

WOMEN IN PRISON PROJECT

Correctional Association of New York

135 East 15th Street, New York, NY 10003
Phone (212) 254-5700, Fax (212) 473-2807

WOMEN IN PRISON FACT SHEET

UNITED STATES

- ◆ As of January 1, 2002, an estimated 1,040,000 women were in criminal justice custody – in prison, jail, on parole or probation – in the United States.
- ◆ The majority of women inmates are incarcerated for non-violent crimes such as prostitution, fraud or drug offenses.
- ◆ 29% of women in state prisons nationally are mentally ill, a rate significantly higher than the male inmate population or the general population. Nearly 8 in 10 female mentally ill inmates report having experienced physical or sexual abuse.
- ◆ Nearly 20% of incarcerated mothers report being homeless in the year prior to their incarceration.
- ◆ Forty percent of women in prison held no job prior to incarceration. Of those who had jobs, two-thirds reported never receiving more than \$6.50 an hour.
- ◆ Two-thirds of women in prison in the United States are women of color.

NEW YORK STATE

- ◆ 3,133 women were incarcerated in New York State prisons as of January 1, 2002 – 4.6% of New York State's total prison population.
- ◆ New York State has the fourth largest female prison population in the nation, exceeded only by Texas, California and Florida.
- ◆ 80% of women who entered New York State prisons in 2000 were convicted of non-violent drug or property offenses.
- ◆ As of January 1, 2001, 53% of women confined in New York State prisons were African American, 27% were Latina, and 19% were white.
- ◆ As of January 1, 2002, 89% of women under custody for a drug offense were women of color: 54% were African-American and 35% percent were Latina.
- ◆ In 2000, 76% of New York State women prisoners reported that they are mothers of over 6,000 children. 70% of incarcerated mothers lived with and cared for their children prior to their imprisonment.
- ◆ A 1999 study of women inmates at Bedford Hills Correctional Facility found that more than 80% have a childhood history of physical and sexual abuse; more than 90% have experienced battering or sexual assault during their lifetime.

March 2002

Sources: Sourcebook of Criminal Justice Statistics - 2000, Bureau of Justice Statistics, New York State Department of Correctional Services, U.S. Department of Justice, Browne, Miller & Maguin, *Prevalence and Severity of Victimization Among Incarcerated Women*, International Journal of Law & Psychiatry 22(3-4) (1999).

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WOMEN PRISONERS AND HIV FACT SHEET

- ◆ **Female inmates with HIV in New York State represent one-third of all HIV-positive inmates in the United States.¹**
- ◆ More than one in five women inmates in New York State prisons – 21.5% – is known to be HIV-positive, compared to 9.1% of male inmates.¹
- ◆ New York City jails held 30% of jail inmates known to be HIV-positive in the 50 largest jail jurisdictions nationwide.¹
- ◆ A recent NYC Department of Health seroprevalence study found that 18% of women entering New York City jails are HIV-positive, compared to 7.6% of men.²
- ◆ Nearly 80,000 AIDS cases were confirmed in federal, state and local correctional facilities at yearend 1999.¹
- ◆ AIDS is the second leading cause of death among prison inmates in the United States and in New York, after all other natural causes combined.¹
- ◆ AIDS is the cause of death of nearly one-third of female inmates who die in NYS prisons.³
- ◆ At yearend 1999, the overall rate of confirmed AIDS among the nation's prison population was five times the rate in the U.S. general population.⁴
- ◆ **New York State has the highest number of prisoners infected with HIV of all other prison systems in the country, including the largest number of HIV-positive female inmates.¹**
- ◆ **HIV seropositivity rates are two to three times higher among women than men in almost all correctional systems in the United States.²**
- ◆ **HIV and AIDS disproportionately affect women of color.**
- ◆ NYS prisoners surveyed said that **they could obtain heroin, cocaine, and marijuana in prison.** However, because syringes were difficult to find, **prisoners almost always shared needles.⁵**
- ◆ Between January 1996 and January 2000, only 12 women were released from New York State prisons as part of the **medical-parole** program- which permits parole of seriously ill inmates before they have served their minimum sentence.⁶
- ◆ Between 1993 and 1998, **451 inmates** in New York State died waiting for a medical-parole decision.⁷

¹ Laura M. Manuschak, *HIV in Prisons and Jails*, 1999, Bureau of Justice Statistics (July 2001, revised October 25, 2001).

² New York City Department of Health, Bureau of Disease Intervention Services, *HIV Seroprevalence Update 1999* (June 2001).

³ New York State Department of Correctional Services, *Inmate Mortality Report* (August 2000).

⁴ Anne S. De Groot, M.D., *HIV Infection Among Incarcerated Women: An Epidemic Behind the Walls*, HIV Education Prison Project (HEPP) News, Vol. 3, Issue 4 (April 2000); Manuschak, *op. cit.*

⁵ "New York Inmates' HIV Risk Behaviors: The Implications for Preventions Policy and Programs," *American Journal of Public Health*.

⁶ Letter from New York State Department of Correctional Services, March 21, 2000.

⁷ John Beck, "Compassionate Release from New York State Prisons: Why Are So Few Getting Out?," *The Journal of Law, Medicine & Ethics*, Volume 27:3, Fall 1999, p. 217.

