murray Unit	7.0	8.3
	Plane State Jail	3.5	1.0
	Woodman Sate Jail	1.3	0.0
Virginia			
	Brunswick Women's Reception and Pre-Release Ctr.	0.0%	0.0%
Federal Facilities (Bureau of Prisons)			
	FCI Greenville Camp	3.3%	0.8%
	FCI Marianna Camp	0.6	0.0
	FCI Tallahassee	1.7	4.1
	FMC Carswell	2.3	1.8

	FMC Lexington Camp	0.8	0.0
	FPC Alderson	2.2	0.5
	USP Hazelton - Female.	2.0	3.2

Source: Beck, A. J., Berzofsky M., Caspar R., & Krebs, C. (2013). *Sexual victimization in prisons and jails reported by inmates, 2011-2012*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics. Appendix Table 4

Staff Perspectives

Working with The Moss Group, Owen and Wells (2005) conducted a series of structured focus group interviews with correctional staff regarding sexual victimization in women's prisons. Findings from these interviews include the following:

- Sexual assault training typically focuses on male-based information and staff receive very little information about the dynamics and prevention of sexual assault within facilities for women. Many staff from mixed or facilities for women indicated that they had had very little training on working with female inmates in general.
- Staff felt that sexual assault and other forms of sexual violence were relatively infrequent, but most felt that the actual occurrence was difficult to count.
- Staff in every facility discussed the role inmate culture plays in sexual violence in prison and jails. Definitions of "weak" and "tough" inmates shape the context of victimization and strong prohibitions against informing on another inmate inhibit staff response.
- Staff were aware of the processes known as "protective pairing" and "grooming" for sexual activities. Many suggested that a large part of sexual victimization was tied to "domestic violence" in both male and female institutions and rooted in relationships that may have begun as consensual and turned coercive over time.
- Staff in both facilities for men and women discussed the difficulty in distinguishing between consensual and coerced sexual relationships.
- Staff in both facilities for men and women also suggested that women with histories of prior victimization, either through incest, molestation, or other forms of sexual assault, were more vulnerable to in-custody assault.
- Many staff members described their experience with female "predatory inmates" and acknowledged that some women are aggressive in their pursuit of a relationship with other female inmates that may or may not involve coerced sexual acts.
- Staff acknowledged that while male staff involvement with female inmates was the more common occurrence, misconduct between female staff and inmates was also a possibility. Staff sexual misconduct was seen as a safety violation and contrary to the purpose of the job itself.
- Staff also expressed great concern over the validity of claims of staff sexual misconduct and the damage such false accusations could create. Credibility was also an issue in reports of staff sexual misconduct. Staff in every facility was very concerned that co-workers would be damaged by false accusations (Owen & Wells, 2005).

Staff Sexual Victimization

Staff sexual misconduct can take many forms—including inappropriate language, verbal degradation, intrusive searches, unwarranted visual supervision, using goods and privileges to coerce cooperation in sexual activities, the use or threat of force, and physical rape (Human Rights Watch, 1996; Dumond, 2000; Siegal, 2001; Baro, 1997).

From the early 1900s to the late 1970s, female officers guarded most female prisoners in this country. Since the late 1970s, most states have allowed male officers to work in prisons for women. In many states, over 50% of correctional officers in prisons for women are men (Pollock 2002). This has led to female inmates being patted down, and, in some cases, strip searched by male officers. The policy of utilizing male officers to supervise, pat down, and even strip search female inmates has led to “sex scandals” in many states. When female inmates have challenged such treatment, utilizing the right to privacy and Eighth Amendment arguments, some courts have agreed that women and men are not “similarly situated.” Courts have acknowledged the fact that many women in prison have experienced sexual abuse by men, which arguably makes them different from male prisoners who are not as likely to have this history of victimization and, therefore, do not experience the same level of anxiety or violation as do women when undergoing a search conducted by a guard of the opposite sex (for a review of cases, see Pollock, 2002; Flesher, 2007). Standard policies and procedures in correctional settings (e.g., searches, restraints, and isolation) can have profound effects on women with histories of trauma and abuse, and they often act as triggers to re-traumatize women who have been previously victimized (Covington & Bloom, 2006; Maeve, 2000; National Resource Center for Justice-Involved Women, 2014). However, not all courts accept this argument and pragmatic concerns force prison administrators to utilize male officers for supervision in housing units, for transportation, and other duties that put them in positions of direct supervision over female inmates.

A minority of male and female officers have used their positions to perpetrate sexual abuse and exploitation of women in prison. The problem of correctional staff sexual misconduct in women’s correctional facilities has been identified by the media, the public, and human rights organizations. In fact, the United States has been criticized in several international reports on the use of male guards to supervise female inmates and the documented incidents of sexual assault and coercion that have resulted (Amnesty International, 1999; Human Rights Watch, 1996). The policy of utilizing male officers to supervise, pat down, and strip search female inmates puts the United States in conflict with international treaties and the United Nations Standards for the Treatment of Prisoners (Flesher, 2007).

