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Reflections on Women's Crime and Mothers in Prison: A Peacemaking Approach

Polly F. Radosh

In this article, the work of Richard Quinney and his peacemaking approach to the study of crime is used to examine the circumstances of women's crime and the effect of incarceration on women and children. Quinney's attention to events prior to the act of crime is applied to women's crime. The common life experience of prior physical or sexual abuse is among the most consistent recurring themes among incarcerated women. For these women, crime is a symptom of other painful life experiences. Quinney's peacemaking approach to crime suggests that nonpunitive response offers more hope for a future without crime, and this approach is suggested as the most appropriate means of responding to women's crime.

What is important in the study of crime is everything that happens before crime occurs. The question of what precedes crime is far more significant to our understanding than the act of crime itself. Crime is a reflection of something larger and deeper.

—Quinney (2000, p. 21)

Among my earliest memories of my childhood in upstate New York is learning to cut with scissors in the Irish Catholic school I attended for the first 9 years of my education. In this school, the nuns were very strict and required absolute attention and adherence to the rules and protocol of the classroom. All of the desks were in neat rows, students stood next to their desks with hands at their sides when called on to answer a question, and when the nun looked down each row of desks she wanted to see all papers aligned at the same angle on the desk and each student holding pencils, scissors, or other implements in exactly the same way. For most students the requirements were not too difficult to master, although there were always a few stray papers that shifted or children who held their pencils in defiance to the required norm, especially in the younger grades. Eventually, everyone adhered to the protocol and there was little correction needed by about the third grade. I had a problem for most of my early education, however, because I am left-handed. It was difficult to get my paper aligned at the appropriate angle on the desk, but eventually I did master this requirement. The biggest problem for me was learning to cut with scissors. The nuns could tolerate my writ-

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ing with my left hand, but they would not provide left-handed scissors and I was not permitted to use my left hand to cut.

I learned to cut with my right hand because I was not permitted to use my left hand. I eventually mastered the skill completely and today I am perfectly competent in the use of right-handed scissors. I have so completely shifted away from my natural inclination that I am actually no longer able to maneuver my left hand to cut at all. I have transformed my innate preference for my left hand into an adaptation that is so complete that I am no longer able to revert back to my natural inclination, and now I must use right-handed scissors. I have many questions about my adaptation, however: What might I have been able to accomplish if I had been able to develop my natural talents? How has my adaptation shaped my thinking or my personality? What artistic masterpiece of cutting might I have produced if I had not been forced to shift to a more difficult means of achieving my cutting goals? Why was it so important that I conform? and What social, organizational, or human goal was accomplished by my conformity or punishment for nonconformity?

When I think of Richard Quinney's work, I think of my educational experience. There are several parallels to my experience and the effect that Quinney has had on my thinking about crime. First, I believe that his work helps to equip those of us who are metaphorically left-handed in a world of right-handed people with a pair of left-handed scissors. That is, he helps us to see the world as we are naturally inclined to see it, rather than as we are shaped by cultural convention or criminal justice protocol to see it.

This is especially true with his work on peacemaking criminology. From this perspective, crime is produced by factors that are out of the control of the individual, such as political, economic, or social structures that limit human potential. To address crime with violence or punishment will never solve the problem of crime because violence and punishment address only the outcome, not the source of crime. From Quinney's (1991) view, only "understanding, service, justice . . . [which] flow naturally from love and compassion, from mindful attention to the reality of all that is" (p. 4) will solve the problem of crime. To focus on individual failings as the source of crime is myopic. To solve crime by punishing individual failings is unjust and will only create more suffering. What useful purpose is served by punishing, especially for those who violate laws that serve no useful social purpose? Punishing because a violator has broken the law, without attention to the social utility of the law or the good that could be accomplished by compliance, is to attend to the letter of the law and ignore the spirit of support and communal connection that law should engender. To enforce compliance without utilitarian goals is much like forcing left-handed people to cut with right-handed scissors. We can mold most people to conform to the norms, but

some people have different backgrounds, experiences, or societal impairments that make conformity differentially more difficult.

