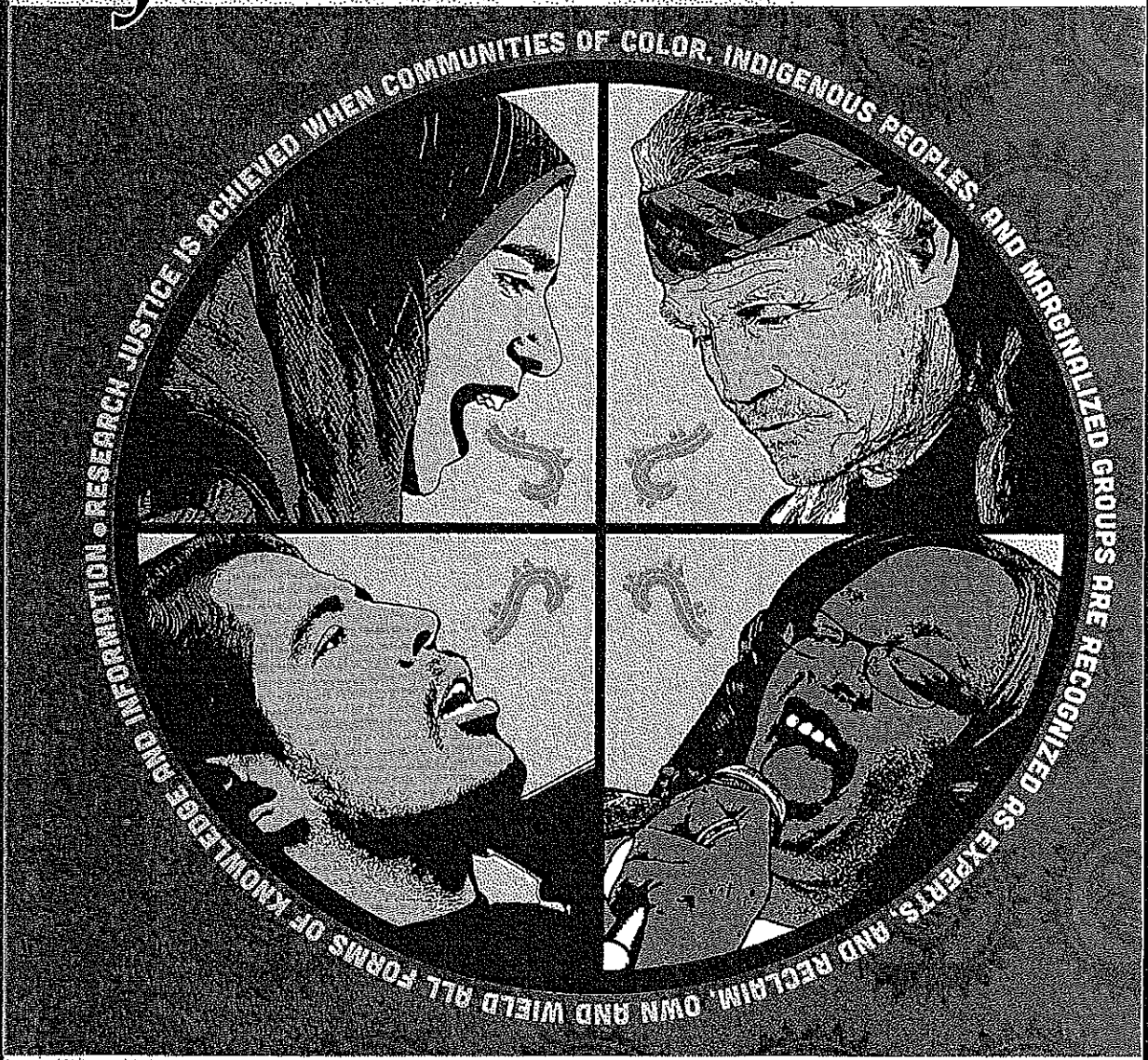
Research Justice

METHODOLOGIES FOR SOCIAL CHANGE



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EIGHT

Formerly incarcerated women: Returning home to family and community

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Seven years ago I began a study of formerly incarcerated women, and two years ago I completed a documentary on the topic, titled *When will the punishment end?*[1] This paper examines the experiences of the women in my study upon their release from prison, the entities that support their efforts to rebuild their lives, along with the barriers that impede such efforts.