Kubiak, Hanna, and Balton (2005) describe three case histories of women who were raped in prison by correctional staff members. The women had histories of sexual victimization and their reaction to the officers’ sexual aggression could be described as passive acceptance. As one woman said in response to the male officer telling her he was going to have sex with her, “Yeah, right. Whatever.” (Kubiak, Hanna, & Balton, 2005, p. 164). This fatalistic acceptance of sexual assault seems to be related to their histories of childhood sexual violence, reflecting their fear that the correctional officer—like the male adult when they were children—was omnipotent and

would punish resistance. In their eyes, acceptance was simply the best approach in order to ensure overall safety. These inmates believed that if they reported the incidents, the officers and other staff members would retaliate. Kubiak, Hanna, and Balton (2005) further describe how women's histories of sexual victimization may result in passive acceptance of officers' aggression.

Struckman-Johnson and Struckman- Johnson's (2000) findings indicated that 45 percent of incidents of sexual coercion reported by inmates involved staff as perpetrators. Wolff and her colleagues found that staff-on-inmate sexual victimization was about one and one-half times higher (53/1,000 v. 34/1,000) in the women's prison than in the men's prison. They also noted that younger inmates were significantly more likely to be victims of sexual victimization by staff (Wolff et al., 2006, p. 840). The Bureau of Justice Statistics found that the reported instances of staff sexual victimization ranged from 0 to 5.3% and reported non-consensual sexual acts ranged from 0 to 3.7% (Beck and Harrison, 2007).

In 1999, the General Accounting Office published a study on sexual misconduct by correctional staff in women's prisons (GAO, 1999). This report noted that state laws and correctional policies changed in the 1990s in response to a perceived growing problem of staff sexual misconduct. The study examined the prison populations in California, Texas, the District of Columbia, and the Federal Bureau of Prisons, finding that between 11% and 18% of the inmates' allegations were substantiated and in very few cases were any staff members prosecuted. The study also noted that it was widely believed that staff sexual misconduct is underreported. Between 1995 and 1998, 506 allegations were recorded in the four correctional systems studied; however, report authors found that some states did not record all allegations.

It should be noted that female officers working in both men's and women's prisons have also been found to be involved in sexual misconduct. About half of all verified staff sexual misconduct is perpetrated by female staff members guarding male inmates (Marquart, Barnhill, & Balshaw-Biddle, 2001). However, the problem of more coercive and/or assaultive offenses appears to occur between male staff and female inmates. The problem can be aggravated by poor grievance procedures, inadequate investigations, and staff retaliation against inmates or parolees who "blow the whistle."

Calhoun and Coleman (2002) studied staff-inmate sexual conduct in a female correctional facility in Hawaii. The authors argue that staff-inmate sexual contact is not a rare occurrence, but not publicly recognized. Their female respondents described three types of sexual abuse in prison: "trading," "love," and "in the line of duty." It is reported that female inmates engage in "trading" sexual acts to gain access to material goods or services regularly denied to inmates such as food, clothes, or drugs. Calhoun and Coleman (2002) suggest that inmate "trading" does not constitute consensual sexual acts because of the unequal power relationship between staff and inmates in the prison setting. As for the other two types of sexual misconduct, their respondents suggest that "love" between staff and inmates can occur but it is rare. The "in the line of duty" misconduct involved abuses during searches or pat downs. Female respondents indicated these searches often made them feel humiliated, sexualized, and powerless.

One important point to note is that female inmates are not a homogenous group of passive victims. Some do fall in love with correctional officers, some actively exploit male or female officers who fall in love with them, and some willingly participate in sexual banter. One female inmate describes one male officer's daily experience in the women's prison as characterized by "wolf whistles" and women "licking their lips, or "offering open mouths and tongues" while "flirting shamelessly with him." This officer was later indicted and convicted for sexual misconduct (Petersen, 2000). According to this inmate, female inmates use sex with staff members for physical affection, to secure lighter work details, special privileges, money, or contraband. Trammell (2006) also provided narratives of female inmates who described situations where male correctional staff members did not engage in sexual misconduct until women started to flirt with them. According to these reports, most sexual contact between female inmates and staff members was consensual. If it is true that female inmates actively seek out sexual relationships with male staff members, it may be the case that such relationships are truly consensual; or it may be that such relationships can be understood as the tactics of the oppressed, a result of sexualized identity and low self-image because of childhood sexual abuse, or a result of gender socialization. Regardless of motivation, sexual relationships with inmates are unprofessional, against policy, and, in most states, illegal, regardless of consent.

