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Intersectional Inequality and Women's Imprisonment

When most people think about prison, they think about men. And this makes sense: men make up over 90 percent of the prison population in the United States and in most countries around the world (Walmsley 2015). In 2014, women comprised just over 7 percent of the prison population, 112,961 of the 1,561,500 prisoners in the United States (Carson 2015). As Britton (2003) argues, prisons are deeply gendered organizations. We build on this insight to employ an intersectional analysis (Potter 2015; Joseph 2006) in describing the gendered harms embedded in the contemporary prison. In documenting women's experience with imprisonment, we argue that threats to safety are bound by multiple forms of inequality within the prison itself. Women's lived experiences while locked up, we assert, reflect the multiple and cumulative disadvantages that condition their pathways to prison and continue to shape their choices and chances in the total institution of the prison. In confronting these inequalities, women negotiate myriad challenges to their safety inside prison by developing forms of prison capital. This capital can protect women from the threats in the carceral environment, in their interaction with other prisoners, and from the staff employed to protect them. Learning how to do time, we find, is based on leveraging prison-based forms of capital that can protect women from the harms of imprisonment.[1]

1. While our data and our interest lie in articulating women's experience with imprisonment, the concept of prison capital is equally applicable to the exploration of violence

Multiple forms of inequality and disadvantage find direct expression in women's pathways to and within prison. While racial and class inequities constrain the life chances of many before they land in prison, understanding the experience of women requires a separate examination. In their examination of "gender-specific explanations of prison violence," Wooldredge and Steiner (2016, 12) find: "Although incarcerated men are disproportionately drawn from more impoverished populations, incarcerated women tend to be even more disadvantaged and face multiple deficits in social capital (inadequate job training, spotty employment histories, and economic marginalization)."

Our analysis builds on the intersectional inequalities that increase women's vulnerabilities to crime, violence, and imprisonment (Belknap 2015; Crenshaw 2012; Pollock 2014; Potter 2015). For women whose pathways lead them to prison, such disadvantages are replicated and often magnified inside prison, which, in turn, increases the threats to their already tenuous sense of safety and well-being. In addition to gendered disadvantage, our analysis introduces the notion of prison capital. We define *capital* as any type of resource, or access to a desired resource, that can keep a woman safe while she does her time. In addition to prison forms of social capital (who you know) and human capital (what you know), other specific expressions of cultural, emotional, and economic capital provide the foundation for the search for safety as women do their time. In the context of irrationality and inequality, women navigate these challenges embedded in prison life by marshalling their stores of prison capital. Women who develop and deploy their stocks of prison capital survive, and sometimes thrive, as they serve their prison sentences. Most can do their time safely by gaining economic capital, earning the cultural capital of respect and reputation, increasing emotional capital, and developing social capital through connections with nonthreatening and supportive prisoners and staff.

In documenting women's experiences with incarceration, we explore the ways these multiplicative and cumulative disadvantages create the

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and safety in men's prisons (de Almeida and Paes-Machado 2015). We support further study of the utility of the concept of prison capital across all carceral settings. While the term *gendered* often indicates a study of women, there is much utility in looking at the gendered experience of male prisoners as well. We encourage investigations of men's gendered pathways to and within prison, as in the work of Sabo, Kupers, and London (2001) on prison masculinities. In the same spirit, an emphasis on the human rights of all prisoners is warranted, as guided by the recent United Nations human rights instrument, the Mandela Rules (retrieved 10/9/2015, www.penalreform.org/wpcontent/uploads/2015/05/MANDELA-RULES.pdf).

context for gendered troubles, conflict, and violence within the framework of intersectional inequalities and constrained choice. Reframing the lives of incarcerated women's lives in terms of the gendered harms of imprisonment directs attention toward the consequences of structural inequities and away from individual pathologies as explanations of prison conflict and violence.

Threats to safety and well-being are embedded in the world of the prison. Standard operational practice can threaten women's well-being through "gender-neutral" policies. Material needs and desires, unmet in the scarcity of the official economy, feed economic conflict and the subterranean economy through illicit trafficking and trading. Drug use and other risky behaviors inside also contribute to these potentials for prison violence. Relationships among women prisoners and with staff contain the possibility of risk, conflict, and violence. Prison culture may require women to resort to forms of aggression to protect themselves and their reputations as they do their time.

