

*Breaking
the
Silence*

*Women in Prison=
Unequal Justice*

The Correctional Association of New York

FOUNDED 1844

135 EAST 15th STREET, NEW YORK, N.Y. 10003

(212) 254-5700

PROFILE OF PRISONERS AT BAYVIEW, THE ONLY STATE PRISON FOR WOMEN LOCATED IN NEW YORK CITY

The 176 women who were incarcerated at Bayview on July 7, 1990 had the following profile:

age: Most of the women (73.8%) were between the ages of 25 and 39. Only 12.5% were between the ages of 19 and 24.

education: 76.7% of the women reported having completed at least one year of high school. Of these, 35.2% of the women completed 12th grade. 8.5% completed at least one year of college.

employment: At least 40% of the women reported being unemployed at the time of arrest. Those who were employed generally held blue collar or white collar jobs.

ethnicity: 57.4% of the women are Black, 31.8% Latina and 10.2% White.

number of living children and marital status: Most of the women (73%) reported having at least one child and 61.9% were single.

class of felony commitment: Only 8% of the women had been convicted of A-I or A-II felonies. 22.2% of the women were in for Class B felonies, 22.2% for Class C, 31.3% for Class D and 16.5 % for Class E.

commitment offense: Half of the women were incarcerated for drug offenses, 7.4% for manslaughter 1st and 6.3% for forgery. The remainder which varied between 1 and 5% of the women included robbery, burglary, grand larceny, assault, stolen property and weapons offenses.

drug crimes: For those women in prison for drug offenses, most were convicted of possession of or selling crack or cocaine.

Source: Division of Program Planning, Research, and Evaluation of the New York State Department of Correctional Services.

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DOMESTIC VIOLENCE AND INCARCERATED WOMEN FACT SHEET

- o In 1990, the American Correctional Association published a national survey of adult and juvenile women incarcerated in America's prisons and jails. That survey found:
 - 53% of the adult women and 61.8% of the juveniles indicated they had been victims of physical abuse (e.g. being beaten, kicked or tied up).
 - More than 70% of the adult women reporting physical abuse said they were 19 years old or younger at the time of the first incidence of abuse. More than 80% of the juveniles reporting physical abuse said they were first abused at 14 years or younger.
 - More than 50% of the abused adult women said they were victimized by husbands and boyfriends. More than 25% said parents and step-parents abused them.
 - More than 53% of the juveniles who reported being abused said parents and step-parents were the perpetrators of the abuse and over 10% reported having multiple abusers.
 - More than 58% of the adult victims of physical abuse told someone about the incidents but over 70% of these women said doing so made things worse or resulted in no change in the abusive situation.
 - More than 35% of the adult women and 54.3% of the juveniles reported having been the victims of sexual abuse.

(over)

- Nearly 62% of the adult women and nearly 78% of the juveniles reporting sexual abuse said they were 14 years or younger at the time of the first incidence of sexual abuse.
- Over 54% of the adult women and over 68% of the juveniles said they told someone about the incidents of sexual abuse. 49.5% of the adult women and 50% of the juveniles indicated that doing so resulted in no change or made things worse.
- o A New York State Survey by the Department of Correctional Services found that 49% of the women committed to the state's prisons for homicide in 1986 had been victims of abuse at some point in their lives. The abuser was living with the woman or legally married to her in 89% of these cases. 59% of the women who killed someone close to them were being abused at the time of the offense.
- o In a 1985 state survey of 320 women at Bedford Hills Correctional Facility (maximum security prison for women) in Westchester County, New York, 106 women (34.5%) reported being victims of physical abuse. 97 women (33%) reported having been sexually abused. Of the 320 women, only 13 indicated they had received Family Court intervention, 21 received orders of protection, 18 had been in battered women's shelters and 4 had received advice from domestic violence programs.
- o In a recent survey by the Center for Alternative Sentencing and Employment Services, 64% of New York City women inmates participating in a substance abuse program reported that they had been sexually abused.

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WOMEN IN PRISON FACT SHEET

At mid-year 1990, there were 43,541 women in federal and state prisons in the United States.

The female prison population in the United States has grown more rapidly than the male population in each year since 1981. In 1989, the female prison population increased 24.4%, compared to a 12.5% increase for males.

New York has the third largest female prison population in the United States, following California and Florida. At mid-year 1990, New York State had 2,721 women inmates, more than 5% of the total state prison population.

Between 1987 and 1989, New York's female prison population increased 83.4% -- compared to an overall population increase of 32.6%.