After presenting background information on formerly incarcerated women and the literature, and my date collecting methods, I focus on women's experiences when they are first released and their need to find safe shelter. I examine addiction and the factors that lead to incarceration and present the issues surrounding recovery, family reunification, and the search for employment and housing. I further discuss the women who are activists and the issues important to them. I conclude with an analysis of the 'larger' problems and a critique of current policies and attitudes toward the formerly incarcerated.

My research on formerly incarcerated women rebuilding their lives is significant for a number of reasons. Methodologically, by applying feminist ethnographic methods, such as personal oral narratives, in my research and in the documentary, I have created an avenue by which there exists a direct link/connection between the women and the readers/viewers; a relationship built on the principles of Research Justice, and community solidarity and movement building as an intervention strategy (Collins, 1990; White, 2008). The second significance of this chapter is that my focus on women will underscore the particular issues women and their families face as result of their incarceration, largely for non-violent, drug-related offenses. Third, I examine possible causes for recidivism. My writings, along with my documentary, add to the limited yet important literature on women who have come out of prison, that critical period where they can stay out of or return to prison, and the decisive factors that lead in either direction. Lastly, highlighting these sources of the problem will hopefully encourage discussions of new policies and attitudes that facilitate, rather than hinder, women's re-entry to society.

[1] My documentary is available for viewing through the website: www.whenwillpunishementend.net.

Official statistics indicate that, while 5% of the world's population reside in the U.S., nearly 25% of the world's 10.1 million prisoners are incarcerated here. That translates to 2.29 million prisoners in the U.S., which amounts to 743 incarcerated per 100,000 population (World Prison Brief Online, 2011). The increase in the number of women serving time since 1980 is alarming. From 1980 to 2002 the number of incarcerated women increased eight-fold, from 12,300 to 105,000 (Sentencing Project, 2003). Of particular significance is the disproportionate number of African American women in prisons and jails, who comprise 46% of the nationwide prison population, while European American women comprise 36% (National Women's Law Center & Chicago Legal Aid to Incarcerated Mothers, 2007).

In the state of California, 'the number of women in the prison population has increased fivefold since the early 1980s, 65% of whom are sentenced for non-violent property and drug crimes' (California Department of Corrections and Rehabilitation, 2005). Although African Americans comprise only 6.2% of California's population, they account for 28% of the state's incarcerated women. The Latina prison population runs close to their state population at around 30–35% (California Department of Corrections and Rehabilitation, 2011; U.S. Census Bureau, 2011).

The increase in the prison population, particularly among women, is directly linked to the influx of drugs into their neighborhoods and the Get Tough on Crime agenda rolled out by politicians since the mid-1970s.[2] A quarter of all U.S. prisoners are drug violators with non-violent crimes (California Senate Bill No. 617, 2005), and more than half of the 100,000-plus women in prison across the country are serving sentences for non-violent drug-related crimes (Levi and Waldman, 2011).

Scholars in the field have found that both the overall spike in the population of the prison-industrial complex, and the racial and class imbalance therein, cannot be understood apart from the 'war on drugs' that greatly facilitated this increase (Mauer & King, 2007; Alexander, 2010). Coincidentally, the influx of crack cocaine into poor and inner-city neighborhoods occurred as deindustrialization wiped out hundreds of factories and businesses along with hundreds of thousands of working-class jobs beginning in the late 1970s.

A major difference between when a woman goes to prison, versus when a man goes to prison, is the increased likelihood of a family falling apart when the mother is imprisoned. When a man goes to prison the mother of his children frequently keeps the family together. However, when a woman goes to prison, either she is a single mother or, if a man is in the home, he often makes a precipitate departure, thereby leaving the children in someone else's care. The children of a woman who goes to prison are either sent to live with a family member (if that individual is financially able and does not possess a felony record) or to foster

[2] With the Nixon administration, and accelerated in the Reagan and subsequent administrations.

care where siblings may be separated. Moreover, women are often incarcerated at a considerable distance from their families' residence. Visiting a mother in prison is therefore often not an option for children, thus creating a physical gulf between them for considerable lengths of time. In short, one significant difference between the incarceration of a woman and a man is that, in the former case, the family often falls apart and the children experience trauma and loss as result of that separation,

