

**THE WISDOM OF THE FORMERLY INCARCERATED: THE EXPERIENCE
OF WOMEN IN CORRECTIONAL PROGRAMMING**

by

Mackenzie Niness

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OF WOMEN IN CORRECTIONAL PROGRAMMING**

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LIST OF ABBREVIATIONS

CLS	Criminal Legal System
DOC	Department of Corrections
FIW	Formerly Incarcerated Women
GR	Gender-Responsive
GRJ	Gender-Responsive Justice
IP	Incarcerated People
PDP	Prostitution Diversion Program
PSJ	Problem-Solving Justice
PT	Pathways Theory
VOP	Violation of Probation

ABSTRACT

Formerly incarcerated women (FIW) possess a valuable perspective on prison programming, which can help researchers and practitioners identify the strengths and limitations of such programs. While studies of prison program effectiveness often prioritize recidivism as the measure of a successful reentry, feminist and lived-experience criminologists challenge this binary, legal-system-centered perspective, arguing instead for an understanding of success grounded in the narratives of currently and formerly incarcerated people. This study utilizes semi-structured in-depth interviews (n = 14) with 13 formerly incarcerated women to answer three questions: (1) What are FIW's experiences of prison programming, if any? (2) What barriers do FIW face to accessing, participating in, and/or completing the programming? (3) How do FIW define success?

Interviews were analyzed using Interpretative Phenomenological Analysis (IPA) to capture how participants made sense of their prison programming experiences, navigated barriers, and conceptualized success according to their own definitions and values. Findings indicate that the popularized gender-responsive principles, strategies, and programming are presently unable to fully address the intersectional and structural challenges—related to gender, class, age, education, and ability—that shape the lives of FIW. Furthermore, FIW perceive that the

programming, once available to them, often falls short of what is made available in the male-designated facilities, revealing a *gendered scarcity* of resources that makes the women's incarceration and reentry more difficult.

This research advances the concept of *gendered neorehabilitation*, highlighting how this contemporary form of rehabilitation is applied specifically to criminalized women under the framework of Gender-Responsive Justice (GRJ). Gendered neorehabilitation reinterprets traditional rehabilitation by using gender-specific policies and programming to justify carceral expansion, control, and efficiency. Additionally, the study reveals that recidivism is not a central concern for FIW as they define success on their own terms. However, their conceptualizations are often aligned with other aspects of GRJ, such as individual transformation and market participation. This research contributes to the academic literature by providing a more comprehensive understanding of the interplay between women's prison program experiences and their reentry goals and success narratives, while also remaining critical of the broader socio-structural factors that influence the goals, operations, and outcomes of American carceral institutions under the expanding GRJ philosophy.

Chapter 1

INTRODUCTION

While women’s incarceration rates have outpaced men’s significantly over the past 40 years in the United States, incarcerated men still outnumber women in terms of population size (Monazzam & Budd, 2023). As a result of this disproportionality, women have received inadequate attention and are disadvantaged upon their return to free society (Bloom et al., 2003). These issues underscore a broader problem, as even academic scholarship has focused heavily on men’s carceral experiences to the detriment of theories for and about criminalized women¹. When research has focused on the

¹ This paper will not utilize words to describe system-involved or incarcerated people such as “inmate”, “criminal”, “convict”, “felon”, “prisoner”, etc. In line with incarcerated advocates and organizations like the Vera Institute for Justice, person-first or identity-first language and word choice will reflect my intention to promote and reinforce the humanization of system-involved people. “Criminalized people” will also be used as it directly subverts the state’s preferred terminology, “offender”, and acknowledges how these folks have been impacted by the state’s extensive carceral control, see Daly (1992). Currently and formerly incarcerated people will choose to refer to themselves however best suits their identities and experiences, but as a non-system-involved person myself, I will heed the call to use humanizing language that does not perpetuate the stigma and harms associated with the labels of offender and inmate. I also recognize that word choice does not necessarily affect or change the material circumstances of such impacted individuals, which is why this not my only way of allying with this population. Any deviations in this choice will be in direct quotes, cited from other authors.

experiences of women, there is a demonstrated history of adopting androcentric theories, epistemologies, and assumptions (K. J. Cook, 2016).

The carceral state assumes that system-involved² people lack the ability to determine what is best for them in terms of their own “rehabilitation” and professional/personal development (Crewe, 2011). Within correctional facilities, individuals in positions of power reinforce and sustain racialized and patriarchal harms (Garcia-Hallett, 2019), upholding a set of principles, priorities, and programming that were not initially designed to serve the best interests of non-men (United States Commission on Civil Rights, 2020; Bloom et al., 2003). Moreover, by persistently silencing and disregarding system-involved voices in efforts to reform the carceral system, these powerful actors contribute to the ongoing perpetuation of oppressive structures, claiming to know what is in the best interests of incarcerated people (IP) (Hannah-Moffat, 2010).

While recent research has begun to explore the programming experiences of incarcerated women, there is a shortage of research that centers and amplifies the wisdom of formerly incarcerated women (FIW) who have had the time to reflect on their incarceration experiences. In response to this gap in the literature, there is growing movement of feminist convict criminologists looking to increase the scholarship by and

² Convict Criminologist Jeffrey Ian Ross defines *system-involved* as “... people who are actively participating or engaged in the criminal [legal] system. It includes [people] who have been accused, arrested, charged, or convicted of a crime and are going through various stages of the legal process, such as investigation, trial, or serving a sentence”. (2024, p. 155)

for FIW academics, practitioners, and activists (Cox & Malkin, 2023). The body of corrections literature is also heavily focused on the quantifiable effects of the programming rather than using qualitative methodology to describe the direct experiences of those involved. To this author's knowledge, there has also been little to no research done that connects their prison programming experiences, or lack thereof, to their reentry journey and success goals through a lens that remains critical of the embedded structural factors that also influence one's pathways through and out of the criminal legal system (CLS).

As an example of the gendered assumptions that are built into and reinforced by structural forces within the CLS, the only level five women's prison in Delaware describes the goals of their programming as "providing offenders with opportunities to gain knowledge, acquire skills, and learn an alternative life-style" (Delaware Department of Corrections, n.d.). The phrase, "learn an alternative life-style", is clearly in line with assumptions made under a patriarchal society which adopts what W.E.B. DuBois calls "benevolent guardianship" over incarcerated women (Du Bois, 1920, para. 16). The privileged who are heralding or arguing for rehabilitative approaches situated within this benevolent guardianship operate as if they know what is best for others, more than the guarded can know for themselves, and that they can be trusted to act in the best interests of others (1920, para. 19). Administrators and policymakers assume incarcerated women need correction and reform in line with the heteronormative, male-dominated, white-supremacist conventions of American society's status quo (Addison, 2023; Kerrison, 2018; Pollack, 2009). In their interrogation of what they deem the "gender correctional

machine”, Micaela Robalino summarizes this status quo as the “...one that places value on whiteness over colored-ness (race), compulsory femininity over gender nonconformity (gender), and male ascribing job skills over female ascribing ones (class)” (Robalino, 2019). FIW experience oppression at the intersection of multiple social identities and locations in addition to those of race, class, and gender (Morash, 2024; Crenshaw, 1991). It is these experiences that require careful consideration when implementing prison programming so that FIW are set up for success when they reenter free society, and not just success as determined by White, patriarchal standards, like those inherent to the American CLS.

The primary objectives of this qualitative study are to explore the experiences of FIW and establish connections between those experiences, the existing correctional programming, and their individual perceptions of success during the process of reentry. There, we will see how Gender-Responsive Justice shapes the experiences, opportunities, and barriers that FIW encounter as they navigate incarceration, probation and parole, and reentry. Moving away from practices that reinforce and legitimate the priorities of the carceral state, the analysis of thirteen FIW will foreground the structural and systemic forces that impact criminalized women. This project utilizes a strength-based conceptual framework rooted anti-carceral feminist practice, prioritizing the perspectives and goals of FIW and highlighting their abilities, talents, skills, values, possibilities, and aspirations, rather than employing a deficit lens (Joseph et al., 2020).

Chapter 2

LITERATURE REVIEW

Pathways Theory

In response to the extensive body of work theorizing and explaining the etiology of men and boys' offending, feminist criminologists levied the critique that these "general" criminological theories were inadequate in explaining women and girls' offending (Daly & Chesney-Lind, 1988; Daly, 1992; Richie, 2001; Iovanni & Miller, 2008). It is well established that there is a gender gap in crime (Steffensmeier & Allan, 1996), and yet, since the more orthodox theories were developed using primarily all-male samples and with a general disregard to entrenched gender differences and inequalities in American society, they failed to explain the distinctive ways women came to be system-involved. Therefore, more theoretical and empirical work was needed to better understand the pathways to and from system involvement for criminalized women and girls. Daly's (1992, 1994) pathways to crime perspective is seminal to this burgeoning literature focused on characterizing, contextualizing, and differentiating between and within group offending using a gendered lens. Her qualitative analysis of presentence reports and related transcripts of 40 women and 40 men in a felony court led to her outlining five distinct pathways to legal system contact for women: street women, harmed-and-harming women, drug-connected women, battered women, and other or

economically motivated women (Daly, 1992, 1994). This early work suggests that there are multiple pathways into criminal behavior, with substantial, yet incomplete, overlap between male and female pathways (Simpson et al., 2008).

Daly's pathways perspective, which has developed into pathways theory (PT), and the following related empirical work, has several strengths. First, it frames women and girls not just as victims, but as people with agency and pasts. Women and girls may encounter the CLS due to a variety of factors such as childhood physical and sexual abuse, substance use, mental health and trauma, under- or unemployment, homelessness, social marginality, and/or abusive relationships with men, to name a few (Bloom et al., 2003; Daly, 1992; Richie, 2001; Salisbury & Van Voorhis, 2009). Some women and girls may turn to criminalized survival strategies, such as street-based sex work, to escape their continued victimization, but that is not their whole story. In their qualitative study of women engaged in survival prostitution, Shdaimah and Leon (2015) found that their participants rejected victimhood and resisted CLS punitiveness and perceived unfairness. Where other theories are limited, a pathways informed perspective highlights the co-occurring factors that lead to distinct pathways into the system, while also recognizing and "enhancing women's decision-making skills within the context of limited options and involving women as key social actors in expanding the options they have" (Richie, 2001, p. 385).

Another strength is that it lends itself to a critique of the supposed gender neutrality of carceral practices and policies (Wattanaporn & Holtfreter, 2014). Reiseig and colleagues (2006) found that the Level of Supervision Inventory–Revised (LSI-R)

classification tool, previously thought to be able to assess a criminalized person's risks and needs regardless of their gender, was not successful in predicting recidivism for women and led to certain groups being overclassified, which can lead to increased supervision and opportunity restriction (e.g., unable to access certain jobs and programming). The LSI-R tool is partly derived from social learning theory, which posits that criminal behavior is learned through complex and varied social interactions in which offending behaviors are reinforced or modified depending on the present environment or culture (Reisig et al., 2006; Holtfreter & Cupp, 2007). However, this theoretical framework is limited, like other gender-neutral theories, because it fails to consider the gendered context of female crime, in addition to the influence of gendered power, opportunity, and resource differentials, making the assessment tools that utilize it unable to respond to life circumstances unique to women and girls (Holtfreter & Cupp, 2007). This critique of gender-neutral risk/need assessment tools has opened the door for scholars to develop more gender-responsive (GR) tools (Van Voorhis et al., 2010) as well as critique the entire practice of risk assessment for 1) shifting the onus of change to the individual (their drug habits or involvement in unsafe partnerships) and away from the state or broader society (the structural risks associated with poverty or inequality) and 2) for conflating White, cis-heteronormative assumptions of "risk" and "need" (Russell & Carlton, 2013; Holtfreter & Cupp, 2007; Hannah-Moffat, 2005).

In another example, Bloom and colleagues (2003, p. 62) highlight how seemingly gender-neutral sentencing laws enacted during the War on Drugs era actually led to more women, particularly low-income and non-White women, being brought into the CLS for

punishment disguised as treatment. Police response practices, like mandatory arrests for incidences of domestic or family violence, have also disproportionately and negatively affected women (Jones et al., 2014, p. 114). Originally thought to address instances of abuse and protect women from their abusers by arresting them, these policies have criminalized survivors who have fought back against their abusers or who have been seen as aggressors (Belknap, 2021; Goodmark, 2023; Wright & Cain, 2018). Criminalized women also continue to experience barriers to accessing welfare benefits, housing, education, employment, and even reunification with their children due to their criminal histories (Bloom et al., 2004). These barriers also make meeting parole conditions difficult, putting criminalized women at a distinct disadvantage for avoiding CLS involvement (Wright & Cain, 2018). These seemingly gender-neutral policies, which reinforce a multitude of barriers to desistance, ignore the racial and gender disparities inherent in CLS enforcement. “Get tough on crime” and “law-and-order” policies have “widened the net”, disproportionately affecting Black, Indigenous, and women of color due to existing socioeconomic inequities (Wright & Cain, 2018, p. 165). PT works to highlight and address these inequities in line with a framework that recognizes that gender matters in how women become system-involved.

If we assume that gender matters before and leading up to system-involvement, what follows is the assumption that gender also matters as one progresses through the “criminal punishment system” (E. Collins, 2024, p. 325). As a result, correctional staff at

some female institutions³ have begun to identify areas where gender-responsivity (i.e., a “gender-relevant approach to managing and intervening effectively with women offenders in adult corrections” (Bloom et al., 2003, p. iii)) may be more useful in managing their populations over more orthodox, androcentric systems for classification and treatment. For example, in an interview with a federally funded Coalition for Health Communities, the Warden of the state’s female facility said that she was “looking at revising [the] existing classification system to be more gender-responsive” (Leon & Ralston, 2011)⁴. The Warden believed “that addiction leads the women she comes into contact with to trading their body for money”, and because of this gender-specific link, the women under her care should be targeted for further programming with goals of “attitude change and life skills improvement” (2011). By adopting GR as opposed to gender-neutral language, the Warden was able to identify specific pathways that she believed brought women into contact with the CLS, which guided her decisions on which

³ Throughout this paper, I will use the terms “female” / “female-designated” / “system-identified female” facility to refer to the carceral facilities that are traditionally considered to be “women’s” facilities. Instead of using the gender marker “women” here, I am using the sex identified marker to draw attention to the fact that the American CLS incarcerates people in different facilities based primarily, with few exceptions, on what the CLS understands as a person’s sex assigned at birth and not a person’s gender identity. In fact, female-designated facilities hold residents with an array of gender and sex identities despite the state’s attempts to house criminalized people strictly based on the sex binary. The state’s reliance on the sex binary has implications for how people experience incarceration at these facilities as society’s gendered stereotypes and hierarchies have consequences for criminalized populations.

⁴ Report submitted to Delaware's Coalition for Healthier Community, June 30, 2011, funded by U.S. Department of Health and Human Services, Office of Women’s Health, planning grant. Interview on file with C. Leon.

treatment and programming might support their individual success. What will be discussed shortly is how this perspective emphasizes individual level change and responsabilization, as well as “reformist reforms”⁵ (E. Collins, 2022, p. 451), over systems level changes that may address the roots of the problem, like systemic racism, poverty or gender-based violence.

Finally, there has been qualitative (S. E. King & Smith, 2023; Anderson et al., 2023; Richie, 2001; Daly, 1994, 1992), quantitative (Dillavou, 2023; Gehring, 2018; Brennan et al., 2012; Salisbury & Van Voorhis, 2009; Simpson et al., 2008), and mixed-methods (DeHart, 2018; Reisig et al., 2006) empirical research to back up the assertion that there are varied and distinct pathways to offending for both sexes. This growing body of work validates the original feminist criminologists’ theories related to gendered entries into the CLS and informs their advocacy efforts to bring more holistic practices to CLS processes that can account for the multiplicity of ways women and girls, not just men and boys, encounter and experience the system. Therefore, armed with this empirical evidence, proponents push the CLS to become more effective in responding to “the behavior and circumstances of female offenders” by intentionally “targeting the pathways to offending that both propel women into the criminal justice system and return them to it” (Bloom et al., 2003, p. v). This understanding, coupled with the crisis-type response to

⁵ In contrast, Gilmore (2007, p. 242) described non-reformist reforms as “change that, at the end of the day, unravel rather than widen the net of social control through criminalization”. See Davis, Dent, Meiners and Richie’s (2022, pp. 185–191) book *Abolition. Feminism. Now.* for a tool to assess the difference between reformist-reforms and abolitionist tactics to end imprisonment.

the rising number of women entering the CLS since the 1990s (E. Collins, 2024, p. 326), led to an area of correctional research and practice known as “Gender-Responsive Justice” (Heiner & Tyson, 2017, p. 2).

Gender-Responsive Justice

To understand the purpose of or justification for punishment, there are four primary philosophies: retribution, deterrence, rehabilitation, and incapacitation (Sykes, 1958, pp. 9–12). The philosophy that Gender-Responsive Justice (GRJ) is inextricably linked to is rehabilitation, which aims to “eradicate those causes of crime which lie within the individual” where “imprisonment is commonly regarded as a device to hold the patient still long enough so that this can be achieved” (Sykes, 1958, p. 11). GRJ proponents explicitly call for rehabilitation for incarcerated women because the “unique” pathways which lead them into the CLS are different than what lead men into the system, and thus, they are deemed more deserving of rehabilitative treatment:

Overall, we suggest that because female prisoners are primarily nonviolent drug and property offenders characterized by a multitude of needs, prisons should embody the rehabilitative principles that prioritize skill-based treatment while still holding inmates accountable. In other words, the missions of women’s prisons should more closely align with a rehabilitative, rather than punitive, orientation. (Wright et al., 2012, p. 1617)

Thus, GRJ falls squarely under the philosophy of rehabilitation, creating a specific form of punishment, *gendered neorehabilitation*. Eaglin (2013a, 2013b) outlines the

justification for “neorehabilitation” as well as some of its goals and consequences, which are also reflected in GRJ principles, including the effective management of criminalized people through the use of cost-efficient, evidence-based programming and predictive tools; managing the risk of recidivism through individual responsabilization; and the legitimation and expansion of the carceral state.

Alongside the CLS’s response to the significant increase in the imprisonment rate of women which resulted in neorehabilitative reforms, the push for GRJ was also built on the heels of the gender parity movement in corrections; both movements argue for equal treatment between (cisgender) men and women (Heiner & Tyson, 2017, p. 8). Where they differ is that GRJ conceptualizes equality in terms of gender-sensitive or gender-specific policy, practice, and programming, instead of the parity model’s emphasis on treatment being the exact same for both groups, irrespective of gendered factors. This difference in treatment between the sexes is “often synonymous with more humane conditions and programs” (E. Collins, 2024, p. 321). Heiner and Tyson explain how the GRJ model, once thought of as a progressive reimagining of androcentric punishment structures, has morphed into the rationale for and legitimation of carceral expansion with the use of feminist rhetoric:

The GRJ model is a criminological appropriation of the feminist ethic of care; its guiding principle is that gender makes a criminological difference, that women differ from men in their “pathways” to crime, in their social, psychological, and material issues and needs, and in their experiences of confinement. (2017, p. 6)

By critiquing how the CLS treats women as compared to men, instead of critiquing how the CLS creates, reinforces, and perpetuates violence against everyone under its control, the GRJ model and its proponents have developed reformist policies that increase carceral efficiency and funding as well as make the CLS the “neoliberal gatekeeper of social services” (Heiner & Tyson, 2017, p. 3). In concentrating services within the carceral state, the role of the CLS becomes entrenched in people’s lives, blurring the lines between punishment and support, and strengthening the prison industrial complex.

While the carceral state may provide treatment and programming under the guise of rehabilitation rhetoric, these services are fundamentally repackaged mechanisms for carceral control (Heiner & Tyson, 2017, p. 3). In the same vein, the purposes of implementing GR strategies are to manage and supervise (control) the people in female facilities more effectively. GRJ research has also affirmed this goal: “Managing women offenders more effectively in correctional settings and providing more effective programs and services will benefit the women, increase community safety, and help build a more effective criminal justice system” (Bloom et al., 2003, p. vii). By framing GR strategies as improvements in efficiency and care, this rhetoric obscures how these initiatives have extended the reach of the CLS. Instead of addressing the systemic issues that force women into the system, GR policies further institutionalize women under the guise of well-intentioned support. What was once a feminist argument in favor of intentional care and treatment for incarcerated women, which included decarceral strategies, has now morphed into a women-centered but not inherently feminist practice of reform (van Wormer, 2010, p. 19; Evans, 2017, p. 67). In sum, GRJ and its related reforms have more

to do with punishment than care, as Collins (2024, p. 361) so clearly states, “gender-responsive reforms are changes to *how we punish* [emphasis added], changes made within a system that invests punishment power in state actors... [preserving] the systemic power of the carceral state over the people it targets for punishment.”

Gender-Responsive Programming

As support began to emerge for PT and subsequently the GRJ model, recommendations for policy, action, and practice began to be largely centered around GR programming and strategies. Beth Richie analyzed 42 in-depth interviews with FIW who lived in low-income communities of color and concluded with the following recommendation: Women returning to their communities require “consistent activities that are structured around what women need, adequate resources for long-term support, and opportunities to work collectively and to develop a sense of community” (2001, p. 386). When a program addresses the *needs of women* it is considered “gender-responsive”, highlighting its attentiveness to the unique factors associated with women’s criminal behavior. Salisbury and Van Voorhis summarize these factors as: “(a) not typically seen with men, (b) typically seen with men but in even greater frequency with women, or (c) seen in relatively equal frequency but with distinct personal and social effects for women” (2009, p. 543). Specifically, these factors can include self-efficacy, self-esteem, parental stress, relationship dysfunction, child abuse, adult physical abuse, relational support, mental health issues, and unsafe housing (Van Voorhis et al., 2010, pp. 270–271). Proponents of gender responsiveness argue that when the CLS responds to these

factors, in the form of programs and services, then it will become more effective in addressing criminalized women's pathways to system involvement and eventual disentanglement (Bloom et al., 2003).

Bloom and colleagues released a report that documented GR strategies for incarcerated women and outlined six guiding principles to support CLS policymakers and practitioners in creating a safer and more informed environment for the people under their control. These guidelines stand as a blueprint for CLS actors to better manage and supervise incarcerated women as they address the social and cultural factors which impact the realities of their lives. The six principles are as follows: (1) acknowledge that gender makes a difference; (2) create an environment based on safety, respect, and dignity; (3) develop policies, practices, and programs that are relational and promote healthy connections to children, family, significant others, and community; (4) address substance abuse, trauma, and mental health issues through comprehensive, integrated, and culturally relevant services and appropriate supervision; (5) provide women with opportunities to improve their socioeconomic conditions; and (6) establish a system of community supervision and reentry with comprehensive, collaborative services (Bloom et al., 2003, pp. 76–82). This report also comes with the explicit recommendation that institutions allocate resources, staff, training, and budgets in such a way that is conducive to the planning and execution of services that support women in a successful reentry in addition to “[decreasing] the likelihood of litigation against the criminal justice system” (Bloom et al., 2003, p. v).

This category of recommendation is now commonplace following studies of criminalized women’s unique pathways into and out of the system (e.g., Anderson et al., 2023; Gehring, 2018; Brennan et al., 2012; Van Voorhis et al., 2010; Bloom et al., 2003). However, it has taken years for the GR approach to be integrated into corrections, as for many years scholars argued there was a lack of evidence to support GR programming (Van Voorhis, 2022, p. 148). Programming uptake has also been slow due to gendered resistance from men residents⁶ and correctional staff:

Other prison staff and administrators assert that while instituting programs for women in prison may be beneficial, these programs may be too costly or create resentment from men in prison or prison staff, or they may believe that their current policies and procedures work adequately for their female population. In the few states that have instituted gender-responsive, trauma-informed policies and procedures for women in prison, these policies have often come about as a result of prison overcrowding, or when a state’s Department of Corrections has been successfully sued after widespread instances of prison rape and subpar prison conditions have been uncovered. (United States Commission on Civil Rights, 2020, pp. 25–26)

It takes time, buy-in, and perhaps even legal sanctions for states to adopt GR strategies and practices, showing substantial resistance.

Many facilities still do not embrace GR principles and strategies (Wright & Cain, 2018, p. 173), but since the early 2000s in the United States, there have been more

⁶ I often use the phrase “incarcerated people” to describe the people housed in carceral facilities. One of the participants in this study, Bena, was the first person to suggest the word “resident” to me as another possible term.

examples of departments and institutions adopting gender-specific language into their mission statements as well as programming (Evans, 2017). For example, following a federal lawsuit where a former incarcerated resident of a Delaware women's prison reached a settlement with the Delaware Department of Corrections (DOC) over a case of prison sexual assault by a correctional officer, the DOC and prison were required to "adopt a policy statement for working with women offenders based on acknowledged national gender responsive principles and standards" (*ACLF of Del. V. Dep't of Corr.*, 2013, p. 2) and "provide gender-specific cross training to all custody and supervisory staff at [the prison] in accordance with nationally recognized best practices" (*ACLF of Del. V. Dep't of Corr.*, 2013, p. 14). Around this same time in 2011, the Delaware Public Defender's Office proposed a reentry project at this same female prison with the goal to understand the "unique needs of female offenders [which] will lead to more appropriate legal decisions and more gender-responsive programming/services to this population" (Reed, 2011, p. 13). Since then, the institution has adopted a four-pronged mission statement that includes being trauma-informed, gender-responsive, strength-based, and Prison Rape Elimination Act (PREA) compliant (B. King, 2018).

Delaware is but one example of a state system adopting GR policies in response to legal pressure, reflecting a broader trend of reform as a response to lawsuits or external critiques rather than proactive, feminist, and/or liberatory commitments to justice. These changes, while framed as improvements, often serve to protect institutions from liability and enhance their public image without fundamentally challenging the structures of power and control that perpetuate oppression, violence, and harm (Heiner & Tyson,

2017). The incorporation of GR language and policies can then be seen as a strategic adaptation to external scrutiny, aimed at increasing carceral legitimacy while maintaining the commitment to and practice of punishment. This reactive approach reinforces the carceral state's ability to adapt to criticisms and supports the resiliency of dominant neoliberal carceral logics without confronting the systemic violence the CLS enacts, allowing it to continue expanding under the guise of reform and improvement (Heiner & Tyson, 2017).

Despite the slow uptake, the evidence supporting these practices has since grown considerably in the last decade or so. Gobeil, Blanchette, and Stewart (2016) conducted a meta-analysis of studies that evaluated correctional interventions to examine whether gender-informed and gender-neutral interventions differed in their effectiveness. They found that “when analyses were limited to 18 effect sizes associated with studies of higher methodological quality, gender-informed interventions were significantly more likely to be associated with reductions in recidivism” (Gobeil et al., 2016, p. 301). Research on “what works” for criminalized women has also come out in support for GR interventions geared toward abuse/trauma, mental health and substance use, parenting, and improving socioeconomic outcomes (Van Voorhis, 2022). One study by Messina and colleagues (2012) even constructed a rigorous (though contentious) randomized control trial where 150 women entering drug court were assigned to either the GR treatment program or the mixed gender treatment. They found that both treatment groups improved their self-reported psychological well-being and saw reductions in drug use and arrest, but that those assigned to the GR treatment demonstrated better in-treatment

performance, positive trends suggestive of decreases in PTSD symptomatology, and more favorable perceptions of the treatment (2012, p. 13). Despite these positive findings, the “what works” model reinforces the centering of risk and risk management in corrections, which argues for the continued management and control of risky individuals for the safety of others (Evans, 2017; Eaglin, 2013a), which quickly leads back to the paternalistic and patriarchal approach that the GRJ model was originally developed to combat. For more on issues related to risk management, see the Institutional Barriers section below.