Second, he helps us to understand that adherence to laws and protocol merely for the requirement of adherence does nothing to solve social problems, address crime, or eliminate suffering. The requirement in my school that I learn to adapt to a pair of right-handed scissors was a temporary handicap for me. I eventually adapted but the requirement did no lasting good and probably some harm to my developing skills. Quinney's insights into the criminal justice system show us that we often pay such strict attention to the requirements of control and punishment that we miss the meaning of crime. We address the expression of crime, but we ignore the causes of crime. Quinney's work teaches us that humane, nonjudgmental approaches to crime will help us to achieve a more humane society. Just as the goal of using scissors should be cutting, the goal of law should be social good. Intermediary, cumbersome, or painful obstacles to attaining the goal should be eliminated.

Third, rules, law, protocol, ordinances, and all of the other mechanisms we use to "keep peace" in our society are a means of preserving order, but we often become so focused on the rules that we have forgotten why the rules were important in the first place. Often the requirement of adherence to law is much more important than the harm that would be done by law violation. Learning to cut with my right hand was important only because it was a rule, not because it would improve my skills, make me a better person, or cause chaos in the classroom if I did not adhere to the rule. Such is the case with enforcement of many laws. With women's crime, in particular, adherence to the law is required because it is the law, not because it promotes social justice, public order, or a better quality of life.

From his 1970s work that articulated the effect of capitalistic structures on individual action to Quinney's current work on peacemaking, love, and existentialism, the underlying structures that shape social action have been a thematic concern in his explanations of crime. Actions are shaped by forces that go beyond free will or opportunity. Events, structures, systems of oppression, and power affect human choices and predicate personal interests. Events that precede crime are as important to understanding crime as are the actual criminal events. Quinney's work is like the use of the metaphorical "left-handed scissors"—it helps us to see that law has layers of meaning that are obscured when we focus merely on the act of law violation. The true meanings of law, the life experiences of the law violator, and underlying social inequities that produce crime are not addressed. Instead, the illegal act is addressed through punishment.

From my first reading of Quinney's work when I was a student in the 1970s, I have returned innumerable times to his writings as a touchstone for

my own understanding of women's crime. In no other field of inquiry do his theories make more sense. Structure, oppression, economic exploitation, and marginalized social opportunity explain almost all of women's crime. Minor drug crimes committed by women, for example, draw sentences as long as, and sometimes longer than, serious male crime. Women's crime is defined as symbolically equivalent to serious men's crime, even when it is not. For many years I have returned to Quinney to help in my own understanding of this apparent injustice. It is not only patriarchy that explains this but also the defining structures of capitalism that allocate authority for criminal definitions in the hands of the powerful. Women, who lack significant social power, are defined as criminal through definitions created to verify the existing social order. Prevailing popular views about crime and criminals, as well as public criminal justice policies, legitimate the existing system as a reflection of justice. If we use the metaphorical "left-handed scissors," Quinney's work helps us to see that women's crime is a reflection of social injustice. When we see the world as it is rather than as we are conditioned to see it, women's crime has new meaning.

Women's crime is grounded in exploitation. Without exploitation there would not be crime. Nearly all of women's crime is related to sexual exploitation, abuse, poverty, and structural inequality. Quinney's most recent work, which explores the relationship between mature love and a world without crime, provides an especially clear lens with which to focus women's crime. A world without crime is one in which crime would not be possible because inner individual peace is reflected in peaceful coexistence (Quinney, 2000, p. 21). Crime is produced by human suffering. The connection between suffering and women's crime is widely acknowledged by academics as well as administrators of women's prisons. There is little dispute about the connections, but there is considerable disagreement about the most appropriate response to women's crime. A mature response would mean that we should move beyond the act of law violation and address the means by which the human needs of the law violator may be met. To focus on punishment of the offender ignores the fact that the crime reflects events that happened prior to the criminal action. The crime cannot be understood without attention to the prior experience, and punishment will do nothing to address the prior experience or to help the offender move beyond the pain that is reflected in crime.