Methods

For this chapter, I relied on the raw material I collected between 2005 and 2009, which was also utilized to make the aforementioned documentary. This material includes the initial 17 audio interviews, the 55 hours of film footage plus my extensive notes written throughout the years of my study. Participants for my research were selected largely through Dr. Marilyn Montenegro (who has provided social work services for women in prison and women leaving prison for more than 20 years) and the project directors of three sober living homes for women: Susan Burton at A New Way of Life in Watts; Kim Carter at Time for Change in San Bernardino; and Monica Stel at Harbour Area Halfway Houses in Long Beach; as well as through Shirley Torres at Homeboy Industries/Homegirl Café.[3]

The literature

Excellent research has been conducted on the causes and consequences of mass incarceration of poor people and people of color. Included is the decisive book *The new Jim Crow* by civil rights advocate Michelle Alexander (2010), who lays out the details of the U.S. system maintaining a 'permanent second-class citizenship' through massive incarceration. Physician Gabor Mate (2008) writes convincingly and movingly about addictions, incorporating the fields of medicine, developmental neurobiology, social sciences, and history. Reports by governmental offices, foundations and institutes have additionally contributed to our understanding of the purpose and consequences of the incarcerating of people from poor and 'minority' communities (for example, Children's Defense Fund, 2007; National Women's Law Center & Chicago Legal Aid to Incarcerated Mothers, 2007).

Notwithstanding the outstanding contributions by these and other scholars, the research topic on which I have concentrated my research focuses on the challenges women in particular face in their transition from prison back into

[3] I was drawn to the topic by my involvement with Community Coalition for Substance Abuse Prevention and Treatment, which had been working with South Los Angeles service providers in assisting community members returning from prison in search of employment, housing, and drug treatment programs, and hoping to regain custody of their children.

their communities. Among the most prolific, if not the leading, experts on women leaving prison is Patricia O'Brien. In her extensive work, conducted largely in the Midwest on formerly incarcerated women—at times in concert with colleagues—O'Brien notes the limited research on this subject. My research parallels Patricia O'Brien's in that we both address questions related to women leaving prison, rebuilding their lives, reconnecting to family members and children, and 'how ... parole or supervision processes affect women's ability to renegotiate their reentry after incarceration' (O'Brien, 2001: xi). We both reflect upon and listen to the women regarding what they need to rebuild their lives. Applying a feminist methodological approach, she, as do I, relies largely on the voices of the women themselves as the main source of her data collecting. In her work, O'Brien presents her concept, 'empowerment framework,' which refers to the 'external' socio-economic resources surrounding the women, along with the 'internal' resources within the women themselves, that they marshal together to rebuild their lives (O'Brien, 2001: Ch. 5). Other important contributors to the field are Keta Miranda and Juanita Díaz-Cotto, who specifically studied Chicana/Latina experiences with the criminal justice system, and Kim Carter[4] (along with Disep Ojukwau and Lance Miller), who conducted extensive research among women in prison and those released, on topics such as education, employment, finances, and access to health services.

Upon release from prison

For all the people who are imprisoned, the majority are eventually released (Travis, 2005). What happens to women who are released from prison? How do they re-enter society? What helps them stay out? What are the barriers to their re-entry?

As Susan Burton, founder and Executive Director of A New Way of Life states, "Being released from prison holds a lot of anxiety ... You have just been given back all your choices, in a split second from having no choices to having a lot of choices." Women leave prison theoretically with 200 dollars' 'gate' money, but often have to pay the prison for the clothes they wear when they leave, and if no one picks them up at the prison gate, they pay for their transportation to their destination.

A typical scenario among the women in my study is that they board the bus to downtown Los Angeles, and arrive at the bus depot adjacent to skid row, where they are surrounded by drugs, drug dealers, and pimps, who can readily identify women fresh out of prison, wearing the standard prison clothing and carrying a box or bag. So, the women's chances of getting caught in the web of drugs and abuse in those trouble spots on the way to their destination are high and they

[4] Kim Carter was also instrumental in my own research, allowing me access to her halfway homes for women, Time for Change Foundation in San Bernardino, California.

risk the chance of running out of money, becoming homeless and strung out if they do not leave these danger zones quickly.