The intentional design and implementation of programming holds great significance, considering the substantial influence wielded by those in power who operate or oversee these initiatives. It is essential to recognize that biases and prejudices harbored by these individuals can permeate the structure and policies of these programs, perpetuating gendered and racialized stereotypes. For example, Morash and Robinson (2001) investigated correctional administrators’ views on programming for women. They found that many emphasized the family-related concerns and needs of incarcerated women, perhaps to the detriment or general disregard of other issues not related to parenting specifically, like that of domestic violence and childhood abuse (Morash & Robinson, 2001). The authors make an important assessment that “correctional administrators usually perceived women offenders’ needs through a prism of traditional gender images that mirrored society at large, especially in relation to families,” (2001, p. 104) which reinforces traditional gender stereotypes and ignores the complex set of incarcerated women’s needs that PT understands as instrumental to understanding their

criminalized behavior. To truly support the reentry successes of formerly incarcerated women, GRJ and GR programming would need to confront and dismantle the oppressive structures that shape gendered neorehabilitative policies, focusing less on the individual level risk assessment and responses in favor of system-wide change.

Women's Carceral Experiences

Coercion

Despite the monotony of prison, women's carceral experiences are varied based on structural variables like facility location, security level, crowding, and state/federal resource availability as well as individual level factors like race, gender identity, sexual identity, disability, and controlling offense⁷ type. What remains a constant is the system's use of coercion. To describe the nature of coercion in the context of the prison, and to understand how it is applied, we can consider three forms: overt coercion, covert coercion, and structural coercion.

In the prison, *overt coercion* is understood as direct and obvious; it involves clear threats or force, such as physical and sexual violence, verbal threats, or explicit demands that compel someone to act in a certain way. For example, the use of sexual violence

⁷ A controlling offense is the court-imposed sentence with the longest sentence length. People may be charged and convicted of a multitude of offenses, but the controlling offense categorization has consequences for incarcerated people. A person with a violent controlling offense (murder or sex crime conviction) may be treated differently than someone with a non-violent controlling offense (drug possession, petty theft).

against women in prison is rampant and disproportionate to that of men (Ossoff & Johnson, 2022; Human Rights Watch, 1996; B. V. Smith, 2008). The issue of prison sexual violence against women is particularly concerning because women who enter the CLS often have a prior history of victimizations from childhood continuing into adulthood (Widom & Osborn, 2021; Bloom et al., 2003; Richie, 2001). In addition, the strategies they use to survive and resist abuse and violence are often criminalized by the CLS (Goodmark, 2023; Davis et al., 2022; Gilfus, 1993). The gender-based violence women face in free society does not end once they are incarcerated, it just changes form to instances of invasive body searches (Vanliefde, 2023) and sexual surveillance and control by state actors (Fedock et al., 2021), in addition to instances of staff-perpetrated assault, harassment, and voyeurism (Beck & Johnson, 2012). During a 2001 campaign, “Stop State Sexual Assault!”, coordinated by Sisters Inside, those with lived carceral experience explained that “physical and sexual abuse by partners and other individuals did not feel any different from abuse behind [prison] walls” (Davis et al., 2022, p. 114). There is a demonstrated threat of sexual violence in prison, which can be used to compel, control, or restrain a woman’s decision-making.

For example, Darcy and colleagues (2022) conducted a qualitative study of 10 case files of women who were a part of a class action lawsuit and had experienced sexual violence perpetrated by corrections staff while on parole. The authors investigated the factors that affected the women’s decisions of whether to report sexual abuse by a staff member. They found that structural barriers, such as fear of retaliation (parole revocation and violations) and their “disempowered status as parolees”, played an important role in

shaping their reporting decisions (Darcy et al., 2022, p. 263). Importantly, when describing their interactions with the abusive officers, the women employed the language of “compliance” (2022, p. 262), which directly reflects the language of gendered neorehabilitation as the system coerces individuals to comply with the directives, policies, and practices of the carceral state for their own betterment. Their findings aligned with research on coercive control behaviors, demonstrating that an “officer’s manipulative behavior coupled with threats and the dehumanization of women” served as a significant barrier to reporting (2022, p. 263). Yet, even with the added attention to the way the women were constrained by structural factors within the carceral context of parole, the authors only called for more data collection and further education for staff and IP on the power imbalance inherent to the CLS. This is problematic as it places the onus on individuals rather than interrogating or dismantling the system that allows sexual violence to continue as a tactic of control.

Fedock and colleagues (2021) also analyzed data from the same class action lawsuit and came to a similar conclusion as the Sisters Inside organization did two decades before:

... given that this abuse persisted over months and even years for all women, the relational dynamic of this sexual abuse was similar to tactics of intimate partner violence that are centered on maintaining power and control through economic, social, and physical methods. (Fedock et al., 2021, p. 2016)

They conclude with a similar suggestion to the first group of authors, calling for more research and theory building to understand this type of state sanctioned violence. While

both articles used a critical lens to analyze their data, their recommendations and implications fall short of providing any support for system-involved survivors of prison or parole sexual violence. The possibility of using sexual threats and violence, and other types of overt coercive tactics, to compel and control an incarcerated woman's participation in programming has also largely gone unexplored.

Sometimes coercion is not as direct and is instead embedded in policy or practice. *Covert coercion* is indirect or hidden; it involves manipulation, deception, or subtle pressures that compel behavior, which may occur without the full realization of the person being coerced. Examples include court-mandated treatment and programming; strict, no exception program attendance policies that result in a write-up if not adhered to; and public and institutional rhetoric that aligns with the rehabilitative model. Court-mandated treatment (that which has legal consequences for failing to comply) and coerced treatment (where refusal to comply could have negative institutional consequences) have become increasingly commonplace following studies that confirm correctional treatment can be effective in reducing recidivism (Parhar et al., 2008, p. 1109). Using five levels to assess the degree of coercion and voluntariness⁸, Parhar and

⁸ The authors use a scale from Klag, O'Callaghan and Creed (2005) and define the following five levels:

“The 5 levels and their definitions were as follows: 1 = mandated involuntary (it is clear that offenders must take the program [if they do not attend treatment they face incarceration or other negative consequences]; it is a condition of their release; they are court referred; treatment is included in sentence), 2 = mandated coerced (offenders are mandated to treatment, but there is evidence that consequences are minimal or nil if they do not participate [e.g., they are not consistently punished]), 3 = nonmandated coerced with legal consequences (there is no mandate for offenders to participate in treatment

colleagues (2008) conducted a meta-analysis of 129 studies⁹ related to mandated and nonmandated treatment of IP. They concluded that “mandated treatment was ineffective, particularly when the treatment was located in custodial settings, whereas voluntary treatment produced significant treatment effect sizes regardless of setting” (Parhar et al., 2008, p. 1128). Courts and corrections staff use the language of recidivism to continue coercive practices, despite some evidence that coercion is less effective in producing positive program outcomes than voluntary participation. The threat of consequences, legal or institutional, may not always be explicitly communicated, but the pressure to participate in programming is significant. Covert coercion operates through policies and rhetoric that make compliance seem like a voluntary choice, when in fact, incarcerated individuals may feel like there few alternatives. This type of covert coercion reinforces a system of control disguised as care.

At the only women’s prison in Delaware, “refusal to participate in treatment programs or departmental assessments” is a Class I offense punishable by counseling,

[they are volunteers], but there are some legal consequences if they do not attend or complete treatment [e.g., get sent back to court], 4 = nonmandated coerced (there is no mandate for offenders to participate in treatment, but they may receive incentives if they attend treatment, such as early release [this is usually in a parole or institutional setting]), and 5 = nonmandated or voluntary (offenders freely volunteer to attend treatment without evidence of any external costs or benefits).” (Parhar et al., 2008, p. 1114)

⁹ The authors did not break down their findings in terms of gender beyond sample characteristics: 4 of the studies in the meta-analysis only included system-identified women and 48 included both men and women, whereas there were 61 programs that only reported results for men.

loss of privileges, loss of good time¹⁰, disciplinary detention (isolation or solitary confinement), or criminal prosecution (*Delores J. Baylor Women's Correctional Institution Handbook*, 2022, p. 2)¹¹. The handbook goes on to explain that anyone “classified to programs are expected to participate and are subject to disciplinary action for refusal and failing to complete. A guilty finding for this infraction can result in a loss of goodtime” (2022, p. 6). Thus, this policy applies to people mandated to programming or treatment as well as any voluntary programs with good time incentives. The threat of punishment is embedded overtly into the policy, but what qualifies as covert coercion in this instance is the ambiguity of whether the policy is in practice at any given time. Any individual officer or administrator can choose whether to apply this policy or not, and whether there are any possible absence justifications that they are willing to accept. In this way, staff can use the policy to overtly coerce someone into continuing and completing programming, but it could also inadvertently compel residents to not volunteer for any programming because the stakes are too high.

The rehabilitative rhetoric that programming, treatment, or work can save an “immoral” IP, where immorality is defined broadly as laziness, dependence, and criminality (Hatton, 2019, p. 42), can covertly coerce residents into programming. One might not be mandated into a program, but they could be coerced by an officer or

¹⁰ Good time refers to the days or credits given for completing programs and other activities that can reduce an IP's sentence.

¹¹ Document on file with author.

counselor into voluntarily signing up for a program because it might help their case in court or help them find a job later on. This may even be well intentioned on the part of the staff member, but as mentioned previously, this could negatively affect the resident if they fail to meet attendance criteria or feel like they had to comply with these recommendations. Combine this rhetoric with the gendered stereotypes of incarcerated women as liars and doubly deviant (Owen et al., 2008, p. 59) and as more demanding and complaining (Bloom et al., 2003), women will continue to be vulnerable to covert coercion tactics that frame compliance as essential for proving their worthiness for leniency and rehabilitation. Racialized and gendered stereotypes, like those of Black women and girls as angry, promiscuous, and more masculine/ less ladylike compared to their White counterparts (Goodmark, 2023; E. Collins, 2024) also affect how Black, Indigenous, and Women of Color are perceived and treated by CLS actors. Women who resist or fail to meet expectations of these programs may be labeled as uncooperative or even have their deviance reaffirmed. The combination of rehabilitative rhetoric and gendered expectations reinforces a system where compliance must be coerced for the good of the deviant woman, regardless of her opinion on the matter.

Finally, there is *structural coercion*, which involves systemic or institutional pressures external to the correctional institution and its actors that restrict someone's choices or freedom. Structural coercion shapes and reinforces both overt and covert coercion, as it operates through broader systemic forces such as poverty, racism, ableism, and heteropatriarchy. These structural forces shape the conditions under which individuals enter the CLS and influence their experiences within it. For instance, poverty

may limit one's access to quality legal representation, resulting in harsher, longer sentences. These broader systemic inequalities are then reproduced on the inside, where a resident might feel compelled to work for a couple cents an hour in a prison job to pay for commissary because they have no money or family to send them funds. Access to programs and treatment may also be more accessible in prison to low-income people than on the outside. Structural coercion, though not always as visible as overt threats or covert pressures, plays a large part in the coercive control mechanisms levied on the resident women.

Shdaimah, Leon, and Wiechelt documented how structural coercion operated in prostitution diversion programs (PDP), arguing that PDP participants swim in a sea of coercive forces (2023, p. 47), inclusive of poverty, family obligations, drug addiction, criminal records, health insurance, incarceration, and more. These forces are then used by the legal system professionals to “leverage compliance” (2023, p. 50). The authors explain that PDP participants chose these programs as an alternative to other oppressive forces and their consequential harms, like incarceration and the impact a criminal record can have on one's future employment opportunities; thus, this constrained or forced choice is influenced by the consequences of noncompliance (2023, p. 53). These examples of overt, covert, and structural coercion demonstrate how various forms of pressure, whether through direct force, more subtle manipulation, or broader systemic inequalities, intersect to limit the choices and restrict the autonomy of incarcerated women.

Problem-Solving Justice

The philosophies and strategies of GRJ and Problem-Solving Justice (PSJ) are very similar. Both argue for the rehabilitation and treatment of a specific population to the exclusion of other groups that have arguably had similar experiences of harms such as physical abuse, sexual victimization, and resulting PTSD and trauma (E. Collins, 2016, p. 1502). GRJ primarily focuses on cis women and their gender differentiated risks and needs that lead them to CLS involvement and subsequent incarceration, with growing attention paid to cis girls (e.g., Belisle et al., 2022; McKenna et al., 2022; Morash & Hoskins, 2022). PSJ is most often seen at the judicial level, where alternatives to the traditional court system are created for particular criminalized populations, including veterans, individuals suffering from drug addiction, girls, and individuals charged with sex offenses (E. Collins, 2016, 2023). By creating an in group and out group, programs guided by these philosophies further the notion that only some people are worthy of different and better treatment (E. Collins, 2016, p. 1504)

While touted as positive alternatives to incarceration or gender-neutral programming built for men, the primary justification for both problem-solving courts and GR programs is decidedly negative: to coerce people into treatment. As reformist-reforms, these programs and services divert attention from the systemic harms and punitiveness of the CLS, and instead trains the focus on what individual criminalized people can do to better themselves. Shdaimah, Leon and Wiechelt (2023, p. 15) express this concern in their book:

Problem-solving programs work within existing criminal justice frameworks, and they do not seek to change the underlying criminalization of the behaviors they address. Indeed, problem-solving justice views the power of the criminal justice system as a valuable tool for fostering behavioral changes where voluntary efforts may not succeed. They wield the stick of jail time, fines, and criminal records to encourage participants to engage in various tasks and behaviors that may otherwise be optional, such as drug treatment, medication compliance, and therapy. Simultaneously, they offer the carrots of facilitating access to coveted services and removal of a variety of criminal consequences.

PSJ legitimates gendered neorehabilitation programs in prison as they aim to solve the ‘gender problem’, while also positioning these programs to continue the practice of individual responsabilization, coerced treatment, and concentration of services to the CLS

GRJ and PSJ reforms vary in their effectiveness. In speaking specifically about drug courts, but with broader implications for similar GRJ reforms, Collins (2023, pp. 229–230) notes that “*some* drug court studies show that *some* of the people who graduate from *some* drug court programs are then arrested for or convicted of crimes less frequently than people who follow traditional punishment paths.” Similarly, some GR programs work for some people some of the time (Gobeil et al., 2016). The inconsistent success of these programs raises concerns regarding their coercive nature. GRJ and PSJ reforms undermine the autonomy of criminalized women by imposing external solutions rather than supporting their decisions and views of success, while simultaneously facilitating the expansion of the carceral state and its role as a gatekeeper of social services.

Supportive Programming

What most often varies in the carceral experiences of women is the type of programming or treatment one participates in. This variation comes from what is available or prioritized in a certain state or facility, what one is court-ordered to complete, and what programs they are classified to. However, from the literature there are some elements that may prove more supportive to program participants than others. In their meta-analysis of GR interventions for women, Gobeil and colleagues (2016) found that the programs with the strongest positive effects utilized therapeutic community¹² approaches to substance use and were offered in a carceral facility or in a way that bridged the institution and the community (as opposed to a solely community-based program). These findings suggest that interventions may be more successful when they not only address the immediate needs of incarcerated women but also provide tools and supports that can be sustained post-release. The authors used recidivism as the sole outcome measure to determine the success of these programs, however. Research that centers the perceptions of incarcerated women regarding what they view as success and what programmatic elements they see as supportive is needed. Other elements of supportive programming include:

- Wraparound services that begin during incarceration and persist for a time out in the community following release (Bloom et al., 2003; Richie, 2001, p. 384; Gehring, 2018, p. 131)

¹² The National Institute of Justice defines therapeutic communities as “a participatory, group-based approach to substance abuse intervention where individuals work through recovery while living together in residential settings” (H. V. Miller, 2021a)

- Peer support and mentorship, especially by others with lived CLS experience (Heidemann et al., 2014; Messina & Calhoun, 2022; Bloom et al., 2003)
- Supportive and motivating security staff (Meyer et al., 2010)
- Encouragement or the facilitation of structure and routine (Shdaimah et al., 2023, p. 41)¹³

Barriers to Access and Completion of Programming

In their book on adult learners, Cross (1981, pp. 98–104) identified three types of barriers to student participation in learning activities:

- **Situational:** barriers arising from one’s situation in life at a given time
 - Examples: lack of time due to other responsibilities, low income, lack of childcare, transportation difficulties
- **Dispositional:** barriers related to attitudes and self-perceptions about oneself as a learner
 - Examples: feeling one is too old to learn, lack of confidence, lack of interest in learning
- **Institutional:** barriers that consist of the practices and procedures that exclude or discourage adults from participating in educational activities
 - Examples: scheduling problems; problems with location or transportation; lack of courses that are interesting, practical or relevant; procedural problems and time requirements; and lack of information about programs and procedures

¹³ Shdaimah, Leon, and Wiechelt explain that while one of their study participants, Maria, saw value in the structure and stability that the prostitution diversion program gave her, she was “frustrated when the structure was *too* limiting or intrusive” (2023, p. 41).

Brosens and colleagues (2015) used this framework to assess barriers to vocational training in a prison in Belgium. They identified informational barriers, or the failure in communication of information about the learning opportunities, as a distinct and significant category with 42.2% of respondents having reported not knowing that there were vocational opportunities available (Brosens et al., 2015). In their study of male-identified IP, Kaiser and colleagues (2024) chose to focus their research on program participation barriers that they identified as program and institution related. They found two institutional/programmatic barriers that decreased a resident's likeliness to report program participation: their perceived lack of space (availability) in a program as well as their perception that programs were not offered enough (Kaiser et al., 2024, p. 886). They also found some motivational (or dispositional/ individual level) characteristics were associated with higher program participation, including higher perception of prison legitimacy, interest in programs, higher self-esteem, and being at the facility longer than 6 months (2024, p. 886). As Brosens and colleagues noted, it may be easiest for the service providers/facilitators (whether they are correctional staff, external volunteers, or a private service provider) to anticipate informational and institutional barriers that they can work to alleviate or eliminate.

Using Cross's (1981) framework, and with insight from the few studies that have utilized it to assess barriers to participation in carceral settings, this section will discuss the situational, programmatic, and institutional barriers that incarcerated women face when they seek to access, participate, and/or complete prison programming. Structural barriers will also be explored. As will be discussed, to avoid continuing the practice of

placing the onus of change on individuals rather than on the system, this paper will not examine the dispositional or motivational barriers that program participants may have faced.

Programmatic Barriers

FIW report that there are significant barriers to program completion and participation, and that the programs available to them are not structured, created, or implemented in ways that support their success goals (Heidemann et al., 2016). In a qualitative study of formerly incarcerated females living in halfway housing, the participants described the barriers they faced, which included their age, sentence length, release date, a cap on the number of enrollments per person or program, and gender discrimination (Carter, 2019). One of Carter's participants relayed the following about their perspective on the different work assignments men and women were given during a boot camp program:

Most of the stuff [programs] . . . even jobs only the men got. Like girls had nothing . . . all I did was clean . . . [the men] worked with a saw . . . this guy I saw at a temp place, since he has that experience, he can get a job. . . They didn't want to take females. . . I guess more maintenance than what a man would be . . . say we're out somewhere in like the woods . . . they would have to worry if I had to use the bathroom . . . a guy, they could just . . . whip it out I guess in the woods somewhere and be right back to do their job. . . So girls really had nothing to do unless you had classes because you didn't have a job . . . nothing you got paid for. (2019, p. 284)

Not only must criminalized women compete for the few jobs available to them as people with criminal records, but they must also fight against gender discrimination by potential employers, something the boot camp program seemingly did not contest when providing their services.

Sentence length and potential release dates impact an IP's ability to participate and complete programming and treatment. When someone is transferred or released early, it can be difficult to continue certain programming, especially GED or college classes. One will likely need to re-enroll somewhere else, that is, if their criminal record does not create further challenges. Cook and colleagues (2023) explain that women serving life sentences are often excluded from educational programming and other services as they are typically reserved for people who are nearing their release date. The authors describe these women as "waiters" because "those serving life spend much of their time waiting for programs and services including medical care" (N. Cook et al., 2023, p. 56)

In their review of the political and contextual issues related to postsecondary prison education, Palmer summarizes several more barriers from multiple different studies that apply to a person of any gender seeking higher education which may be applicable to several program types: limits in terms of academic resources and internet access, administrative gatekeeping of program admittance, personal conflict between IP and staff members, overlapping demands on time between paid work and school, and learning disabilities (Palmer, 2012, p. 166). Rodriguez and Usman reiterate the concern about resources and eligibility, arguing that significant amounts of IP at any given time

will be unable to participate in correctional programming because resources are limited or because they do not meet program criteria (2023, p. 5). One qualitative study even investigated currently and formerly incarcerated women's construction of reintegration failure, in addition to success. Their participants reported that their failures were driven by unsupportive networks and parole officers, and to the competing demands they endured post-release (Cobbina, 2010). Program-related barriers are largely concerned with the eligibility criteria, program operations, and interpersonal difficulties with service providers/ facilitators that make it challenging to participate or access programming.

Institutional Barriers

Researchers have identified several institutional barriers that impede an incarcerated person's ability to participate in programming. First, how a person is classified by a facility can greatly facilitate or hinder their access to services. Classification refers to the "systematic scoring and assessment of inmates on items related to security, medical treatment, and education needs" (van Wormer, 2010, p. 145). Classification serves both security and service planning purposes, using a risk/need/responsivity framework to predict postrelease outcomes and to assign a corresponding treatment plan (van Wormer, 2010, p. 146). Hannah-Moffat explains that classification serves the carceral state's priorities with little to no attention made to either the concerns and needs that IP identify for themselves nor the broader structural factors that influence what a person is at risk for or in need of:

Variables that are significant but not related to recidivism, yet require intervention, are deemed non-criminogenic needs (i.e. poverty, health) and considered a low priority in terms of intervention, except for ‘humane’ consideration. An intervenable need is not an individual’s self perceived need, but rather it is a characteristic an individual shares with a population that has been shown to be statistically correlated with recidivism. An intervenable need is defined not only through the availability of resources and structural arrangements that allow for intervention and possible amelioration, but through statistical knowledge of it as a variable that is predictive of an undesirable and preventable outcome: recidivism. (Hannah-Moffat, 2005, p. 39)

Furthermore, these narrow conceptualizations of ‘risk’ and ‘need’ reflect gendered assumptions of criminalized women and reinforce an individualistic and decontextualized understanding of criminalized behaviors.

PT’s influence has extended into correctional practice and as a result, has skewed a great deal of focus to risk management and classification of incarcerated women, both during incarceration and at the point of reentry (Russell & Carlton, 2013). This has led to a “reduction of social and structural issues to individual concerns” (2013, p. 478).

Salisbury and Van Voorhis tested a social and human capital model to investigate how women’s social relationships produce human capital, which can subsequently create opportunities to desist from criminal activity (2009, p. 547). They found that gendered concepts like low self-efficacy, relationship dysfunction, and reduced family support led to employment and financial difficulties, which in turn, led to an increased likelihood of recidivism for their sample of 390 women probationers (Salisbury & Van Voorhis, 2009). Based on the outcomes of this model, they specifically caution against implementing only short-term fixes like providing educational and vocational programming, which focus on how the criminalized *individuals* can work to obtain human capital, as these will be

inadequate in the long run unless the larger socio-structural factors that keep women and girls at the economic and social margins of society are also addressed. Rather than looking for ways that the powerful and privileged can change these pervasive oppressive systems to create a more just world, one that is less focused on neoliberal ideologies related to individual empowerment and responsabilization as well as market participation (Musto, 2019), supporting desistance has looked like finding ways for prison staff to become better at supporting system-involved people and implementing gender sensitive strategies (Graham & McNeill, 2017).

Under the GRJ framework, this responsabilization of the issues of crime and CLS responses also puts the onus of change and transformation disproportionately on criminalized people, who are already more likely to be part of marginalized groups. It is also these marginalized individuals, people of color and those who identify outside of the gender binary or within the LGBTQIA+ community, who have historically been excluded from theorizing and empirical research within pathways related literature (Sutton & Simons, 2021; Rogers & Rogers, 2021). In addition, only a handful of previous studies included structural variables in their quantitative models, like prior criminal history variables (Brennan et al., 2012), or in their qualitative analyses, like how “cultural stories perpetuate – and law and policy institutionalize – the stigma of a criminal record” which made it difficult for people to access aspects of the limited social safety net (Opsal & Foley, 2013). Sutton and Simons (2021) were one of the first to assess how racial discrimination, in addition to sexism and patriarchal forces, has a direct effect on the lives and trajectories of Black women and girls specifically, making the trauma it causes akin

to abuse and victimization (p. 43). There are significant gaps and blind spots in the literature, leaving room for more critical perspectives.

Second, an institutional barrier that affects an incarcerated person's entire carceral experience and would certainly bar them from or make it challenging to participate in programming is that of the facility meeting (or not meeting) each resident's most basic daily needs. There are documented issues with IP, especially women, being given equal, fair and constitutional access to food, healthcare and adequate housing conditions (United States Commission on Civil Rights, 2020; New Hampshire Advisory Committee, 2011; Goodmark, 2023, p. 109), leading to the continuation of what Sykes calls the pains of imprisonment (Sykes, 1958). In their content analysis of five published memoirs by currently and formerly incarcerated women, Casey found multiple instances of what they call "deprivation amid unsuitable living conditions" (Casey, 2018, p. 130). The women described "unsanitary conditions, overcrowding, or insufficient heating, resulting in a denial of some of their basic needs" (2018, p. 130). These women reported deterioration in their physical and emotional health. These deprivations, or pains of imprisonment, can certainly influence someone's health, with their previous difficulties with health and disability prior to CLS-involvement notwithstanding. Fleury-Steiner explains how program eligibility criteria and health intersect to affect a resident's ability to participate in programming opportunities, specifically in the case of those with long or life sentences:

With the prison's emphasis on discipline and strictly regulated eligibility for work and educational programs—typically, available only to healthy

prisoners—lifers with serious illnesses are more likely to be isolated in understaffed and often dangerously ineffective prison health wards. (Fleury-Steiner, 2015, p. 410)

Misconduct that leads to formal disciplinary action can also result in the loss of “privileges” which include the ability to purchase necessary food and supplies, like menstrual products (United States Commission on Civil Rights, 2020, p. 123). These pains of imprisonment are also gendered (Crewe et al., 2017), reflecting another form of gendered scarcity, which I will discuss shortly.

Structural Barriers

Barriers that occur at the structural level are rooted in broader societal and systemic factors, such as cis-heteropatriarchy, sexism, racism, and ableism, among others. Gender stereotypes are pervasive in American society and do not stop at the prison gates. For example, Gorga (2024) uses Acker’s (1990) theory of gendered organizations to assess gendered prison practices as they relate to the implementation of evidence-based practices by CLS stakeholders (DOC administrators, program staff, volunteers, and prison advocacy workers). Gorga explains that women’s prisons, as gendered organizations, have promoted and reproduced gendered logics of appropriateness for masculine and feminine behavior (2024, p. 4). Staff perceptions, assumptions, and actions are part of what hold the incarcerated women accountable to these behavioral norms. Gendered hierarchies, which place women’s facilities at the bottom of the funding and resource priority ladder, also lead to inequalities in women’s program opportunities and access to support compared to those in men’s institutions.

Gorga finds these gendered logics situated within discourse surrounding evidence-based practices as expressed by correctional employees and services providers at the Iowa Correctional Institution for Women. Prison workers are both receptive and resistant to evidence-based practices in corrections, but approaches differ and are shaped by gendered organizational practices. Gorga argues that women and women's prisons are marginalized, tokenized, and when given attention, the residents' gender is hyper-visible, in stark contrast to the men's facilities. This is an acute example of how androcentrism, a product of patriarchal social structures, impacts larger systems, positioning men as human and women as women.

A gendered structural barrier that incarcerated and criminalized women have faced for decades is underinvestment in female-designated facilities. In explaining the nuances of the custodial and reformatory models¹⁴ of women's imprisonment, Rafter (1982, p. 256) states:

Despite changes, the custodial style persists today; we see signs of it in the fact that women's prisons are often the last to be funded, in the fact that their plants are often more poorly equipped than those of men's prisons, in the relative weakness of their programs, and in the system's failure to produce more top female administrators. It is particularly in the customary neglect of women's prisons that the custodial tradition continues.