Reporting Sexual Assault

Official reports of sexual victimization (inmate-inmate or staff-inmate) are almost certain to be lower than the actual number of incidents. Inmates indicate in most studies that they would be unlikely to report any but the most extreme cases of sexual victimization. Calhoun and Coleman (2002) found that the female inmates in their study agreed that the consequences of exposing sexual assault are too costly to both the inmate and the staff, and therefore underreported. Hensley, Tewksbury, and Koscheski (2002) suggest that the lack of female inmate's reporting sexual coercion may be due to fear of repercussions, and wanting to protect their social image or reputation to other inmates because being a victim may be seen as a sign of weakness. Fowler (et al., 2010) also examine inmates' perceptions of reporting.

Gendered Violence and Safety: A Contextual Approach to Improving Security in Women's Facilities

In response to the Prison Rape Elimination Act of 2003 (PREA), this project investigated the context of gendered violence and safety in women's correctional facilities. Through a multi-method approach, including focus groups with female inmates and staff and survey development, Owen, Wells, Pollock, Muscat and Torres (2008) examined the context and correlates of both violence and safety in correctional facilities for women. That NIJ funded study, Gendered Violence and Safety: A Contextual Approach to Improving Security in Women's Facilities (Owen, et al, 2008), described the dynamics and context of interpersonal sexual and physical violence in women's correctional facilities. Multiple organizational, environmental and individual factors were found to contribute to violence in women's facilities. Their analyses found that the dynamic interplay between individual, relational, community, facility and societal factors create and sustain violence potentials in women's jails and prisons.

The data support the original hypothesis that sexual violence is embedded in a broader context of violence and safety and that this context is gender-based. The authors argue that prevention and intervention, through inmate programs and education, staff training and other operational practices, are primary strategies in meeting the goals of PREA. Like all aspects of incarceration, violence in women's correctional facilities was markedly gendered and nested within a constellation of overlapping individual, relational, institutional, and societal factors. The operational implications of this study calls for a focus on prevention and intervention by addressing multiple factors that shape the context of violence in women's facilities.

This study found that violence in women's jails and prisons is not a dominant aspect of everyday life, but exists as a potential, shaped by time, place, prison culture, interpersonal relationships, and staff actions. On-going tensions and conflicts, lack of economic opportunity, and few therapeutic options to address past victimization or to treat destructive relationship patterns contribute to the potential for violence in women's facilities. These findings did not suggest that women's jails and prisons are increasingly dangerous. While some patterns that shape vulnerability and aggression exist in any facility, most women learn to protect themselves and do their time safely. This study also found most staff and managers committed to maintaining a safe environment.

Building on the focus group data, a comprehensive battery of survey instruments to assess prisoner perceptions of violence and safety in women's facilities was developed. (This instrument is further discussed below.) The resultant battery is comprised of multi-dimensional instruments with specific questionnaire items and response categories designed to accurately capture women's experiences in correctional facilities.

Perceptions of Violence

Women enter jails and prisons with a range of expectations about their safety and vulnerabilities. The sampling procedure captured this range of experience by including women at all stages of their jail or prison sentence. There was little consistency in inmate or staff perceptions of prevalence or changes over time in the rate of violence. Opinions varied across the states and different facilities, and even within a facility. This inconsistency was apparent in inmate as staff focus groups. Some inmates felt their facility was safer now than in the past; others said the facility was increasingly dangerous. Staff also voiced this mixed perspective. Perceptions of safety were most influenced by immediate experiences and housing (or duty) assignments. No general consensus emerged as to whether prisons and jails for women were safer or more dangerous today than in the past.

Causes of Violence

In discussions with inmates and correctional staff, there was general consensus among inmates and staff regarding the causes of fighting and other forms of violence in the prison. Generally, both groups believed that jealousy, debts, and disrespect were the major catalysts for violence.

Jealousy was a pervasive theme when women talked about violence. The women's jail and prison

population is characterized by those with long histories of abuse and victimization; most of this past trauma remains untreated. Few programs or services exist that address these personal histories, which can result in intense relationships with other women with similar histories. Untreated trauma contributes to symptoms of Post-Traumatic Stress Disorder (PTSD) and exacerbates inabilities to have healthy relationships.

Debt and its connection to conflict was also a pervasive theme in all study sites. Hustling and participating in the prison economy of “trafficking and trading” can lead to conflict and escalate to violence. The haves and the have-nots in prison create economic crimes in the same way they do on the outside: There is theft, fraud, and extortion by offenders who want what others have. Economic exploitation and debts are common in a jail or prison environment where many women have no outside support, minimum options to earn money, and desire both legitimate and contraband goods and services.

The third major factor discussed by the participants was disrespect. This concept, also identified in the literature review, concerns a wide range of behaviors and refers to interpersonal behavior that impinges upon another woman’s status, reputation, sense of self, personal space, or rights of “citizenship.” Disrespect is closely tied to the subcultural norms and values of the prison and jail world. Idle female inmates, either due to a lack of available programming or individual resistance to such participation, are most likely to participate in risky behaviors and relationships that contribute to the potential for being victimized or being the victimizer.