Women's safety is further compromised by the many contradictions embedded in the contemporary prison. We demonstrate how prisons manufacture risk and sustain unsafe conditions, contradicting the stated mission of "care and custody" of their prisoners. Existing prison conditions, such as inadequate housing, untreated disease, minimal medical care, and inferior nutrition create a context of risk and threat to women's well-being. Aspects of operational practice, such as gender-neutral classification systems and lack of women-centered services (Van Voorhis 2005, 2012; Bloom, Owen, and Covington 2003, 2004), also undermine women's ability to live safely inside prison. We claim these harms are unnecessary and constitute gendered human rights violations when viewed through the lens of international human rights standards for the treatment of women in prison. The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (2010), or the Bangkok Rules, serve as international standards intended to relieve the iatrogenic damage of imprisonment and better prepare women to reenter their communities. The Bangkok Rules, and other international human rights instruments, however, have gained little traction in U.S. prisons. We return to the promise of the Bangkok Rules in our conclusion.

GENDER AND IMPRISONMENT

The concept "gender" is used here as a sociocultural category, as opposed to the biological concept "sex" (West and Zimmerman 1987;

Belknap 2015). In summarizing work on gender as process, Wesely (2012) shows that gender is a socially constructed identity through social, cultural and psychological accomplishment. Gender is thus organized and managed within social structures and institutions (West and Zimmerman 1987; Belknap 2015). Wesely (2012, 11) outlines the ways gender socialization and different expectations of gender identity are "inextricably linked to unequal levels of social value, prestige, or advantage" in patriarchal societies. In challenging the assumptions of the duality of the social construction of "female" and "male," Wesely ties these artificial dichotomies to the assumptions of a patriarchal culture in which girls and women are subordinated, oppressed, and seen as "less than" boys and men. We see gender as "an ongoing and contradictory historical and interactional process, not as an attribution of individuals" (Martin and Jurick 2007, 29).

The concept of intersectionality (Potter 2013, 2015; Crenshaw 2012; Joseph 2006) informs our work by underscoring the overlapping inequalities of race, class, gender, and sexual orientation and identity that underpin women's status in the free world. Women's prisons provide a stark example of these intersecting and hierarchical forms of discrimination against women, the poor, and communities of color. Richie frames this argument precisely.

> I cannot imagine a place where one might stand and have a clearer view of concentrated disadvantage based on racial, class and gender inequality in the country than from inside the walls of women's prisons. There, behind the razor wire fences, concrete barricade, steel doors, metal bars, and thick plexiglass windows, nearly all the manifestations of gender domination that feminist scholars and activists have traditionally concerned themselves with—exploited labor, inadequate healthcare, dangerous living conditions, physical violence, and sexual assault are revealed at once. That gender oppression is significantly furthered by racism and poverty is undeniable from this point of view. Women's correctional facilities constitute nearly perfect examples of the consequences of the multiple subjugation and the compounding impact of various stigmatized identities. The convergence of disadvantage, discrimination, and despair is staggering. In fact, it could be argued that prisons incarcerate a population of women who have experienced such a profound concentration of the most vicious forms of economic marginalization, institutionalized racism, and victimization that it can almost seem intentional or mundane. The pattern is clearly evident in almost every crowded visiting room, in every sparsely decorated cell, and in the stories of each woman held in degrading and dangerous conditions that characterize women's prisons and other correctional facilities in this country. (Richie 2004, 438)

THE CONCEPTUAL FRAME OF THIS BOOK

We draw on multiple, overlapping concepts to frame and present our data. The constructs of pathways, gender inequality, intersectionality, community, capital, prison culture, human rights, and state-sponsored suffering guide our analyses.

Expanding the Pathways Perspective

The story begins in women's pathways to prison. Deeply informed by feminist theory, the pathway perspective examines gendered experiences that lead women to prison. The pathways approach draws on life course and cycle of violence theories to trace, retrospectively, the paths traveled by justice-involved girls and women (Lynch et al. 2012; De Hart 2005; Belknap 2015; Pollock 2014). It focuses on the lived experiences of girls and women and their multiple marginality from conventional institutions, such as work, family, and school (Owen 1998), and the patterns of violence and victimization throughout their life course (Bloom, Owen, and Covington 2003; Pollock 2014; Belknap 2015). These pathways are often shaped by punitive policies toward women. Sharp (2014, xiii) locates the high incarceration rate of women in Oklahoma in the legal and social climate of "mean laws," arguing that "to truly understand why Oklahoma imprisons women at such a high rate, we must look beyond the women themselves." The mean laws that have propelled women into Oklahoma prisons illustrate the punitive nature of U.S. prison policies, with disadvantage, discrimination, and despair (Richie 2004) embodied in these pathways. As Enos (2012) and Sered and Norton-Hawk (2014) suggest, prisons have become the default system for managing marginalized people disadvantaged through intersectional inequalities.