¹⁴ According to Rafter, the custodial model stresses security and deprioritizes rehabilitation where the reformatory model emphasizes treatment and rehabilitation; she concludes that female prisons then, and I would argue now, represent elements of both models with the "character of being *both* harsher and milder than the prison system for men" (1982, p. 256).

This practice persists today as what I am calling *gendered scarcity*, which refers to the unequal distribution of resources, opportunities, and funding between institutions for male system-identified¹⁵ people and female system-identified people, where male prisons on average tend to receive more programming, services, and financial support compared to those facilities designated for females. This disparity reflects broader societal patterns of valuing men’s needs and experiences over women’s, perpetuating inequality within institutional settings and limiting opportunities available to women.

Lack of funding is a considerable issue for facilities that primarily house cis women as budgets determine what a facility can provide. In 2020, the U.S. Commission on Civil Rights released a report detailing the state of women’s civil rights in U.S. prisons. One of Commission’s findings confirms that Rafter’s statement from four decades ago still applies today:

Finding 12. Federal funding assistance such as through the National Institute of Corrections and the National Resource Center on Justice Involved Women specific to issues faced by women in prison made an important contribution in the past by facilitating the development of research tools and training methods specific to policies and practices regarding incarcerated women. This assistance has been sharply decreased because of *federal budget cuts and agency prioritization of funds* [emphasis added]. (United States Commission on Civil Rights, 2020, p. 224)

¹⁵ The term “system-identified” refers to the criminal legal system’s classification of a person as either male or female, which then results in their subsequent placement in the coordinating sex-designated facility. The system’s gender or sex identification of a person does not always necessarily align with how that person would identify themselves, but it has implications for how they are treated.

Cost-savings for the government comes at the expense of the programs and services for incarcerated women. Cost-efficiency also aligns with the priorities of GRJ. In 2019, prior to the release of this report, the Commission held a briefing with testimony from various corrections staff, academic and legal experts, advocates, and women with lived experience of the CLS. Wendy Still, the Chief Probation Officer of Alameda County Georgia, gave the following testimony that reiterates from her perspective the lack of funding for female-designated facilities:

So, what the important point is, when you're looking at trying to transform prisons, it's creating availability of actual number of programs, because there is an inconsistent number of programs in men's prison as compared to women's prisons. Typically, male prisons are better funded. Women's prisons are not as well funded in terms of the type of programs.
(*TRANSCRIPT Women in Prison: Seeking Justice Behind Bars*, 2019, pp. 269–270)

Gendered scarcity manifests as lack of funding, but that is not the only mechanism, we also see the broad unavailability of services.

Contrary to Still's statement above, Crittenden and Koons-Witt (2017) found that a wider variety of programs were available in female facilities than in male facilities and that women reported higher levels of participation in educational, vocational, life-skills, and parenting programs compared to men respondents. The authors used 2000 Census data to assess program availability and 2004 survey data to examine participation, so their findings report information from two decades before the release of the 2020 report. They do express the caveat that just because a program is reported as available by the

institution does not tell us anything about its size, its outcomes, or whether it is meeting the demand within a facility (Crittenden & Koons-Witt, 2017, p. 633). During the Commission briefing, Becki Ney, Principal and founding member of the Center for Effective Public Policy, similarly testified that reported availability of programs neither equates to a satisfactory or optimal level of services nor an acceptable level of accessibility for participants:

But just because there are programs doesn't mean they are necessarily available. In my nearly 40 years of working in corrections, it has never been said to me once by anyone, staff or women, that "We have enough programs here." Never. The women will tell you we don't have enough programs. We don't have enough meaningful programs; that we have -- forgive my words -- "stupid programs that have nothing to do with the reasons why I got here or who will aid me in anything going out of this facility".

Now there are lots of reasons for that, and it's not for lack of trying. When resources come in tight budget situations, the programs are the first to go because that's the soft stuff we can get rid of. The type of facility -- as we've heard, many women's prisons were built for men, and then, women were put in them -- we don't have enough program space. We have movement issues. The program areas are often in a different part of a facility than where the women are housed. Discipline issues, security level, sentence length, optimal group size, all these things impact who can participate in prisons. (*TRANSCRIPT Women in Prison: Seeking Justice Behind Bars*, 2019, pp. 281–282)

Ney claims that the reason for a lack of programs is “not for lack of trying”, but the pattern of neglect and disinvestment in female-designated facilities demonstrates that the funding bodies, at the state or federal level, do not prioritize incarcerated women.

In sum, it is important to recognize the programmatic, institutional, and structural barriers and challenges related to access that IP face when participating in all aspects of

correctional programming. There are internal and individual-level barriers to participation that may affect enrollment as well, like issues of self-efficacy, anxiety, self-doubt, and even peer influence (Cage, 2018). However, there are significant barriers to participation that are out of the control of the individual which should be acknowledged, including but not limited to availability of programming and restrictions based on size, location and security level of the institution (Crittenden & Koons-Witt, 2017; Morash et al., 1994). Therefore, GR programming is likely only to work if CLS actors also understand and recognize the diverse set of needs that system-involved people have while also working toward removing barriers to their participation and completion of programming. Heidemann and colleagues sum up the need for GR programming well: “As pathways *into* criminal justice involvement are gendered, so too are the pathways *out* of prison and back into the community” (2016, p. 25).

Conceptualizations of Success in Reentry

Avoiding Recidivism

One of the core limitations of corrections and reentry literature, and by extension studies concerned with assessing PT and evaluating GR programming, is the field’s overreliance on avoiding recidivism as the primary or only conceptualization of reentry success (E. Collins, 2024; Visher & Travis, 2003). Bloom and colleagues explicitly state that “outcome measures should go beyond traditional recidivism measures to assess the impact of specific program attributes on pathways to female criminality” (2003, p. 90).

However, the report from the National Academies of Sciences makes it clear that the recidivism rate is still tightly embedded within the operational framework of the American CLS:

The recidivism rate is a *statistical institution* [emphasis added] in the criminal legal system. It is widely used by policymakers, practitioners, and researchers to refer to the crimes, convictions, and reincarceration of people released from prison. It is the *default benchmark* [emphasis added] for determining the effectiveness of policies and programs to prevent post-release criminal behavior. (2022, p. ix)

The CLS relies on this measurement to identify effective evidence-based programs, which in turn affects research and program implementation funding, so much so that there are now “pay for success arrangements” between private investors and government agencies to fund a host of social programs, most notably, reentry initiatives (Myers & Goddard, 2018). Prioritizing the recidivism rate over other markers of success creates a dichotomy where the carceral system’s expectations for success are legitimated over the perspectives, needs, and priorities of people who are directly impacted by the CLS, particularly those who have been incarcerated and who have been marginalized and stereotyped due to their gender identity.

This issue is exacerbated by the fact that much of our data concerning the outcomes of formerly IP is quantitative in nature, reducing nuanced and complicated reentry experiences into accessible binaries of yes or no, the person did or did not become rearrested, reconvicted, or reincarcerated. As a result, this CLS level priority becomes an assumption of individual level perceptions of success, creating an often-unquestioned

belief that the goal of incarceration, and subsequently GR “rehabilitation” and reentry, is the avoidance of recidivism.

Desistance

Where one may recidivate for a non-criminalized activity such as traveling out of state without permission and violating the terms of probation or parole, desistance refers to ending one’s engagement in criminalized behavior (Giordano et al., 2002, p. 1032).

While distinct from recidivism, both concepts frame success in terms of compliance with legal norms, rather than personal agency and choice independent of the purported goals of the CLS. Feminist scholars in the desistance space have also embraced the idea that “gender matters” (Bloom et al., 2003, p. 96) and can affect one’s ability to desist from criminalized behaviors. Holtfreter and Cupp sum up this growing area of research: “Just as females’ pathways to offending differ from their male counterparts, their transitions out of crime also vary” (2007, p. 365).

Desistance scholars and those interested in reentry have investigated the factors that shape successful post release outcomes. In their study of service provider perceptions of the reintegration needs of reentering females, Bergseth and colleagues identified seven categories of need: employment, housing, family-related needs, mental health, interpersonal functioning, substance abuse, and acceptance/support (Bergseth et al., 2011, pp. 114–115). Later studies have confirmed these categories of need through quantitative (Muentner et al., 2022) and qualitative methods (Carter, 2019; Holliday, 2014). In their longitudinal study which analyzed a sample of 210 female and male participants,

Giordano and colleagues (2002) found that marital attachment and job stability, factors prominent in the literature on men's desistance factors, were not strongly related to female desistance. While a factor in the desistance narratives of both sexes, women focused more prominently on children as a "hook for change", meaning they perceived their children as having considerable influence on their behavior (2002, p. 1039). Informed by their pasts, we see again that women's pathways are distinguishable from men's, and this time, the pathway leads toward varied reentry outcomes.

There are needs specific to certain subpopulations of incarcerated and reentering women as well. Since there are fewer facilities that house women, there is an increased concern for mothers and parents in these prisons as they are likely far removed from their family and children. Over half of women who are incarcerated in U.S. prisons are mothers (Maruschak et al., 2021; Sawyer & Bertram, 2022). In one study, mothers reported greater need and interest in substance use and mental health services, as well as parenting programs (Muentner et al., 2022). There is also a great need to consider accommodations and accessibility concerns for those with disabilities inside correctional facilities, as well as for those reentering (Ruffin et al., 2022). All of this to say, criminalized women have varied needs and experiences before, during, and after incarceration that necessitate continued attention.

As parole and probation have evolved from alternatives to prison into indirect pathways to incarceration (Wright & Cain, 2018), some PT and feminist scholars contend that it is more important than ever to consider how reentry programs can respond to gender-specific factors, as this is crucial for preventing future contacts with the CLS

(Gehring, 2018; Opsal & Luxton, 2023). Holly Ventura Miller created nine recommendations for reentry programs aimed at supporting the unique and complex set of incarcerated women's needs, which includes integrated treatment for co-occurring disorders, housing assistance, expanded opportunities for employment and skills training, and support for those looking to maintain contact with their children and families (2021b, p. 16). Many also argue for wraparound services, ones that start in the carceral setting and extend into the community upon reentry (Rodriguez & Usman, 2023; Bloom et al., 2003; Richie, 2001), so that each woman benefits from a more holistic approach drawing on a range of programs and services. For those advocates and researchers who argue for reforms, the hope is that if the CLS can understand and acknowledge women's distinct pathways into system involvement, provide a safe environment with effective treatment to address their needs, and support them on their reentry journeys, then there should be fewer women returning to carceral facilities. However, when focusing primarily on goals defined by the carceral state and the GRJ framework, the service providers, funders, and other CLS actors will likely miss what is most motivating and important for the people directly impacted by arrest, conviction, and incarceration. This focus can also lead to the continued expansion of the carceral state, moving us further from an abolition feminist future.

System-Involved Perceptions

While a multitude of studies that assess men's and women's pathways out of incarceration use recidivism as the outcome measure (A. D. Miller et al., 2019; Tripodi et

al., 2019; Day et al., 2015; Cobbina et al., 2012; Huebner et al., 2010; Reisig et al., 2006), criminalized people have their own goals following incarceration, as well as other simultaneous and compounding demands of their time (Richie, 2001; Cobbina, 2010). These varied demands can also be gender-specific, as women are expected to help and support their significant others in their desistance, in addition to their own needs (Barr & Hart, 2023). There is a racialized component to this as well. Monterrosa (2023) conducted interviews with 31 CLS impacted Black women and found that the women engaged in physical and emotional “intimate carceral labor”. In order to avoid impending violence from their system-involved intimate partner, the women managed their partners’ emotions and behavior engendered by incarceration, which extended and sustained the carceral state violence into these women’s lives (Monterrosa, 2023, p. 461). In having to care for their partners, children, and extended families, while also participating in conventional society that expects neoliberal outcomes, undermines their ability to stave off. While GR strategies call for wraparound, holistic services that may begin to tackle these types of challenges, the ever-present expectation of recidivism avoidance may create undue burdens/strains on or stigma for those women who experience rearrest, reincarceration, or parole/ probation violations.

Recidivism is a limited outcome measure that when prioritized in interventions, only the needs regarded as criminogenic and solvable, or deemed worthy of intervention, through behavioral or lifestyle changes are targeted for assessment and treatment (Russell & Carlton, 2013, p. 477). If practitioners and scholars really are concerned about “successful reentry” as Bloom and colleagues (2003) and others so vaguely champion,

then there are a multitude of variables we must consider to fully assess one's success, including other positive outcomes like education and employment (Holtfreter & Wattanaporn, 2014) as well as the criminalized person's perceptions of success. The qualitative study by Heidemann, Cederbaum and Martinez (2016) is foundational to our understanding of reentry success through the eyes of incarcerated women. Following an analysis of data gathered from in-depth interviews with thirty FIW, the authors found that their participants defined success as "having their own place, helping family members and others, living free from criminal justice surveillance, persevering through challenges, and living a 'normal life'" (p. 24).

There are several strategies formerly IP use to reach their goals, which have been overlooked by scholars in favor CLS-identified metrics and priorities. For example, seeking record expungement supports formerly IP's goals of finding employment and becoming more fully liberated from the CLS; expungement also helps combat other barriers to a successful reentry, like the stigma associated with a criminal record (Adams et al., 2016; Ispa-Landa & Loeffler, 2016). Fedock and Murray make a strong argument for academics and researchers to move away from the practice of research-based slow violence, characterized by scholars' "failure to act on or prioritize women's shared knowledge about their needs" (2024, p. 182). Instead of prioritizing the metrics of success determined by the carceral state, the authors amplify the voices of system-involved and system-impacted¹⁶ women who have identified the following needs and

¹⁶ Ross defines *system-impacted* as "... someone who experiences the effects of the system without necessarily being a direct participant in criminal activities or legal proceedings." (2024, p. 155)

pathways to success: ensuring food security and attainment of tangible resources, housing stability and security, and the alleviation of poverty and simultaneous improvement of women's economic stability (Fedock & Murray, 2024).

A strength of the present study is the use of interview questions that ask the women participants about how they define success for themselves to both decenter the carceral goals related to recidivism avoidance and to recognize the distinct and varied conceptualizations of success by system-involved women. The monolithic assumption that reentering and reentered people understand and prioritize one binary version of success is problematic, especially with the androcentric and white supremacist history of the American CLS. Black Feminist Thought has long pushed against White, male, and Eurocentric norms and standards in addition to the assumption that they apply and make sense to everyone in the same way. Patricia Hill Collins describes how Black women are seen as a monolith, but that no matter how many commonalities they may share due to living their lives as Black women, the diversity of identities they hold result in different expressions and experiences of these common themes (P. H. Collins, 1986, p. S16). This understanding can be applied to the lived experiences of system-involved people as well, especially women. Researchers and practitioners can neither assume that FIW all experience programming and reentry the same way, nor that they understand or prioritize success along the lines of how the CLS defines it for them. How FIW understand success exists outside of any narrow, dichotomized conceptualization.

Anti-Carceral Feminist Standpoint

Critiques of the state and the larger socio-structural sources of inequality, in addition to critical perspectives on the utility of incarceration and its harms, are often relegated in corrections literature, if present at all, to the end of an article or argument. This paper centers these critiques and perspectives in line with anti-carceral feminist practice by considering how short-term reforms and long term decarceration strategies can address the individual and structural level harms that criminalized populations face. While reforms, like those associated with GRJ and gendered neorehabilitation frameworks, can be critiqued for making an unjust system more humane, giving the state expanded tools and technologies for harm, and normalizing state and institutional violence, scholar-activists (P. H. Collins, 2000) do not need to wholly avoid recommendations and actions that enable reform (Carlton, 2018). Anti-carceral feminism, “a movement grounded in intersectional feminist critiques, strategies, actions driven to struggle against and undermine structures of oppression that give rise to violence and injustice” (Carlton, 2018, p. 285), encourages us to resist these larger structures and work to create meaningful and impactful change for criminalized people *now*. Reform poses a set of risks to those bent on transforming systems of accountability and justice, but it is a necessary component of the larger abolitionist strategy.

Anti-carceral feminist practice does not employ an either/or dichotomy, rather a both/and strategy (P. H. Collins, 2000; E. Collins, 2024; K. J. Cook, 2016), which recognizes the harms of reform and rehabilitation rhetoric while also identifying where reforms are necessary within the larger resistance strategy. Battle and Powell (2024, p.

549) use this same strategy in their study of how community activists, antiviolen- ce activists, and survivors understand abolition and transformative justice; they explain: "... abolition feminism recognizes *both* the ongoing needs of victims/survivors of sexual assault and IPV in households and communities for support and protection *and* the ongoing gendered harms from carceral control touted as protection." Similarly, Collins (2024, pp. 362–365) also advocates for rejecting the either/or dichotomy in favor of both/and abolitionist praxis.

Chapter 3

METHODS

Design

Qualitative data from in-depth semi-structured interviews were used to address the following research questions:

1. What are FIW's experiences of prison programming, if any?
2. What barriers do FIW face to accessing, participating in, and/or completing the programming?
3. How do FIW define success?

The findings inform our understanding of elements of the participants' stories and trajectories, which may or may not align with the expectations and priorities under the GRJ penal philosophy. These insights are pivotal to and should impact future research on GR programming, providing valuable implications for both enhancing the well-being of criminalized women throughout their CLS journey and for developing critical assessments of said system.

Population of Interest, Sampling, and Recruitment

Population of Interest

Formerly incarcerated women and femmes (i.e., individuals whose gender identity does not align with men/male/masc) are the population of interest for this project. This study defines *formerly incarcerated* as someone who was held within a correctional institution and was subsequently released into free society at least one time in their life. This person did not have to be convicted to be interviewed for this study. My original intention was to only interview people who had been incarcerated for at least a month as I assumed that folks with longer stints of incarceration would be more likely to have been exposed to the programming opportunities available at their facility. While most of my participants fit this description, having been incarcerated anywhere from one to 34 years, one participant J reported only serving 3 days total in a jail. I chose to include J's interview data for this paper as she challenged my preconceptions of who can validly identify with the "formerly incarcerated" label and can understand the system and its offerings. J strongly believes that her background as someone in long term substance use recovery, who has family and friends with incarceration experiences, who has her own experiences on the inside, and as someone who works as a trauma support specialist for "justice-impacted populations" gives her the lived and learned experience to share about the impacts of incarceration as well as to help other system-impacted people. She reflected on the meaning of her three days in jail and described how she came to adopt the formerly incarcerated label:

So I had this... like experience of being impacted by incarceration. [...] I just felt like it *surrounded* me my entire life, was like constant. And, you know, I'm pretty sure it was a lot of the lifestyle that I lived too. And then um... I had a couple of situations where *I* was arrested, *I* was taken to jail. Um... And now {Chuckles} that I'm working with the justice-impacted population, I always get kind of ashamed to like... really share because I... *sat* with people who are lifers, who are never getting out. I've talked to people who are on death row who are *definitely* never getting out. I've talked to people who spent 20 years, 10 years, 15 years, you know, **eight** years. And I'm like, 'wow, well, I only spent three days'. {Chuckles} But I had somebody *who was* formerly incarcerated tell me they're like '[J], but you *still* have been impacted.... *And* you are still considered formerly incarcerated, whether you spent a day or not, because you *still* can be impacted *by that*'. And I was like... *mind blown* when they told me that, I was like, 'Oh, you're right!'... And so I was like, 'Oh, wow, this is insane! I never thought of it like that.' So um, like I said, you know, I've spent a short amount of time. Um. And I think that's another thing that fuels my passion is {Chuckles} because that short amount of time, I seen how horrible it was back there. And I was like, 'Oh my gosh, this is just... *ruthless*'. [...] So I really had to experience how people are treated. You know, firsthand, I've seen it and then throughout my work, I've seen it more now.

J is considered system-impacted and formerly incarcerated, as she has indirectly experienced the effects of the system, especially during her childhood and young adulthood, and has spent time behind bars.

The knowledge she shared with me in the interview, made up of her time inside and what she knows about the legal system in her state from working in it and with other system-involved and system-impacted people, shows how even three days of incarceration can affect one's life, especially when experienced within a broader context of incarceration's shadow. J experienced inhumane carceral conditions like inedible food and mold on the cell walls as well as collateral consequences like "[paying] all this money... that [she] didn't have" to get back her license and car from the impound lot

after being arrested. Her arrest record also showed up on criminal background checks for a long time even though she was never charged, making it difficult for her to get a job. Therefore, after hearing J's story, I removed the length of stay requirement from both my inclusion criteria and the definition of formerly incarcerated to be more inclusive of the system experiences women have. This decision also aligns with a feminist framework, where women with legal system experiences are not treated as a monolithic category and which affirms their agency to self-identify. In defining *formerly incarcerated* in this broader way, I resist the benevolent, patriarchal urge to define for others their system-involved identification in narrow ways. There is a diverse and nuanced range of experiences of women who are CLS-impacted, so identification does not hinge solely on whether they experienced prolonged incarceration.

Sampling

Participants were recruited based on the following criteria: the individual (1) is currently 18 years or older; (2) has experienced incarceration as an adult; (3) identifies as a woman or femme (inclusive of non-binary, trans, cis, intersex, and agender people); (4) was incarcerated at least one time in a correctional institution; and (5) was last released from prison at least three months prior to the interview. All participants identified as female (cis women), were 26 years or older, and had a least one incarceration experience during their adulthood. Four participants were interviewed three to five months after their most recent release from prison and the remaining nine participants had been released between four to over 15 years previously. It was not a requirement of this study to have

participated in any institutional programming. Appendix A includes a detailed breakdown of the women's demographics, facts of their incarceration, and interview related information.

Recruitment

To recruit, I sent emails to service-providers, prison education professionals and volunteers, and non-profit staff that support marginalized and criminalized populations asking for referrals to potential participants and other individuals who could support my recruitment efforts. I posted my recruitment flyer (See Appendix B) on my personal Twitter (X) account as well as my LinkedIn where I am connected with a variety of scholars, stakeholders, and people with lived experience of the CLS. I also posted my flyer on the Alliance for Higher Education in Prison's online Resource Community which hosts topic-specific discussion boards and a resource library for prison educators. Participants also spoke to their networks and referred me to people they knew who fit my inclusion criteria. From these strategies, a purposive sample of 13 people were recruited to participate in this study. Four participants were recruited from a skills and job training program that hires women in work-release or transitional housing to help staff a donation distribution center. Four were referred to me from someone in my professional network, two people were referred from another participant, and three responded to my flyer that was posted on social media and the online resource community. While recruitment was successful and generated over 20 hours' worth of interview transcripts, the sample of FIW I spoke to is not representative of FIW broadly. I was also unfortunately unable to

recruit anyone who identified outside of the sex binary, as all participants identified as cis-female women. Future research should aim to include gender-expansive people and femmes as gendered harms and the CLS do not just affect people along normative gender lines. See the limitations section for more reflections on this sample.

Data Collection

Data for this study was collected between August 2023 and April 2024. Appendix C contains my data collection instrument, the interview protocol. I began with a few opening questions aimed at building initial rapport with participants with the intent to make them feel comfortable and not feel like we were jumping right into the most traumatic and challenging experiences of their lives. Next, I asked questions to collect information about participants' incarceration, programming, reentry, and probation/parole experiences as well as how they understand success. As the interview came to its natural end, as most people did not set a time limit with me ahead of time, I asked the women demographic questions that hadn't already been answered during the interview or which needed clarification in their own words. I ended with questions to encourage and elicit policy-oriented responses, directions for future research, and to guide data analysis.

At first, when asked questions about success, several of the women talked about getting a job or continuing their education to help others. To see if they had success goals that might be seen as more "selfish" or not as aligned with expectations of them as women or as market participants, I asked them to dream bigger and think about what their personal goals would be if society/family/money had no bearing. I assumed that some of

their views of success could have come from internalizing and then reciting the rhetoric of the carceral system with its emphasis on neoliberal outcomes and avoiding recidivism. For some, they remained steadfast and said they couldn't think of anything else to add. However, for others, they expanded on their views of success to include traveling, moving to a warmer climate, improving their mental health, and being an activist.

For this study, *programming* refers to a wide range of structured activities, interventions, and services available in correctional facilities, including, but not limited to, the following: education courses and classes (GED, AA, BA, Graduate); job skills training and vocational classes; life skills; substance abuse treatment; behavioral, mental, and emotional health treatment; parenting and childcare classes; counseling; and faith-based programming. What is categorized as a “program” varies across and within institutions, depending on administrative policy and practice. Therefore, programming may also encompass activities that are traditionally conceptualized as “work”, such as having a job or work assignment cooking, cleaning, or assisting staff within the facility. It is important to note that when the institution considers a work assignment a “program” this creates the possibility for continued labor exploitation and removes avenues for legal redress, as incarcerated workers can be forced to work without pay under the 13th amendment to the U.S. Constitution (Alexander, 2012). Programs are also considered privileges that can be revoked at will for bad behavior, in retaliation, or due to the tide of public opinion (van Wormer, 2010, p. 106), and participation in programming can inform sentencing and classification decisions (2010, pp. 145–146) as well as other decisions like termination of parental rights.

Fourteen interviews, totaling over 20 hours' worth of data and 344 single-spaced pages of interview transcript, were conducted for this exploratory study. Bena's first interview ran over the allotted time, so a second was conducted just over three weeks later, which is why there are 14 interviews and 13 participants. The interviews lasted between 41 and 126 minutes, for an average length of 86 minutes. The interviews were semi-structured to support the complex and recursive process of rediscovering and recording the communal wisdom of these women. The word "rediscovering" is used here because much of this knowledge is already known to them; this study was not created to generate knowledge, instead, I sought to unearth, amplify, and center their wisdom in policy and programming decisions as well as in the broader academic literature on this topic. I utilized the semi-structured format so that each participant was asked a set of the same questions in order to address the three research questions, while also allowing room for the women to bring up topic areas that they believed were overlooked but pertinent as well as room for follow-up and clarifying questions (Ravitch & Carl, 2021).

Several questions were added to the original interview protocol over time as I became more familiar with the topics participants wanted to speak on and as I realized I was asking similar follow-up questions across the interviews that I had not previously considered. For example, I added "Is programming offered for people who are pre-trial or detained in the "unsentenced" block(s)?" because several of the women I first interviewed were housed in a unified carceral facility, as that state had an integrated prison and jail system. Unified facilities house and serve both pre-trial detainees and sentenced residents at the same location. Many of the women I first spoke to had spent

time on the jail and prison sides, explaining the differences and similarities between the services offered within each as well as in relation to their general experiences of being housed in the two areas. It then became important for me to be able to distinguish between what was or was not offered on the unsentenced side compared to the sentenced side.

Eight interviews were conducted in person. Four took place at a donation distribution center in a closed-door room, two at the participant's home, one at the home of the colleague who referred the participant, and one at a public coffee shop. For the four participants from the skills program, an information session was held several days prior to the interviews to disseminate information on the study, including the recruitment flyer and consent form, as well as to answer their questions. The other six interviews were conducted over Zoom. Before the interview, each participant was asked to read and sign an informed consent form (Appendix D) outlining the purpose, risks, potential benefits, compensation, and other logistical aspects related to the study. All agreed to be recorded at this point as well. Following a feminist ethical framework (Warnock et al., 2022), it is imperative to compensate participants for their time and expertise. Each participant was compensated US\$50 in the form of a virtual gift card, except for Bena who received cash due to her level of digital accessibility.

Data Analysis

I used the Interpretative Phenomenological Analysis (IPA) (J. A. Smith et al., 2009) approach to analyze the data for this study. IPA is appropriate for this study as it

supports understanding a particular experiential phenomenon from the perspective of a particular group in a particular context (2009, p. 29), which, in this case, are the perspectives of formerly incarcerated women on prison programming. IPA focuses on the sense-making of both the study participant, as they describe and explain their lived experiences, and the researcher, as they in turn attempt to make sense of their participants' accounts. The strategies I detail below, including repeated readings, moving from a singular case to the shared experiences of the group, thematic development, reflexive memos, and identification of connections in the experiences, align with the analytic processes that Smith and colleagues (J. A. Smith et al., 2009, pp. 79–80) suggest for researchers when engaging in the IPA analytic process.