Because it is standard practice for documents to be destroyed by jail personnel after a prescribed period of time, the women leave prison without identification (for example, California driver's license or social security). So when a woman is released, she needs to obtain some form of personal identification. Now if a woman does not have a place to stay because she got caught in the web of one of the danger zones, such as the bus depot surroundings mentioned above, and because she may not have family or friends on whom she can rely, then she is homeless. If a woman becomes homeless, she cannot get her ID because she does not have an address. This set of developments is one of the first obstacles to a woman's successful re-entry. This perpetual cycling of people back to prison has been called a 'closed circuit of perpetual marginality' (Wacquant, 2000).

The perils a woman encounters upon release from prison make finding safe shelter immediately absolutely crucial. Monica Stel, Executive Director of Harbour Areas Halfway Houses, relays a story of a woman who, upon release from prison, did not have a ride home: 'the only person she knew that she could call was the pimp. He paid for the cab for her to get from jail to Long Beach and she spent 3 days doing services to pay for the cab. By the time she was done with that she was so loaded she couldn't get out of the addiction, and she was off ... in prison now doing another term.' Precisely because many women cannot rely on friends or family members, they often turn to those who draw them back in to the life that led them into trouble. Unfortunately, the system and government officials (such as parole officers) that still have jurisdiction over them do not help the women find housing.

For those women fortunate enough to not end up on the streets, there are recovery or sober living homes. Regrettably, too many of these recovery shelters serve to merely warehouse the women and minimally assist them in their attempts to rebuild their lives. In my research, I encountered three among the few actually helpful recovery homes.[5] Because women convicted of drug felonies are banned from services such as Section 8 housing (according to U.S. Department of Housing and Urban Development guidelines), many welfare services, CalWorks benefits, and federal subsidies such as college loans, these recovery homes provide crucially needed transitional shelter and supportive services such as regaining custody of children, parenting classes, drug and alcohol programs, life skills training, job placement, medical referrals, and counseling (Allard, 2002; interview, M. Stel, June 29, 2007; interview, K. Carter, March 17, 2008). Evidence suggests therefore that if women do not find this transitional space immediately upon their release, and if they do not receive the services they need, then the cycle of addiction and incarceration is virtually inevitable.

[5] As mentioned above, the three are Harbour Areas Halfway Houses (Long Beach), A New Way of Life (Watts in South Los Angeles), and Time for Change (San Bernardino).

How do women become addicted, and why?

This problem has been extensively studied and written about (Swartz, O'Brien and Lurigio, 2001; Díaz-Cotto, 2006: 31–52; Mate, 2008). The findings in my research are similar to the findings among these scholars. A major indicator is childhood sexual abuse. Up to 95% of incarcerated women who have come through the doors of the transitions homes in my study have been sexually abused as children. Along with this are physical and psychological abuses that continue into adulthood, where some women are drawn into abusive relationships with partners who exploit them, beat them, pimp them, and so on. In addition are issues such as racism, classism, sexism, and homophobia. Classism is a big factor. Women from poor and working-class communities do not have access to counseling that may assist them in addressing, in a healthy and healing way, the abuse and violence they have experienced. When traumas from the abuses are repressed or ignored, healing does not take place, and the pain is ameliorated by drugs, alcohol and other forms of anesthetizing, readily available in their neighborhoods. Not addressing these deeper issues related to drug addiction is one more reason the cycle continues.

Returning to family and children

Reuniting with children is particularly urgent for some women and yet it remains a loaded and emotionally charged issue. In cases where the children have been raised by relatives who allow and give space for the reconciliation to take place, the focus is on whether a woman has the wherewithal to support herself and her children. Can she find employment? What entity will financially assist her? Is she eligible for schooling and training? Is she eligible for SSI (Supplemental Security Income)—that is, are there mental or physical reasons she cannot find employment? Can she receive public assistance? As established above, she is ineligible for Section 8 housing as a result of her felony, so in the Los Angeles area this essentially means she is unable to obtain affordable housing. And while her children may be eligible for various welfare benefits, she is not eligible because of her felony record.

