

Women's Mass Incarceration: The Whole Pie 2019

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With growing public attention to the problem of mass incarceration, people want to know about women's experience with incarceration. **How many women are held in prisons, jails, and other correctional facilities in the United States?** And why are they there? How is their experience different from men's? While these are important questions, finding those answers requires not only disentangling the country's decentralized and overlapping criminal justice systems, but also unearthing the frustratingly hard to find and often altogether missing data on gender.

This report provides a detailed view of the **231,000 women and girls incarcerated in the United States**, and how they fit into the even broader picture of correctional control. We pull together data from a number of government agencies and calculates the breakdown of women held by each correctional system by specific offense. The report, produced in collaboration with the ACLU's Campaign for Smart Justice, answers the questions of why and where women are locked up.

In stark contrast to the total incarcerated population, where the state prison systems hold twice as many people as are held in jails, **more incarcerated women are held in jails than in state prisons**. As we will explain, the outsized role of jails has serious consequences for incarcerated women and their families.

Women's incarceration has grown at twice the pace of men's incarceration in recent decades, and has disproportionately been located in local jails. The data needed to explain exactly what happened, when, and why does not yet exist, not least because the data on women has long been obscured by the larger scale of men's incarceration.

The disaggregated numbers presented here are an important step to ensuring that women are not left behind in the effort to end mass incarceration.

Jails loom large in women's incarceration

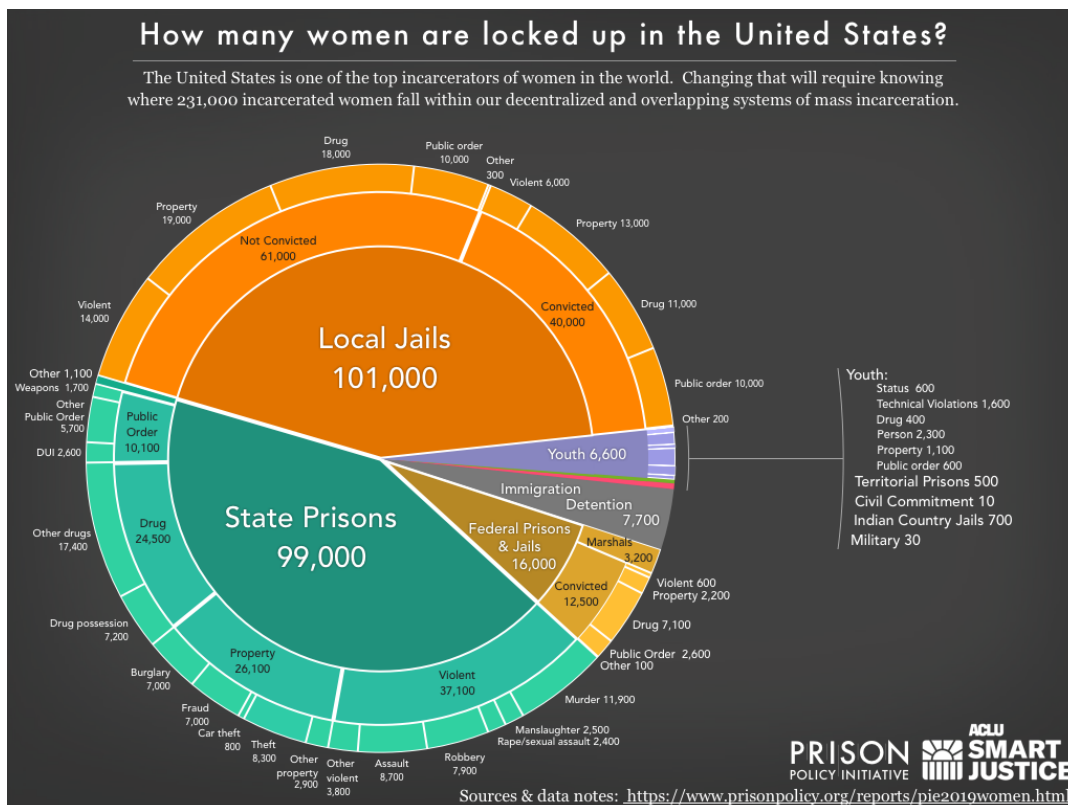
A staggering number of women who are incarcerated are not even convicted: **A quarter of women who are behind bars have not yet had a trial**.