The notion of agency is critical to understanding women's experience (Bosworth 1999; Batchelor 2005; Miller 2002). We offer the idea of *constrained choice* to describe the limited options available to many marginalized women and emphasize the cumulative disadvantage rooted in structural and historical forms of inequality that produce oppression, trauma and subsequent harm. We argue that the pathways and choices that bring women to prison continue to shape their lives inside.[2]

2. Nuytiens and Christiaens (2015) question the application of pathways theories to non-U.S. populations, given the societal differences between the United States and countries in other regions.

Gender Inequality

We also build on the definition of gender and gender equality offered by the United Nations in *Women and Imprisonment: The Handbook for Prison Managers and Policy-Makers:*

> Gender refers to social attributes and opportunities associated with being male and female, including socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence. Gender equality refers to the equal rights, responsibilities and opportunities of women and men, and implies that the interests, needs and priorities of both women and men are taken into consideration. (UNODC 2015, 12)

Gender inequality finds expression in all aspects of women's imprisonment. It is a critical component of their lives inside and out, a foundation for the punishment philosophy vis-à-vis women, and a significant source of threat within the prison community. Such inequality intersects with other identities and social positions, particularly those generated by racial, ethnic, and class oppression, reproducing disadvantage and harm in their prison lives. In or out of prison, women's experiences with interpersonal violence and victimization must be contextualized within the frame of structural disadvantage and intersectional inequality, rather than dismissed as individual pathologies. We reframe the discussion of women's pathway experiences into and inside prison through our understanding of intersectionality and structural inequality.

Intersectionality: Intersections of Inequality and Identity

We are guided by scholarship articulating the dimensions of intersectionality (Joseph 2006; Burgess-Proctor 2006; Crenshaw 2012; Chesney-Lind and Morash 2013; Potter 2015). Potter (2013, 305) offers this definition: "Intersectional criminology is a theoretical approach that necessitates a critical reflection on the interconnected identities and statuses of individuals and groups in relation to their experiences of crime, the social control of crime and any crime related issues." With roots in black legal scholarship (Crenshaw 2012), this approach establishes that women must be understood in terms of the multiplicative social effects of an individual's identity "and the social forces that generate crime and reactions to crime" (Potter 2013, 305). Potter draws on Richie's concept of gender entrapment to show how the linked stigmas of gender, race, and economic and social class are ampli-

fied by "being battered women, being criminals and being incarcerated women" (2013, 311). Salisbury and Van Voorhis extend this argument:

> Beyond the "triple jeopardy" many women offenders must face related to their race, class, and gender (Bloom, 1996), several unique experiences have been described by women offenders in narratives of their life experiences leading to continued recidivism. Among them are poverty-stricken backgrounds, lifelong traumatic and abusive events, serious mental illness with self-medicating behaviors as coping mechanisms, little social support, dysfunctional intimate relationships, and difficulty managing and providing for their dependent children. (2009, 542)

This notion of multiple stigmas and "oppressed and subordinated identities" (Potter 2013, 314) is central to our analyses. Understanding differences among women and critically analyzing the experiences of individuals based on their social positions is important to any study of women (Potter 2013, 316). As Georges-Abeyie (2015) further notes, communities of color should not be seen as an ethnic monolith. Women, too, must be understood in terms of their diversity, rather than heterogeneity. The intersectional paradigm unpacks the experience of women in prison by focusing on the multiplicative effects of these identities beyond a monolithic definition of gender. With real differences in women's lives mediated by social position, the additional subordinated status of "prisoner," "inmate," or "convict" adds another layer to women's oppressions and marginality as they do their time.