Aside from the concrete physical needs of her children, a woman is often faced with the psychological and emotional consequences of her separation from them. The children may be angry with their mother for abandoning them, for finding drugs more important than them, and they may be more attached to their caregivers or, on the other hand, resentful because they have been abused or treated badly by a relative-caretaker.

While a large number of the children of women sent to prison are cared for by family members, 10% of children who lose their parents through incarceration become themselves wards of the state, housed in foster homes and agencies (Little Hoover Institute, 2004; Carter, Ojukwu and Miller, 2006). In 2003 there were 97,261 children in foster care in California (Children's Defense Fund, 2007). Obtaining custody of one's children becomes exponentially more complicated

when the children are in the foster system. A woman must show that she is able to care for her children and has a safe place for them to live, which is difficult to accomplish given the limited access she has to services and resources. Consequently, if her children have been placed in foster care, a mother released from prison needs to move quickly to regain custody of her children before her time runs out and her children become adopted. What unfortunately takes place is that, while the mother attempts to regain custody of her children, they live in uncertain and often unfriendly environments.

Reunification with the family is often fraught with the very history that led to a woman's fall into despair and addiction, and eventual incarceration. Family members in turn are tired of the cycle of addiction and incarceration, and the broken promises of recovery. Family members have also been the victims of their loved ones' addictions, experiencing the theft of their possessions and having drugs brought to their homes. On the other hand, they are often the causes of their children's or spouses' addictions. They may have been the abusers or allowed the abuse to take place. They themselves could also have been victims of abuse as children, and are holding on to unresolved pain and fears. Often most family situations are a combination of both scenarios, where the families are factors in the addictions as well as the victims of the addicts' misdeeds.

Employment

Clearly a criminal record is a barrier to women's attempts to finding gainful employment. Conservative statistics indicate that only four out of ten formerly incarcerated women find employment in the 'regular labor market' within the first year of release (Women's Prison Association). In one study conducted in San Bernardino, California,[6] 81.6% of recently released women had not been employed full-time in more than a year (Carter et al., 2006: 43). Without jobs, how will they be able to support their families, pay rent and their bills, and become productive members of their communities and society? According to Kim Carter, founder and Executive Director of Time for Change Foundation, "if a person cannot find a job, cannot find housing, then there is nothing tangible to connect her back to the community."

There are numerous barriers to employment, including lack of education and training. However, most experts in the field agree that employers' systematic exclusion of anyone with a felony record is the major barrier to their access to gainful employment (Employers Group Research Services, 2002; Legal Action Center, 2004). Kim Carter's study found that the one thing formerly incarcerated people would change, as they rebuild their lives, would be the elimination of the 'Have you ever been convicted of a felony?' box on employment applications. If they did not have to check that box the respondents in her research study strongly

[6] San Bernardino is located 30 minutes east of Los Angeles.

believed that they would have a fair and reasonable chance to start again, to secure employment, and become productive members of society (Carter et al., 2006; interview, K. Carter, March 17, 2008).

In my conversations with the women in my study, I heard of numerous thwarted attempts to find employment. Michelle, for instance, applied for 45 jobs within the course of a two-month period, to no avail. On her 46th attempt, she 'lied' on the application and checked 'No' on the box. Interestingly, she received a call from that 46th employer requesting an interview. There Michelle admitted having lied on her application. However, upon hearing of her felonies, the employer stated that these had nothing to do with the job for which she was applying, but admitted that had Michelle checked the box, she, the employer, would not have called her back for an interview (interview, M. Freeman, March 17, 2008).

Variations of this story include Maribel's. After months of frustration and a disappointing search for work, Maribel found only two potential employers: one where she was honest with the coffee shop manager, who advised her not to check the box because her superiors would not hire 'ex felons'; Maribel lied in applying for the other position, and the employer did not conduct a background check and hired her.