CONTEMPORARY THINKING ABOUT CRIME

Quinney's summary of the criminal justice system in the United States, organized around the belief that those who commit crimes deserve their pun-

ishments, is as true today as it was when he published *Class, State, and Crime* in 1977 (p. 21). Modern thinking about crime says that it results from personal failures, lack of self-control, weakness, laziness, moral lapse, or other character flaws that inhibit self-restraint. Those who commit crimes should be willing to pay the penalties for their mistakes, given the widely known "hard on crime" political ideology characterized by punitive sentencing strategies that have been well-known and highly publicized for more than 20 years. According to the predominant paradigm, one of the most important goals of criminal justice policy should be deterrence produced through sure, swift, and severe punishment. A second important goal is to restore "balance" through retribution or to ensure that the offender "pays" his or her debt to society by suffering the pains of imprisonment.¹

WOMEN OFFENDERS

Criminologists are in general agreement that across time and in all cultures, women's crime is less serious and less frequent than men's. Even with significant changes in sentencing and a rapid increase in the prison population in the United States in recent years, women's incarceration remains a small fraction of men's.

Both arrest patterns and incarceration trends indicated that almost all of women's crime in the 20th century has been concentrated in the area of low-level property or public order (prostitution) crime.² In the 1980s, an additional "feminine" crime surfaced, with changes in U.S. drug laws. In 1997, for example, 74% of women in federal and 35% in state prisons had been sentenced to prison for a drug crime (Mumola, 2000, p. 6). This compares with 67% of men in federal and 23% in state prisons who were incarcerated for drug crimes. About 72% of women under correctional supervision in jail, on probation, or in prison during the 1990s had committed a property, drug, or public order offense (Greenfield & Snell, 1999).

Women's involvement in drug crime is usually low-level dealing or delivery activities, although about 10% of federal and 15% of state female inmates have been incarcerated for possession (Mumola, 2000, p. 6). Limited economic circumstances motivate some nonusers of drugs to sell. Of those women incarcerated during the 1990s, only 40% indicated that they had been employed during the months prior to their arrest (compared to 60% of men) and 30% were on welfare. Nearly 40% of those who were employed earned less than \$600 per month (Greenfield & Snell, 1999, p. 8). Women with few economic alternatives, limited life skills, and great economic need often participate in the drug trade as a means of supplementing their income. Risk of

detection is exacerbated by their low-level, high-visibility positions in the drug distribution network.

In addition to difficult economic circumstances, 60% of incarcerated women in state prisons indicated in surveys between 1995 and 1997 that they had been physically or sexually abused in the past (Greenfield & Snell, 1999, p. 1). Women who had spent some of their childhood in foster care or institutions indicated that they had been victims of sexual or physical abuse in 87% of cases. Of those who grew up in homes where parents abused alcohol or drugs, 76% reported prior abuse; and among those who lived in homes where a family member had been incarcerated, prior abuse was reported among 64% of female inmates. In about 95% of cases among all abused women in jail, on probation, or incarcerated in a federal or state prison, the perpetrator of the abuse was someone they knew, such as a relative, their mother's boyfriend, or a family friend (Greenfield & Snell, 1999, p. 3). Not surprisingly, 80% of those with a history of abuse were regular users of drugs at the time of their arrest (Greenfield & Snell, 1999, p. 3).

The life circumstances of incarcerated women help to explain much of their criminal behavior. Whereas many people who have lived in poverty or who have been victims of abuse do not commit crimes, the common thread of continuity that runs through the history of women's incarceration is that most women in prison share common life experiences. They are very likely to have been living in poverty, have experienced prior abuse by male friends and relatives, have had childhood experiences that included substance abuse by parents, have been sexually abused as children, and suffer with personal stress, trauma, and fear in many stages of their lives. According to the National Institute of Justice, the needs of women in prison are different from men and thus require different programming:

Women in prison have some needs that are quite different from men's resulting in part from women's disproportionate victimization from sexual or physical abuse and in part from their responsibility for children. Women offenders are also more likely than men to have become addicted to drugs, to have mental illnesses, and to have been unemployed before incarceration. (Morash, Bynum, & Koons, 1998, p. 1)

Each of the special problems of female inmates may seem to be a separate issue, but they actually weave together into a complex set of problems that have been rarely addressed by the correctional system. Women whose life experiences have presented many overwhelming personal problems often seek relief in substances that ease their pain. Common backgrounds of poverty, physical and sexual abuse, and accompanying feelings of loss, betrayal,