Potter's 2015 book, *Intersectionality and Criminology: Disrupting and Revolutionizing Studies of Crime,* extends the argument by saying that since "intersectionality is a practice of understanding and interrogating the role of identities, we must understand the social construction of major identities categorized within our societies" (8). For individuals "who hold multiple intertwined identities at the lowest end of the social hierarchy, discrimination, microaggressions, and bigotry are multiplied" (35). We argue these intersectionally informed experiences continue to shape pathways and disadvantage *inside* prison.

Chesney-Lind and Morash (2013, 292) agree that intersectionality is key to transformational feminist criminology, stating, "The feminist perspective calls attention to gender (and thus masculinity) as something that is enacted in the context of patriarchal privilege, class privilege, and racism." They remind us that feminist theory concerns gendered organizations of social control that are "clearly implicated in the enforcement of patriarchal privilege" (289). The prison, as the locus of

social control, reinforces and reproduces gender inequality and other forms of discrimination against women of color, those without capital, and those with non-normative sexual and other disdained identities.

Connecting the Free World and the Prison Communities

The idea of community influenced our work in several ways. Examining gendered inequality in the community structures of women's free world lives reveals the depth of struggle they experience prior to prison (Sered and Norton-Hawk 2014; Baskin and Sommers 1998). We were particularly influenced by the work of Sered and Norton-Hawk (2014) and Lipsitz (2012) as they emphasize the role of a spoiled medical status and housing insecurity in undermining women's safety in the free world community. Their work led us to consider how these factors contribute to safety inside prison.

Clemmer's critical work, *The Prison Community* (1958), frames our examination of the social worlds of the women's prison.[3] Clemmer's study was "intended as a compendium to cover the formal and informal organization of a conventional prison" (1958, xi). In his foreword to the 1958 edition, Donald Cressey (who worked with John Irwin in developing the importation theory a few years later) writes, "Although the premise is unstated, the book deals with the prison as a social microcosm in which the conditions and processes in the broader society are observed" (vii). This is precisely our argument: we can understand women's imprisonment by examining gender-conditioned inequality and other forms of cumulative disadvantage in the wider community.

After our research revealed to us that prison living units make up different neighborhoods, some more risky than others, we gained a deeper appreciation for the notion of prison as community. Women and prison staff told us that some housing units produced more conflict and violence while others were relatively safer. Women often made comparisons regarding the relative safety and inherent challenges of differ-

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3. The literature on the social organization of women's prison documents these gendered worlds. Representative studies are Bosworth 1999; Britton 2003; Carlen 1983; Chesney-Lind and Rodriquez 1983; De Hart 2005; Faith 1993; Feinman 1976; Fletcher, Shaver, and Moon 1993; Freedman 1981; Giallombardo 1966; Girshick 1999; Hartnagel and Gillan 1980; Heffernan 1972; Henriques 1995; Kruttschnitt and Gartner 2005; Mahan 1984; Moyer 1984; Owen 1998; Owen and Bloom 1995; Pollock 2002a; Rafter 1990; Rierden 1997; Ross and Fabiano 1986; Schneider 2014; Selling 1931; Sharp 2014; Watterson 1996; Young and Reviere 2006; Zaitzow and Thomas 2003.

ent living units. This insight guided us in our sampling strategy for the survey data in the second NIC study (Wells, Owen, and Parson 2013), where we attempted to measure perceptions of risk across these different prison neighborhoods.

Prison Culture and Prison Capital

Women do their time differently than men by constructing gendered social worlds through rules and requirements for living in prison. One version of prison subculture is known as "the mix" (Owen 1998), a set of norms that mediates women's behaviors inside. Women in the mix run the risk of troubled relationships, involvement in drugs, fights with other prisoners, "being messy," engaging in gossip, and generalized conflict. As we looked at our data on violence and safety, we realized the mix can be understood as one source of prison capital. As de Almeida and Paes-Machado (2015, 190) suggest, "In prison, this capital relates to the internalization of norms and rules that constitute . . . the prison's social order." We now see the mix as a cultural adaptation to the multiple forms of inequality in prison that provides guidelines for surviving, and sometimes thriving, while imprisoned. In the coming chapters, we describe the contradictory influence of the mix: it creates the potential for conflict and violence while also shielding women from some of the risks inherent in doing time. Prison capital is generated through this cultural context, contributing to conflict and violence as well as to striving and thriving in this community.