Interview recordings were transcribed verbatim into Google Docs. After completing transcription, each interview was read thoroughly multiple times, in line with IPA as well as thematic analysis (Braun & Clarke, 2006). Repeated reading allowed me to immerse myself deeper into the data, ensuring my familiarity with the content while also helping me to identify initial patterns or ideas before formal coding began. As I did not start out with any pre-existing theoretical framework in which to analyze the data, I was able to examine the realities, meanings, sense-making, and experiences of my participants with limited preconceived notions of what I 'should' be looking for. Close, iterative engagement with the transcripts facilitated a greater understanding of the nuances and complexities inherent in participants' experiences with the CLS.

Throughout these initial reads, I took analytical memos to reflect on potential codes, themes, and connections (Ravitch & Carl, 2021). In these memos I engaged in

exploratory commenting (J. A. Smith et al., 2009), where I made notes, comments, and questions for myself about how the women made sense of their carceral experiences to begin interpreting their experiences. During these early memos, and subsequent coding and analysis, I remained open minded and flexible to the data being presented – one of the strengths of using this method (Braun & Clarke, 2006). Memoing served as an important tool for reflexivity, allowing me to document my evolving interpretations and thoughts as I engaged with the data. Writing these reflections helped me trace the development of my thinking, give credit to participants whose words/ideas ignited themes and coding schemes, and ensure that my coding and analysis remained grounded in the data itself. This strategy helped me resist being inadvertently influenced by pre-existing assumptions as I went back and annotated my memos, calling out areas where I made initial generalizations or assumptions that weren't necessarily reflected in the data itself.

Analytical coding began with in vivo coding one transcript at a time, which uses “the participants’ words to label data segments instead of researcher-created words or phrases” (Ravitch & Carl, 2021, p. 206). Through this process I could stick directly to my participants’ word choices for the initial start list of codes, rather than imposing a pre-fixed coding frame (Miles & Huberman, 1994). Using these codes, I then searched for shared experiences, particularly those patterns or themes that recurred across several transcripts in the data set. To assess the information-rich and complex narratives of these women’s incarceration and reentry experiences, I employed a connecting strategy (Maxwell & Miller, 2008) to analyze and present findings related to FIW’s programming experiences. This type of analysis, which has been utilized by other researchers in this

topic area (e.g., Enck & McDaniel, 2015), fosters the development of a narrative through identifying relationships across contexts and making connections between categories, codes, and the data itself (Maxwell & Chmiel, 2014; Ravitch & Carl, 2021). For example, to come up with the theme of gendered scarcity, I found a connection between the women’s realities of having fewer opportunities (“*lack of programs*”) and their understanding of what was available in male prisons (“*men more*”). They made sense of their experiences of having less in direct relation to the men having more. These were not separate or unrelated phenomena, where the women happen to get less than the men, but rather interconnected realities shaped by a gendered system. Their frustrations and awareness of inequity highlighted the ways in which gender operates as a central organizing principle within carceral institutions, shaping systemic disparities that go beyond any singular facility. This gendered scarcity wasn’t just about the material conditions in the female prisons, but about the structural inequities embedded in the CLS that prioritize male facilities.

In addition to making connections across data and emerging themes, this connection strategy helped me resist decontextualizing the women’s stories, which led me to structure my findings in the following way. In her recently released book about over one hundred women’s experiences with GR reforms while on community supervision, Merry Morash uses what she calls “Touchstone Stories” to provide detailed information from a select six participants (2024, p. 21). She chose them based on their demographic diversity from each other but also the distinctive, rich insight they provided. The Touchstone Stories were then followed by findings that affirmed, challenged, or

expanded those narratives, which drew upon analysis of the stories of the remaining participants. My study follows this structure, which has also been used by other scholars (e.g., Shdaimah et al., 2023), by first highlighting four *Touchstone Stories* and then presenting analysis from the other nine women in the sample, referred to as the *Larger Sample*. This method allows me to present some of the women's lives in a more continuous way, avoiding complete decontextualization of the stories that they spent significant time sharing with me. I am also then able to present shared findings to show the relevancy of their stories to those of the other women who spoke with me. Their narratives and shared understandings are then put into conversation with one another, showing how if reformers made changes without considering the complexities of the women's experiences and the intersecting oppressive forces that impact them, they risk oversimplifying or neglecting the broader structural harms of the CLS and gendered neorehabilitative reforms.

The strength of this method of analysis and findings structure is in the presentation of experiential commonalities across the thirteen FIW and the simultaneous preservation of the nuances and complexities unique to particular women (Morash, 2024, p. 191). I chose this method in part because it allowed me to tell more of some women's stories. With 344 single-spaced pages of data, I knew that I could not do the stories and experiences shared with me justice if I followed a schema that fragmented each women's narrative into smaller pieces spread across various themes. What I present is of course not close to their whole story or all of which they shared with me. However, by using *Touchstone Stories*, I worked to preserve the integrity and depth of four of the women's

experiences while also identifying broader patterns across the entire sample. One can find my rationale for choosing the four touchstone stories at the beginning of that section (See Touchstone Stories). Nevertheless, in choosing these four stories to highlight more fully instead of others, there is a risk that within my choices lay unconscious biases or preferences for certain narratives that I have not yet reflexively explored. I invite feedback and perspectives I have yet to consider, but as of writing this, I stand by my rationale and acknowledge that others may have chosen differently.

Finally, in their assessment and overview of GR programming in correctional settings for women and girls, Fedock and Covington (2022) concluded that a strength-based approach is critically important in developing the principles, strategies, and practices that facilities implement when creating or improving programming for women. They explain that epistemologically, a strength-based approach does not prioritize the typical goals and concerns of the CLS, which includes decentering recidivism as the sole measure of reentry success as well as not providing opportunities/ incentives with the primary goal of increasing compliance (Fedock & Covington, 2022, p. 385). The authors call for more research of GR programming, but also for researchers to take a strength-based approach in their assessment and analysis of prison programming. Their call echoes the growing body of critical desistance literature that advocates moving away from a focus on the reformist narratives of choice, individual action, and responsibility common in traditional desistance literatures, toward research centered on the impact and influence of socio-structural factors and the potential of liberatory and abolitionist strategies (Hart, 2017, p. 270). The present study heeds this call by centering the voices

of FIW, asking questions that draw upon the assets and strengths of the participants, pursuing definitions of success beyond measures of recidivism, and by engaging in active listening in the pursuit of shared discovery (2022, p. 381).

Ethical Considerations and Human Subjects

Ethical considerations are critical when conducting research, not just to be in compliance, but also to protect and respect the informed consent, autonomy, privacy, and confidentiality of the participants while minimizing risks and making a meaningful contribution to the field. Precautions to protect participants' confidentiality were taken. Their names and contact information are separated from the interview data. All participants chose a pseudonym, for their anonymity, with the master list stored separately from the consent forms, which are stored in a secured cabinet. All recordings were deleted after transcription was completed. Transcripts were edited to remove or anonymize any identifiable references to the participant, including their name and location. Transcripts are held on a password-protected secured university-affiliated Google Drive account.

Reflexivity

As a White, queer, cis woman who grew up as part of the mid to high middle class pursuing a doctorate, my background and identities do not necessarily fit the description of currently and formerly IP. I do not have a history of being system-involved, nor do my family or close friends. Only in the past 9 years have I become

exposed and connected to the populations and communities at the center of my research focus. It is not enough to address my privileged statuses or outline my outsider credentials; I must also recognize how my positionality and worldviews shaped the research process (Baboolal, 2020). I am an anti-carceral abolition feminist. I believe the CLS causes more harm than facilitates good, some of that harm I have seen first-hand as an Inside-Out instructor, prison GED tutor, and former case-management intern at a jail. I am also a realist, who sees great value in a both/and approach to reforming the CLS and implementing decarceral strategies. This perspective influenced my choice to center and amplify the voices of women with lived experience as well as to foreground a critical interrogation of broader social structures.

Reflecting on my how my identities/perspective may have impacted the interview process specifically, ten of the thirteen participants identified as White or as another racial/ethnic category in addition to White, which I think may have helped facilitate our conversations, evidenced by the nearly 12-minute difference in average interview length between the two groups, White and non-White individuals. Apple mentioned incidents of violence she believes were racially motivated due to her status as a White woman, which I do not believe she would have brought up to a non-White person: “I think I've probably gotten about three to four fights only because I was White. I have blonde hair, blue eyes or just because they didn't like how I spoke.” Comparatively, my conversation with Jolene was very short. Twice I did not understand what she said when she answered my question because of the slang she used and how quickly she spoke. I think my race, or the cultural context I grew up in at least, may have hindered my ability to build rapport with

Jolene. My perceptions of our conversations indicated here fails to address the full complexity of these conversations and the interview experience from their perspectives, but through my research, I aim to as accurately as possible reflect the stories they shared with me, recognizing their unique human experiences.

Chapter 4

FINDINGS

Touchstone Stories

The stories of Apple, Bena, Jolene and Stormy make up the four Touchstone Stories. They were chosen because they come from the same state system and carceral facilities, which provides continuity in telling their stories in terms of context. The four women are also the only individuals from the sample who fall in the twelve-month range in terms of their release date to the time of the interview. Therefore, they are the closest to their incarceration experiences and were in the earlier stages of their reentry, which provides valuable insight into the beginning of the reentry process. The women from the Larger Sample are at least four years out of their most recent incarceration, which makes their stories important to consider when thinking about the potential trajectories of the Touchstone women and how circumstances, goals, and barriers may change or stay static over time. Finally, these four individuals also represent a diverse range of experiences before, during, and after their incarcerations, which allows for varied perspectives to be presented and compared.

All four went through criminal legal processing and housing in the same Atlantic state and were also on probation at the time of interview. The prison they were incarcerated within is the only “women’s” facility in the state and it houses minimum-,

medium-, and maximum-security adults. The prison side has several units for the sentenced population, which will be referred to as the “prison”. The facility also has a unit meant to hold the folks sitting pre-trial and special populations, including those in need of mental health care and people with institutional infractions who are being held in solitary confinement, which will be known as the “jail side”. On the jail side, you are primarily locked in your cell and there are fewer opportunities for movement and interactions with others, compared to the prison side. On the same grounds is a detached “rehabilitation center”, where two programs are found: the court-ordered substance use treatment program and the work-release program. The rehabilitation center runs separately from the main facility, and there are few interactions between the populations. The web pages for both facilities make no indication that the programming or treatment offered to the residents follows GR principles, but instead emphasizes that the offerings balance control and treatment. This paper will demonstrate that although gender neorehabilitation reforms are cited as best practices for carceral institutions, if implemented at this or any site, they would not go far enough to address the complex structural issues revealed by these women’s stories.

Apple: Addiction is not determinism

Apple is a 33-year-old White cis woman with a high school diploma, who is married and has three young children. Apple’s pathway to prison included both opioid and alcohol use, one of the several identified pathways to offending for women (Bloom et al., 2003). The state arrested and incarcerated her on multiple occasions, at least eight,

and during her most recent incarceration, she was court ordered to treatment upon sentencing. However, Apple did not see any value to the substance abuse treatment she was coerced into during her several incarcerations:

MN: And so, was there any value in [the treatment program] at all?

Apple: No no, nothing I didn't already know already. And that was like a drug and alcohol and behavioral as well so...

MN: Ok. So, is there... for you, right, is there no value in *any* of those drug and alcohol programs?

Apple: I mean me personally I say no because it was stuff that I already knew.

This treatment program made participants sit in class all day, but Apple said this did not work for her due to her disability. “They try to teach you coping skills but me personally I have ADD and I'm just all over the place and I'm, it's hard to sit still, so for me... they... I really didn't learn coping skills.” Even before sentencing, she voluntarily joined a pre-trial program that centered on “drug and alcohol and behavioral lessons”, but she reiterated that she did not gain anything from it, and in fact, was kicked out twice for not following the rules. Apple resisted the rigid structure of the program and its emphasis on group work. She went off and did her own thing, trading the freedom of movement the program offered for more restricted circumstances, because “... to be honest I'd rather sit in my cell and not do nothing than do the program”.

Apple said she would have also preferred taking education courses, but that she was not allowed to enroll in education. “I've tried to sign up for education, but they wouldn't allow me because I already had a GED. So, and at the time when I was in there,

they weren't offering other courses. They were just doing GED.” Better still, she would have liked to be able to work.

I feel like if you're spending more than like three months even if you are unclassified, I feel like you should be eligible to like *work* in the prison. [MN: on the unsentenced side.] Yeah. I feel like that would have been more helpful. Like if, if you're *there* for like three or more months I feel like you should be able to be eligible to, you know, be able to work.

However, in this case, those opportunities were not available to her due to the nature of the court ordered program, which only focused on substance use treatment, and to the nature of the rehabilitation center, where residents are isolated from those outside the program and physically cut off from the programming in the prison. On the jail side, where the voluntary pre-trial program was situated, she also did not have access to opportunities like those in the sentenced part of the facility because she was not classified yet. Classification, institutional policy, and facility layout are all within the prison's domain; these are not things that Apple can change herself (i.e., not changeable at the individual level as GRJ would emphasize), and yet, her path through the institution is marred by institutional barriers that restrict her access to opportunities she would prefer to avail herself of.

How did this affect her likeliness of recidivating and her views on what a successful reentry looks like? Apple did not talk about staying out. Success for her looked like getting her kids back and finding more stable employment and eventually getting a house of her own.

MN: What does success look like for you? What would be something that you would be proud of?

Apple: Well right now I'm trying to get my kids back from the state so I would be really proud of that. [...] I would try to start saving for a house, like our apartment yeah. 'Cause I definitely don't wanna live at my mom's forever with all my kids.

She also described the challenges of getting state assistance, “um re-entry um I haven't been able to like get back in touch with like my food benefits,” and how she’s lucky her probation officer has been so understanding about how she does not have the means to pay back her nearly \$41,000 in restitution and fines, “my probation officer is really cool so she understands the situation she knows I have to pay for rent and for my husband's car”. Apple being able to get her kids back, get a job, and pay her fines are all things predicated on her staying out of prison long term, but her success narrative is not dominated by worries of recidivism or desistance.

Even though the courts sentenced Apple to substance use treatment, and this impacted her pathway through the institution, it was not the only important aspect of Apple’s identity. She is a married woman with three kids who wanted to further her education and maybe open her own bakery someday. However, the court order and prison classification system identified her most pressing need as substance use treatment, which resulted in this single aspect of her life experience being the determinant of what was available to her in the institution. While GR principles advocate for addressing substance use with “culturally relevant services and appropriate supervision” aimed at reducing recidivism (Bloom et al., 2003, p. 80), these principles and their related implementation strategies are unable to address the structural factors that shape what is available in a jail

or prison context, and who has access to it. The lack of attention to her aspirations as a mother, wife, and aspiring business owner as well as the neglect of her learning disability, reveals the theoretical and implementation shortcomings of GRJ.

Theoretically, GRJ is supposed to consider the diverse needs of women, but in practice, it often falls short by focusing on just one aspect while neglecting other important parts of a person's identity and experience.

Bena: Not just a long termer

Bena is a 68-year-old White, Jewish cis woman. She was incarcerated in her late 40s on a violent offense charge, but before that, she had earned her master's degree and had been working as a nurse for 25 years. In the interviews, participants were encouraged to divulge only as much of their story as they wished to, and in this case, Bena shared very little about what brought her to prison, where she would ultimately serve a sentence of over 20 years. Respecting her wishes, we focused mostly on her lengthy journey through the prison as a "long termer". From what Bena shared, she does not necessarily fit any of the typical typologies of a criminalized woman (e.g., DeHart, 2018; Richie, 2001; Daly, 1992). Lower levels of education are often associated with increased CLS involvement for women (Salisbury & Van Voorhis, 2009), not higher levels of education, such as having a master's degree. Bena leveraged her previous education and professional skills to resist the prison's coercive control, charting her own "rehabilitative" path through an institution bent on blocking her from accessing opportunities. She was even subjected to an act of sexual violence meant to punish her for daring to push past the

more sensible or acceptable options for advancement as defined by the paternalistic institution (Crewe, 2011).

Unlike Apple's experience in the pre-trial substance use program on the jail side of the facility in the 2020s, when Bena was there in the early 2000s, she was permitted to work. She first began working in the kitchen, but Bena later picked up another job in education, where she was able to use her previously acquired skills to support others in their education journeys and where she could "keep from going back to [jail unit] and being locked in [her] room".

...we have a large Hispanic female population, so we had to be able to supply them you know educational opportunities. [...] I had Spanish as as professional in New York because you had to be able to communicate with your patients in the operating room and recovery room. [...] I worked with primarily those who had learning disabilities not only in English but in their own native language, and also too, I tutored students that were working on their GEDs and high school diplomas in writing and their literary skills and what have you, so that was my second job.

Bena used her client facing skills, education, and second language to find a job in the institution, something that would keep her busy and out of her cell. Somethings that the intake assessments and general GR practices overlook are the strengths and skills an incarcerated person brings to the institution (Fedock & Covington, 2022), taking a wholly deficit view of a person's past, focusing on where they have failed or faltered. Bena subverted these processes and chartered her own way.

She put in hours of underpaid and underappreciated labor for the institution, by supporting the teachers in education, working in the kitchen, and during multiple other

work assignments, even though she was often blocked from opportunities to further her own goals because of her status as someone with a lengthy sentence. “But long termers, first offenders were denied access to the program because we didn't meet the criteria. One of the criterias was that you had to be a repeat offender.” Some institutional barriers, like program eligibility criteria, actively excluded people like Bena. Programming and reforms are often geared toward those with nonviolent offenses, as there is more public support for endeavors such as these, where there may not be if violent offenses were included (Justice Policy Institute, 2020). Those with closer release dates are also prioritized in line with the neoliberal GRJ logics that plagues carceral institutions and GR programming (Heiner & Tyson, 2017; O’Malley, 2014), which emphasize outcomes like market participation and demonstrating “productive citizenship” (McCorkel & DeFina, 2019, p. 2). This is a critical oversight, as Bena had real social capital in the institution after spending so many years there and could have been an accountability partner to and supporter of the incarcerated women taking programming with her (McCorkel & DeFina, 2019).

While sexual victimization is cited as one of the many factors that can significantly influence women’s pathways to prison (Bloom et al., 2003), experiencing sexual violence does not always end at the prison door. Bena was sexually assaulted by a correctional officer, a female Sergeant, during an irregular strip search following the end of a college class she attended within the prison. It was not typical for officers to strip search the incarcerated students after class at this facility, but the residents understand that there was always the possibility in the name of security. However, on this night,

Bena was taken to a room with cameras and told to completely undress. She described the result of following the Sergeant's order as wearing "nothing but a smile". Bena was not smiling however, as this was also not typical of procedure as most officers allowed residents to "put certain clothes back on" during the process. She was asked by the officer to "bend over, squat and cough", and then she was subjected to a flashlight being shined into her most personal of areas. Bena felt violated. She was furious and felt like she needed to say something for this abuse of power to be addressed and so that no one else would have to experience this again and potentially be deterred from attending another class. Bena escalated her assault claims, and the officer was ultimately sent back to the men's institution where she had originally come from. In participating in one of the only programs available to her as someone with higher education, a long sentence, and an indeterminate release date, Bena was punished, perhaps in retaliation to her resistance of what the prison deemed she was worthy of or in act of overt coercion to deter Bena and others from furthering their educations.

Bena made decisions every day knowing that she "had a handicap, and that was a prison sentence, and that prison ID number". The structural barrier of a criminal record meant she could not rely on what she had accomplished before prison or who she was back then. Instead, she had to find ways to add skills and certificates to her tool chest that would help her to succeed upon her reentry, even with the stigma of a criminal record. "And so, every program I completed, every job that I had, it was to make myself marketable and more employable for when I was no longer there anymore." Interestingly, when asked about what she sees as success, Bena did not talk much about finding

traditional employment, something that GRJ would emphasize. She discussed at length going back to the prison to assist in education, mentoring the residents and helping them “to stay the course” by consistently attending classes and not giving up. In both interviews, Bena made it clear that her priorities lay in helping other criminalized people like herself, especially those who are still incarcerated. Bena was and is much more than someone with a long sentence, and yet, like Apple, this aspect of her criminalization determined much of what was available to her and structured the barriers she encountered in accessing programs and services.

Jolene: Community and support from unexpected places

Jolene is a 26-year-old African American cis woman who is currently living at home with her mother and father. She was working toward getting her GED in prison when the COVID-19 pandemic hit, which delayed her ability to finish out the program. She is waiting to hear back from an adult education program, where she can hopefully take the final few classes that she needs to graduate. When I talked to Jolene, she had just finished a two-and-a-half-year stint for nonviolent drug charges, presumably for “selling drugs and flipping drugs”. Similar to challenges that Richie found in their interviews of women returning to low-income communities, Jolene experienced interruption in her educational and legal income-generating opportunities when she became involved in criminalized activities (2001, p. 376). Jolene has been in and out of the CLS since she was thirteen years old. The interruptions to her education and workforce participation

have continued throughout her system involvement and subsequent incarceration experiences.

Like Bena, Jolene participated in several work assignments in the prison. She worked in the kitchen and did night crew, where she cleaned from 12:30 to 3:30 am. Her latest incarceration resulted from a probation violation (VOP), with the judge ultimately imposing an additional six months of work release on top of the two years initially recommended by Jolene's probation officer. She had just come back from a three-year stint, also for drug charges, and had spent only six months in free society before the VOP. This repetitive cycle of leaving and returning to the prison would make it difficult for anyone to take classes or hold down a stable job in the community. In her early adulthood, when societal expectations encourage someone to get a degree or find socially acceptable, legal forms of employment, Jolene has spent the most consecutive time in the prison during the three- and two-year long bids. Due to feminist projects and gendered neorehabilitative reforms that have interwoven care and carcerality such that services and resources may be more readily available within CLS institutions than in free society (Musto, 2019), Jolene's options were limited to the opportunities for programming and support that she could get on the inside.

Jolene was keenly aware of the opportunities, or lack thereof, available to the residents in prison. She noted that the rehabilitation center, which housed the work-release program, offered limited opportunities for residents, particularly due to structural barriers related to accessing one's ID or social security card, which restricted their ability to participate in essential programming:

Even over there, it ain't nothin' to do in [the rehabilitation center]. Ain't nothin' to do there. [...] Uh, work release. If you don't have a job yet 'cause you don't got your ID or your social nothin' like that, then they'll take you out on a road crew. Or you just mess with boxes and stuff all day long and stuff like that. Other than that, you're sitting in the building and you ain't doing nothin'.

Her emphasis on limited opportunities is repeated multiple times throughout the short 40-minute interview, showing just how prevalent the institutional issues of access and program scarcity are. Jolene even had knowledge of the programming available in prisons in other states: “Like, in other jails, this down to [two jails in two different states], they got stuff to do. They got workshops, construction, it's all, it's nothin' in [this prison] for somebody to do.” She also voiced concerns for others, saying it is particularly difficult for her friends who have life sentences to get involved in the prison because of the lack of programming. “There's people in there, I know that's doing a hard time right now. You feel me? It's notn' for them to do, but work and that's it.”

Jolene was also court ordered to an Alternatives to Violence program. The value of this program lay not in any specific strategies it taught her, but in the opportunity the program provided to build community and be vulnerable. Jolene said that “it brought us together and talked. We were just openin' up a little bit”. When asked why she participated in the many different programs and work opportunities, Jolene said:

Well, for one, I'm gonna be honest with you. The kitchen and like the job thing, it's like and more so, it's good time. You get good time. You get 10 days good time. And then it's like you, something to do. So you just want to be sitting around and give me something to do to work. Not be lazy.

So not only did Jolene receive some tangible benefits to participating, like good time and keeping busy, but she also found community and time to talk with others like her.

Interpersonal relationships on the inside are often discouraged because peers, especially those with criminal backgrounds, are typically regarded as criminogenic, though there is contrary evidence that is not supportive of this supposed negative peer influence on reentry outcomes such as reincarceration (Mowen & Boman, 2019). GR programming fails to address how pro-social bonds in the prison can be beneficial to one's journey through and out of the institution. Bloom and colleagues (2003, p. 89) mention that facilities should provide positive female role models, but they do not go on to explain where these women would come from and if they could be fellow residents. The CLS is designed to control who IP are exposed to, so unless GR proponents can convince the institution that criminalized people can be or become positive role models¹⁷, then the system and GR proponents will continue to overlook the value that this type of community can bring to incarcerated women.

What makes Jolene's story distinct from the other participants' is the emphasis she placed on the influence that the correctional officers (COs) had on her journey through the institution. She reflected on what helped her most while inside: "I'm not even

¹⁷ This is something Bena stated she specifically wants to do, go back into the institution and provide support to the incarcerated residents. However, the facility has a rule that one must wait a number of years before one can reenter as a free citizen. Bena said, "So that, that's one of the things that I *really* want to do is to be able to get that five to seven year *lifted* and to be able to go back into the facility and *really* make a difference there."

going to lie, even COs in there, that genuine, some COs, genuine care. They played a big part. They don't even know it, but you know, they played a part too.” She said that various COs and probation officers in the past had “brought stuff to [her] eyes” that forced her to reflect on her situation. Jolene noticed the recurring cycle that had plagued her since her teen years. “And I keep doing the *same* thing. I'm getting the *same* outcome. I'm getting the *same* results.” She realized that when she gets the chance to live her life again, free from probation and “off these papers”, she is going to end this cycle and do things she has never had a chance to do before. Correctional and probation staff were notably supportive in motivating her to “want better for [herself]”.

Jolene has a lot of interests and goals. She wants to be a motivational speaker, talking to youth in schools. She wants to learn about credit and flipping houses. She looks forward to finally getting her diploma. Jolene wants things that are her own: “I want to be able to have my own crib, you feel me, own car, just my own, my own, you get what I'm saying. My own shit.” Her goals and how she views success does not revolve around staying out the system, but she does recognize it is difficult to do what she wants while probation continues to constrain where she can live and go. Her path through the institution was marked by opportunities to stay busy, earn good time to shorten her sentence, and participate in programming that fostered community. She does not want to keep coming into and out of the prison, seeing the same COs who encouraged her to reflect on things she sees as areas for growth and transformation. Where GRJ principles focus on providing the most effective management and treatment for incarcerated women, Jolene shows us that such frameworks fall short of addressing the complexities

of her aspirations and the institutional and structural barriers criminalized women like her face.

Stormy: Where gender-responsive programming can help

Stormy is a 50-year-old White cis woman who is a mother of three adult children. She was sentenced on a violent charge to 25 years, but she got out of prison after nearly 21 years and will spend close to 4 years on probation. Like Bena, Stormy shared little of her life before incarceration, so it is difficult to see how her profile may fit one of the previously uncovered typologies. Despite whatever challenges she had faced in her past, while incarcerated Stormy participated in a range of activities, such as mental health counseling; working night crew clean up; forklift, flagger, and commercial driver's license certification courses; and life skills courses. Stormy is most proud of getting her GED and high school diploma, as well as being close to graduating with her associate degree in human resources from a local technical college. Outside of education, she also spent a significant amount of time honing her skills in culinary, moving from diet cook to the head cook position. Where the barriers of the other three women centered primarily on accessing valuable programming on the inside, Stormy's perspective remarked on the barriers to a successful reentry that were located outside the prison walls and specifically related to her gender. Although she was only five months into her reentry, Stormy experienced significant work-related postrelease challenges that were not as heavily emphasized in the other three Touchstone Stories, but were certainly highlighted in the

stories from the women in the Larger Sample who had already been back in the community for several years.

Before her release, Stormy moved from the main facility to where the work release program was housed. This program got her started at the donation distribution center, but she later pivoted back to the food industry, where her skills and passions resided. Upon leaving the institution, Stormy became part of a reentry initiative that supported returning people in getting employment, which is how she found a job at a local restaurant. However, despite the good intentions of these programs and her placement in an industry where she has the relevant skills, Stormy said it has been difficult for her.