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DOMESTIC VIOLENCE SURVIVORS IN PRISON FACT SHEET

- ◆ A study by the New York State Division of Criminal Justice Services found that 93% of women convicted of killing sexual intimates – current or former husbands, boyfriends or girlfriends – had been physically or sexually abused by an intimate.¹
- ◆ From 1993 to 1999, intimate partners killed 32% of all female murder victims aged 20 to 24, 36% of all victims aged 25 to 34, and nearly 40% of all victims aged 35 to 49.²
- ◆ Women accounted for 85% of the 790,000 victims of intimate violence in 1999.³
- ◆ Battering is the **number one cause of injury** to women in the United States. Attacks made by husbands on wives result in more injuries requiring medical treatment than rapes, muggings and auto accidents combined.⁴
- ◆ Women of **all cultures, races, occupations, income levels and ages** are battered.
- ◆ In **70%** of domestic violence cases, a male batterer abuses not only his wife but his children as well.⁵
- ◆ **Over three million children** witness domestic violence each year.⁶
- ◆ In New York, a 1999 study of female inmates at Bedford Hills Correctional Facility found that over 80% of women prisoners had a childhood history of physical and sexual abuse, and more than 90% had experienced physical violence or sexual assault during their lifetime.⁷
- ◆ Over 70% of all women with in substance abuse treatment have been victims of violence at some time in their lives.⁸
- ◆ Domestic violence survivors who are convicted of killing their batterers have a **virtually non-existent rate of recidivism**.⁹
- ◆ Domestic violence survivors incarcerated in New York for assaulting or murdering their abuser are denied eligibility in the **Temporary Release Program** (work release), regardless of the circumstances surrounding their crime or of their performance record while in prison.
- ◆ Domestic violence survivors in New York incarcerated for assaulting or murdering their abuser are denied eligibility in the **medical-parole program**, regardless of the circumstances surrounding their crime or of their debilitated medical condition.

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¹ New York State Division of Criminal Justice Services, *Homicide by Women*, June 1996, p.8.

² Callie Marie Rennison, Ph.D., *Intimate Partner Violence and Age of Victim, 1993-99*, Bureau of Justice Statistics (October 2001, revised Nov. 28, 2001).

³ *Id.*

⁴ E. Stark and A. Flitcraft, "Violence Among Inmates, An Epidemiological Review," *Handbook of Family Violence*, 1988.

⁵ Brochure, Battered Women's Justice Center, Pace University Law School.

⁶ Mary Kenning, Anita Merchant and Alan Tomkins, "Research on the Effects of Witnessing Parental Battering: Clinical and Legal Policy Implications," in *Women Battering: Policy Implications*, ed. Michael Steinman, (Cincinnati: Anderson Publishers, 1991).

⁷ Browne, Miller & Maguin, *Prevalence and Severity of Lifetime Physical and Sexual Victimization Among Incarcerated Women*, *International Journal of Law & Psychiatry* 22(3-4) (1999).

⁸ New York State Office of Alcoholism and Substance Abuse Services.

⁹ C.P. Ewing, *Battered Women Who Kill*, (Lexington: Lexington Books, 1987).

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WOMEN PRISONERS AND SUBSTANCE ABUSE FACT SHEET

SENTENCES FOR DRUG OFFENDERS IN NEW YORK STATE ARE AMONG THE MOST PUNITIVE IN THE COUNTRY.

- ◆ The harshest provision of the Rockefeller Drug Laws requires that a judge impose a prison term of no less than 15 years to life for anyone convicted of selling 2 ounces or possessing 4 ounces of a narcotic. The penalties apply without regard to the circumstances of the offense or the individual's character or background.
- ◆ When New York State enacted the Rockefeller Drug Laws in 1973, 400 women were incarcerated in NYS prisons; and as of January 1, 2002, more than 3,100 women were incarcerated in NYS prisons.
- ◆ Of the 3,133 women in New York State prisons on January 1, 2002, 1423 or 45% were incarcerated for drug offenses. 80% of women who entered NYS prisons in 2000 were convicted of non-violent drug or property offenses.
- ◆ Almost the entire increase (91%) in women sentenced to prison from 1986 to 1995 was a result of drug offenses.
- ◆ In December 2000, 82% of women prisoners in New York State reported having a substance abuse problem prior to their arrest.
- ◆ 91% of women under custody for a drug offense in January 2001 are women of color: 54% were **African-American** and 37% percent were **Latina**.
- ◆ The National Center on Addiction and Substance Abuse at Columbia University reports that women in treatment report "alarming" histories of abuse, most commonly related to repetitive childhood physical or sexual assault. 70% of women in treatment were abused as children compared with 12% of men.
- ◆ A 1997 RAND Drug Policy Research Center study concluded that **drug treatment reduces 15 times more drug-related crime than mandatory minimum sentences**.
- ◆ It costs about \$32,000 per year to incarcerate an inmate in NYS prison, and about \$64,000 annually to confine a woman in a NYC jail. In comparison, the cost of most drug free outpatient care costs \$2,700-\$4,500 per person per year; residential drug treatment costs \$17,000-\$21,000 per year.

March 2002

Sources: New York State Department of Correctional Services, The Sentencing Project, New York State Office of Alcoholism and Substance Abuse Services, Legal Action Center.