Salisbury and Van Voorhis (2009, 545) tell us that the social and human capital framework is essential to deciphering patterns of female offending behavior. As most women offenders come from backgrounds of limited social and human capital, these concepts also inform our analysis of women's lives inside, as we argue that prison capital is essential to safety. *Human capital* concerns an individual's personal resources, such as education, intelligence, psychological stability, resiliency, skills, and other abilities used to make their way in the world. *Social capital* involves relationships and connections with others, serving to improve an individual's resources by providing material and social support. These networks and systems of mutual aid connect an individual to desired resources in this world of intentional scarcity.

Women who lack capital in the free world are vulnerable to gender-based violence, subordinated relationships, economic discrimination, and other forms of disadvantage. Giordano et al. (2002), Holtfreter,

Reisig, and Morash (2004), Reisig, Holtfreter, and Morash (2002), and Salisbury and Van Voorhis (2009) collectively conclude that improving the social and human capital of women offenders improves their chances of desisting from criminal behavior in the community. In contextualizing conflict and violence in women's prisons, we realized these concepts connect directly to women's search for safety inside in explicating the role of prison capital in creating safety while locked up. In addition to the forms of human and social capital, our analyses of safety include forms of emotional, cultural, sexual, and material capital as they play out in the prison community.

Sexuality and Sexualization

Sexuality and sexualization are key gendered differences in the lives of women and men in most societies. We note here the restrictions of the gender binary and the importance of acknowledging the fluidity of sexuality, sexual identity, and other forms of gender expression. Covington (2008, 210) offers this definition of sexuality: "Sexuality is much more than sexual behavior. It is an identification, a biological drive, an orientation, and an outlook. Sexuality is physical, emotional, psychological, and spiritual." Healthy adult sexuality integrates these components into identities and ways of living and includes perceptions of self and others. In contrast to healthy adult sexuality, many girls and young women are sexualized into destructive sexual behaviors and identities.

The term *sexualization,* used in this context, denotes a "central aspect of gender socialization and 'emphasized embodiment' for girls" (Wesely 2012, 14). In contrast to healthy sexuality, sexualization entails sexual objectification and narrow definitions of value, self, and desirability often imposed on an individual (Wesely 2012, 14). Although much of this sexualization comes about through individual experiences with abusive or violent sexual behavior, women are exposed to public sexualization by the "pornified" definitions of female sexuality and attractiveness embedded in the patriarchal social structure (Wesely 2012; Chesney-Lind and Irwin 2008). Wesely's concept of the continuum of sexualization (2012) captures the range of sexual socialization, from typical or healthy development to damaging and extreme abuse and violence experienced by girls and women. Richie (2012) provides additional insight in describing the multiplicative harm of the overtly sexualized image of black women in American culture and its connection to violence against them in the free world.

For women in prison, both the individual experience of abuse and the structural contexts of objectification contribute to cumulative disadvantage. In their lives in the community and in prison, sexuality can be commodified as sexual capital. Trading sex for money, drugs, or other resources is a common option for women who are undercapitalized in the community (Wesely 2006). This survival option is present in their prison lives. Both staff sexual misconduct and intimate partner violence are tied to this gendered form of capital. Smith (2006) points to the need to rethink prison sex, making the connection between healthy sexual expression and safety behind bars. Controlling women's sexuality leads to controlling women's bodies (Bagley and Merlo 1995), a key feature of carceral spaces.

Many women and men enmeshed in the criminal system are further disadvantaged by a nonconforming gender identity (Smith and Yarussi 2015). Gender identity, gender expression, and sexual orientation introduce additional intersectional elements in the lives of those not conventionally gendered. Controlling sex and sexuality is damaging for all women, but the evidence shows that gender-variant persons experience additional threats to their safety inside. As Stohr (2015, 127) argues, "Because of the historical rigidity around gender issues and a basic lack of concern for those on the societal margins because of their gender identity, transgender women and men have existed in what must at times seem like a war zone in which they are the perpetual target of scorn, harassment and assault."