Well, I... was putting all of my effort into food, food service. But, at my age now, 'cause it takes a lot of time to like make yourself a *name*, put your, your specific food brand out there, so and {Sighs} I'm at my *mid*-life way, so I think of a change of career is in motion.

She also said it is “hard to get into a restaurant if you don’t have experience”. Stormy has years of experience working in the prison kitchen, taking culinary classes and being taught “a lot of little trick and knicks and stuff” from the kitchen supervisor, but she was not seeing this translate well into the restaurant industry in the free world. Originally, Stormy wanted to take the credits from her associate degree and put them “towards the masters of culinary school”, but she reevaluated her situation, choosing to instead return to the distribution center, while she finished her commercial driver’s license course. She will go back to long haul trucking, an industry she had been employed in in the past.

When asked about who the prison programs were made for, Stormy explicitly pointed out that her gender made it difficult for her in the food service industry, but that this is a problem with many of the industries she was trained for in the prison.

MN: Do you think that the programs that were available to you were made with you in mind, or women in mind?

Stormy: I don't really think so. I don't think so because, um, like the culinary, the food service, it's mostly males. Like, *I'm* the only female besides the general manager in the [restaurant].

MN: Oh like right, in free society it's mostly men in culinary.

Stormy: It's mostly men. Um same with forklifts. It's mostly men. Like all, flaggers. There's, there's some women. It kind of evens out, but, it's mostly men. Like a lot of the, a lot of the stuff, it just seems like it's based around a male gender. [...] They don't focus like much on females.

This is an area that GR programming could be implemented in order to infuse some intentionality into the kinds of vocational and educational courses that are available in a female facility. It is imperative to make opportunities available that are oriented to female dominated professions. Having spent considerable time alongside fellow incarcerated women, reentering women may find greater comfort, support, and empowerment in workplaces that resonate with their experiences. Bloom and colleagues support an approach to providing vocational training and job placement that includes of range of opportunities not solely centered around traditional and stereotyped assumptions of women's work (2003, p. 89). To take their recommendation a step further, it is crucial that state officials and politicians consider the input of formerly IP and their allies, as they will have an idea of which organizations and professions are welcoming to those with a criminal record. Implementing programming and securing job placement

opportunities without considering whether these provide future avenues for success, based on the direct input of those with lived experiences, would merely continue the pattern of ignoring them in favor of the state's paternal assumptions of what is good for them.

Stormy is still considering what success looks like for her. She reflected on several different options that might make her happy, like moving to Florida with her daughter and finishing her associate degree. At the very least, she knows the path to success for her looks like a more structured daily life, emblematic of her life in prison. She questions whether this way of life is best for her, but ultimately settles on the fact that a rigid and consistent schedule is helping her stay in free society: "Maybe I shouldn't be so structured. But if I wasn't, then I would really be... well, maybe I would end up back in prison." Stormy was arrested at a time in her life where she felt "out of control". While her incarceration experience may have given her some of the tools to gain that control back, it was not designed as a place where she could exercise agency and choice in what directions she was headed in next. Her choices were constrained by the institution, and no amount of GR treatment or rehabilitation was going to change the ultimate goals of the CLS: "retribution, incapacitation, and the management of risk" (Garland, 2001, p. 8).

The Larger Sample

Viola, Hafi, Ash, Light, Miranda, Josie, J, Truce, and Beth are the nine women who encompass *The Larger Sample* group. Ash and Viola experienced incarceration in

the same Atlantic state (1) as the Touchstone women. They both spent a significant portion of their most recent stint in the rehabilitation center. Miranda, Josie, and J come from the same Western State (1). Miranda and Josie spent portions of their incarceration in at least two of the same facilities. As mentioned previously, J spent 3 days in jail, but she is not the only one to not serve time in a long-term facility. Hafi spent less than a year in a jail facility until her lawyer got her charges dropped down and she was released on probation. Beth was sentenced to less than a year, so she was also only incarcerated in a jail facility in her Western State (2). Light spent time in both jail and prison, and so did Truce. However, Truce spent her prison time in a federal facility, whereas everyone else spent time in state facilities. These differences in incarceration settings and lengths of sentences provide a diverse range of carceral experiences. For additional institutional context, nine of the women, those from Atlantic State (1) and Western State (1), spent time in a unified prison system. Only six states employ a unified system, which means the state facilities hold people with both pretrial and jail/prison sentenced statuses (Krauth, 1997).

Research Question 1

This research question sought to examine FIW's experiences of prison programming, with attention paid to both supportive and coercive elements. The findings reveal how programming, while sometimes supportive of the needs and goals of FIW, was often shaped by overt, covert, and structural forms of coercion that limited the women's agency in treatment and programming selection, participation, and buy-in.

Additionally, the women's experiences highlight the tension between rehabilitative intentions and the gendered structures that influence access to and engagement with prison programming.

Where Apple, Bena, Jolene, and Stormy described only particular elements of their programming experiences as being positive and supportive, two women from the larger sample described almost entirely positive programming experiences. Light, a 43-year-old Biracial woman, and Viola, a 56-year-old White woman, participated in programming that was ostensibly designed to be responsive to their personal and court identified needs. Light found Trafficking Services, a program built specifically to support survivors of human and labor trafficking, within the first two months of her incarceration. This program, now solely survivor run, works intentionally to remove the barriers that prevent people from reaching their goals. Light describes the organization as being there to “simply *lower* the barriers and put that ball in your hand and assist you and showing you *how* to do these things”. They provide services within the institution, with grief counselors visiting residents at least once a week for up to three hours. The organization's support for survivors doesn't end at the point of release, they help returning men and women by finding them housing, subsidizing rent for up to a year, helping them find employment and get their identification paperwork, and a host of other critical reentry services. Their goal is economic empowerment, which aligns squarely with GRJ's emphasis on neoliberal outcomes and individual responsibility. For Light, economic empowerment became reality as she is now the Chief Information Officer and Housing Program Director of Trafficking Services and owns her own storage business.

Light credits the program's success in helping her and over 70 other survivors to the organization being survivor operated, building on a service model that is by and for people with similar lived experiences, and to the employees being trauma-informed trained, where they understand triggers specific to this community and can avoid creating an environment that is not conducive to survivor's successes.

In contrast to her experience with Trafficking Services, Light participated in a drug court program which did little to remove structural barriers to her successful reentry or to train staff to be trauma-informed like Trafficking Services did. She explained that a lot of programs "micromanage" their participants, in other words, the staff create a highly restrictive and hyper-surveilled environment with direct parallels to the coercive actions of their traffickers.

And the great thing about it, [Trafficking Services], is that they don't, like some programs or a lot, I'm gonna be honest, *a lot* of programs. [Trafficking Services] is the only program that I know that even exists like this. Um. [The other programs] micromanage, we call it micromanage, and that is something that for this type of population of women *and* men um and children um that is a tactic that our abuser uses, and it can be *very* triggering. So, the [Trafficking Services] safe house, you didn't have someone hoverin' down your neck, making sure that you were following through with your things. ...And if you made a poor choice or you didn't understand, you just had someone there that was a survivor that understood and gets things done, you know, it's amazin' how um as a survivor leader you work with another survivor and how quickly you can get their birth certificate, their ID, they get a job. They um are takin' holistic care, they're really serious about their new journey, where you do it like, standard or classic way it could take anywhere between six to eight months just to get your first job.

In Goodmark's book about criminalized survivors, she explains that survivors are often able to "recognize the tactics used to maintain order and control within the prison" (2023, p. 108), which is exactly what Light explained to me. The "standard or classic way" assumes returning women cannot be trusted, while the survivor-centered approach prioritizes their autonomy and works with them.

Interestingly, the program that Viola praised seemed to have more in keeping with the program Light compared unfavorably with Trafficking Services. Viola heard about the Summit, a behavior modification program, from her roommate while she was awaiting sentencing. She was eventually sentenced to the program after asking the judge to place her there because she was finally ready to make a change and "get a different result". Similarly to Trafficking Services, the Summit program was designed for a specific population, but this time for "the addict" or people with substance use disorders, emblematic of PSJ. Summit was known for being strict and having a lot of rules, which Viola said suited her because she grew up with a strict mom. "Um but all these things I was kinda comfortable with because of how I was *raised* in my childhood. So, I kind of fit right in." Despite the application of overt and covert coercive tactics to ensure compliance, she spoke very highly of the program, which is notable as she spent over two years with them.

Viola emphasized that one of the most valuable aspects of the program was how it helped her realize that her actions had significant consequences for those around her. She reflected on this when she told me about making an unapproved stop at a gas station on her way back from her work placement to the rehabilitation center.

[Summit wants] you to recognize, or I believe they um, the program was designed because they want you to see that yes, your actions do [affect others] and that's why they have the one fall all fall. ...because your actions do affect others and it may not be directly, it could be indirectly, but they do affect other people. It affected *a job* that I had. You know what I mean? They were *countin'* on somebody that didn't show up because I chose that [gas station] coffee and cigarettes. Basically, I chose it over my family. I chose it over my job. And now the consequences are not just, do I get sent down to [VOP facility]? But I wasn't allowed to contact anybody, so nobody knew what happened to me. I didn't show up at the job. My parents are like, "oh, did she go out job seeking and relapse?" Like nobody knew! Because I wasn't allowed to contact anybody. So there again, it was a reminder of your actions affect others.

While Viola may in hindsight be able to overlook the consequences to herself in favor of gaining perspective of how her actions hurt others, she had explained earlier that the VOP facility she was sent to following this incident was even stricter than Summit, "it's like level five¹⁸ on steroids". Some of the rules were that you couldn't look anyone in the eyes, your pants couldn't touch the ground, and your bed had to be fully made by five in the morning. It was also routine for the staff to include strip searches during count. These are examples of overt coercion, the use of action or threats to compel the CLS desired behavior. After 10 days, she returned to the Summit program and had to start all over again. A program meant to be six to nine months turned into two and a half years.

¹⁸ In this state, level five is full time incarceration in a jail or prison. Level four is generally for community and specialized supervision, like for work release or drug treatment. The VOP facility is considered level four, but for Viola, the degree of supervision and harsh enforcement of the institution's rules made it rise at or above level five.

Ash, a 30-year-old White woman, also recalled the same VOP facility during her interview. Her words reflect the severity and emphasis of Viola's:

It's *not* a good place. I don't like that place at all. It's... up at five, can't lay down again until eight. Um, people are like, sick from drugs, sick from a lot of things. They have 'em out doing like road work. If you don't like comply with people, um, there's one officer there that likes to put you in like court chains with your, around your like waist and shackles on you and make you go outside and like *roll* all around the yard. Yeah.

Ash went on to explain that judges used the threat of the VOP facility to get potential Summit participants to comply with being sentenced to the program.

I had, um, Judge [name redacted] down here in [city name], and I looked at him and I said, I'm not doing the [Summit Program] your honor. And he's like, okay, I'll see you back here. Because, what I *didn't* know at the time was, uh, if you don't sign the treatment papers when you get there, they take you to the VOP.

In theory, one could choose not to go to the program, but if you did not sign the "treatment papers" that say you will complete the Summit programming, you could be sent to the VOP facility for up to 90 days.

Yeah. Um, so you get sent there. I think it was like 30 days, if I remember correctly, and then you get sent back and you have the chance to do it again. If you don't sign it, you get sent back and that happens three times. So you would spend *90 days* at the VOP center. I was like, yeah, I'm not doin' that.

Ash avoided this process and signed the papers at the first opportunity, even though she would have rather completed the 5 years with potential good time than the 18 months max she would have needed to do with Summit.

Summit not only offered substance use treatment with therapy and group counseling, but the program also included a work-release portion that participants would enter after a few months if they passed the treatment only phase, which aimed to help them transition into parole or community supervision. As Viola remembers:

But we had counselors at the [Summit] that set you up for success too. They're like, you have to have a checking account. You have to have, um there was a certain dollar amount you had to have saved before you could graduate the program. You had to have an acceptance and a transitional housing. Like they weren't just releasing you to anywhere. So it, it kind of set you up for success, *I think*, versus, my other, my previous experience.

Viola was able to work, save money for her transition out, and have her basic needs met while in the program, but Summit did not have the type of services that extended beyond release, like what Light experienced with Trafficking Services. Summit participants had to earn their way out of the program, able to show the staff that they had housing and start-up funds. Viola was ultimately successful and was lucky enough to find a transitional housing organization that supported her during reentry, but because of a single mistake, her incarceration was considerably lengthened. She was sentenced to completion of the program, which should have only taken months instead of years. PSJ innovations like Summit coerce treatment with the threat of longer sentences. Other incarcerated women with less favorable circumstances or luck could experience even

harsher punishment and longer stays, especially if they possessed multiple marginalized identities.

Ash described a very different experience with Summit compared to Viola. Summit was sold to both women as a six-month program, but neither of them were able to complete it in that amount of time. Ash spent nine months with Summit before being transferred to another institution closer to her home. She explained that one could “do the [Summit Program] in six months if you do it perfect, which is *very* rare.” So, while the DOC and program staff may argue that the programming is six months, there’s an understanding that the six-month expectation is nearly unattainable, which could force people to sit in the program until they max out of their sentence.

This is troubling, as the rehabilitation center focused entirely on substance use treatment and work release, providing no other reliable opportunities for different types of programming like education or life skills. Ash remembers that one of the employees “came up with like stuff to do on her own... like a... sexual abuse, like trauma group” as well as some training on financial literacy. Apple had a similar experience with trying to access other programming in the rehabilitation center; she said they “weren’t offering anything”.

In addition to a lack of alternatives or additions to substance use treatment, the rehabilitation center didn’t provide commissary, and it was very difficult to get on the indigent list that would have provided some very basic essentials to eligible residents.

Ash: No. No commissary. Yeah. No, your family provided everything, but that's another thing you can get in trouble for is if you *borrowed* anything

from anybody, it was automatically seven days, no privilege. That's how *I* ended up staying there so long. I was like, I think the longest time I had no privilege was like 31 days or something.

MN: And that's making like a lot of assumptions that people can have others bring them things.

Ash: That's the thing, there was another girl in there that kept gettin' in trouble because she kept takin' stuff like from people like, well, not like stealing, but you know. Um, 'cause she didn't have any family and getting on the indigent list in there is like nearly impossible. You have to talk to your counselor, which was like one of three people. I think I had a lady named Miss [name redacted]. Who would like occasionally give people toothbrushes and stuff. That was it. Like, okay, what good is this? I have no toothpaste. I have no soap. I have no deodorant.

Without commissary, residents were required to rely on the good will of external people, like family or friends, to bring them clothes, “hats, tampons, shampoo, hairbrushes, [and] razors” (Ash). This is an example of structural coercive tactics, as the program could leverage compliance of low-income and impoverished residents. One of Summit’s punishments for breaking their long list of rules, which Ash said were “backwards” and “silly”, was taking away someone’s ability to get items from the outside. The main prison didn’t have the same strict rules and related punishments, which further emphasizes the coercive PSJ elements embedded within the Summit program.

Ash clearly articulated that the program’s rules weren’t meant for rehabilitation, but instead were intended to continue a punitive environment because the “whole point of prison is to punish you for what you were doing”. She explained that restricting phone calls as a punishment didn’t make any sense because “... we’ve proven time and time again, cutting people off is like the *worst* thing you can do.” She’s right, as friends and family act as important social support systems for currently and formerly incarcerated women (Heidemann et al., 2014). In line with the gendered expectations of incarcerated

women, Ash said that her “attitude” was one of the primary reasons that her stay was extended for so long. She also mentioned that she has autistic traits that went undiagnosed until recently, which made eye contact difficult for Ash, something she got in trouble for as well.

However, while her experience with Summit did not get the same glowing reviews as Viola gave, Ash did appreciate the structure that the program gave her.

A lot of people who have drug abuse issues have some sort of like mental health issue and structure, like for me, is great. Do I get myself structured now? Absolutely not. I tend to work better in chaos, but um at the time, this is what I needed. I needed to be told when to go to bed. I needed to be told when to get up. I needed to like care about my hygiene, like stuff like that ‘cause, was actually good, like teaching you how to like be human again, like with the routine.

Stormy also spoke about the necessity of structure for her because when she was arrested at 29, she felt out of control. “Um... I think [the structure] um has helped me the most coming back out into society because, the world's crazy. It's crazy out there!” Beth, a 46-year-old White woman, echoed this sentiment as well:

Um, I'd say that the personal discipline that [the incarcerated people] have to create to be able to manage... being alone so much. Or manage that, that whole system that's in there. The discipline that they create and the *structure* that we did not *realize* we really crave.

In the chaotic and challenging environments that many system-involved women come from before their incarceration, structure and routine may be hard to come by, which could explain the women’s appreciation for it. However, the disfunction they experience

is a byproduct of the American neoliberal, capitalist society and not necessarily indicative of any personal shortcomings on the part of the women.

The environment that Summit created with its strict rules and overt coercive tactics was not what Ash would have chosen for herself, despite the fringe benefit of a structured schedule that could have instead been implemented in a less punitive environment. Ash explained that she was actually part of the group that helped shut down the program:

Yeah. And, um, that's like part of the whole, like, dismantling of the whole thing. Um. They weren't really giving us treatment. They were having us back date our treatment plans. We weren't going to group. We weren't doing *anything* really. Like a lot of people just got pushed through. Some even like, we got word they overdosed the day they got out.

Ash is very proud of her role in speaking out about the lack of support the facility gave participants. Summit has since been renamed and is under new management with DOC's medical service provider, but from what others have said, the program isn't much better. It's the same program that Apple said had no value for her.

What makes programming like Trafficking Services and the Summit program distinct from more general programmatic offerings is that they were designed in line with PSJ principles, for specific communities deserving of more care and time. Although the rigidity of the program and its arbitrary rules did not suit Ash like it did Viola, there still is something to be said for programming designed with intentionality, as Light only had positive things to say about Trafficking Services. When programming was seen as too general, as in Apple's case, or too punitive, as in Ash's case, the women searched for

other opportunities to support their needs and goals. Sometimes they were barred from participating, so they instead looked for value in the programming they were mandated to. Viola said that Summit wasn't going to work for everyone, and she agreed with me that in a better world there would individualized care for incarcerated and reentering women. She remarked that this would be difficult however, as the CLS doesn't have the capacity to implement "5,000 different programs" because that would cost a lot of money. From an abolitionist perspective, that would be an argument for decarceration and the decoupling of care from carcerality (E. Collins, 2023, p. 247).

The FIW's programming experiences were mixed and filled with nuance. As I did not just assess one program, a real strength of this study is that I had the opportunity to hear about multiple types of programming and people's opinions of what was available to them. Table 2 summarizes some of what my participants shared related to the aspects of programming and treatment that they found supportive of their goals.

Table 1. Elements of Supportive Programming

Element	Story Context
Intentionally designed for specific populations	Light (trafficking survivors) Viola (people with substance use disorders)
Wrap around services that extend beyond incarceration	Light, Truce
Trauma-informed	Light, J
Structured, predictable schedule and routine	Ash, Stormy
Community building and peer support	Jolene
Supportive correctional staff	Viola, Jolene
Incentives like good time or pay	Jolene (good time) Josie (pay)

Research Question 2

This research question sought to identify the major barriers FIW faced in accessing, participating, and completing programming while they were incarcerated. Participants identified a number of programmatic, institutional, and structural barriers, many of which have been documented previously (e.g., N. Cook et al., 2023; United States Commission on Civil Rights, 2020; Carter, 2019; Crewe et al., 2017; Palmer, 2012). The findings described below are not an exhaustive list of their many challenges. Instead, I included barriers that go beyond individual level decision making on the parts

of the service providers or program participants¹⁹, focusing on some of the larger structural and institutional level barriers. When available, I will also include any strategies that participants used to resist, subvert, or cope with these barriers.

Unmet Daily Needs

Many women explained that the first few days and weeks into their incarceration were difficult and filled with uncertainty, all of which was made worse by the fact that the food was bad, the living areas were loud, the lights were bright even when it was time to sleep, and their access to hygiene products and showers was limited, all of which represent elements of the pains of imprisonment (Crewe, 2011; Sykes, 1958). This was especially prevalent when participants talked about their jail experiences, when they were waiting to be sentenced, to be transferred to a prison facility or the sentenced side of the facility, or when they had to serve out their sentences in jail. When I asked Truce, a 40-year-old White woman, about what she saw as her needs and goals during the nine months she spent incarcerated in a county jail facility, she was adamant that thinking about programming or substance use treatment was low on her list of priorities. What she needed first was to have access to healthy food, medical and mental health care, a pillow, access to sunlight, and a shower.

¹⁹ For example, Franich and colleagues (2021, p. 220) found that service-providers had to make decisions based on their time and resource limitations, which led to forced prioritization of relaying the most essential information quickly, and often last-minute, to a large caseload rather than the preferred method of steady rapport and relationship building with a manageable caseload of clients that could extend post-release.

I mean, honestly, I feel like... the austerity was so considerable that like, the idea of even just having better nutrition, like just better food, like I **know** this sounds **stupid**, but like **food** is kind of important. And to have really, really **bad** food that you can barely, like make yourself eat... first of all, it's not good for your health, because you're **literally** not getting nutrients or vitamins to your body. So that's not good for you. So having... like food that's like of a quality that is edible and that you will get nutrients {Chuckles} on the most basic level, I would have liked to have had better food. Um and access to sunlight and **air**. **That** would have been a big thing. ... I mean, I essentially had no **medical** care for... like, nine months. So, um... like having access to a dentist, having access to a doctor, um would have been nice. Having access to a shower that was like kind of functioning like this, we had **one** shower for an entire pod, and it **barely** worked. So, like having adequate... hygiene opportunities, {Chuckles} um like and having... like a pillow. I mean, I know this is all, I know you talked about goals, but like, I think where a lot of people are when they're in county jail for a while, they're... it's, they're **right off** the street... fresh and rough. And it's **so raw** that I don't think the idea of even having a **goal** occurred to me, 'cause I was just **trying**... to acclimate to the hellscape I was in, that like this goes back to like, like {Chuckles} Maslow's hierarchy of needs. Like... the **idea** of self-affirmation is so fucking not gonna happen. {Chuckles} Because like, I just want some food and a pillow. {Chuckles}... And **also** to keep in mind too that like, this is the first time I've **not** been on drugs, **like for years**. So, like, I... think it would have been kind of nice to have some... substance use treatment **services**... on the one hand, I don't need treatment because {Chuckles} I can't even get the drug. ...I think more at that point, it would have been nice to have a therapist to talk, **not even** about drugs necessarily, **because** I knew I was going to prison. ...**Those** of us who were going to prison, we were just going to prison. So like, it would have been nice for **us** to have, I think, a therapist.

Truce later reiterated her point about the difficulties of being in jail, saying "I would rather kill myself than go back there. I **would** like actually kill myself before I go back to county jail." The conditions were so bad and her needs went unmet for so long that she would prefer death over going back to jail.

Ash also experienced difficulties with transitioning from regularly using substances in free society to being locked in jail and forced into withdrawal with little sympathy or support:

You can request [medication assisted treatment with Suboxone or Methadone], but it was always denied [unless you were pregnant]. *I* actually passed out when I was in the [Pre-trial Program]. I um, I think I had an infection at the time too. Um. Obviously, it could have been many things because I was like this 88 pound like, I mean, like just very malnourished little girl. Um. I stood up and I got this like warm, tingly, fuzzy feeling in the bottom of my feet and it just like rose. About the time I got to my thighs, I went down. Um. So, I was like fresh in, like not even a week. And um, one of the male nurses... said something, because I didn't even know you were allowed to request. And I did. And the provider, because you know you can't call the doctors, um brought me back in and {Chuckles} told me basically there was no way in hell she was lettin' me have anything, whether I passed out or not. And that was it. So, my uh, my head hit the floor. It was concrete. Yay²⁰.

The Pre-trial Program Ash entered was completely voluntary, aimed at supporting people waiting for their court date with talk therapy for substance use and trauma as well as behavioral therapy encouraging people to make better decisions. Not getting the medical attention one needs is a serious institutional barrier to participating in anything, even something one volunteered for.

²⁰ The women I interviewed often used sarcasm or humor to undermine or soften legitimate complaints and harmful experiences. Making light of these situations may make them feel better or are employed in attempt to make sure that I don't feel burdened or upset by horrific the horrific experiences they relayed to me.

J, a 43-year-old White and American Indian woman, also reflected on her time in jail. She explained how difficult it was to be separated from her children, on top of being in an environment that was toxic to her health.

It was, it was pretty rough, you know, and then I was really upset because I kept **complaining** and nobody was listening to me 'cause there was mold on the wall. And I remember this clear as day... I kept telling them I have food allergies. So I have, I can't eat just whatever. And I remember them giving me a tray of food and it looked like... I'm **guessing** it was supposed to be gravy 'cause I had a piece of bread and I **ate** the bread. I made sure the bread wasn't moldy, {Chuckles} and I ate the bread because I was scared I wasn't gonna be able to eat. And I was gonna be hungry. And I was thinking all these **awful** thoughts. ...When they brought me the tray, the **gravy** or whatever looked like... what you would make... it looked like glue. Like if you would take a... almost like a **clear**... Elmer's glue and mix with some water and mix it again. Oh my God, it was so gross! Makes me want to **gag** thinking about it. But I was like, 'what is this? This is supposed to be gravy?' And I'm like, 'I'm not even eating this. This is horrible. I can't believe you guys **feed** people this stuff.' {Chuckles} And then I was like, 'Oh my gosh!', 'cause... on the corner of the wall, there was like mold. And I kept talkin', like the CO would walk by and I'm like, 'Hey! There's mold in here! You guys are gonna kill people!' {Laughs}

With her food allergies and the conditions of the room, J had a limited capacity to consider anything other than “bailing [herself] out”. Having one’s basic needs met must be a precursor to anyone participating in programming, let alone be the standard for the CLS. This is not something the incarcerated individuals have control over, this is a system wide and sometimes institution specific²¹ issue that needs to be addressed and

²¹Some facilities were built more recently and therefore don't have the same challenges that facilities with old and run-down buildings. Individual Wardens may also prioritize

prioritized. People need to be fed nutritious and safe food, to feel safe in their housing, to be able to access showers and fresh air, and to have access early and often to the medical and mental health care that they need. Those withdrawing from substances require specific attention to make sure they are safely cared for.

Classification Challenges

How someone is classified within the institution has a significant impact on their ability to move within the institution, access programs and services, and navigate the expectations of their treatment plans. Several participants mentioned how waiting to be classified, being misclassified, or having program eligibility dependent on classification barred their access to programming.

When IP are in pre-trial holding, whether in a separate jail facility or the section of a prison that holds pre-trial detainees, they have very little access to programming and services. Truce was held in “24-hour lockdown until they classified [her]”, which can take days or weeks depending on the situation factors facing a facility, such as whether there is an extended lockdown period that disrupts regular prison operations like during the COVID-19 pandemic. J explained that while some opportunities might be available to people before sentencing and further classification, they are very limited: “But if you are *not* sentenced, then there is like absolutely no programming. Um. I think the only

security in facilities facing staffing challenges over meeting the “comfort” or “superfluous” needs of incarcerated women who constantly “complain”. m

program they allow you to start on... is a GED.” Apple also mentioned the lack of opportunity while unsentenced in the jail population. She advocated for access to work assignments, especially when people have court dates that are months down the line.