Staff behavior toward female inmates also contributes to a context where violence is either a greater or lesser possibility. In terms of staff, the most common problem reported by the women participants was “down talk” or disrespectful and derogatory verbal interactions. The Escalation Model (Edgar & Martin, 2003) fit the findings of both staff-to-inmate and inmate-to-inmate violence, with verbal conflict sometimes escalating to physical violence.

Continuums of Violence

This study argues that violence occurred on a continuum, ranging from verbal intimidation to homicide. Violence at the lower end of the continuum was most prevalent and the type of violence found at the extreme end was quite rare. While these findings were consistent with prior research that indicated violence in women’s prisons was not as severe or as prevalent as in men’s institutions, some gendered forms of violence were particular to women’s facilities and required their own definitions. In the following sections, four forms of violence found in women’s facilities are described:

- Verbal conflict
- Economic conflict and exploitation
- Physical violence
- Sexual violence

We could not determine the level of “protective pairing” present in jails and prisons. Generally, participants did suggest that young, naïve, or scared offenders entered into relationships with

more aggressive women, offering commissary and sexual intimacy in return for protection. Yet, female inmates typically saw these relationships as consensual.

Continuum of Sexual Coercion

We have constructed a “continuum of sexual coercion” that describes the sexual victimization that occurs in women’s facilities. In this continuum, no activity is necessarily exclusive of any other. It was more often the case that a range of escalations and “grooming” behaviors coerced a woman into the victim role. Once she became the submissive partner, the aggressor may move on to another victim.

A continuum of sexual victimization can be constructed as follows:

- Sexual comments and touching
- Sexual pressure or intimidation
- Stalking and “Fatal Attraction”
- Sexual Aggressors
- Sexual Violence in Relationships
- Sexual Assaults

Staff Sexual Misconduct and Victimization

The most common form of misconduct by staff seemed to be verbal abuse (referring to women in derogatory terms or yelling and screaming at them). The women offered few descriptions of staff members who seemed to have a pattern of utilizing greater than necessary force. Under this topic, the focus group discussions most often centered on sexual victimization involving staff members. Such victimization was perceived as not as common as what had occurred in the past. In their descriptions, participants mentioned verbal harassment, such as inappropriate but seemingly flattering remarks (“You are too pretty to be in prison.”); unprofessional conjecture (“What I’d like to do with a body like that.”); and sexual solicitation (“You know you want it”). These interactions had an unnerving effect on women’s overall well-being and contributed to a generalized feeling of vulnerability. Like sexually aggressive inmates, most of the sexually aggressive staff members had public reputations as “perverts” whom women took pains to avoid. Sexual relationships between staff members and female inmates, while acknowledged to be “wrong,” were perceived as a commercial exchange, with both parties often seeing them as a fair trade.

Our findings show that staff-inmate relationships are interrelated with other forms of victimization. For instance, situations described included cases where a staff member in a relationship with an inmate became jealous over her relationship with another inmate and so used excessive force on her; a staff member in a relationship with an inmate was married to another correctional officer, who found out and retaliated against the inmate; and, a staff member had relationships with two inmates who found out and assaulted each other.

In the same way that inmate-on-inmate sexual victimization can be described as occurring along a continuum of coercion, so, too, can staff misconduct. This continuum of staff sexual misconduct includes:

- Love and seduction
- Inappropriate comments and conversation
- Sexual requests
- “Flashing,” voyeurism and touching
- Abuse of search authority
- Sexual exchange
- Sexual intimidation
- Sex without physical violence
- Sex with physical violence

Perceptions of Safety

With few exceptions, women told us that they became less worried about physical or sexual violence over the course of their incarceration. While again stressing that “anything can happen at any time,” most women learned how to protect themselves from all forms of violence. Day-to-day tension, crowded living conditions, the lack of medical care and the potential for disease, and a scarcity of meaningful programs and activities were seen as more significant threats to a woman’s overall well-being than physical or sexual attack. Some individual women said they “did not feel safe at all,” but most said they learned to protect themselves. Health concerns eclipsed worries about sexual or physical safety in every focus group and these concerns were related to the lack of medical care and cleaning supplies, deteriorating physical plant conditions, substandard food, and the lack of rehabilitative programs. Idleness and an inability to earn money were also said to undermine women’s sense of well-being.

Women also expressed little confidence in the ability of staff members to protect them from violence, either from other female inmates or from predatory staff members. Women described staff as “just not caring;” “playing favorites” with aggressors; “enjoying their fears” or refusing to take their fears seriously. Women described staff members’ reactions to their reporting as “covering up for their buddies” and telling victims “This is prison—deal with it.” Women also stated that they were told by staff that they would have to “name names” if they went to staff for help in dealing with threats to their safety.

Staff members also remarked that they often felt unable to protect women, but their reasons differed from those offered by the women. They admitted that it was hard to keep reports of victimization confidential and this fact prevented victims from coming forward. Staff also told us that they were concerned with inmate “manipulation” when requests for help were tied to requests for room or cell changes. Indeed, inmates also told us that they would manufacture arguments, and even physical fights, in order to bolster their requests for housing changes, so the officers’ fears were evidently justified. It became clear, however, that real victims were also not believed and were left with potential abusers in housing units.