Human Rights in Prison

The Universal Declaration of Human Rights (UDHR), adopted by the United Nations General Assembly in 1948, is the foundation of the human rights approach, enshrining the rights of humankind around the world. It promotes and encourages respect for human rights and fundamental freedoms for all (Office of the High Commissioner for Human Rights 2012, 3). Grounded in the fundamental principle of nondiscrimination of any kind, Article 1 of the UDHR sets the stage by introducing the principles of dignity, justice, and equality. Although not a legally binding document, the Declaration has moral weight and is the basis for several human rights instruments relevant to prisons and jails that we review in chapter 7. The Declaration, through specific articles, outlines the human rights relevant to prison settings: the right to physical security; freedom from torture and other cruel and unusual punishments;

equal protection under the law; and a community standard of living, including food, clothing, medical care, and social services. In applying these moral principles to carceral settings, the 2004 Commissioner on Human Rights highlighted "the need for special vigilance with regard to the specific situation of children, juveniles, and women in the administration of justice, particularly while deprived of their liberty and their vulnerability to various forms of violence, abuse, injustice and humiliation" (United Nations 2015, 42). The Bangkok Rules provides this special vigilance and informs our perspective.

HOW DO WE KNOW? MIXED METHODS AS FEMINIST METHODS

Mixed methods combines the strengths of quantitative and qualitative methods while minimizing the weaknesses of each (Brent and Kraska 2010; Jenness 2010). Burgess-Proctor (2006) notes that mixed methods provide the best approach to explicating intersectionality and other feminist concerns. We follow this approach in foregrounding the experience of women through interviews and surveys measuring their perceptions of danger and safety. In documenting women's experience with "disadvantage, discrimination, and despair" (Richie 2004, 438), we draw on data we collected over the course of ten years in three funded studies of women's prisons and jails (Owen and Wells 2005; Owen and Moss 2009; Owen et al. 2008; Wells, Owen, and Parson 2013).[4] In these overlapping studies, we interviewed over 150 imprisoned women and dozens of staff through open-ended focus groups, asking them to describe their experiences and perceptions of violence and safety in women's prisons. From the thick description (Geertz 1983) generated by these interviews, we developed a survey instrument to measure women's perceptions of safety and violence, validating the questionnaire with over four thousand women around the country. Our work was supported by the National Institute of Corrections and the National Institute of Justice. Details of our methodologies are found in appendix 1.

The Prison Rape Elimination Act (PREA) of 2003 provides the framework and funding for collecting descriptive data, improving policy and practice, and developing standards surrounding sexual violence in all correctional facilities in the United States. The act recognizes that gender differences between female and male inmates require specific

4. A critique of our approach can be found in Buchanan 2012.

attention to female facilities (Moss 2007). Our technical reports provide an in-depth description of our findings, with a focus on improving sexual safety for confined women (Owen and Wells 2005; Owen et al. 2008; Wells, Owen, and Parson 2013). These studies are summarized below.

Staff Perspectives: Sexual Violence in Adult Jails and Prisons

Our first study of prison sexual violence was conducted between 2004 and 2006 through interviews with correctional staff at national correctional conferences and, in the second phase, in twelve jail and prison facilities that housed women and men (Owen and Wells 2005; Owen and Moss 2009). Using open-ended questions, this study collected staff perspectives on the dynamics of sexual assault, staff knowledge of training and procedures, problems and successes in responding to sexual violence, and recommendations for improving this response in both women's and men's facilities. Owen and Moss (2009) found staff perspectives on sexual safety for women differed greatly from staff views in men's prisons. Such gendered differences included more discussion of the relational context of women's prisons and its influence on the complexity of sexual relations, touching, and other physical closeness. Some staff noted that women's histories of abuse and trauma influenced same-sex behavior while incarcerated (Owen and Moss 2009).

Gendered Violence and Safety: A Contextual Approach to Improving Safety in Women's Facilities

Following the *Staff Perspectives* study, we were funded by the NIJ to collect qualitative and quantitative data on the context of sexual violence in women's facilities (Owen et al. 2008). Between 2006 and 2008, we conducted over forty focus groups with imprisoned women and correctional staff in four states. The majority (twenty-seven) of the focus groups were conducted with women prisoners: twenty-one groups with women in prison and six groups with women in jail. The focus groups with prisoners were conducted in two sessions, resulting in four-hour interviews with each group.

We were particularly concerned about protecting our participants. Being sensitive to the possibility that the subject matter and the group setting would cause distress to the imprisoned women, we reviewed our protocol with a victimologist, asked women about the best way to

protect them during the study in the pretest, and provided specific information on counseling for such concerns at each site. We also told women about the possibility of an individual interview with project staff should they feel more comfortable speaking in private. Very few women asked for these accommodations. Our methodology for this study is found in appendix 1.

