



IT REMINDS US HOW WE GOT HERE

**(RE)PRODUCING ABUSE,
NEGLECT, AND TRAUMA
IN NEW YORK'S PRISONS
FOR WOMEN**

EXECUTIVE SUMMARY

Correctional Association
of New York

ACKNOWLEDGEMENTS

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Michelle Daniel

New Hour for Women & Children – LI

Survivors Justice Project

Women's Community Justice Association (WCJA)

EXECUTIVE SUMMARY

For decades, the Correctional Association of New York (CANY) has been advocating on behalf of incarcerated and formerly incarcerated women alongside other community based and grassroots organizations and directly impacted individuals and their families. While the experiences of incarcerated women have been largely obscured by the dominating narratives of incarcerated men’s needs and experiences, system-involved women often experience their own unique challenges and marginalization. Women’s pathways into and out of the criminal legal system reflect their stratified places within society.^{1, 2} Furthermore, despite their smaller population when compared to men, the United States incarcerates more women than any other country on earth, with 231,000 women incarcerated across the United States and 1,899 women incarcerated in New York state alone.^{3, 4, 5}

CANY seeks to recognize this issue by centering the voices of women and individuals incarcerated in prisons for women.⁶ This report provides information about the current state of people incarcerated in prisons for women, and in particular, those who have been impacted by domestic and gender-based violence, as up to 95% of women who go to prison—disproportionately Black and brown, low-income, immigrant and LGBTQ—bring with them histories as survivors of domestic and gender-based violence.^{7, 8}

In the following report, CANY will present findings that discuss how incarceration fails to prioritize the needs of those incarcerated in prisons for women. The Correctional Association of New York utilized three forms of data collection and analysis in preparing this report: in-person monitoring conducted at Bedford Hills Correctional Facility by CANY’s staff, board members, and volunteers, and two surveys, each containing quantitative and qualitative components. Our findings are compelling. One of the most salient issues among respondents was the issue of violence, retraumatization, and abuse in their prisons. For many incarcerated people, particularly those in prisons for women, violent abuse and the trauma that follows are emblematic of the experience of incarceration. While many women in prison have extensive histories of sexual abuse, violence, behavioral health issues, and physical health issues that pre-date their incarceration, the abusive dynamics and trauma that they experienced in these situations are often reproduced within prisons themselves.

1 Barbara Bloom, Barbara Owen, and Stephanie Covington, “Women Offenders and the Gendered Effects of Public Policy,” *Review of Policy Research* 21, no. 1 (2004): pp. 31-48, <https://doi.org/10.1111/j.1541-1338.2004.00056.x>

2 Meda Chesney-Lind, “Women and the Criminal Justice System: Gender Matters,” *Topics in Community Corrections, Annual Issue* (2000): 7-10, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.216.5308&rep=rep1&type=pdf>

3 Alex Kajstura, “States of Women’s Incarceration: The Global Context 2018,” Prison Policy Initiative, 2018. <https://www.prisonpolicy.org/global/women/2018.html>

4 Alex Kajstura, “Women’s mass incarceration: The whole pie 2019,” Prison Policy Initiative, 2019. <https://www.prisonpolicy.org/reports/pie2019women.html>

5 According to DOCCS “under custody” data from January 2020 obtained through FOIA.

6 While data from DOCCS identifies every person incarcerated in a women’s prison as “female”, it is important to note that not everyone incarcerated in prisons for women are women or identify within the gender binary. Throughout this report, we make reference to “individuals incarcerated in prisons for women” rather than incarcerated women when applicable.

7 Melissa Dichter, “Women’s Experiences of Abuse as a Risk Factor for Incarceration: A Research Update,” National Online Resource Center on Violence Against Women. 2015, <https://vawnet.org/material/womens-experiences-abuse-risk-factor-incarceration-research-update>.

8 Survived and Punished, “Research Across the Walls,” Survived and Punished, 2019, https://survivedandpunished.org/wp-content/uploads/2019/02/SP_ResearchAcrossWalls_FINAL-compressedfordigital.pdf

In the survey to Bedford Hills Correctional Facility, 74% of 110 respondents identified that they had witnessed some form of violence or abuse by staff, including physical, sexual, and verbal abuse, while 53% of respondents reported experiencing these acts of violence by staff themselves. One respondent reflected that:

“ *Some officers like to abuse their power as an office[r]. In some cases, it reminds us of our abusers and how we got here.* ”

Another major finding was dissatisfaction with prison policies, particularly the grievance process, reflecting a system riddled with abuses and contradictions, a lack of accountability for these actions, and an overall lack of consistent, uniform application of procedures. Despite the general view that the grievance program is failing, the grievance process is still widely used, with 71% of 110 respondents at Bedford Hills stating they filed a grievance in the past year. This speaks to how important this process is for incarcerated people, as it is often their only pathway forward in combating abuse.

The above highlights from our findings demonstrate that as we work to improve conditions for incarcerated people, we must concurrently push for efficient mechanisms that allow for greater transparency, critiques, accountability, and changes to the criminal legal system. Our recommendations — which include undertaking a massive reexamination of all cases where domestic and gender-based violence was a factor leading to incarceration and increasing the effectiveness and legitimacy of the grievance process — advocate for decarceration as a means to counter mass incarceration by promoting the release of those incarcerated, aiming for less people to be incarcerated in the first place, and supporting shorter sentences for those to be incarcerated. Decarceration as a policy solution is critical in this endeavor, as the goals of punishment and confinement will often supersede and contradict the objectives of rehabilitation for individuals in prisons; accordingly, the most effective strategy of meeting the needs of survivors of domestic and gender-based violence is to both release incarcerated survivors and to retire incarceration as a path to justice for survivors.



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