Staff felt that their ability to respond to violence depended on inmate reporting. The staff participants acknowledged barriers to reporting victimization incidents that included inmate lack of knowledge about reporting practices, subcultural sanctions against “snitches” (by inmates and officers), distrust of the entire investigative process, and concerns about retaliation from inmates and staff.

Inmates had little confidence in the reporting process even in facilities with well-known formal policies and procedures.

One point of agreement was a strong perspective on place. In every facility where interviews were conducted, inmates and staff were unanimous that some facilities were far more dangerous than others. Within facilities, particular living units were also defined as particularly risky and dangerous. Contributing factors in any particular locale included an interactive combination of individual, relational, and living unit and facility characteristics. Living units function as “neighborhoods” and, as such, exist as the physical place where the processes that shape violence or safety converge. Women perceived themselves as safe when they were comfortable in their living unit. Many participants expressed fear regarding other units in the same facility or other facilities because of the reputation such places had for increased violence and victimization.

Implications for Policy and Practice

The Prison Rape Elimination Act is intended to improve sexual safety in correctional environments. This study argues that sexual safety has a gendered meaning. Improving safety for female offenders requires a focus on both “kinds of person” and “kinds of places” in order to effectively prevent and intervene in violence in women’s facilities.

The first step in meeting the goals of PREA is to recognize that safety and violence have different meanings for female and male inmates. These data lead us to conclude that aspects of the overall context, including individual, relationship, living unit, and facility-based factors, either support or mitigate the potential for sexual and other forms of violence in women’s facilities. While many individual-level risk factors can be addressed with individual-level treatment, the study concludes that aspects of place, policy, and practice contribute to violence and safety. In many cases, the living unit may be the “place” where sexual and other forms of violence can occur, but any location in a facility has this potential. In a similar way, aspects of policy and practice either support or mitigate such violence.

The authors argue that a prevention approach is the foundation for a gender-appropriate response to PREA. Just as the data in this study show that violence occurs in a multi-level context, safety can be maximized by addressing these contextual factors. In order to meet the goals of eliminating physical and sexual violence in all facilities, systems and agencies must expand their approach beyond counting, investigations, and sanctions. Such strategies are integral to a broad-based response to PREA, but Owen et al., (2008) argue here that a comprehensive approach to PREA includes prevention, intervention, and treatment, as well as the more traditional responses of investigations and sanctions.

Correctional systems consider a broader definition of safety to include physical, psychological, social, moral, and ethical safety. Expanding on these broader components of safety for female offenders directs attention not only to improving safety in women's facilities, but also supports successful re-integration and rehabilitation. For many women, jails and prisons do not address these multiple dimensions of safety. Investing in programs, education, and treatment that address interpersonal violence and its collateral damage will increase safety in the women's prison, and may reduce recidivism among female offenders by addressing their pathways to prison.

Development and Validation of the Women's Correctional Safety Scales (WCSS): Tools for Improving Safety in Women's Facilities

Building on the extensive focus group data from the Owen et al. study (2008), Wells, Owen and Parson (2013) developed a comprehensive battery of survey instruments to assess prisoner perceptions of violence and safety in women's facilities. This process resulted in the construction and preliminary validation of a battery of instruments, known as the Women's Correctional Safety Scales (WCSS).

Here, simple descriptive results from the data collected by Wells, Owen and Parson (2013) are presented below in the order the items appear on the survey. Demographics and data regarding concerns about retaliation for taking the survey are summarized in final section.

The preliminary data analyses discussed in this section are limited to simple descriptive statistics, e.g., means, standard deviations, percentages, and the like. The upper portion of each table provides detailed results for each survey item. The lower portion of each table provides descriptive statistics for the relevant scale (which is composed of the items listed in the table). Scale results are provided first for the entire sample, then for prison and jail sub-samples, and finally for high problem unit and low problem unit sub-samples. In some facilities, we surveyed inmates in housing units that were not rated as low or high problem; these data are presented in the category of "unrated units." Brief narrative discussion is provided for each table.

Variation in descriptive results by facility type (jails and prisons), and by housing unit problem level (low, high, and unrated) are noted. Response rates were good overall: 89.0% of available inmates completed the WCSS Survey.

Problems in the Housing Unit

Section 1 of the WCSS Survey measures six general areas of conflict or violence: 1) inmate economic conflict, 2) inmate sexual violence, 3) inmate physical violence, 4) staff verbal/sexual harassment, 5) staff sexual misconduct, and 6) staff physical violence. Inmates were asked to rate statements according to the perceived seriousness of the problems they encountered in their current housing units.