Between 1987 and 1989, the rate of growth in new female court commitments to state prison in New York was approximately three times that for men. New female court commitments increased 98.9% in that period -- compared to an increase of 33.5% for men.

Over the three year period 1987-1989, black women constituted the single largest group of new female court commitments in New York, followed by Hispanics, and then whites. However, the percentage of Hispanics increased from 30.9% to 40.5%, while the proportion of blacks decreased from 48.3% to 47.1%, and whites decreased from 20.6% to 12.6%.

The percentage of females committed to New York's state prisons for violent felonies has steadily declined, from about 50% of total admissions in the early 1980's to 18% of 1989 admissions.

From January 1987 through December 1989, drug commitments for females to New York's prisons rose 211% and for males 82%.

On average, from 1980 to 1986, 22.3% of all females sent to New York's prisons were incarcerated for drug offenses. This figure increased substantially in 1987 to 42.4%. And, between 1987 and 1989, the proportion of the female commitment population

imprisoned for drug offenses rose from 42.4% to 66.4%. Male drug commitments rose from 32% in 1987 to 43.7% in 1989.

On average, from 1987 to 1989, 77.4% of female drug offenders in New York were admitted to prison for the sale, as opposed to possession, of a controlled substance.

Hispanic females dominate the drug offense category in New York. Averaging about 37% of total female admissions to state prison, Hispanic females account for approximately 51% of the overall female drug offender population.

Proportionately, the greatest change in female drug commitments to New York's prisons between 1987 and 1989 occurred among black women. Approximately 30% of black women were committed for drug offenses in 1987 compared with about 58% in 1989.

New York City accounts for approximately 80% of the yearly female drug admissions to state prison.

Female commitments for crack increased from 30.6% of New York's total female drug population in 1988 to 44.8% in 1989. The single largest proportion of female crack offenders were admitted for class D felonies, relatively low level offenses.

During 1987-1989, the median minimum sentence for female first felony drug offenders in New York fell from 18 to 12 months. The median minimum sentence for female second felony drug offenders held constant at 24 months.

About three-quarters of all female drug commitments in New York report having at least one child.

From 1987 through mid-1990, New York State added 1,394 new prison beds for women -- more beds for women than previously existed throughout the entire system.

December, 1990

Sources:

Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice.

Division of Program Planning, Research and Evaluation, New York State Department of Correctional Services.

PRESS RELEASE

For Release:
Monday, March 4, 1991
11:00 A.M.

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NEW YORK GROUPS CALL ON STATE LAWMAKERS
TO RELEASE WOMEN IN PRISON

At a press conference on March 4th, representatives of statewide women's groups and criminal justices organizations gathered in Albany to call on the State's lawmakers to release imprisoned women who pose no risk to public safety.

"Never in this state's history have so many women been incarcerated," said Tracy Huling, Director of Public Policy at the Correctional Association of New York. "Today, there are nearly 6,000 women in New York's prisons and jails -- that's a tenth of all women incarcerated in America. Yet the vast majority of women in New York's prisons and jails today are there for non-violent, low-level offenses -- mostly sale or possession of drugs."

"Over the past three years, New York State has spent nearly \$300 million to build and operate new prison space for women. That money was spent warehousing women who could have been sentenced safely and more cheaply to alternative punishments in the community," said Ms. Huling.

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Sponsoring organizations include (partial list): Correctional Association of New York, National Organization For Women NYS Chapter, NYS Defenders Association, New York State Coalition Against Domestic Violence, Center for Law and Justice, New York Civil Liberties Union, NYS Coalition on Women's Legal Issues New York Women In Criminal Justice, Puerto Rican Bar Association, Women's Prison Association, Prisoners Legal Services, Committee on Women and the Law, NYS Bar Association, Fortune Society.

Data was released showing a dramatic rise in the rates of incarceration of women in New York's prisons and jails -- far greater than increases for men.

- o The number of women in New York State prisons increased 102% between 1987 and today (February 16, 1991) -- compared to a general inmate population growth of 41%.
- o The number of women in New York City's jails has increased by over 164% during the past four years -- compared to an increase of 66% for men.

Much of this increase in women's imprisonment is attributable to state and local responses to drug-related crime. In New York City and other urban areas, arrests for drug offenses (sale or possession) are largely responsible for the growth in new female court commitments.

- o From 1987 through 1989, drug commitments to state prison for females rose 211% -- compared to 82% for males.
- o In 1990, 73% of the women admitted to state prison were admitted for non-violent drug offenses.
- o The proportion of women in prison for drug offenses has also grown dramatically during the past decade. On average, from 1980-1986, 22.3% of all women in New York's prisons were incarcerated for drug offenses. By February 16, 1991 that proportion had risen to 62%.