J now works as a trauma-support specialist who focuses on the issues that justice-impacted populations face. She is very active in the community, working to reform the CLS in her state. She brought up the issue of classification in a DOC meeting once, where she advocated for people who are unsentenced to have access to programming and services. However, she brings up an important point as to why people may not want to participate in programming during that stage, something service providers and the institution should be aware of:

And when I brought this up in a meeting at one point in time... *I* asked, ‘well, if they're pre-sentence, why can't they start working on programs?’ Like... because if they go in front of the judge, by time they're sentenced three or four years later, they can say, ‘Hey!... While I was sitting down for the last three years, I worked on, you know, XYZ. Oh, and by my way, I did ABC as well. *And* I got my GED, or whatever’. And they have this long list to show the judge saying, ‘Hey, like, I realize... my actions. This is what I did’. Or, ‘hey... you know, even though I'm *innocent*, I still did all of this and now I feel even *better* about myself or something.’ ... So when I had asked that question, the response I got was, ‘Well... they're more or less like, not recommended to do those things because then it's almost like an admission of guilt’. Like, for instance, like if they took like... an anger management or whatever they call it, batterers invention, I don't know, the names just are so intermingled all the time. But... um if they take like a [domestic violence] class or something, right? They're sitting on a [domestic violence] charge or something, and they take this class, then... it looks like it's an admission of guilt. So, people don't take it. And I'm like, ‘but that's crazy!’ {Laughs} Like, it shouldn't be like that. Like, we really need to change the system somehow. So to answer your question in full, there's absolutely *no* program available for somebody who's sitting in a pre-sentence. And I will tell you that... working with individuals, I have just... I've talked to people who are sitting there

presentence, six years, because it's taking forever. ... And I'm like 'dude during the six years, you could have gotten like... a college degree.'
{Laughs} You know what I mean? And they're... they're just, there's nothing for them. So... it's, it's really disheartening to hear.

Hesitancy on a resident's part to take classes that are linked to what they are charged with might make Apple's suggestion all the more important. Work assignments and education courses in the institution are innocuous and are less likely to be levied by the prosecutor to show an admission of guilt. Worry over retaliatory consequences for participating in services before they are mandated of you represents a structural barrier, one that assumes culpability external to the events described in court. This does unfortunately limit the women's agency in choosing programs that might be available, as folks who may benefit from these courses and wish to take them must also contend with the stigma or assumptions that extend from participating in the already limited offerings.

Classification is also critical at the time of sentencing. For Miranda, a 49-year-old Caucasian woman, the classification decision meant the difference between access to vocational programming and general population (minimum security) or being sequestered in the segregation unit with no access to work release and very little access to programming ("max close" or maximum security).

Miranda: I mean with my age and my criminal um number and stuff like that, I knew I was gonna be [medium security]²², which... wasn't a big

²² To review some possible differences between minimum/medium and maximum security, see Bench and Allen's Table 1: Comparison of Maximum- Versus Medium-Security Conditions of Confinement (2003, p. 375).

thing, but they put me as max close and I was like, '*what the hell?!*' So I had to appeal that.

MN: What does that mean?

Miranda: Max close meant like I couldn't, there were some [programs] that I wasn't available for that I wasn't able to do because you had to be minimum to do *some* like forklift training or construction trades you had to be at a specific, you know, a minimum level of classification. Um and I wasn't, I wasn't even able to do work release if I was medi-, or if I was max close. Max close meant you are lucky to be walking around the general population, and they could actually put me into a segregation unit because I was max close. So I *appealed* that. And I got that taken off, and they had *only* done that because of *notoriety* of my crime, which is *ridiculous*. So once I got that figured out, is actually *when* I was able to go on work release.

Miranda had previously appealed to the institution for pictures of her kids, so she understood the appeal process and was able to advocate for herself to get the correct classification. Her successful appeal created the possibility for her to access the programs and services she was looking for.

Even at the time of going up for parole or probation, classification and the subsequent eligibility for programming determined by one's classification status can make the difference in whether someone will be able to leave the institution.

J: And to add to that, um... {Sighs} it's frustrating because... when [incarcerated people] go up for the parole board, um... they're like, 'oh, well, you need XYZ programming'. But guess what? They can't take it because of how they're classified *or* because it's not offered in their facility. And they can't get *moved* to a different facility because of their classification, right? So there's all these *barriers*.

Classification decisions have long lasting consequences for what incarcerated women can access. And as I will highlight in the next section, in female institutions where

programming is limited and even deprioritized compared to the male institutions, classification exacerbates the problem of what's available is already limited for residents.

Gendered Scarcity

Nearly every woman mentioned how few programs were offered to them, inclusive of work, learning, and treatment opportunities. Similar to Apple's story, Ash, Truce, Hafi (43-year-old woman²³), and Josie (58-year-old White woman) all spoke explicitly about the limited opportunities within the jail context.

- **Ash:** Like, um... it is ridiculous that they do not offer uh schooling and stuff like that to people on the unsentenced side.
- **Truce:** So, the short answer is that there was like a *weekly* AA meeting... every week or two, someone come in, you could choose to do that. And then church ladies would come in for like an hour or two on a *Sunday*, not every Sunday, but like, but... I'm not religious. But at the time I was like, there's nothing else to do. So I'll like listen to these people. But um... so there was no TV there. There's *definitely* no {Chuckles} educational anything. There's *nothing* like that.
- **MN:** Did you have to go to programming or did you work or did you have to just sit all day?
Hafi: I *sat* all day.
MN: Did they offer anything for you to do like a parenting class or a GED?
Hafi: No! No! We literally was in there all day! I don't even remember comin' outside [the dorm].
MN: They didn't even have like a drug diversion [program] even on the pretrial side?

²³ When asked about her race during the demographics portion of the interview, Hafi replied “nothing”. However, both to me outside of this interview as well as during the interview, she has several times identified as Black. For example, when she was telling a story about riding a horse as a young girl, she refuted other people’s statements that “Black people don’t do that shit” by saying “well this Black person did”. To respect how she identified her race, I will not be referencing it in text as I have the other participants.

Hafi: No! That, we literally was in this dorm, we would watch TV.

- **Josie:** There was nothing available to the *women*. To the *men*, pre-trial, they have substance abuse programs that they can get *credit* for and get their sentence shortened. They did *not* offer it to women.

Several of the woman echoed sentiments like Josie's, that the people in male facilities had far more offerings.

Limited opportunities are not just a facet of the jail experience, those who are sentenced and do time in prison are also subjected to fewer opportunities, especially in comparison to the men. In one of the prison facilities Miranda was in, the men convicted of sex offenses were housed in the same building on the same floor as the women incarcerated there. After one resident got pregnant, policies changed, but primarily to the detriment of the women²⁴:

Now women are in a different dorm and it's *all* the way on the other side. It's behind a locked door. They don't have the programming, they don't have the movement. It's very, it's very depressing and sad. (Miranda)

²⁴ See Shefner and Franke (2024, p. 22) for a discussion of how “focusing on protecting the community *from* the participant requires an assumption of the participant's potential future dangerousness and is, inherently, a pessimistic orientation that decenters the participant.” Both the incarcerated men convicted of sex offenses and incarcerated women deserve equitable access to facility space and treatment that centers their needs, while avoiding reducing them to ‘unchangeable violent people’. However, considerations can be made to avoid and reduce instances of revictimization, especially for incarcerated women who often have backgrounds of abuse and sexual violence.

Josie also spent time in that same prison and had similar concerns about discrimination, so much so that she filed a complaint and was granted a transfer to another state.

And it was the education too, I complained about. Like they had education courses for the men, but the women weren't allowed to participate in them. I mean, [Western State 1], right now to this very day, we're in 2024. And the women, I stay in contact with one, one of the long-term women at [Western State 1 Prison]. She's gonna be getting out in a couple of years. But they, the men [have] had *tablets*, they've had email, they've had like um electronics and school. This is before the Pell grants came back. And at [Western State 1 Prison], up until the day that I left, I got out in 2020. Up until the day that I left, the women *still* do not have any of that stuff. They're just *now* getting it. The gal that I talk to just told me that at the end of last year, the *women* finally got email. And the men have had that for the last 10 years.

In both the prison and jail facilities, the women are very aware of what they do not have access to. Many even understand this lack of programming within the context of the two sex typed institutions.

Bena makes sense of this gendered scarcity by emphasizing that “women are an underserved group... not only just [in] prison, and [after] release from prison, but we're just an underserved population, you know, because... face it, it's still a male-dominated, provincial society.” Women are deprioritized by carceral systems, reinforcing a structural barrier so deeply ingrained within the fabric of the system that it passes as normal and acceptable. Men have the population majority in prison, and the preference in American society, making it easy for systems to focus society's human and financial resources on them. Bena is acutely aware of this reality:

Yeah, yeah. And um so, I'm working, um I was invited to join [a non-profit organization focused on supporting reentering individuals]. So um... they have several *people* on their board that um... they work primarily with the men, you know? And [because] the men are a larger population, but the women, their needs are just as important, and in a lot of ways, more so, because *people* are *not* aware of just how much the wom-, the women's needs and the women's issues are *neglected* and overlooked because uh there's more men. You know? They um... I know of at least one institution that was supposed to have been for women that was downstate... supposed to have been for women, but because of the need and population and bed space for the men, that institution was quickly *revamped*, and it's now a man's, a men's facility.

The limited availability of programming, some of which may be explained by nationwide budget cuts as well as historic resource allocation to and prioritization of criminalized men and male facilities, makes it very difficult for women to participate in opportunities that align with their reentry goals and needs. What compounds this issue even further is one's sentence length.

Long Sentence Length

Josie, Bena, and Stormy spent a combined 75 years incarcerated. Each woman spent over two decades in prison and identify as long termers (Bena and Stormy) or long-term people/women (Josie). Their long sentence lengths were likely a result of their controlling offense being categorized as violent, as all three women reported being sentenced to a lot of time (Josie 99 years, Bena 20 years, and Stormy 25 years). Barriers to participating in programming have been written into the programming provided. From Bena's Touchstone story, we see how the eligibility criteria set by either the institution or

the service providers explicitly bar people with long sentences. Stormy and Josie had similar experiences trying to access programming and being told they could not.

- **Stormy:** Umm it was some other one of them little six-week programs and I'd signed up and they said, "well you have too much time. We can't let you do it before you get released." ... I don't know what the problem was, they said, I was considered a long termer. 'So, while you have too much time left on your sentence, we can't offer you the program'.
- **Josie:** At [Western State 1 Prison] ... when you're a long-term inmate they don't allow you into education programs because their thing here in [Western State 1] is um by time you get out, all that education you've done will be, you know, worthless. So, you have to fight to get into these programs when they do have 'em. And... for the men, they have them all the time {Chuckles} for the women it's very infrequent. And so, when anything was available, that's what I would do. So, my last few years there, I really push to um be able to get into these programs. And they still don't want to let you in it because you don't have a firm release date. And [Western State 1], um when you go to the parole board or you file for a furlough or um ankle monitor something like that, they don't consider that your release date until you get it. So, a lot of stuff isn't available for long term inmates *in* [Western State 1]. Now, when I was down in the [other states], they didn't *care* how long you had. If you want to go to school, go to school. If you want a job, get the job you want. And see, that was really unique about Minnesota. And even though... I can't say, you know, anything too positive about jail, I will say about [Minnesota Prison], when I worked there, you got *paid* a good wage. Like I worked in food service. And um I actually worked in industries. And in industries, um I was making like \$10 an hour. And this is back in the '90s.

Josie had experience in some prisons outside of her state that would let people with long sentences take educational courses and get a job. However, she saw that as an outlier and not a possibility in Western State 1 where she spent most of her time.

Bena talked at length about how she used her agency and social capital to overcome this barrier for long termers. Bena had started a Garden Club in the prison, which partnered with an outside program to run a fundraiser that would provide the money to build a greenhouse on the property. Current and former Governors and Lieutenant Governors attended the event. They raised over \$25,000. Bena explained the benefits of the event to people like her:

So, the vision behind that dinner was not only for uh society to see that, you know, you have people in here who, and most of us that were participating were long termers either in the cooking process, the gardening process, or the actual you know the service and what have you. ... Everybody that was there was long termers. Gave us an opportunity to meet people and... showcase our work, like [Mary] is home now. [Mary] met the governor um and his wife. His wife was fascinated by her work as a cake, cake boss, we called her, [Atlantic State 1 Women's Institution]'s cake boss. ... because she did some amazing work and now she's home and she's doing, not only is she doing her you know her job in society but she's also doing cakes per order. So anyway... We were doing a lot of things, that there was a lot of moving parts going on, but it was an ability for us to show the judges and the legislators that there's stuff going on here at [Atlantic State 1 Women's Institution] other than being a turnstile you know for recidivism, right you know. We were able to show that you know even though we couldn't show that much success with short termers, but we were able to show that you know that we have some things going on.

Bena's goal for this dinner fundraiser is clear: to show the esteemed guests that people with long term sentences matter. That, when given the chance, they can surpass expectations and succeed. Program eligibility criteria is a significant institutional barrier to accessing programming for incarcerated women, one that Wardens and DOC

stakeholders have the power to change in cooperation with any external service providers.

Disability

A barrier to accessing prison programming and services that is not often talked about in the academic literature is disability. Incarcerated women disproportionately experience a range of disabilities and physical health challenges (Harner & Riley, 2013). Disabilities can make it very difficult for people to engage in programming and to meet the expectations of service providers. Non-disabled women also reported having to care for their disabled fellow residents, despite their lack of qualifications for such tasks (2013, p. 794). Bena speaks to this point:

And so, the medical staff, they... *do not* take care of [a resident with dementia]. Um. They leave it to the inmate population on the pod where she lives, you know. And, and she's incontinent now, you know. Um... She can be very combative and it's not her fault. It's part of her illness, you know.

The women I spoke to reported a multitude of different challenges related to their disabilities and how it affected their access to, participation in, and completion of programming.

Women are often misdiagnosed and underdiagnosed because the diagnostic criteria was built for male identified people and diagnosis itself is shaped by gender (Flanagan & Blashfield, 2005). This gendered reality means there are likely many women who do not know if they have a disability when they enter prison, making it difficult for

them to get accommodations from service providers who would be willing to provide them in the first place. In addition, program facilitators may also punish behavior they see as non-normative, when in fact, these behaviors assumed to be “negative” or “disrespectful” could be explained and contextualized as part of a learning or neurological disability. For example, both Ash and Hafi were diagnosed in adulthood after their incarcerations. Ash has ADHD and “autistic traits”. Her autistic traits make it especially difficult for her to maintain eye contact. The Summit program supervisor retaliated against Ash “for not looking her in the eyes when she was speaking to [her]”, getting her in trouble. Hafi also has a learning disability that made it difficult for her to “retain information”. Although Hafi did not report any retaliation like Ash did, being undiagnosed could have posed a challenge to accessing the necessary support services.

J was the only woman to use the word disability in this context, which make sense as she is a trauma support specialist and likely has some training in this area. She described why she thought that evidence-based programming²⁵ is likely not designed for people with disabilities:

Some of the programs that they do offer, you know, I'm like, and they're evidence-based, I'm like, *who* are they evidence-based on? Are they evidence-based on those who are incarcerated? Right. Like... we'll just say 80% of those who are incarcerated have *at least* one or more [Adverse Childhood Experiences (ACE)]. ... Like let's just say, for instance, we know a majority of those who are incarcerated read at a fourth-grade level, right? There's data on that. And um... I think about the fact that like, when

²⁵ See Collins (2022) for a discussion of the failures and pitfalls of evidence-based reforms.

they say these things are evidence-based, I'm like, did they go in? Did they pilot something inside and get evidence for those who are incarcerated and they're using this program? Because if you think about it, the mindset's a lot different because you're working with somebody who has trauma, who **might not be able to read** who, you know, essentially that is like, could be like a disability, right? So... in my mind, I'm thinking... this evidence-based program that you have... might work great on the outside for maybe these people who... have a substance use challenge, right? But... those are, could be a different mindset with those who **might** have the substance use challenge **inside**, who are incarcerated, but things are different for them because they have, you know, all these other things **and** they're experiencing trauma **inside**. So the brain, when... um... now I'm not a **doctor**, but... the brain works different and it's damaged more, right? As we know, with... people who have experienced ACEs. And so if you think about all of this and you try to put it all together and then you **give them** this program... they might be able to **go** through the program. But are, are they gonna actually receive it the way that it's, quote unquote, evidence-based for? I don't think they will.

And so I **think** some of these programs, you know, aren't exactly designed for those who are incarcerated. And that's why, 'cause people are like, 'Oh, well, they took all 10 classes, but it didn't change them'. Well, of course not because your program isn't designed for where they're **at**. And I know we can't design program for **every** individual where they're at, but... I think more or less these programs when they say they're evidence-based, and their evidence isn't for, directly for that incarcerated population, right? Like this justice impacted population. It needs to be re-looked at because... I've talked to individuals who's taken **certain** classes or whatever you want to call 'em, programming. And they're like, 'it was junk. I just went through it and just did it'. You know? And then I'm like, then I talk to them and then I get more feedback and I'm like, yeah, my theory's right. ... You know, because we're working with somebody who has all this trauma and you're tryna get them to learn this class that someone who has, has less, it's easier for them to understand. ... Don't get me wrong when I say this, but we gotta look at it like in a sense is like this is a disability, right? And they don't, they don't, I'm not saying they **have** a disability, but we look at it **as a disability**. And... if I had a disability and I'm tryna work through a program, I'm going to struggle somewhere. I'm not, my brain's not gonna receive the message the way that it's supposed to.

J is skeptical of who prison programming is made for. In a world that is built for people without disabilities, it makes sense to question whether prison programming follows that same path. Whether it's childhood traumatic experiences or a learning disability that makes it difficult for someone to read or process information, J emphasizes that service providers should pay attention to the population they serve and the possible disabilities that may make the program's tasks, objectives, and expectations difficult to meet.

As a nurse and long term, Bena had extensive experience with people who aged significantly while incarcerated. As one ages, disabilities become more common, and prisons are not designed for aging populations (Handtke et al., 2015; Crawley, 2005; Harner & Riley, 2013). Bena knew that too: “[Atlantic State 1 Women’s Institution] is not set up for an aging population, particularly those who are dealing with dementia and what have you.” Bena herself was 68 when I talked to her, but she explains that aging and physical challenges were not reserved just for those over 50:

I mean, I was *old* when I went in. I was 50, quote, old. But um... you have to look at the population itself. Not so much by *years* of age, but their physical, uh their physical inabilities and what have you because you have a lot of women there in their 30s and 40s that have the body, chemistry, and makeup of someone my age. I'm in better, I'm in better shape than when I *left*. I was in better shape than women half my age.

Here, Bena is referencing the effects of substance use on the body and how it can age a person.

Under the Americans with Disabilities Act, substance use addiction is considered a disability because “it is an impairment that affects the brain and neurological functions”

(ADA National Network, 2021, p. 1). Eight of the thirteen women I interviewed mentioned using substances at least some point in their lives. If the disabling effects of substance use go unaddressed, especially within programs that are not designed as substance use treatment, then women will continue being underserved and barred from successfully participating and completing programming. Age-related disabilities and the compound effects of prolonged substance use pose significant barriers, at the programmatic, institutional, and structural levels, to incarcerated women's access to prison programming.

Research Question 3

This research question sought to discern how these 13 FIW saw success in their lives. Since the women in the larger sample were a number of years outside of their last incarceration, many reported on what success looked like as they were first released into free society and followed up with how they see success for themselves now. I think it's important to hear from all 13 women about what their ideas of success and goals to counter that assumption that reentry is a monolithic experience for women, grounded in the carceral expectation that women should prioritize avoiding recidivism. Therefore, I include each of the nine women from the larger sample below to show their varied, yet overlapping, views of success. From the four Touchstone Stories, which encompasses women newly released from prison, we see examples of success as gaining and keeping employment, being a mother to one's kids, helping others, and more. This is mirrored in the larger sample, with an addition of successes that were realized after years in free

society. Many of the women spoke about finishing their education, whether that is a GED or a college degree, with the hopes of using their skills and knowledge to help others and get a job that suited them well. They also spoke about becoming free from the stigma and collateral consequences of having a criminal record.

Using Education to Help Others

Viola had been out for just over 10 years when I spoke to her. At the time of our interview, she explained that she feels content in what she's been able to accomplish since her release.

I would say... I feel like I'm kind of there [at a place where she can feel proud of her accomplishments]. I mean, there's things that I'm aimin' for, but you know, having debt paid off, high credit score, things of the world, um you know, uh ownin' my own place. You know, I just bought a place in April, it was my first time. [...] Um but it was um a good feeling, havin' a nice savings account. Like a, a feeling of contentment. And... I have my health. So I mean, before I would, probably run off a bunch of material things, but *today* I feel like the contentment is more of um, and some of those are material things, but you know, *not* having a debt, you know, that, you know, revolving debt and um ownin' a place and just bein' responsible and getting up and going to work.

She also made it clear that she's in recovery and that staying sober is “a *constant process* of *becoming* like a functioning person in society”. Even in this state of general contentment and maintaining sobriety, she has other goals like getting a scholarship to complete the bachelor's degree she recently applied for, learning Spanish, and traveling with her dog. We also spoke for several minutes about how she'd like to have an upper-level position in government along the lines of her associate's degree which is in

occupational health and safety. Viola is hopeful to someday work in “public service” now that she has her record expunged, which opens a range of opportunities that she would otherwise be barred from with a criminal record. When she was younger, she had wanted to be in the army or become a police officer, but now that she has aged out of those professions, she is looking for other ways to use her skills and education to “serve”.

Like Viola, **Hafi** had been out for a long time when we sat down to speak, and in her case, it had been nearly 20 years since she was last incarcerated. When asked about what success looked like for her back then, she recalled the few days after she got out and how difficult they were as she decided on whether or not to keep her baby, as keeping the baby could put her life in danger with the baby’s father:

And I remember... I went and talked to two guys that were like big brothers to me... and {Whispers} I told them, I said ‘man I’m pregnant’... And they was like ‘[Hafi] where you been?’ [...] I was like, I was like ‘man it’s just been hard. I ain’t proud of this. Tryna make this decision, what I want to do’. I was like ‘the father thinks I had an abortion or he don’t know what happened’. ‘Cause like I was supposed to get the abortion right before I got locked up. Um I said I didn’t tell him that I didn’t have this abortion and I’ve been gone for a minute and I don’t know where he is. I didn’t know where he was! ‘Cause I was in, he was out, we weren’t together. He thought I took care of the situation. [...] I showed up years later with a kid, so that kinda fucked him up. So um [...] actually I asked [the two guys] to take me, one of them, I said ‘can you go with me to get this abortion ‘cause their dad, his dad is gonna like, he finds out he’s gonna handle me’, you know what I mean? He’s gonna handle me, you know.

[...] So... they said ‘no, we’re not taking you.’ I was like ‘I need you to take me to get this abortion’. I was like, I was, ‘cause he like he told me to do this and if he find out I have this kid, [...] he finds out I’m still pregnant... They were like... [...] ‘You’re gonna keep this child... and you’re gonna be thanking God... for this opportunity’.... And it didn’t click in my head at the moment because I was still tryna come up with money

‘cause I did something wit it I'm sure, I can't remember, to get this abortion and get someone to take me. And I asked another girl who also was friends with them, I guess they must've told her, and she was like 'you're gonna keep this baby. You do, you need this child'.

And I want to say, me... decidin' to give birth was my greatest accomplishment because *he*, that child, was the reason why I, like when I finally gave birth and I realized, when I realized I had a kid, I said 'oh my god, I gotta keep this thing alive'.

For many years, her now ex-husband kept Hafi in a cycle of addiction and facilitating his crimes (indicative of what Monterrosa (2023) found in their study related to intimate carceral labor). Their marriage was abusive and to this day he still finds ways to make hers and her kid's lives difficult. Despite the possible repercussions of going against the wishes of the baby's father then, and the consequences of a prolonged relationship with her ex now, she sees having her first born as her "greatest accomplishment" that pushed her "to change a lot of things". Her responses reiterate previous findings of children being a criminalized mother's "hook for change" (Giordano et al., 2002, p. 1039). Having her child forced her to look at her life on the streets at a time when she was supposed to be in school, which prompted her to ask herself "*Why* am I out here?". She never went back to jail, but it took many years for her to divorce her husband, buy a house in a different neighborhood, and find other ways to provide for herself and her children.

Hafi sees success now as graduating with the bachelor's degree she's been trying to finish since the 1990s. She says the hardest thing about reaching this version of success for herself is:

comin' up with these two, three thousand dollars every semester to take this one class as a single mom, who don't make much money because... I can't. I always had these barriers, you know one was with my um, with my background. Passing background checks.

She also recently had her record expunged, so like Viola, she hopes the expungement and finishing her degree will open the possibility for her to “put together some nonprofit organizations um for the community, for the kids here, the real impoverished kids”.

When asked again to say more about what she sees success as, Hafi ended this line of questioning by explaining the intricacies of this list of goals:

I'm gonna, everything that I'm about to do, everything I'm invested in is not for me. All this... what I'm 'bout to do. I'm like gonna graduate. I'm gonna get this bachelor's. I want to get my master's. I want to be... a psychiatrist.

Hafi is a mom to three kids, working hard to provide for them and to “connect the *whole* community, like all the neighborhoods... [helping them] to realize like we in this town together, we gon' live together, this is who we are”. Success for her looks like helping her family and community become empowered. To help her people, she sees having a degree as the first step to doing that.

Ash was released at the end of 2018 and spent most of 2019 in an “*anxiety*-ridden panic, locked in a room”. Having witnessed numerous women leave prison only to pass away shortly after, she feared what was in store for her in free society. Six years later though, Ash said she was proud of being able to turn her life around. This sense of success did not come easily; Ash had to overcome numerous obstacles, from health

challenges to finding the right job for her. She spent a lot of that time trying to get her medical records from the prison, which ended up not being possible, so she “had to start over” with the diagnosis process for both of her autoimmune diseases. Then, after her husband lost his job during the COVID-19 pandemic, she needed to start working, so Ash got a job at a grocery store. However, she quickly learned that retail was not for her, but it was not until she talked to a high school administrator that Ash committed to going back to school:

Ash: I called Miss [name redacted] at [Adult High School]. She *insisted* I do the GED, and I told her there was no way, I was getting a diploma. And... that was that. And then right after I got finished with them, I finished in March and graduated in June ‘cause graduation was like same day. And then I had a job in September, and I was in college and I don't even know how any of that really happened. {Chuckles}

MN: That's so... you! You did that.

Ash: It's just kind of like, like this big like *blur*, like I went from being like, ahhh to just, I don't know. It's almost like a, like a touch of imposter syndrome. Like, I don't even fully believe I'm here sometimes. {Laughs}

She ultimately went back to school because she knew that to be a licensed social worker she needed a high school education to start in this new profession. Now she plans to finish her bachelor's, master's, and doctoral degrees.

In addition to seeing her educational pursuits as part of her current and future success, Ash explained that she was proud of the changes she helped bring to the Summit Program by speaking out about how they treated the women in the program as well as the support she has been able to give other people working toward their high school degrees.

Since I've left? Well, I'm proud about the, you know, I know *my* part in the influencing of some of the change is *small*, but I'm proud I could help. Um. I'm proud that the [Summit Program] is getting reworked, although it is yet to be determined if that is actually good or not. 'Cause regardless, it needed to go. Um. I'm proud that... it has given me like the opportunity to be able to work with other students who haven't finished high school and other people who have had problems with the law and helped point 'em in the directions they need to be. I don't know. Six years ago, I was, I was very broken, *very* broken. And prison didn't do anything to help me, you know, basically get unbroken, to get better. Uh. Mental health treatment in there was a joke. Um... I'm just, I'm proud that I was actually able to turn it around 'cause like I said, there was *so* many people that *we* watched walk away and then were dead within weeks.

Like most of the women I spoke to, success for Viola, Hafi, and Ash looked like helping others, finishing the level of schooling they were aiming for, which for many was at least a bachelor's degree, and getting a job that they felt suited them.

J is now working in her desired field, but she sees finishing her education as one of the most important markers of success, something that's she seen as essential since before her incarceration. J spent three days total in jail, but she also spent years going through an addiction to drugs and alcohol. When she reflected on her life during her stints of incarceration and substance use, she spoke about the things she wanted in that era of her life:

Um, actually, during that time was I was really trying to figure out life. Um. I, here I had my kids. Um... I was just wanting to *do something* with myself, right? I didn't um... I don't know. I think that I was like... more or less like... I wasn't fully thinking about, 'oh, I want to change'. I want to figure out *why am I going through this? Why am I in this cycle?* Um, but... I don't think I recognized it as that. Right? Like I just kind of knew something needed to be different, but I didn't know *what* needed to be different. Um... but I did want to... I know I did want to go to school, and I wanted to do some college and get a degree and get a really good job and

kind of get out of... like... I guess you can almost say like a poverty situation, right? Because I was *super* low income, and I just didn't want to be that way no more. I wanted to have this, you know, everybody thinks of that white picket fence... *dream*, you know, and I feel like in a sense, I kind of had that same dream. I want, you know, I want nice things, I want a nice house, I want a nice car. I want this *family* life. I want to be able to... have money and do whatever I want to do kind of thing.