The survey introduced this section by stating:

Below is a list of things that women inmates may consider to be a problem in their housing unit. Please indicate, by circling the appropriate number, how much of a problem (if at all) you consider each thing to be in your housing unit since you have been there. If you do not know about a certain thing, or have no opinion, please indicate that it is not a problem to you by circling 0 = Not a Problem at all.

In this survey, these definitions included:

- **“Women”** to mean *one or more women inmates or detainees*
- **“Staff”** to mean *anyone who works here at the facility*, including: paid employees, agency representatives, and contract workers; but also including official visitors, and volunteers.
- **“Problem”** to mean *anything that interferes with your sense of safety and well-being*.

The six areas were evaluated according to the following ratings:

How much of a problem have the following been in your HOUSING UNIT since you have been there?

0 = Not a Problem at all 1 = Small Problem 2 = Medium Problem 3 = Big Problem 4 = Very Big Problem

We combined similar items into scales in order to adequately measure each of these six areas.

Inmate Economic Conflict

The earlier NIJ-sponsored study (Owen et al., 2008) found that economic conflict was of some concern to women in jails and prisons. On average, inmate conflict over material possessions, debts, theft, and other economic issues was perceived as a small to medium problem. While this may be considered a favorable finding overall, there was considerable variation among the individual survey items and responses used to calculate the Inmate Economic Conflict Scale Mean. For example, item Q1 (Women here have gotten into verbal arguments over debts) was perceived to be a medium problem on average, while Q6 (Women here have used physical force to steal from others) was perceived to be a smaller problem on average. (1.14). Even greater variation is seen amongst the perceptions of individual respondents. For example, although 51.8% of respondents reported that inmate economic conflict was either not a problem at all (31.6%) or only a small problem (20.2%), nearly 30% reported that it was either a big or very big problem (14.3% and 15.1% respectively).

Inmate Sexual Violence

We provided the following definitions for terms used in this section:

- Inmate Sexual Violence means *any kind of sexual assault or a threat of any kind of sexual violence by an inmate*. Examples:

- Any kind of forced intercourse (rape) with mental or physical force (Forced intercourse means vaginal, anal, or oral penetration)
 - Touching other inmates without their consent (This includes an inmate who cannot consent or refuse due to being unconscious, asleep, mentally handicapped, etc.)
 - Penetration with an object such as a bottle
 - Attempted rapes and verbal threats of rape
 - Attacks or attempts involving unwanted sexual contact
- Inmate Sexual Violence includes sexually violent threats. It may or may not involve force. It includes things like grabbing or fondling.

Inmate sexual violence was perceived as somewhat less than a “small problem” on average. While this appears to be a very favorable finding overall, there was some variation among the individual responses used to calculate mean (average) ratings. Despite the fact that 67% of respondents reported that inmate sexual violence was not at all a problem for them in their housing unit, about 8.6% reported that it was a big (4.7%) or very big (3.9%) problem for them. Although these percentages may seem small, they represent nearly 300 women inmates (based on this sample) who reported much more troubling perceptions of inmate sexual violence than suggested by the mean scale score. Note also that among the various types of sexual violence surveyed, Question #8 was reported as the most problematic (Q8: Without using physical force, women here have touched, felt, or grabbed other women in a sexually threatening or uncomfortable way.) This item had a mean score of 1.14, with 46% of respondents reporting that it was not at all a problem, and 18.3% (640 women) reporting that it was either a big (8.9%) or very big (9.4%) problem in their housing unit.

Inmate Physical Violence

The survey materials provided the following definitions of inmate physical violence:

- Inmate Physical Violence means *use of physical force OR threats of force by an inmate*. It can also mean intent to harm or frighten another inmate or staff member. Examples:
 - Verbal threats of physical violence
 - Attempts to inflict physical harm
 - Hitting, slapping, kicking, biting
 - Striking with a weapon
 - Does **NOT** include force or threats for sex – that would be Inmate Sexual Violence
- Inmate Physical Violence means *any physical conflict between inmates*. It involves hitting, slapping, kicking, biting or striking with a weapon.

Inmate physical violence was perceived as a small to medium problem on average (note the mean rating of 1.65 on the Overall Inmate Physical Violence Scale, which falls between the numeric ratings of “1 = Small Problem” and “2 = Medium Problem.”) While this is a somewhat favorable finding overall, once again, there is considerable variation among the individual survey

items and responses used to calculate the overall scale mean. Among the various types of inmate physical violence surveyed, physical fights with intimate partners/girlfriends (Q27), with roommates or cellmates (Q25), and physical fights stemming from arguments (Q22), were perceived to be the most problematic, with means ranging from 2.01 – 2.22. On the other hand, having to pay “protection” (Q23) and assault with a weapon (Q30) were perceived to be the least problematic, with means of 0.77 and 1.07 respectively.

Similar variation can be seen in the overall Inmate Physical Violence Scale, where despite a moderate mean scale score of 1.65, about a third of respondents reported a big (13.6%) or very big (18.6%) problem, while over half reported no problem at all (33.5%) or only a small problem (18.8%).