The groups also called on state policymakers to examine the relationships between domestic violence and crimes committed by women.

- o A 1990 American Correctional Association survey of imprisoned women in the United States found that over half were victims of physical abuse and 36% had been sexually abused.
- o A study, conducted by the NYS Department of Correctional Services, of women committed to the state's prisons for homicide offenses in 1986, found that 49% of the women had been victims of abuse at some point in their lives and 59% of the women who killed someone close to them were being abused at the time of the offense. It was their first and only offense, for over half the women committed for homicide.
- o Evidence also indicates that many women convicted of robbery offenses were accessories to male-instigated actions and were often coerced into illegal acts by threats of abuse.

Marilyn Fitterman, President, National Organization for Women - New York State Chapter, noted that "A source of many crimes committed by women is fear of male violence. And that fear is a rational response to the staggering incidence of violence against women in this society."

- o Domestic violence is the single largest cause of injury to women in the United States.
- o 20% of emergency room visits by women are caused by battering.
- o Three to four million women in the United State are beaten in their homes each year by their husbands, ex-husband or male lovers. Husbands and common-law husbands were responsible for 33% of all women murdered in the United States between 1976 and 1987.

- o Women who leave their abusive partners are at 75% greater risk of being killed by their batterers than are those who stay.

Angela Browne, author of When Battered Women Kill, said, "The only difference between battered women who kill their abusers and battered women who don't is the level of violence and threat they experience from their abusers."

New York State Assemblywoman Helene Weinstein announced the introduction of a legislative resolution requesting Governor Mario Cuomo to direct an immediate review of the cases of all women convicted of homicide or other felonies related to domestic violence.

"There are some women imprisoned in New York State for the murder of their partners who claim to have committed these murders in self-defense in a last desperate act to protect themselves. I have proposed a legislative resolution requesting Governor Mario Cuomo to direct the State Board of Parole to investigate the cases of these women. It is my hope that some of these investigations will result in pardons or commutations," said Assemblywoman Weinstein.

Other recommendations included:

- amend New York's Second Felony Offender law to allow judges to sentence women to non-incarcerative, alternative punishments;
- develop community-based sanctions with supportive services to help women overcome substance abuse, economic marginality, domestic violence and other assorted health, parenting and self-esteem problems;

- expand residential and out-patient drug treatment for women offenders; and
- stabilize funding for domestic violence shelters and programs providing community-based sanctions for women in conflict with the law.

Speakers at the conference included:

Tracy Huling, Director of Public Policy
Correctional Association of New York

Angela Browne, author, When Battered Women Kill

Marilyn Fitterman
President, New York State NOW

NYS Assemblywoman Helene Weinstein
Chair, NYS Assembly Task Force on Women's Issues

Women who were convicted and imprisoned in New York for killing abusive men in intimate relationships:

Veronica Talbot, Thea DuBow, Virginia Nepa, Luz Santana

WOMEN IN PRISON

"PLEASE, LISTEN TO US"

"For four years I was abused by my boyfriend. At that time, I thought it was love but it wasn't. I loved him and thought he loved me. But now I know that he had a serious problem with beating women. He had two wives before me but I never asked about why they left him. Until I found out for myself, I was scared to death of him. I didn't seek help because I was afraid of what he would have done to me. I kept things from my family but my friends knew what I was going through. I got fed up with him and then it was too late. I'm not a bad person but now I know what abuse is and it's not love. I'm sorry for taking my boyfriend's life.

I want to be released and let other women know that they can get help before it is too late."

* * * * *

"I feel that women who kill their abusers shouldn't be treated as harshly as we are by the system. The system says since we have used a weapon against our abuser, then our intentions were to kill them, not to protect ourselves.

I don't think the laws concerning women who are abused are fair. I have a right to keep anyone from seriously harming me or intending to kill me. Even though no documentation was noted of his abuse, it's still documented in my mind and on my body.

Why should I sit in prison because I tried to keep someone from doing me serious bodily injury or possibly even killing me? I know that drugs played an important part in my boyfriend's death, too. Since I've been here I have been receiving counseling for my addiction. What I didn't know about my addiction before I now have a better understanding of.

I know I need programs such as AA and NA. I can't do it by myself."

Two of the women currently at Bedford Hills Prison wished to share this with you.