Avoiding pre-trial incarceration is uniquely challenging for women. The most likely reason is that incarcerated women, who have lower incomes than incarcerated men, **have an even harder time affording money bail**. When the typical bail amounts to a full year's income for women, it's no wonder that women are stuck in jail awaiting trial.

Aside from women under local authority (or jurisdiction), state and federal agencies also pay local jails to house an additional 12,500 women. For example, **ICE and the U.S. Marshals**, which have fewer dedicated facilities for their detainees, contract with local jails to hold roughly 5,600 women. So, the number of women physically held in jails is even higher (see graphic on next page).

Even once convicted, the system funnels women into jails: About a quarter of convicted incarcerated women are held in jails, compared to about 10% of all people incarcerated with a conviction.

So, what does it mean that large numbers of women are held in jail — for them, and for their families? While stays in jail are generally shorter than in stays in prison, **jails make it harder to stay in touch with family** than prisons do. Jail phone calls cost three times more



than calls from prison, and other forms of communication are more restricted — some jails don't even allow real letters, limiting mail to postcards. This is especially troubling given that **80% of women in jails are mothers, and most of them are primary caretakers of their children.** Thus children are particularly susceptible to the domino effect of burdens placed on incarcerated women.

Women in jails are also **more likely to suffer from mental health problems** and experience serious psychological distress than either women in prisons or men in either correctional setting. Compounding the problem, jails are particularly poorly positioned to provide proper mental health care. (Though that is certainly not to say that prisons are always better at meeting women's needs.)

How mass incarceration targets girls

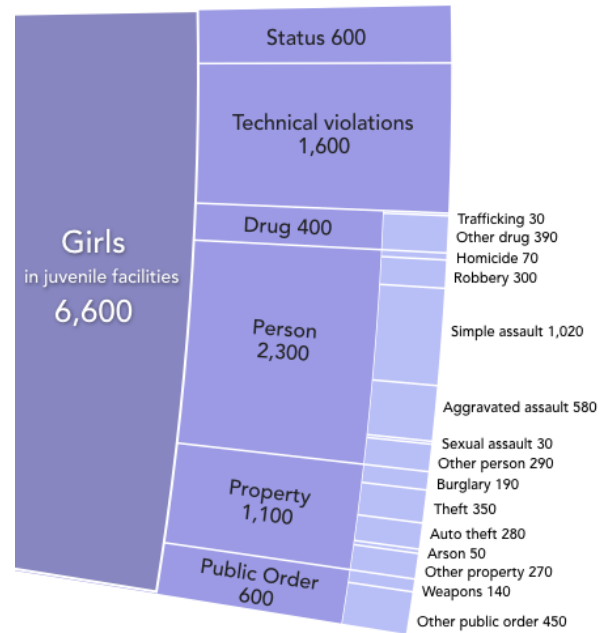
Of the girls confined in youth facilities, **nearly 10% are held for status offenses**, such as “running away, truancy, and incorrigibility.” Among boys, such offenses account for less than 3% of their confined population. These statistics are particularly troubling because status offenses tend to be simply responses to abuse.

As is the case with women, girls of color and those who identify as LGBTQ are disproportionately confined in juvenile facilities. Black girls account for 35% of the confined girls population, and Latina girls account for another 19%, while white girls are only 38% of those locked up. And while LGBTQ women are also disproportionately represented in the adult correctional systems, **a staggering 40% of girls in the juvenile justice system are LGBTQ.** (The comparable statistic for boys is just under 14%.)

While society and the justice systems subject all girls to stricter codes of conduct than is expected of their male peers, Black girls in particular shoulder an added burden of “adulthoodification” — being perceived as older, more culpable, and more responsible than their peers

— which leads to greater contact with and harsher consequences within the juvenile justice system.

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This is an excerpt from our October 2019 report Women's Mass Incarceration: The Whole Pie 2019. To read the full report, follow the link at the bottom of this page.