Staff Verbal and Sexual Harassment

We provided the following definition for staff sexual harassment:

- Staff Sexual Harassment means *sexual remarks without a threat by any staff member to an inmate*. This term covers any remarks about gender, sexual choice, women’s bodies, or clothing. Obscene words or gestures are also included.

Issues relating to staff verbal and sexual harassment were perceived to be a medium problem on average (note the mean rating of 2.04 on the overall Staff Verbal and Sexual Harassment Scale). Although some readers may be tempted to interpret this as a neutral finding (rather than negative) given its mid position on the scale, this finding, on the whole, suggest a negative interpretation is more appropriate. Women indicated significant concern with staff verbal and sexual harassment. Most respondents reported a big or very big problem with staff yelling/screaming (Q35) and cursing (Q34) at women inmates (65.0% and 60.2% respectively). Large numbers of respondents (about 1900 of the 3500) also reported big or very big problems with staff making disrespectful comments to, or about, women inmates (Q32 and Q33). On the other hand, fewer respondents, but still a substantial number (about 600 of the 3500) reported big or very big problems related to staff making sexual comments, noises, or gestures to women inmates (Q36 and Q37). Overall, 44.8% of respondents fell into the big (14.1%) to very big problem (30.7%) range on the Staff Verbal and Sexual Harassment Scale, while 42.6% fell into the small (14.3%) to no problem (28.3%) range.

Staff Sexual Misconduct

The survey materials provided the following definition for staff sexual misconduct:

- Staff Sexual Misconduct means *any kind of sexual acts, requests, or threats toward an inmate by any staff member*. Romance between staff and inmates is included. It includes willing or unwilling sexual acts. Examples:
 - Intentional touching of genitals, anus, groin, breast, inner thigh, or buttocks to sexually abuse, arouse, or gratify
 - Completed, attempted, threatened, or requested sexual acts
 - Staff exposing themselves, invading privacy, giving vulgar looks, or viewing inmates for sexual gratification

Staff sexual misconduct was perceived to be slightly less than a “small problem” on average (note the mean rating of 0.76 on the Overall Staff Sexual Misconduct Scale). While this is a very favorable finding overall, there was some variation among the individual survey items and responses used to calculate mean (average) ratings. As in the other categories, variation is important. Despite the fact that about 66.3% of respondents reported that staff sexual misconduct was not at all a problem for them in their housing unit, for example, 13.5% reported that it was a big (5.3%) or very big (8.2%) problem.

Moreover, survey respondents indicated that some types of staff sexual misconduct were much more problematic than others. For example, approximately 1,000 women inmates reported a big or very big problem with staff invading the privacy of women inmates more than what was necessary for them to do their jobs (Q39) and staff staring at women inmates’ bodies (Q38). On the other hand, a much smaller (though still worthy of attention) number of women inmates (167 or 4.8%) reported a big or very big problem with staff using physical violence to force women inmates to perform sexual activity (Q45).

Staff Physical Violence

The survey materials provided the following definition for staff physical violence:

- Staff Physical Violence means *use of physical force OR threats of force to harm or frighten an inmate by any staff member*. Includes:
 - Hitting, slapping, kicking or biting
 - Use of excess force
 - Physical attempts or threats
 - Striking inmates with a baton or other authorized object when unnecessary
- Staff Physical Violence does not include using force for sex purposes—that would be Staff Sexual Misconduct.

Staff physical violence was perceived to be a “small problem” on average (note the mean rating of 1.00 on the Overall Staff Physical Violence Scale). While this is a favorable finding for the facility overall, there was some variation among the individual survey items and responses used to calculate mean (average) ratings. As one illustration of variation, 26.6% of respondents reported that staff using too much physical force while controlling women inmates (Q48) constituted either a big problem (10.3%) or a very big problem (16.3%). This was the most problematic of the staff physical violence items. On the other hand, staff hitting, slapping, kicking, or biting women inmates was perceived to be the least problematic of the surveyed items, with a mean of 0.71, where about half as many respondents (13.1%) indicated that it was a big (4.5%) or very big (8.6%) problem. Overall, 72% of women inmates indicated that staff physical violence was either not a problem at all in their housing unit (59.2%) or was only a small problem (12.8%), while 19.6% indicated that it was either a big problem (7.6%) or a very big problem (12.0%). While these later percentages may seem relatively small, they equate to about 680 women inmates.

Inmate Views of Policy and Reporting Climate

This part of the WCSS Survey asked inmates to evaluate a variety of statements relating to facility policy and reporting issues. There was considerable variation among respondents regarding their views on the effectiveness of facility procedures in protecting women inmates. The mean score for the Overall Facility Procedures in Protecting Women Scale was 3.13 (approximately “Neither Agree nor Disagree”). Overall 42.6% of respondents either somewhat agreed (17.9%) or strongly agreed (24.7%) that facility procedures are successful in protecting women inmates from various forms of staff and inmate abuse.