Women In Prison: Other Voices

The reason for this explosive increase can be put in a single word: drugs. As city, state and federal governments have cracked down on the sale and use of narcotics, ever growing numbers of women have been caught in the dragnet.

"The View from Behind Bars"

Time, Fall 1990

"When a father goes to prison, it doesn't destroy the family as much as when a mother goes. When a woman does time, her entire family does time with her."

Sister Mary Nearnly,

"When Mom's Behind Bars"

Daily News, May 13, 1990

The search for love and acceptance leads many women to a life of dependency on men. They may work for pimps, are party to the crimes the men commit, react against abusive spouses or boyfriends, and through men very frequently have their first incident with drugs.

Sister Mary Nearnly, STEPS Program NYC

Many of these women have been sexually abused as youngsters. Many have a history of rejection and abandonment by families, schools, neighborhoods. They turn to feelings of worthlessness and hostility. It is then they become part of the revolving door of Rikers Island.

Sister Mary Nearnly, Public Hearing 4/90

"When men get arrested, they ask for a lawyer," says Brenda Smith, an attorney at the Women's Law Center in Washington, D.C. "When women get arrested they ask about their children."

Newsweek June 4, 1990

"Women In Jail: Unequal Justice"

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"If we are going to lock up these mothers, we have to take some responsibility for those children. They will certainly be our next generation of prisoners unless we pay attention now."

*Vocational Counselor, Huron Valley
Women's Facility, Ypsilanti, Michigan
Newsweek, June 4, 1990*

"Half of the kids locked up in juvenile facilities have had a parent in jail," Dr. Krisberg said. "The psychological effects are clearly devastating."

*"Maternal Bonds Behind Prison Bars"
NY Times Sunday, Sept. 23, 1990*

"Community placement -- whether on pre-adjudicated release or probation, in a residential program, or on parole can provide the level of structure and support needed by many female offenders. At the same time, community placement considerably reduces the cost burden to taxpayers. Programs that allow female offenders to be gainfully employed not only promote self-sufficiency; they enable the individual to make restitution and contribute to the correctional program."

*Journal
American Civil Liberties Union*

But it is clear that the overcrowded conditions and lack of rehabilitation programs doubly punish women -- and do little to advance the society's interest.

Newsweek, June 4, 1990

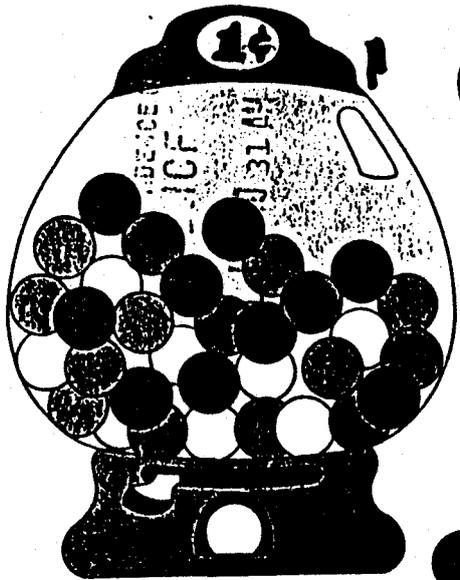
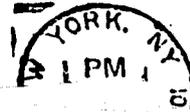
"But, instead the nation's prison system, much like the overburdened school systems, have become the social program of last resort, a catch all for society's neglected troubles. It's a very expensive way to deal with social problems, notes Elaine Lord, Superintendent at Bedford. And an ineffective one that breeds recidivism and new generations of jailbirds."

Time, Fall 1990

"What is needed, is nothing less than the action to remove from prison the large number of women, who, it is agreed, should not be there.

*"Women in the Penal System"
Reported by: Howard League for Penal Reform, London*

LETTERS FROM HOME

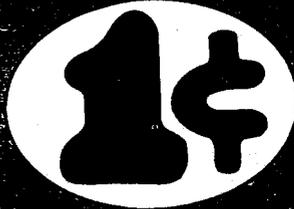


MS.

P.O. Box

BEDFORD HILLS, N. Y. 10507





1 | 24 | 83
DEAR MOMMY

I LOVE YOU VERY MUCH.

I PRAY EVERY NIGHT FOR YOU

TO COME HOME TO ME VERY SOON.

I MISS YOU VERY MUCH.

IT WAS GOOD TO VISIT YOU ON

SATURDAY. PLEASE TELL THOSE

MEN ON THE BOARD TO LET YOU

COME HOME TO ME

LOVE ALWAYS,
YOUR SON

MARK





I LOVE YOU