While much contemporary scholarship on the correctional world relies on deductive survey research or secondary analysis of administrative data, the NIJ study began with an inductive, in-depth, qualitative investigation. We used focus groups to ask about the participants' knowledge of violence and danger in these correctional worlds. The focus group interviews began with four basic questions:

What do you know about violence or danger in this facility?

How do women currently protect themselves from violence in this facility?

What are some things that can be done here to protect women from danger and violence?

What else should we know about violence and danger here?

Our conclusion was based on our original hypothesis: Sexual violence is embedded in a broader, gendered context of violence and safety. Like all aspects of incarceration, violence in women's correctional facilities is markedly gendered and nested in a constellation of overlapping individual, relational, institutional, and societal factors. Violence, we found, is not a dominant aspect of everyday life but continuously exists as a potential, shaped by time, place, prison culture, interpersonal relationships, and staff actions. Ongoing tensions and conflicts, lack of economic opportunity, and few therapeutic options to address past victimization or to treat destructive relationship patterns—all contribute to the potential for violence in women's facilities. However, our findings did not suggest that women's jails and prisons are increasingly dangerous. While some patterns that shape vulnerability and aggression exist in any facility, most women learn how to protect themselves and do their time safely. We also found that most staff and managers are committed to maintaining a safe environment (Owen et al. 2008).

As part of the NIJ project, we also conducted a content analysis of letters sent to Just Detention International (formerly known as Stop Prison Rape). This organization generously allowed us to review and code over fifty letters they had received concerning women's experiences

with sexual assault. Chapter 6 reviews these findings, and appendix 1 describes the data collection effort.

The Development and Validation of the Women's Correctional Safety Scales (WCSS)

Building on the focus group data collected in the NIJ project described above, we constructed a lengthy battery of instruments and beta tested it on almost nine hundred participants as part of the *Gendered Violence and Safety* study. The NIC then provided funding to develop, refine, shorten, and validate the Women's Correctional Safety Scales (WCSS), a comprehensive battery of instruments to assess prisoner perceptions of safety and violence in women's facilities. The survey was validated with data from over four thousand women prisoners in fifteen geographically dispersed federal, state, county, and private correctional facilities. In this survey, we measured the nature and levels of concerns imprisoned women have about all forms of violence in their prison lives (Wells, Owen, and Parson 2013). We draw on these survey data throughout the book. Appendix 1 contains details on our methodology and sampling approach; appendix 2 presents tables of findings.

A Note on the Sources of Narrative Data

All quotes and comments from women and staff were drawn from typed transcripts of the focus group interviews and written comments from all three studies. Many of the segments included here were also used in the technical reports. We introduce these narratives with randomly selected names to capture the vitality and diversity of the women who were kind enough to share their experience with us.

SO WHAT DOES THIS MEAN?

While the funded projects were designed to describe women's experiences and perceptions of sexual violence and safety, a second look suggested another story embedded in our data. We realized we had missed some vital components of safety and violence in our earlier studies of incarcerated women (Owen 1998; Pollock 2002). For example, Owen's description of the "mix" captured elements of prison subculture for women but did not fully explore the dynamics of conflict and violence in any depth. In our previous work, we argued that women's prisons

and jails were less violent than male settings. This remains true: when viewed through a male lens, women's prisons and jails are indeed safer. Women in prison tend not to engage in the physical and sexual hyper-masculine violence observed in male prisons.

However, a deeper look at women's prison experiences from a gendered standpoint reveals more complex forms of conflict, danger, risk, and violence. Wooldredge and Steiner (2016, 211) suggest that gender differences in background factors of imprisoned women and men may be "more relevant than confinement factors for predicting victimization risk among women." We argue that women's background factors, articulated in the pathways perspective, shape women's responses to imprisonment, with the harms and threats embedded in the prison further reflecting the continuous cumulative disadvantage of their lives inside. In this book, we dig into our original data to describe a broader view of women's lives while imprisoned and focus on how the key elements of prison community, culture, capital, and conditions combine with pre-prison experiences to shape how women navigate this risky environment.

Women living in prison confront myriad harms throughout their incarceration, some through interactions with members of this locked world, others through prison conditions and policies. As we reexamined our data across all three studies, we realized a better understanding of inequality experienced by women in the free world and in the prison community was critical to a sharper analysis. While the gendered harm of women's prisons (Owen 2005) has been documented, here we take a more structural approach to understanding the context of risks to safety and the gendered strategies women use as they search for safety in the irrational world of the contemporary prison.