But how has her dream of two decades ago panned out? J explained that her goals have changed and solidified over time; she knows now that she likes being a trauma support specialist. As with several of the other women, she's content with her current life, but sees potential for more.

So, um, I've gotten through a lot of that. I still don't have a college degree um because I kinda changed what I wanted to do *so much* because... um, you know, I wasn't sure I guess back then what I really wanted to do, but I know *now* what I want to do and I'm already *doing* it! So, I'm in, you know, I love to help people. Um... and I'm, you know... I, I guess *I'm doing the damn thing* almost, right? {Chuckles} Like, I'm doing the damn thing, I'm doing it! Um, but, you know, so... I feel like I've kind of *reached* that goal, you know, maybe I don't have, you know, my own *house* and... you know, all that stuff, but, you know, I'm *content* with where I'm at, you know I, I have my kids, I'm in recovery, *very* long-term recovery. Um, and... you know, um... I'm not homeless. I do have a roof over my head and... you know, like I mentioned before, I have a *ton* of [Continuing Education Units (CEUs)] from training and so I just, I feel like, you know, I've checked some boxes, and I've completed some things. And, um... you know, I'm, I know I can do more, you know? Um... and... I don't know. I'd have to say I'm just kind of content. I really enjoy what I'm doing.

J experienced a much shorter incarceration experience compared to the rest of the women I interviewed, but her responses mirror the others with similar backgrounds characterized by substance use and motherhood. Success for J is having a job, a roof over her head, her

kids, and maintaining her recovery. What's next for her is converting her "over 400 something CEUs" into college credits and getting her degree, even further solidifying her ability to help others and herself.

When asked about her goals during her time in jail, **Truce** spoke at length that she couldn't think about having any goals because her most basic needs went unmet during her incarceration. While we never turned back to specifically talking about success or goals, Truce made several mentions of the outcomes she wanted for herself after her incarceration.

While she was talking about a residential drug abuse program she participated in while in federal prison, she talked about how she saw benefits to speaking with the other residents during group. During those times, she reflected about how she was different from many of them. It was here that she spoke about one of her goals, staying off drugs.

I think I *benefited* in a way from just getting to hear... these other women who are in my like kind of group... hear their lives. And it *actually* made me very, very grateful for my life because by many accounts, like, I had a very good life. And I *also* was younger... than several of them. And like, I *knew* that I had a life ahead of me and that I did not want to end up back in prison *ever*. And that I *knew* that, like, I could accomplish things and, you know, that I *wanted* to be off of drugs. So like, I had a lot of hope.

Many of the women who participated in this study spoke about staying clean and maintaining their recovery as one of their markers of success.

One she was released, Truce also pursued further her education, which she had briefly begun before being arrested. However, in trying to transition from community college to a four-year institution, she was denied entry based on her felony record.

\n
University of [redacted]... um had admitted me and my boyfriend. So *we* were already like going to go to university before we got arrested. But then we got arrested. So like, we'd already applied to university and been accepted. Um. So *we reapply* after we get out, both of us, we get out... at the same time, actually, um within like a month of each other. [...] And they *deny* us because the University of [redacted] has a felony checkbox as part of their *application*. And so obviously, I had to check it, and we were both still on probation. And so *I* appealed that decision to the *highest* possible level. [...] I get the letter saying, you know, we're not going to let you back in. It's *too much* of a liability, you're on probation. And... it, I would say this is a... *defining* and salient moment in my transition from like drugs and incarceration to academia, because to this *day*, it's one of the few things that I really have held on to, *not* like in a resentful, like I'm losing sleep over it way, because *clearly* my life has worked out fine. And it's all... things work, things worked out. But I find it very, very odd that like, I'm asking to literally pay, I'm *not* asking for a scholarship. I'm not asking for you to like, you know, I'm *literally asking* to pay him, you money, to let me learn things. Like I just want to *pay you* money to let me learn stuff.

This roadblock didn't stop Truce, and she later applied to a different university and received her bachelor's.

Moving on to graduate work was important to Truce as she saw it as a way to continue helping people with substance use disorders.

I'm a former heroin addict, and um... I, so... like, I came into both incarceration and academia... by way of being addicted for many years *first*. And so, when I got... out and went *back* to school, I *knew* that I wanted to help people vaguely. I was like, I don't know, I *really did not* know what I was doing, and we can, we'll probably touch on that, but I wanted to help people.

By most standards, Truce has hit many of the markers of traditional success. She has a doctorate and conducts opioid addiction research, which fulfils her love of science and

research. She also travels extensively and is married. Truce does note that even with all her successes, she feels “atypical in both groups, like in academia” and with people who have been incarcerated. There are others like her who are PhDs with lived experience, but that Truce finds it hard to feel like she fully belongs anywhere. Like Bena and many other FIW, these five women emphasized that in addition to their individual goals related to their identities as mothers and as hardworking, contributing citizens, helping others holds an important place in how they view their own success. This emphasis on collective well-being and community support highlights a form of success that goes beyond avoiding recidivism and individual achievement and in turn reflects a broader commitment for FIW to community building and shared empowerment.

Expungement and Living Free From the CLS.

Light feels a similar level of contentment to Viola and J. Light has only been home for about four years now, but “because of the support and the systems that [she] received during [her] incarceration” she considers herself “a better person today”. When she was getting out, success for Light looked like getting a job and working her way up the ranks, getting married, having a home, owning a business, and being an advocate.

Light: My goals... Yeah, so my goals, success from the time that I was apprehended up until now, is exactly where I'm at right now. I um made vision boards when I was locked up. [...] So I *made* my vision board and everything that I made on that vision board has come true. Now I'm getting ready to start my *new* vision board for my next five years of my life. Um. And I know, pretty sure, if I work, continue to work hard that those will be achieved. So now I am the um, I'm chief... I also forgot to mention, I just moved, I just got a promotion to chief *information* officer

and housing program director, so I'm both now, chief information officer and housing. I'm, I'm currently married. I have a husband. Um. We currently own a home in Guatemala that was built from the ground up. Um. We've worked really hard. I'm really *grateful* for my husband and his family. Um. I am a business owner, not *just* an advocate but I own my own business and run my own business, a storage business. Um. I have three beautiful grandchildren and I have *two* um puppies that are for my trauma, um that I can happily say that my *salary* can cover me to take care of my animals, where before only makin' \$12 an hour you can't even take care of *yourself*. Um. So, just a lot of, um I got my license back. I'm off of probation and parole. Um. I have my bank accounts. I hold money in my account now. I have a savin's. I have a 401k. Um...

MN: You are everything you wanted to be! Oh my goodness. [...] I can imagine 2017 you would be just absolutely like dumbfounded at like what you've been able to achieve so far.

Light: At that, I pinch myself! Like am I in the movies? Is this real?!
{Laughs} [...] I'm an advocate.

Similar to the women above, Light sees helping others and being an advocate as critically important to her overall success. Light goes on to say that even though she created this vision board for herself and ultimately it came true, during the years of her victimization and being involved in organized crime, she didn't think she'd "be sitting here today". Thankfully she is here today to tell her story.

Light explained that her next steps are to "go for expungement":

Um, so like we're really working hard to get that because my record is still there, it hasn't gone anywhere. And it's difficult because I do want to move forward in my life and there... *I* really love and enjoy my job [working at Trafficking Services] but as I get older there are other things that I have my mind on doing and passing this [*job*] onto the next survivor and me moving forward *up* the chain um in the anti-human trafficking field.

Expungement is an important step for many of the women I talked to. Hafi and Viola have both achieved this goal, and it will hopefully help them on their way to their next

level of education and ideal employment situation. Expungement not only helps formerly IP in reaching their immediate goals, like making it easier for them to apply for jobs and pass background checks, but it also supports the overarching goal of leaving the CLS, and its stigmas and consequences, behind. For Light, she's looking to move forward in her life, but her criminal record keeps holding her back.

Miranda was about seven years into life post-incarceration when she spoke to me. When I asked her about her goals during the time she was on community supervision, where she spent 14 months in a DOC-run halfway house and nine months in her own home on electronic ankle monitoring, she was entirely focused on getting off supervision.

Um, to get the hell off as soon as possible. That was my only goal. I wasn't worried about if I was gonna reoffend. I wasn't worried about saving money. I ended up saving, selling my place. Um. So I, I mean I didn't have, I wasn't really needing anything. I didn't, I didn't need any money. I didn't need any um emotional support. Like, I had *lots* of friends that would come visit me even at the halfway house. Um. My main thing was gettin' the hell home. That was it. That was the only goal, getting home.

Miranda is clear that she wasn't concerned about reoffending, the traditional marker of reentry success, but instead was determined to get off community supervision as quickly as possible. She saw community supervision as a positive because "[she] was able to be home with [her] daughter and work and support [herself] and be able to be with [her] daughter and [her] son". However, despite its benefits, there was sexual exploitation and other coercive acts that impacted Miranda during this time, which she understood as the system "preying on [women]". Her goal to leave the system behind reflects many of the

other women's goals related to expungement and finding employment, and yet she is directly motivated toward this end due to the coercive tactics of the halfway house actors.

Miranda began the answer to my question about what success looks like for her now by reflecting on her thoughts when she was first getting out:

In the beginning it was just to stay out 'cause you have this... almost um anxiety in the inside. Right when you get out like this unease, like *so* much stress. Like are they, did they mess up on the paperwork? Are they gonna come with more charges? Like, there's, everyone experiences some kind of form of like PTSD when they get released, that they have a lot of fear. Like, *what* does this look like? Can I actually succeed? Um... am I gonna be able to do this? Kind of thing. No *matter* how small it is, everybody like *feels* that.

It seemed important for her to ground me in the reality of the stresses that she and others experience as they begin the process of reentry. The challenges of everyday life are exacerbated and are felt so strongly when one has years of incarceration in one's recent past, especially having been removed from the community for any length of time. So, considering these stressors and worrisome thoughts for the future, Miranda explained what she sees success as now:

So success for me is just... I don't know, like living my life to the fullest. Um. I didn't get into activism until I got out. I probably, if I hadn't gotten arrested, I probably would have like been working at some office job or doing something other than activism that I'm involved with now. And I have like a bunch of different things. There's like main, three main things. I'm like prisoner rights activism, um sex worker rights activism. And then um there's, there's this uh... that trial the [name redacted] serial killer trial, somebody that wasn't charged that should have been charged. So now I'm part of the organization, the protests around that. So just a lot of like using

my voice to create change and not being afraid. That's what success looks like for me, now.

The sentiment of “living [her] life to the fullest” reflects two of the themes that Heidemann and colleagues (2016) identified in their study: success as living free from criminal justice involvement and as having the elusive “normal life”. Miranda aims to be free of CLS supervision and while for her, a typical life if she had not been arrested would have looked like an office job, her normal life is filled with activism, which aligns with something she likes to do and has always done, helping people.

Josie first recalled what success looked like for her throughout her incarceration: “Success woulda been winning my appeal and getting out. That woulda been success.” During her time inside, success for Josie was very much tied to getting out of prison because she felt she was wrongly incarcerated on a murder conviction that was in fact committed entirely by her abusive ex-husband and his friends. Therefore, being released would have been the just outcome, a way to right the “broken system” that had put her away for 99 years.

And I've been in jail for *over three decades* for a crime that somebody else committed, *admitted* he committed it, *admitted* he *lied* on me so that he didn't have to spend the rest of *his* life in prison. And... he's *out* for decades. And now I'm going... for parole.

Instead of getting out on her appeals, she waited decades to be able to go in front of the parole board. Even though getting out was her number one goal, Josie also thought about what she would do once she was released.

I mean, 'cause yeah I was taking educational stuff, I was... I, I took the first part of getting my real estate license, and I had to take the second test. So that was something that I wanted to do was commercial real estate. So... um and then I wanted to be a canvas. [...] But a canvas is working in a financial institution that does um financial currency exchange between companies. That was something I was *really* interested in. {Chuckles} I really wanted to do that. And back then, you know, the regulations for getting licensed and stuff like that, I mean, it was nothing! Now, you know, you've gotta take all these tests and, you know, they really cracked down on it. But that was something, those, two things that I was interested in doing back then.

It was decades before Josie was paroled. These years not only changed the job market and her employability as a person with a felony record, but it also forced her to change her plans and views of success: “[Success looks like] getting {Chuckles}, getting my clemency, getting off parole and *going* somewhere *warm* to live out the rest of my days with my puppy. {Laughs}” Expungement may be available to Josie if she ever receives a pardon, but if she is never granted clemency, Josie will be on parole until 2086, well past her natural life span.

Later in our conversation, Josie mentioned that the associate’s degree she got in prison, in construction technology, is now “totally worthless” because she has a felony record. So now, Josie is looking for work in other industries:

I want to take some courses. I was working with DVR, which is Division of Vocational Rehabilitation. Um. I was working with them because {Chuckles} I wanted to get into voiceovers. I thought that would be super fun! And nobody does a felon background check... find out you're a felon for voiceovers 'cause it's contract work and you do it over the phone! You know?... Or over your laptop, whatever. So I was working with DVR to do that. And [name redacted], who's no longer there, she had cancer, she was

a **really** great counselor. Um. She told me to get into grant writing and she's from [a city in Western State 1]. And she told me, she said, the people, there's this little group of people in [a city in Western State 1], which is like in the Boondocks, but is a beautiful area to be in. She said, all they do is grant writing out of their house and for their nonprofits. And she said, they make millions of dollars a year. And she said, that's something you should look into. And so I was gonna go back to the college that, the Tribal College I graduated from is [Tribal College]. And they do a lot of long-distance learning because they're like **way up** there [redacted]. So um, I was gonna, you know, **save** up some money from some of my **side** gigs that I was doing, and um try to take a course there... in grant writing, that they're offering.

Josie has considered taking more courses so she can work doing voiceovers or in grant writing. As a contract employee, she could potentially avoid the stigma of her criminal record. She's interested in working from home because of the long-term health problems she is dealing with because of multiple COVID-19 infections, which have caused "neuropathy in [her] hands and feet". However, what would really fill Josie with joy is working with dogs.

But... you know, one, one of the things, um that one of the gals that I talked to that I met at the puppy park, we want to do something with dogs. {Chuckles} We want to have like **a pup stand**, you know what I mean? {Laughs}

At 58-years-old, with three decades of incarceration, and health challenges, findings employment has been difficult for Josie. In addition to her record, she will likely be on parole for the rest of her life, which severely restricts her movement and agency no matter how flexible and understanding her parole officer is. The challenges have stacked

up for Josie, but she remained hopeful for herself and steadfast in her advocacy for others, as she told me about all the many challenges women like her face.

Parenthood

As we saw with many of the other women, **Beth's** career also centers helping others:

I'm working as a counselor at a treatment center for, I'm their only primary counselor for their detox [residential] clients and their outpatient clients. So I do their like, um assessments and bio-psycho-socials and then meet with them weekly to like talk about trauma or, you know, why they... use or keep using and... And so like that, I uh, I will, my husband and I own a sober living that we live in. And um... and that's super... that's really cool. And um... gives us a lot of like, could give us a lot of freedom though, though we both work, work a lot. And uh we want to open a, a resource center that's like **free**, basically, and provides uh counseling and like homeless services... helps people buy cars.

While Beth has similar goals to the other women in terms of her career and future education, as she is looking to get her master's degree, her children take precedence in her vision of success, which is reminiscent of how Apple and Hafi spoke of their children.

I first asked Beth to reflect on her vision of success during the seven or so years she spent in and out of jail, homeless, and dealing with substance use. She said that it was difficult to think she could achieve any kind of success during that time:

Yeah, I think I, I lost all um... belief in... in any type of success. It wasn't 'til the very **end** that um I was able to like... have this **sense** that there's

something over there. I don't know what it is, but I *might* be able to reach it.

It wasn't until a conversation she had with a friend about going to a treatment center, and then the actual following through with that plan, that she started to see hope in her situation. She explained that if she had had counseling earlier, her outlook could have been different during those years:

I imagine if anybody could have like... showed me a, a glimmer of, of, 'hey, people *actually* get their kids back or that, *that* is possible' or, and then I, it, it would have been really different. It would have been really different.

It is important to Beth to be involved in her children's lives, and knowing back then that she would one day be in their lives again would have given her the motivation, drive, or even comfort during her most challenging years.

Both then and now, Beth wanted to have her kids in her life. While she doesn't have custody of her children, she's been able to develop a relationship with them.

But um, I *have* my kids back in my life. I lost, I lost custody. On paper those, those kids are not mine, but um... that's like, that is, that is enough success that like if *everything* fell apart and all my stuff and things went away... um, that those relationships are the, are the things that I like value and do not want to lose. [...] I have a *grandbaby* from my, that older daughter, she has a baby. And so like my... what makes me *really* happy is like... the relationships with them, but... *vacationing* with them. ... So... my *boys*, {Sighs} I don't know as well, right? 'Cause they were one and three when CPS got involved and then they went to... my daughter's dad, he adopted them. So my daughter's dad ended up, saying, 'oh, I want to take my daughter' and my mom's like, 'why don't you take the boys?' So he took the boys *too*, but they were like three and five when he got

them. And I hadn't really been very involved... that, the whole time anyways. And so, um, he called, they called someone else mom and for a while I got out and I was like, I thought they were my, my kids. And um... turns out they're not, they're God's kids. I didn't really act like a um... a mom, but I can be a part of their *future* and I could be the voice that they turn to when they don't want to talk to their parents about something. And so I'm still building the relationship with the boys, but this is the *third* summer that they're coming over for like two weeks just to spend, um, in uh in *my space*, which helps us make a relationship *different* from the one when I see them after basketball practice in [a far away state], with their, their mom's rules and stuff, you know?

Knowing her daughter, sons, and grandchild is important to her vision of a successful life, but Beth also sees success as breaking the cycle of “trauma and abandonment”, leaving them a “legacy of change and action” that empowers them to make positive choices in their lives.

And so I guess with *that* success is really, um, like big picture is... um, the *ability* to leave [the kids] something, to leave it, to leave a *legacy* of change and break uh one... cycle, you know, break the cycle. I hope that my trauma and the abandonment I provided them is *enough* and they don't ever go search for their own hurt. And that I work hard enough to like *leave* them a legacy of *action*, but also... um, things that could give them like, um... uh, a leg up or whatever. However you say that.

And then if I leave ‘em *money*, {Laughs} I need to leave ‘em, I need to do different than my dad did. And I need to make sure they know *how* to use money. ...I can leave ‘em all the money in the world, but that when you're covered in grief, you don't know, you hardly know what to do with it, you know? You can make bad choices.

When Beth was in her early twenties, her dad “drank himself to death” following her brother’s nine-year sentence for armed robbery. Her dad had left Beth some money, but as she recollects here, her grief led her to making some bad choices. She doesn’t want

that for her kids, so a successful life for her looks like being in her kid's lives, teaching them her hard-learned lessons, and breaking the cycle of trauma. Again, there is little attention paid by Beth and the other women to staying out of prison explicitly. Most are more interested in their own successful outcomes than what GRJ proponents and carceral state actors insist are the most important metrics to define a successful reentry and reintegration into free society. Many of their accounts reflect the neoliberal emphasis on market participation, but what separates their accounts from this system-levied orientation is their emphasis on working in professions designed to help criminalized and marginalized individuals, people who reflect many of their own identities and experiences.

Chapter 5

DISCUSSION

GRJ impacts the experiences of women in female-designated prisons. Since the 1990s in the United States, there has been a call to reform the CLS in ways that are more GR in answer to the growing number of women encountering the CLS and being incarcerated as a result. By implementing policies and practices that are attentive to what some consider as the unique needs of system-identified women, CLS actors and proponents of GRJ seek to efficiently and effectively rehabilitate a select group of women in ways that align with CLS priorities: cost-efficiency, recidivism reduction, neoliberal-oriented outcomes in reentry, and the legitimization of the carceral system.

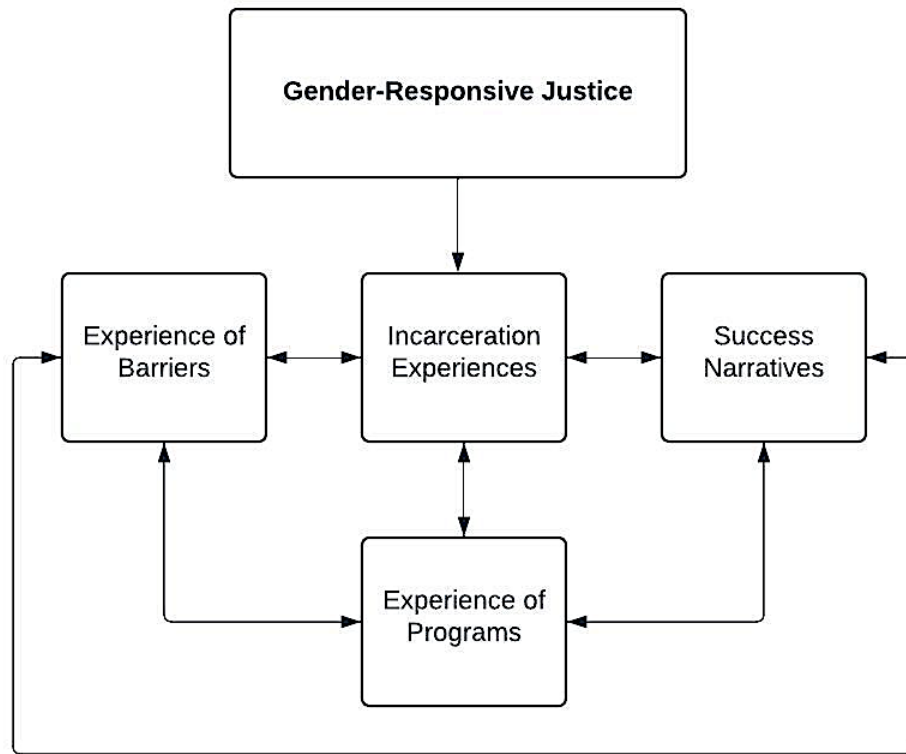


Figure 1. Impact of gender-responsive justice upon the incarceration experiences of women.

Figure 1 shows how GRJ impacts the incarceration experiences of women, which in turn affects their experience of programs and related barriers as well as how they view success. Let's take Bena as an example. GRJ structured what was available to her as a middle-aged and highly educated woman sentenced for the first time to over 20 years under a violent controlling offense. First, her incarceration experience was marked by systemic neglect. Bena was not a priority for the facility as she was going to spend

decades incarcerated, making her ineligible for most of the programming which was geared toward “repeat offenders”, those in need of substance use treatment, and those whose release dates were coming up soon and therefore qualified for reentry services. GRJ posits programming and services as what will ultimately rehabilitate and prepare incarcerated women for life after release, but as we see with Bena and other women who faced multiple barriers to accessing or utilizing these resources, they were often largely inaccessible or ineffective as there were other competing institutional and interpersonal priorities for the residents. In Bena’s case, the one activity she was allowed to do for the longest time was work.

Second, Bena’s access to work assignments and occasional volunteer opportunities shaped her understanding of what was required of her both inside and outside of prison. GRJ initiatives often focus on work programs to deliver skills for reentry, but as we see with Bena, her work assignments, the low-paying jobs in the kitchen and booking/receiving, were little more than ways to keep her busy over the long years of her incarceration. There was no meaningful intention to “rehabilitate” her or consider her unique situation. As someone with a master’s degree and years of work experience in free society, it is unlikely that these positions would do much to fill the employment gap created by her decades inside or provide any kind of skill development that she did not already possess to some degree. The volunteer work that Bena did with the Garden Club or in education were the avenues through which Bena asserted her agency; she chose to spend her time in ways that aligned with her personal values and ideas of success, like helping others.

What the prison offered her was an essentialist view of women's value in a capitalist society, reducing Bena's value to her capacity to perform labor. This perspective reinforces gendered stereotypes, framing women's contributions as limited to low-wage, service-oriented labor. Bena's trajectory into the institution, marked by a violent controlling offense, diverged from some of the typical gendered pathways into incarceration, like Daly's (1992, 1994) street women or drug-connected women. As a result, interventions designed to be GR, or even gender-neutral, will likely continue to ignore or underestimate women like Bena who have long sentences, as these interventions were designed to target the more cost-efficient group, the women classified by the institution as low risk and soon to reenter. Without the insights garnered from Bena's experience and those like her, the considerable skills and steadfast resistance of criminalized women could continue to be undervalued and overlooked in favor of safer, tidier narratives that support the image of a rehabilitative, GR, trauma-informed, strength-based CLS. Bena brought with her to prison a host of skills that facilitated her resistance to the paternalistic, reductionist strategies of the state, including its use of sexual violence as a means of gendered control and punishment.

And yet, even though Bena was able to resist some of the control mechanisms of the CLS and fill some of her time with activities that she valued, the institution was still able to reinforce the neoliberal principles of individual responsibility and market participation through the work programs. Bena remarked that while in prison she jumped at the chance to take every program that would let her in so she would have the transferable skills and resume to make it on the outside with a criminal record. This is

particularly interesting because Bena worked for decades before entering prison in a profession that earned her a pension and social security benefits. While I don't know how much she had available to her to live out her retirement, Bena wasn't working at the time of our interview and considered herself retired. She had a place to live and enough money for necessities. At least for a little while, she ostensibly did not need to work, and yet, she still internalized the message that her reentry success would be determined by how well she could prepare herself to work again once she was released. She also understood her success as mostly her own responsibility: "reentry is my problem too, I'm not giving it to you [the counselors] and asking you, putting in your lap, and say you fix it. I am active, this is my release, and I wish to be an active participant".

The narrow path to neoliberal-oriented success defined by GRJ reflects the carceral state's priorities: creating the semblance of reducing recidivism as well as ensuring cost-efficiency with only superficial concern for the criminalized person. It is also indicative of the reformist movement's choice to ignore or downplay the structural factors that impact currently and formerly incarcerated women. What GRJ does not do is critique or affect how the CLS operates as a violent, punitive arm of carceral state. GRJ reinforces the existing power dynamics and systemic inequalities that contribute to the continued state-sanctioned, gender-based violence against and criminalization of women. The limited perspective constrains the potential for the meaningful change that the well-intentioned proponents of gender-responsivity are working toward, as it prioritizes system-identified measures of success over the transformative visions of currently and formerly incarcerated women. The failure of GRJ to address broader structural issues

emphasizes the need for an abolition feminist approach that applies multiple strategies, including decarceration, non-reformist reforms, and system-level change.

Chapter 6

POLICY IMPLICATIONS

A feminist pathways view of the women's incarceration experiences would focus on the individuals' substance use or past victimization as salient drivers of their path *into* the institution. A desistance framework would focus on their pathways *out of* the institution, assessing their motivations related to being a mother, looking for stable employment, and how the CLS set up barriers to their successful reentries. Both theoretical orientations may lead one to suggest GR programming and treatment as well as gender-specific reentry counseling to support FIW as they transition into the community. However, a both/and framework rooted in anti-carceral feminism would say *yes*, their paths to incarceration and motivations for/ barriers related to desistance have highly gendered origins and implications, *but*, how do their agency and choices, made within environments like prison, which constrain that agency, reflect their goals and disrupt previous trajectories? *And*, why does this responsibility for transformation and change fall almost exclusively on criminalized populations, rather than on critical assessments of the state and institutional actors that reinforce and reproduce oppressive forces rooted in racism, patriarchy, ableism, compulsory heterosexuality and capitalism? Providing short- and long-term strategies employs this both/and framework, addressing the urgent needs of IP now as well as structural harms of the CLS.