It is increasingly clear that formerly incarcerated women have a difficult time securing employment. Many suspect that checking the box plays a major role in an employer's decision as to whether or not to hire formerly incarcerated applicants. What are their options if society does not consider hiring these women, irrespective of their and their families' needs? This is an important question to raise in light of the high recidivism rates throughout the U.S.[7]

Those who become activists

What leads to activism? The majority of formerly incarcerated women do not become activists but, for those who do, their reasons are closely linked to their purpose and meaning in life. Susan Burton became an activist once she understood the devastating consequences the 'larger picture' had on formerly incarcerated women and their families. She 'reconnected' with her voice, and "found ways and avenues to speak out about it and that naturally turned into activism" (interview, S. Burton, November 12, 2007). For Rhonda Jones, being an activist was a way—instead of giving in to the fear she was holding inside—to use the energy she felt in a positive way (interview, R. Jones, January 18, 2008). As Kim McGill eloquently stated at a Peace & Justice Summit, formerly incarcerated women have been told repeatedly that they should be ashamed, and that they do not deserve the rights offered to most others in our society. They are consistently and deliberately reminded of their status as second-class citizens/residents each

[7] In California alone, the rate of recidivism (the highest in the country) is between 65 and 70% within 18 months (Petersilia, 2000).

time they fill out an application for employment, for housing, or try to get an education. The message is that they are undeserving of the rights of which other people in the U.S. partake (McGill, 2005).

Nonetheless, those women in my research who realize the larger societal and economic picture from which their issues arise gain the self-confidence and readiness to 'fight back for the rights that every human deserves, including ourselves' (McGill, 2005). Most formerly incarcerated women, as much as anyone else, search for life's meaning, and yearn for family and gainful employment. They realize that a new direction entails a change in both themselves and society in general—what O'Brien calls the 'empowerment framework.'

Benign neglect and regressive laws led formerly detained men and women to organize among themselves and begin All Of Us Or None efforts to challenge the rampant discrimination against prisoners and former prisoners in the U.S.[8] This organization, as reflected in its name, 'explicitly challenges a politics that affords inclusion and acceptance for a few but guarantees exclusion for many' (Alexander, 2010: 242). Its members encourage cities and counties across the U.S. to overhaul their hiring practices. This campaign, called Ban the Box, pursues strategies that differ from city to city, county to county. The approach envisions employers focusing on learning about applicants' potential before checking their records. Although many cities and counties have repositioned or banned the box altogether (for example, Compton, Boston, San Francisco, East Palo Alto), Los Angeles city council and county have repeatedly avoided and dismissed the issue, despite numerous attempts by All Of Us Or None members and their supporters.

To understand the pervasiveness of drug addiction and massive incarceration in the U.S. one must understand the national and international political and economic context wherein these phenomena take place. According to O'Brien (2006), understanding the political context of female incarceration is crucial to unraveling the 'war on drugs' program and the industrial prison system. I submit that two major contexts or causes of drug addiction and incarceration are international in scope but play out in a specific manner within the U.S. The first is economic restructuring, which began in the 1980s, triggered by the stagflation of the previous decade, and resulted in plant closures in low-income and working-class neighborhoods, thereby causing widespread loss of employment. It came in tandem with the Reagan administration's cuts in social services and was followed by the more recent 2008 budgetary crisis.

> I watched our community became saturated with cocaine while many corporations that supplied jobs to those communities were relocating to other countries. So there was a loss of income, jobs and revenue for many people in the community while there was saturation of a drug

[8] Chapters of All Of Us Or None are located in Los Angeles, San Bernardino, East Palo Alto, Santa Cruz, San Francisco, and Oakland, as well as in the states of Texas and Oklahoma.

> that would relieve your depression from the loss of your income and community. (Susan Burton)

A combination of deindustrialization and reindustrialization—two sides of the same economic restructuring coin—continue, exacerbating the loss of well-paying working-class and white-collar jobs (Bluestone and Harrison, 1982; Wilson, 1997). These two components of economic restructuring have manifested differently in different parts of the country, depending on the makeup of the region's economy. In the Los Angeles region, a combination of deindustrialization and reindustrialization has taken place. Deindustrialization occurred primarily in those areas where heavy-industry manufacturing plants were located (for example, South Los Angeles, and the adjacent working-class cities of South Gate, Bell, and Cudahy), and reindustrialization cropped up where banks, financial entities, corporate headquarters and other professional types of business were located (such as the downtown and west side areas of Los Angeles) near the more affluent vicinities. In those areas where many manufacturing industries were shut down, the largely African American and Latino residents who had previously made a modest living, were 'downsized' by economic restructuring. Since 1980s, most laid-off workers either remain unemployed or find (under)employment, often in the growing service sector (such as fast food or sweatshops) for less than half of their of previous salaries and without benefits (Ong, 1989).