THE PLAN FOR THIS BOOK

This book has several overlapping goals. In addition to witnessing and documenting women's experience with imprisonment, we offer a new analysis of the contemporary prison by reframing the questions of trouble and violence as a further expression of broader societal inequalities and human rights violations. Combining this more structural critique with a human rights approach to imprisonment expands our understanding beyond individualized and pathology-based explanations.

Chapter 2 describes women's pathways to incarceration, focusing on the impact of intersectional inequalities in women's lives in the free world. We offer an expansion of pathways that emphasizes intersec-

tional inequities and the historical and structural trauma that propel them into prison. This focus on cumulative and structural disadvantage moves beyond an individualized and blaming explanation of women's crimes in setting out the context of constrained choice.

Chapter 3 examines prison conditions and elements of the prison community that contribute to women's fears over safety while confined. Conditions of material scarcity, substandard living quarters, and few program and treatment resources are exacerbated by the crowding that characterizes contemporary corrections. In the early days of our interviews, we were surprised to hear that concerns about cleanliness, disease, and medical care were described as primary threats to safety. As we learned more, we came to understand how deleterious prison conditions represent a serious challenge to women's well-being. The physical plant, operational practices, availability of programs and medical and mental health services, housing configurations, classification, and staffing patterns all contribute to women's perceptions of safety and danger. Crowding, a feature of all contemporary prisons, aggravates the injurious impact of these minimal living conditions as they combine to create tension and conflict.

In chapter 4, we explore how women's prison culture reflects and responds to gendered inequalities. Prison culture mediates these inequities by mapping cultural routes to survival and safety while at the same time creating the potential for risk and danger. Inequality within prison—between prison staff and women prisoners and among confined women—is expressed in relations among all members of this community. This chapter also outlines the strategies and tactics women deploy in their search for safety. Even in the face of risk and trouble, women learn how to protect themselves from the obvious and subtle threats to safety and well-being. The search for safety is embedded in prison capital, which enables a woman to withstand material, social, psychological, and physical threats. Women learn how to protect themselves from all forms violence by managing situations and relationships that harm them. In some circumstances, women must resort to threats and push back verbally or physically. Some of these strategies involve rule-breaking behavior and dealing in prison contraband. These gendered strategies for navigating forms of violence and conflict specific to women's incarceration can prevail over the gendered inequality that jeopardizes their search for safety.

Chapter 5 explores the impact of inequality on women's imprisonment as it creates and sustains conflict. Individualized vulnerabilities

and levels of prison capital combine to create this gendered context of trouble. This chapter provides a detailed description of the forms of gendered violence we did not sufficiently explore in our previous work. Troubled relationships reflect the overlapping pathways of childhood abuse and subsequent trauma, relationship dysfunction, and deficits in all forms of human and social capital as outlined by the pathway theorists Salisbury and Van Voorhis (2009). Much of the violence in prison is embedded in these conflicted relationships in the form of interpersonal or domestic violence.

Chapter 6 expands on the consequences of the obvious inequality between correctional worker and prisoner. Much of this inequality is routinely expressed in disrespectful and derogatory comments made by staff about women prisoners. We draw on our narrative and survey data to describe how staff sexual misconduct, and physical violence are relatively rare but are a serious concern in the women's prison community. The problem of staff sexual misconduct is not one of magnitude, as our surveys and Bureau of Justice Statistics data demonstrate (Beck, Harrison, and Guerino 2010; Beck et al. 2013). Rather, the fact that *any* number of staff employed to provide care and custody of women prisoners harm women through sexual actions should be troubling to us all.

In the closing chapter, we suggest that women's prisons, because they are unsafe, have become the site of state-sponsored suffering in reproducing and reinforcing multiple forms of inequality through the gendered harm of imprisonment. We argue that women's prisons harm women and their life chances in unnecessary ways. There is no doubt that all imprisoned people suffer by confinement. We have determined, however, that the overt gender discrimination in the wider society and within the prison adds another punishing layer to the gendered cumulative disadvantage faced by justice-involved women. A focus on human rights reframes the discussion and directs attention to both reducing women's imprisonment through noncustodial measures and incorporating a human rights approach based on respect, dignity, and nondiscrimination in the prison. The promise of the Bangkok Rules and other human rights instruments provide the way forward.