Considering Apple's case specifically, one short term harm reduction strategy, based on Apple's own recommendation, would be to allow people in opportunity restricted areas of the prison, who have yet to be classified elsewhere or who are court ordered to a specific program that is designed to take up all of their time, have some say in the programming they take part in, and then make it available and accessible to them (Richie, 2001). Apple had access to a treatment counselor only in the pre-trial program that she opted into before being sentenced, but she doesn't recall ever having a case manager that she could go to with problems or about her interests in programming outside of the treatment she was sentenced to. Even if there was a housing unit counselor or caseworker, it is not unlikely that this person would be strained in trying to provide advice and referrals to the many women looking for help and services. Institutions should encourage incarcerated women's agency and understanding of their own needs, and one of the ways they can do this is by hiring, supporting, and empowering unit caseworkers to help the women under their care achieve their goals, not just adhere to institutional expectations.

A longer-term strategy based in decarceration would be to remove substance use treatment from prisons and make it accessible in the community while also ceasing efforts to incarcerate people for substance use in the name of rehabilitation. Apple's story exemplifies resistance to what the CLS laid out as her best pathway to success. In mentioning her learning disability, she highlighted how her experience of the substance use programming was not indicative of, and represented a barrier to, her future success. Bloom and colleagues (2003) only referenced disability once in their 133-page GR

strategies document. A recent study reported that there is a great need to consider accommodations and accessibility concerns for those with disabilities inside correctional facilities, as well as for those reentering (Ruffin et al., 2022). Gender-responsivity fails to adequately address the challenges that people with mental and physical disabilities face, even though it does attempt to account for other axes of oppression like race/ethnicity, sexual orientation, language, and recovery status (Bloom et al., 2003, p. 89). Acknowledging some implications for the range and diversity of experiences of system-impacted people is not enough. As Kelly Hannah-Moffat so succinctly puts it: “A failure to include diversity in any gender-based policy reproduces forms of systemic discrimination” (2010, p. 206).

However, what works for Apple likely will not work everyone, as incarcerated individuals are not a monolith. In the short term, what can support IP like Bena, those with long sentences, perhaps with an unclear release date, are program criteria that accept and include this group on the basis of their interest alone (McCorkel & DeFina, 2019). GR programming strategies (Bloom et al., 2003) and empirical evidence (Gobeil et al., 2016) have failed to address situations like Bena’s. In fact, GR reformists prioritize certain groups of system-identified women over others. As Collins explains:

Viewed in the best light, the movement for gender-responsive punishment is a movement to respond with empathy to some people—some of the people whom the system identifies as women—under some circumstances. But empathy should not be a scarce resource to be rationed. While it is not surprising that the empathetic impulse is strongest for people who seem *particularly vulnerable and minimally culpable* [emphasis added], it cannot and should not stop there. If we are willing to see the connection between trauma, systemic vulnerability, conduct, and criminalization in

one group of people, we should look broadly and create responses for everyone who has experienced such trauma. (2024, p. 324)

When reformist policies prioritize the safer, more publicly appealing group of short-term sentenced, non-violent IP over those with long sentences and who are deemed violent, regardless of the context in which they committed their crime (i.e., when a victim/survivor harms or kills their abuser to escape the abuse), they legitimate a system of selective justice, furthering the marginalization and harm of all criminalized women. Barring women with violent controlling offenses from accessing programming and services does not make communities inside prison or on the outside safer. The criminalization of survival strategies and self-defense do not either.

The excerpts from Jolene's story demonstrates the importance of fostering supportive communities within the prison, in terms of both incarcerated residents and correctional staff (Meyer et al., 2010). She saw value in the programming she took because of the time and space it gave her to connect with others. She acknowledged the support and care that some of the COs showed her. However, from what we know of Bena's violent encounter with correctional staff, there are significant power differentials between CO and resident that can result in harm for the incarcerated person. Violence has been a part of the American CLS since its inception (Alexander, 2012), and a few well intentioned members of correctional staff are unlikely to change this endemic issue. Decarceration and an investment in community-based interventions could provide the support and community Jolene was looking for while removing continued opportunities for the CLS to retaliate against and harm the people under its supervision.

Lastly, Stormy's ongoing challenges during this early stage in her reentry process is indicative of issues that GR approaches may be able to effectively address. Providing educational and vocational opportunities that are not restricted based on the sex designation of the facility and which are intentionally implemented with the input of those with lived experience could make a difference for those currently incarcerated. However, GR programming is limited when it is primarily concerned with past histories and neoliberal-oriented futures. GR proponents advocate for providing women with opportunities to improve their socioeconomic conditions (Bloom et al., 2003) with the underlying assumption that this will align with the penal goals of the state, that is, reducing recidivism.

All four Touchstone stories had components of this neoliberal orientation, but there was so much more to what they wanted to accomplish outside of staying free of the CLS. Apple wants to get custody of her kids back and provide them with a home of their family's own. Bena wants to give back to her community and return to prison as a mentor and advocate. Jolene wants to become a motivational speaker and give back to the youth in her community. Stormy wants to chart a new path, even though she's unsure exactly what that looks like right now. FIW's conceptions of success are complex and multifaceted. To be effective, GR approaches and programming need to evolve to encompass a both/and strategy that can effectively account for the multiplicity of carceral experiences and provide valuable solutions that both limit the state's violent control over criminalized populations and attend to the demonstrated needs of currently IP right now. Policy changes can be made at the institutional level (e.g., more institutionally supported

case managers; intentional, barrier-breaking support for the disabled; inclusive program eligibility criteria; and lived-experience-informed vocational offerings) to support currently incarcerated women, while simultaneous systems-level policy changes (e.g., decriminalization of substance use and sex work; funding for community-based alternatives to incarceration and punishment; and implementation of trauma-informed approaches to working with victim/survivors without involving the CLS) and decarceral strategies can be employed to support all at risk of harm by the CLS.

Chapter 7

LIMITATIONS

As with all research, there are limitations to this study. First, the thirteen participants are not representative of FIW across the United States, particularly because most participants identified as White, despite the fact that Black, Indigenous, and Women of Color are overrepresented in state and federal prisons (Kajstura & Sawyer, 2024). However, qualitative research does not centralize the goal of generalizability (Ravitch & Carl, 2021). Therefore, this study focused on depth and nuance over breadth, working to offer stakeholders and academics a richer understanding of the programming, incarceration, and reentry experiences of a marginalized population from their perspectives.

Second, reentry can be a stressful and emotionally exhaustive process, especially at the beginning. As four of the women have recent incarceration experience and are still in the early stages of reentry, there is a chance that their answers would be different now than if I sampled the same group at a later stage of their reentry journey. Although a longitudinal study would provide valuable insights to address this concern, I am currently unable to conduct such an extensive study. Thus, I operate under the assumption that their opinions and explanations at the time of the interviews are representative of their experiences and perspectives during the early reentry phase. In the same vein, several of

the women were out in the community for over a decade when I interviewed them. While memory of events may change over time, each woman was able to describe in detail several examples of their incarceration experiences, from how their dorm or cell looked to their interactions with officers, service providers, and other residents. They provided valuable insight to whether the skills, knowledge, and credentials they gained from prison programming actually helped them in real-world situations during reentry, from when they first got out to now. The women also reflected on their understanding of success back then and more recently, explaining some of the goals they had reached, the ones they were still looking to accomplish, and what expectations of post-incarceration life went unmet. With reentrants spanning months to decades, this study benefits from both recent memory and hindsight, making the range of experiences and time since release a strength.

Lastly, this study may ultimately suffer from participant response bias, where only those already most likely to participate or most connected to support systems will reach out to become part of the study. Four of the thirteen women were recruited from a service organization and twelve participants reported being housed or having stable housing at the time of interview. Their experiences are likely not indicative of those experiencing homelessness or who are systematically excluded from reentry services. These study participants had a range of negative, oppressive, and challenging experiences both during and after incarceration despite the social supports that many had access to, like their families, friends, and service organizations. These types of experiences would very likely be exacerbated by further marginalization and destabilization, like for

those navigating reentry without stable housing or access to familial or organizational supports. Future research should prioritize this group.

Chapter 8

CONCLUSION

Liberation is the work and the work is liberation. There is no one answer to how we get free — there are one million.

—One Million Experiments²⁶

This paper rejects both the notion that reform and abolition are mutually exclusive (Carlton, 2018) and that gender-responsivity as it stands is an adequate way to address the “complex interactions of gender, race, class, ability and sexuality in the context of women’s criminalization and imprisonment” (Russell & Carlton, 2013). While GR principles were designed to create a carceral environment that addresses gendered pathways to incarceration (Bloom et al., 2003), the “improved outcomes” they purport do not go far enough in addressing the complex challenges individuals like Apple, Bena, Jolene, Stormy, Viola, Hafi, Ash, Light, Miranda, Josie, J, Truce, and Beth face. One cannot ignore that the pressing call for GR and gender-intentional approaches is substantial, but I do not advocate for the CLS being the sole or chief source of such programming for marginalized and criminalized populations. Critics have argued that

²⁶ Quote found from Erin Collins’s paper “Beyond Problem-Solving Courts” (2023, p. 248). One Million Experiments page can be found at <https://millionexperiments.com/about>.

proponents of GR principles and programming have encouraged the expansion of carceral systems while presenting themselves as well-intentioned feminists and neoliberals (Musto, 2019; Muentner et al., 2022; Russell & Carlton, 2013). Incarceration then becomes a mechanism through which women gain access to previously unavailable resources. This carceral care model is not something that is advanced in this paper. I do not assume that the CLS is the best place for these services, but instead, I argue that as long as women are incarcerated in carceral institutions, there should be programming that effectively addresses their needs and provides the necessary tools they require for when they return to free society should they wish to avail themselves of these resources.

Shifting focus to community-based initiatives not only aligns with broader decarceration goals but also ensures that IP receive support in environments more conducive to their well-being, free from prison sexual violence and gendered carceral control. These women's experiences highlight the inadequacy of confining rehabilitation or advancement opportunities solely to the carceral system, emphasizing a need for a holistic and community-oriented approach. Miranda even mentioned that the “[programs] that were *most* helpful were things that somebody in the community wanted to start. It wasn't brought up from, you know, the facility”. Community-based or community-run programs prioritize the goals of the individuals, over implementing programming that serves the institution. Nevertheless, GRJ principles and practices may very well sink into community-oriented programs and services, so without a conscious push against the practice of carceral feminisms, even the alternatives to incarceration could result in expanded carceral control and punishment structures.

For those GR elements that may be better in the interim for incarcerated women over gender-neutral policies and practices, critical evaluations are still necessary to ensure GR principles extend beyond rhetoric, fostering sustainable and enduring support for system-impacted people without extending the reach of gendered neorehabilitation. Incarcerated and reentering people also need support now, and it is imperative that the work to decarcerate is paired with substantial improvements to existing programming and services. In line with abolition feminist practice, there is not just one path toward abolition and liberation, but millions.

This research contributes to the academic literature by shedding light on the limitations of gender-responsive reforms within carceral institutions and the harms of Gender-Responsive Justice. It highlights the specific challenges faced by currently and formerly incarcerated women, including a gendered scarcity of resources that make incarceration and reentry difficult. Criminalized women also employ strategies to resist carceral control and redefine what success looks like for them. Recidivism is not their primary indicator of success; instead, the women highlighted what was most important to them: helping their communities, finishing their preferred level of education, continuing as parents, achieving expungement, and living free from the criminal legal system. By advancing the concept of gendered neorehabilitation, this study illustrates how this contemporary rehabilitation framework uses gender-responsivity to facilitate carceral expansion and control, rather than providing comprehensive support grounded in the needs and goals of criminalized women as defined by them. Participants in this study identified intentionally designed programs, wrap-around services, trauma-informed

services, and peer supports as some of the elements of programming that they saw as supportive to their needs. Finally, while some may argue that gender-responsive practices are best practices, they are presently insufficient in addressing the complex structural issues revealed by the criminalized women in this study. This work thus strengthens our understanding of women's prison programming experiences and their success narratives, which can help academics and practitioners steer the conversation away from benevolent guardianship and reformist reforms to collaborative, liberatory approaches that prioritize the voices and agency of criminalized women.

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Appendix A

PARTICIPANT PROFILES

Participant Pseudonym	Bena	Apple	Jolene	Stormy	Viola	Hafi	Ash	Light	Miranda	Josie	J	Truce	Beth
Length of interview(s)	1 st : 100 2 nd : 105	49	41	92	78	126	73	84	103	96	91	113	54
Time from release to interview	5 months	3 months	4 months	5 months	Over 10 years	Over 15 years	Over 5 years	About 4 years	Over 5 years	About 4 years	Over 15 years	Over 15 years	Over 5 years
Contact Method	In Network Referral	Service Provider Referral	Service Provider Referral	Service Provider Referral	Service Provider Referral	In Network Referral	In Network Referral	In Network Referral	Participant Referral	Participant Referral	Flyer Response	Flyer Response	Flyer Response
Answers for demographics are in the participant's own words. [Brackets] indicate author's clarifications or conclusions.													
<i>Demographics</i>													
Gender	Female	Female	Female	Female	Female	Female	Female	Female	Female	Female	Female	Female	Female
Race	White, Jewish	White	African American	White	White	[Spoke about "our race" and referred to Black Americans]	White	Biracial - Filipino, American Indian, Scottish	Caucasian	White	White, American Indian	White	White
Highest Education Level	Master's Degree	High School	11 th Grade	High School Diploma, Some College	Associate Degree	Associate Degree	Some College	9 th Grade	Associate Degree	Associate Degree, Some BA Classes	Some College	Doctorate	Bachelor's Degree
Marital Status	Divorced	Married	Never Been Married	Divorced	Divorced	Divorced	Married	Married	Divorced	Single [Divorced]	Single	Married	Married
Religious Affiliation	Jewish	Christian	Christian	Other, Spiritual	Non-Denominational Christian	None	None	Spiritual, Light Bearer	None	None	Non-Denominational	None	Christian
Age	68	33	26	50	56	43	30	43	49	58	43	40	46
Political Affiliation	Registered Democrat	Democrat	Democrat	Don't Have One	Republican	None	None	None	Liberal As Hell	No, former Democrat	None	Moderate Left of Center	Raised Republican, Not Sure
Employment Status	Retired	Employed	Employed, Full Time	Full Time	Full Time	Full Time	Full Time	Full Time	Self Employed	[Side jobs]	Self Employed	[Employed]	Employed, Full Time
Housing Status	Housed	Housed	Stable Housing	Housed	Housed	Housed	Housed	Housed	Housed	Unhoused [unstable housing]	Housed	[Housed]	Housed
Parenthood	[Not indicated]	[Yes]	[Not indicated]	[Yes]	[Not indicated]	[Yes]	[Not indicated]	[Yes]	[Yes]	Puppy parent	Yes	[Not indicated]	[Yes]

Participant Pseudonym	Bena	Apple	Jolene	Stormy	Viola	Hafi	Ash	Light	Miranda	Josie	J	Truce	Beth
<i>Incarceration Factors</i>													
Controlling Offense Type	Violent	Non-violent	Non-violent	Violent	Non-violent	Violent	Violent	Non-violent	Non-violent	Violent	Non-violent	Violent	Non-violent
Primary Incarceration Location	Atlantic State (1)	Atlantic State (1)	Atlantic State (1)	Atlantic State (1)	Atlantic State (1)	Atlantic State (2)	Atlantic State (1)	Atlantic State (3)	Western State (1)	Western State (1)	Western State (1)	Atlantic State (4)	Western State (2)
Type(s) of Carceral Supervision from Most Recent Consecutive Stint	Unified Prison/ Jail	Unified Prison/ Jail, Treatment /Work Release Facility	Unified Prison/ Jail, Treatment/ Work Release Facility	Unified Prison/ Jail, Treatment /Work Release Facility	Unified Prison/ Jail, Treatment/ Work Release Facility, VOP Facility	Jail	Unified Prison/ Jail, Treatment /Work Release Facility	Jail, Prison	Unified Prison/ Jail, Halfway House and Ankle Monitor	Unified Prison/ Jail, Prisons in Other States	Jail	Jail, House Arrest, Federal Prison	Jail
Time Served (Most Recent)	20 years	14 months	2 years	21 years	2 years and 6 months	Less than a year	1 year	2 years and 9 months	2 years	34 years	3 days	4 years	1 year

Appendix B

RECRUITMENT FLYER



COLLEGE OF ARTS AND SCIENCES

CRIMINAL JUSTICE PROGRAM
DEPARTMENT OF SOCIOLOGY
AND CRIMINAL JUSTICE

325 Edward Laurence Smith Hall
University of Delaware
Newark, Delaware 19716-2527
Ph: 302/831-1236
Fax: 302/831-0688

Re-entry Work and Education

Would you share about an hour of your time to talk about your motivation and experiences with programming in prison, such as education, job preparation and skills training, parenting and childcare classes, faith based programming, etc.? Specifically, we want to better understand why you participated, its impact on you, and how you talk about it with others.

You can participate if you identify as a woman or femme, were formerly incarcerated, and have some knowledge of the programming that was available to you while you were in prison. You do not need to have participated or completed the programming while incarcerated to participate in this study.

Findings will be used to inform corrections professionals, educators, and program coordinators and others interested in prison programming efforts. The analysis will be shared through traditional peer-reviewed publications as well as through blog posts and other short-forms of public scholarship.

Interested? Please contact:
Mackenzie Niness - University of Delaware
25 Amstel Ave, Newark, DE 19711
mniness@udel.edu
508-320-2216

If interested in completing the interview, we will set up an appointment to share more information about the procedures and then ask you to sign a consent form if you wish to participate.

Appendix C

INTERVIEW PROTOCOL

Interview Questions

Start:

- Describe something you are good at.
- What do you think are your most positive qualities?
- Describe something you are “bad” at or are working on.
- What are 3 or 4 words that friends would use to describe you?
- What are your values as a person? (Probes: physical, emotional, skills, positives, negatives, ideology/beliefs)
 - What’s important to you?

Incarceration:

- How long were you last incarcerated for?
- Have you been incarcerated multiple times, and if so, how many times and for how long?
- When were you first incarcerated?
- What institution(s) have you been incarcerated in?

Inside Experience:

- Walk me through what did a typical day inside looked like for you. What did you do with your time?
 - How much was structured from the prison (meal time, work) versus when you had a choice (TV time or maybe programming)?
- While you were incarcerated, what needs did you have? How did you work toward them?
- What happened when you couldn’t meet a need right away? (Probe: what strategies did you use?)
- What were your biggest goals for yourself during this time?
- What helped people inside the most? General
 - What helped you the most?
- What hurt or hindered people inside the most? general
 - What hurt you the most?
- Describe your relationships with your fellow inside folks.
- Describe your relationships with security staff.

Reentry Success²⁷:

- How do you define success in your reentry journey? In your life? – and how is it related to your important things?
 - Do you feel that you have been successful?
 - What does success mean to you?
- What goals are you pursuing that will allow you to become successful?
 - Are these the same goals from before or during your time inside?
- If society/family/money had no bearing or no say, what are your own personal goals? (Probe: dream bigger) – and now that you are out, how is this? Re: section 1 – elaborate from before
- What value does [insert goal/important thing] bring you?

Programming:

- Did you participate in prison programming, why or why not?
 - If YES:
 - What did these programs address?
 - Probe: what were they trying to fix/support you with?
 - What program(s) were most beneficial to you and your reentry goals, and why?
 - What was helpful in registering for, accessing, persisting, and completing programming?
 - Did any of the programs you participate in help you be successful? Which ones and why? Can you give an example?
 - In the programs you took, what did they do well? What needed to be improved?
 - What was expected of you in this program(s)? Do you feel like you met expectations?
 - IF NO: Were any programs available to you? Can you explain why you chose to do something else instead?
- How did you hear about programs, if at all?
- What prison programming was available in the facilities? (Probe: education, job training, parenting and childcare classes)
 - Is programming offered for people who are pre-trial or detained in the “unsentenced” block(s)?
 - If not – why do you think that is? Would people benefit from programming here?
- What barriers did you face in registering for programming? Accessing programming?

²⁷ Questions adapted from (Heidemann et al., 2016) and (Heidemann, 2013).

- What types of programs would have interested you on the inside?
- What programs would you like to see in prison that weren't available?
- Who do you think prison programs are made for?
 - Probe: Do you think the programs were made with women/femmes in mind?
- Who benefits from prison programming?
 - Probes: kinds of incarcerated people, the prison, society in general?
- What are the differences between the men's and women's institutions? Or between the different facilities?

Probation/ Parole:

- Are you currently on probation or parole/ community supervision?
 - If YES: What is it like to be on probation? What has your experience been like with your PO?
 - If NO: Have you ever been on community supervision of any sort? What was it like? Do you think it would help to be on probation/parole?
- Overall, do you think probation/parole is helpful to or hinders your success on the outside?

Demographics:

- Race and ethnicity
- Gender identity
- Sexual orientation
- Highest level of education
- Marital status (then and now)
- Parenthood
- Religious affiliation
- Age (then and now)
- Violent or non-violent offense
- Political affiliation
- Employment status
- Living Status – housed or unhoused
- Veteran status

End:

- If you had unlimited money and resources to create something new, what would it be?
- What words of advice would you have for other reentering/ justice-involved people?
- If you could tell the warden/policy maker about your incarceration experience, what would you tell them?

- If you could go back and do it all over again, what would you do differently, if anything?
- Is there anything that I missed?

Appendix D

INFORMED CONSENT FORM



UD IRB Approved: 08/14/2023
IRBNet ID#: 1932650-3

INFORMED CONSENT TO PARTICIPATE IN RESEARCH

Title of Study: Religious Community and Re-Entering Persons

Principal Investigator(s): Dr. Chrysanthi Leon

KEY INFORMATION

Important aspects of the study you should know about first:

- **Purpose:** The purpose of the study is to learn how education, programming and community organizations provide beneficial approaches to serving re-entering persons (individuals recently released from prison), and what practices they may find stigmatizing and harmful
- **Procedures:** If you choose to participate, you will be asked to answer questions about your experiences participating in or trying to participate in a religious community.
- **Duration:** This will take about from 60-90 minutes
- **Risks:** The main risk or discomfort from this research are stress or emotional strain due to discussing challenging aspects of re-entry.
- **Benefits:** There are no anticipated direct benefits from participating in this research; however, some may find sharing their perceptions and experiences to be gratifying.
- **Alternatives:** There are no known alternatives available to you other than not taking part in this study.
- **Costs and Compensation:** If you decide to participate there will be no additional cost to you and you could be compensated up to \$50.
- **Participation:** Taking part or not in this research study is your decision. You can decide to participate and then change your mind at any point

Please carefully read the entire document. You can ask any questions you may have before deciding If you want to participate.

You are being invited to participate in a research study. This consent form tells you about the study including its purpose, what you will be asked to do if you decide to take part, and the risks and benefits of being in the study. Please read the information below and ask us any questions you may have before you decide whether or not you agree to participate.

WHAT IS THE PURPOSE OF THIS STUDY?

The purpose of this study is to examine what re-entry practices for religious communities people find beneficial, and what practices they find stigmatizing and harmful. What are re-entering persons hoping to find in religious participation and community after incarceration? What is it like to join or re-join a religious community after incarceration? What practices deter re-entering persons from attending or partaking in



certain religious communities? What barriers do incarcerated people face in participating in prison programming? What was helpful in registering for, accessing, persisting, and completing programming? How did this programming impact your reentry after incarceration?

You will be one of approximately 75 participants in this study. You do not need to actively participate in a religious community in order to participate in this study.

WHAT WILL YOU BE ASKED TO DO?

As part of this study you will be asked to answer questions about your experiences participating in or trying to participate in a religious community or prison program. Specifically, you will be asked about why you were interested in joining a religious community or enrolling in a prison program, what may have made you feel welcomed, and what may have made you feel stigmatized, unwelcomed, or uncomfortable.

We will conduct interviews by phone or Zoom when it is convenient for you. When pandemic safety concerns permit, we may offer the option of an in-person interview where it is convenient to you, such as in a private room in your workplace, a private room in a place of worship, or in my office on campus. Interviews will take from 60-90 minutes.

WHAT ARE THE POSSIBLE RISKS AND DISCOMFORTS?

You may experience minimal stress or emotional strain due to discussing challenging aspects of re-entry. Although we will take steps to protect your confidentiality, it is possible that participants could be identified; however, risk is minimal.

WHAT ARE THE POTENTIAL BENEFITS?

There are no anticipated direct benefits from participating in this research; however, some may find sharing their perceptions and experiences to be gratifying. Knowledge gained from this study may contribute to our recommendations for religious spaces to become more inclusive and safe and for programming inside prisons to become more beneficial to those who participate.

HOW WILL CONFIDENTIALITY BE MAINTAINED? WHO MAY KNOW THAT YOU PARTICIPATED IN THIS RESEARCH?

If you participate, I will make every effort to keep all research records that identify you confidential. The findings of this research may be presented or published. If this happens, no information that gives your name or other details will be shared.

I will separate your name and contact information from the interview data. Each participant will be assigned a pseudonym, and the master list will be stored in a secured cabinet separate from the consent forms. When quoting you, I will only refer to you by generalized job title and/or pseudonyms during the analysis and reporting process. For example, "Sharon, a member of a Lutheran church" or "Rob, a Jewish man" or "Martha, once involved in GED classes".



I will ask if you are willing to have your interview audio recorded. You can participate in the interview even if you do not want to be recorded.

If you do agree to have your interview recorded, I will delete your audio interview after I transcribe it.

All hardcopies of files will be secured on campus. Consent forms and the pseudonym master sheet will be locked in a cabinet separate from interview data. Full-length interview recordings will be stored no longer than the time needed to transcribe them (approximately four to twelve weeks); audio recordings from participants who consent will be edited to ensure de-identification. Once interviews are transcribed, full-length interview recordings will be deleted. Transcripts and audio excerpts will be kept on a password protected hard drive. Audio recordings of full-length interviews will be stored for no longer than twelve weeks. Transcripts of interviews will be stored on a password-protected device for 5 years.

The confidentiality of your records will be protected to the extent permitted by law. Your research records may be viewed by the University of Delaware Institutional Review Board, which is a committee formally designated to approve, monitor, and review biomedical and behavioral research involving humans. Records relating to this research will be kept for at least three years after the research study has been completed.

WILL THERE BE ANY COSTS TO YOU FOR PARTICIPATING IN THIS RESEARCH?

There are no costs associated with participating in the study.

WILL YOU RECEIVE ANY COMPENSATION FOR PARTICIPATION?

At the conclusion of the interview, I will give you a code to redeem a \$50 gift card.

DO YOU HAVE TO TAKE PART IN THIS STUDY?

Taking part in this research study is entirely voluntary. You do not have to participate in this research. If you choose to take part, you have the right to stop at any time. If you decide not to participate or if you decide to stop taking part in the research at a later date, there will be no penalty or loss of benefits to which you are otherwise entitled. Your decision to stop participation, or not to participate, will not influence current or future relationships with the University of Delaware.

If you wish to end an interview or withdraw their interview from the study after already consenting, you can do so up to one month after the interview.



If, at any time, you decide to end your participation in this research study, please inform me.

WHO SHOULD YOU CALL IF YOU HAVE QUESTIONS OR CONCERNS?

If you have any questions about this study, please contact me, the Principal Investigator, Dr. Chrysanthi Leon at (302) 463-0406 santhi@udel.edu and Mackenzie Ninness at (508) 320-2216 mninness@udel.edu

If you have any questions or concerns about your rights as a research participant, you may contact the University of Delaware Institutional Review Board at hsrb-research@udel.edu or (302) 831-2137.

Your signature on this form means that: 1) you are at least 18 years old; 2) you have read and understand the information given in this form; 3) you have asked any questions you have about the research and the questions have been answered to your satisfaction; and 4) you accept the terms in the form and volunteer to participate in the study. You will be given a copy of this form to keep.

Printed Name of Participant

Signature of Participant

Date

Person Obtaining Consent
(PRINTED NAME)

Person Obtaining Consent
(SIGNATURE)

Date