The second global context within which addiction and incarceration take place is with the political dealings at the international level, which began in the early 1980s. The Reagan administration's illegal exchange of money, military equipment, and drugs among the U.S., Iran, and Nicaraguan Contras in Honduras (fighting the Sandinista government) eventually exposed the Iran 'Contragate' scandal. This 'dark alliance' led to massive influxes of drugs, namely crack cocaine, into poor, inner-city enclaves of Los Angeles, which were already reeling from plant closures, layoffs and cuts to social services (Webb, 1998; Ruppert, 1999; Alexander, 2010: 5–6). The association revealed between the appearance of crack cocaine in our inner cities and the government secretive workings that led to the Iran–Contra scandal, has done little to resolve the ongoing unabated problems of mass drug addiction and mass incarceration (Webb, 1998; Ruppert, 1999).

This elaborate set-up is linked to the Prison Industrial Complex, one industry that has certainly grown as result of economic restructuring, locking up, among other people, the laid off/unemployed workers and their children. This, along with the disease of addiction, has shattered communities and families. This larger picture is critical to fully comprehending the 'war on drugs' and the growing prison industrial complex, and how principally poor people get caught in the cycle of addiction and incarceration. To understand this connection is the first step to changing the conditions and policies that currently exist in the U.S.

In conclusion, in this chapter I have highlighted the obstacles to women's successful re-entry, which include lack of provision in prison to address addiction, destruction of personal documents (such as I.D.) by prison personnel, difficulty

in finding safe shelter, which consequently leads to homelessness, which in turn creates difficulty in obtaining identification as well as the services they need to rebuild their lives. I have also pointed out the excessively high unemployment rates for the formerly incarcerated. Employers' refusal to hire the formerly detained is one more major obstacle to recovery.

Furthermore, if deeper issues, such as childhood abuse, poverty and economic deprivation, are not addressed, we can be assured that the cycle of addiction and incarceration is virtually inevitable for a large portion of formerly incarcerated women. Given the consequences discussed here, we need to ask ourselves why we continue to maintain tough-on-crime policies that are costly and do not allow people to reintegrate into society. We need to ask ourselves why we live within a culture in which the punishment never ends—for what purpose and for whose benefit?

To date, both the U.S. and the state of California have been unwilling to examine evident reasons that lead to incarceration. Instead, a 'tough on crime' culture has been created on which politicians base their campaigns and careers. They and the media generate and feed on the fear and hatred the public feel toward people who commit even the most innocuous non-violent crimes. This manufactured fear produces regressive and ultimately self-defeating policies. For example, between 1996 and 1999, approximately 32% (37,825) of women in state and federal prisons for drug offenses were parents of minor children, and once released the women have been banned from receiving CalWorks,[9] as a result of Clinton's revisions to the welfare system (California Department of Corrections and Rehabilitation, 2006). This punitive law is a considerable barrier for women, upon their release from prison, attempting to become responsible parents and support their children.

Instead of spending money on education, health issues (including recovery programs), and employment opportunities, millions of dollars in the 'sink hole' of the prison industrial complex, filling the coffers of private industries in the business of running prisons at the expense of the tax payer. This approach 'is extremely self defeating,' whereas, on the other hand, drug treatment programs reap more positive results and are cheaper in the long run, yet are largely discounted by the powers-that-be (O'Brien, 2006; interview, G. Killian, June 25, 2007; Alexander, 2010).

We in California can see the budgetary consequence that is partially the outcome of this philosophy of repeatedly locking up people without the necessary support for rehabilitation. As mentioned earlier, we cannot address drug addiction (the leading cause of incarceration among women) by repeatedly placing people in prison. So while we continue to ignore the sources of the problem, we perpetuate a system with policies and a culture that facilitate the cyclical journey where women

[9] CalWorks is the California version of the federal program Temporary Assistance to Needy Families.

are incarcerated for their drug use, placed in prison, where their addiction is not resolved, then released, yet not allowed employment, housing or social services, nor offered sufficient recovery alternatives. Who benefits from this not merely inhumane but also ineffective approach to solving the social ills in our society?

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