Overall 33.5% either somewhat disagreed (13.0%) or strongly disagreed (20.5%) with this statement; 23.9% indicated uncertainty by marking neither agree nor disagree. The lowest rated item was Q59a which dealt with inmate physical violence. Thus respondents generally indicated that facility procedures were more successful in protecting women from staff abuse, and from inmate sexual violence, than from inmate physical violence.

Staff Harassment of Inmates who Report

Survey respondents were largely ambivalent about, or in disagreement with, statements that staff harass women inmates who report staff or inmate misconduct. The mean score on the Overall Staff Harassment of Inmates Who Report Scale was 2.63, falling between somewhat disagree (2) and neither agree nor disagree (3). In all, approximately 44.9% of respondents either somewhat disagreed (9.5%) or strongly disagreed (35.4%) with these statements, while 27.1% either somewhat agreed (11.0%) or strongly agreed (16.1%) with the harassment statements; 28.0% indicated ambivalence or uncertainty by marking neither agree nor disagree. Women housed in prisons reported slightly more agreement with the staff harassment statements (2.66) than those housed in jails (2.50). Similarly, those housed in “high problem” units (as rated by staff) were slightly more likely to agree with the harassment statements (2.77) than those housed in low problem units (2.66) or unrated units (2.32).

Inmate Harassment of Inmates who Report

Survey respondents were divided in their perceptions of inmate harassment of those who report staff or inmate misconduct. The mean score on the Overall Inmate Harassment of Inmates who Report Scale was 3.01 (neither agree nor disagree). However, only 25.8% of inmates actually marked this response. Most either disagreed with the inmate harassment statements (27.0% strongly and 8.0% somewhat) or agreed with the harassment statements (23.4% strongly and 15.9% somewhat). Women housed in prisons reported slightly more agreement with the inmate harassment statements (3.06) than those housed in jails (2.78). Similarly, those housed in “high problem” units (as rated by staff) were more likely to agree with the harassment statements (3.25) than those housed in low problem units (2.98) or unrated units (2.64).

Demographics and Concerns about Retaliation

The final section of the WCSS Survey gathered demographic data. Based on the data we collected, the majority of inmates had a high school diploma or GED (78.1%) and were of non-

Hispanic/White ethnicity (91.5% / 68.1%). We also reported demographic details regarding educational attainment, race and ethnicity, age, and offense history of all respondents. Our analysis shows that a plurality of inmates, 38.8%, were incarcerated as a result of drug-related offenses. The average (mean) age of women completing the survey was 35.5 years. The average time served in this facility was 24.5 months.

The last two questions on the WCSS asked if the inmates who completed the survey thought they might receive some retaliation from staff or inmates for completing the survey. About 26% of inmates indicated they might receive some retaliation from staff for participating in the survey; about 16% felt they might receive some form of retaliation from inmates.

WCSS Survey Conclusion

This section summarized data provided simple, descriptive statistical summaries of the data collected from over 4,000 women in 15 different correctional facilities. Response rates were strong overall: 89.0% of available inmates completed the WCSS Survey (76.3% of all inmates assigned to those units.) Data from the quantitative and qualitative items from the overall sample, as well as the jail and prison sub samples, and “high” and “low” problems unit sub samples also displays these variations. Variation in descriptive results by facility type (jails and prisons), and by housing unit problem level (low, high, and unrated) indicated that the WCSS items and scale differences were in the expected magnitude and direction. The study found the WCSS to be a reliable and valid instrument.

Literature Review Conclusion

This summary literature review of women in prison and sexual victimization has shown that female offenders are different from male offenders in family background, criminal history, drug and alcohol use, and prior victimization. Their current lives and behavior while incarcerated reflect their past history. Violence in women’s prisons is rarely stranger violence and, more often, takes place within relationships. Prior histories of intimate partner violence seem to be repeated in the prison environment. Cultural and subcultural factors also affect the potential for violence, i.e., living in a subculture where “respect” is given extraordinary emphasis can affect women’s tendencies to use violent means to protect their self-image. Substantial percentages of female offenders are likely to suffer from drug addiction and co-occurring disorders and are likely to have violent victimization histories. These histories may have influenced the woman’s entry into crime, violent crime, and/or violent coping patterns in relationships while in prison or jail as well.

Prison and jail environments also seem to be a factor in the potential for violence. As this review suggests, individual factors alone are not sufficient to understand vulnerabilities and victimization. While they may have a significant effect on any given woman’s potential for violence and conflict, individual factors such as pre-prison victimization are mitigated or aggravated by contextual elements in the environment, including relationship, group, and environmental factors. LaVigne, et al., 2011) agree that policies that use a situational crime prevention approach are best suited for addressing these problems.

This literature review concludes with a summary discussion of recent work conducted by Owen, wells and Pollock (2008) and Wells, Owen and Parson (2013) which provides both qualitative and quantitative descriptions of women prisoners and their experiences with gendered safety and violence.

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