TABLE 1: Incarceration Trends, 1980-1999: Number and Rate^a of Incarceration

Year	Total	Rate	Men		Women	
			Number	Rate	Number	Rate
1980	315,974	139	303,643	275	12,331	11
1985	480,568	202	458,972	397	21,296	17
1990	739,980	297	699,416	575	40,564	32
1995	1,085,363	411	1,021,463	796	63,900	48
1999 ^b	1,860,520	682	1,246,362	897	87,199	57

SOURCE: Adapted from Maguire and Pastore (1999, p. 490) and Gilliard (1993, p. 4).

a. The rate of incarceration is the number of people incarcerated for every 100,000 population.

b. Mid-year estimates.

depression, and desperation spawn ongoing personal problems that are highly likely to result in recidivism if they are not addressed.

INCARCERATION PATTERNS

The number of people incarcerated in U.S. prisons and jails has increased to unprecedented levels in the past two decades. In 1980 the national rate of incarceration was 139, but this had risen to 682 by mid-year 1999 (Beck, 2000, p. 2; Gilliard, 1993, p. 2). Table 1 illustrates some of the growth in incarceration rates since 1980.

Women represent a small overall proportion of the prison population, even though the percentage of women in prison is increasing faster than the percentage of men (Beck, 2000, p. 1). Regardless of the rapid increase in women's incarceration, men are still 16 times more likely to serve time in a state or federal prison (Beck, 2000, p. 4). The overall greater likelihood of men to serve time in prison has meant that for most of the 20th century, women's corrections received little attention. It was not until the number of women incarcerated began to rise in the early 1980s that researchers began to address either the patterns of women's incarceration or programming in women's prisons.

As research has articulated some of the unique characteristics of female inmates, patterns that differentiate women from men have become apparent. Female inmates, for example, are more likely to have been convicted of a nonviolent crime, have a prior history of physical or sexual abuse, be incarcerated for a drug offense, and have been the primary caretaker for their children prior to their incarceration.

Traditionally, women received longer sentences than men for the same offenses because female offenders often deviated significantly from expected

gender role restrictions that required a higher degree of self-control and lifestyle restrictions than would be typical expectations for men. Studies of sentencing, for example, have indicated that women were sentenced longer than men for the same offense because it often appeared to judges that female offenders were "worse" than male offenders. Only a few women, by comparison to men, engaged in crime, which implied that such behavior by women was an especially abhorrent anomaly to typical "female behavior" (Lanagan & Dawson, 1993, p. 2; Parisi, 1982). Patriarchal definitions of women's "proper" nurturing roles affected judicial decision making in such a way that judges often believed that women's crime was not only law violation but also "unnatural." The subtle but widely dispersed belief that female criminals were "worse" than men translated into longer average sentences for women. Whereas all prisoners are serving longer sentences under new mandatory sentencing laws, much of the gender disparity in sentencing that had resulted in lengthy prison terms for women prior to the mid-1980s has been significantly reduced.

Sentencing reform in the mid-1980s highlighted rational criteria in sentencing, which reduced the disparity between men's and women's sentences. Factors such as prior offense history, use of a weapon in commission of the crime, whether the offense was violent, and other criteria related to the characteristics of both the offense and the offender are now used to set the length of sentences under minimum mandatory guidelines. Women rarely commit violent crimes, and they have much lower rates of recidivism than men. As a result, women's sentences for index crimes are comparable to equally charged and convicted men.

Although objective criteria in sentencing are much more consistent than they were prior to sentencing reform, other gender differences in offending patterns, as well as gender-specific patterns related to sentencing, do work against women in drug cases. Women's involvement in the drug trade is usually at the lowest level of participation. Under federal drug conspiracy laws, participants with minor roles are sentenced as long, and often longer, than those with key roles in the distribution network. A woman who drives her boyfriend to make drug deals and waits in the car until after the deal is completed may end up serving a longer sentence than her boyfriend, who is the actual dealer. Drug convictions and sentencing rely very heavily on informant deals. The driver in the car would not have knowledge that would be beneficial to authorities and thus could not "deal" with prosecutors on her own behalf. Also, loyalty to boyfriends or husbands prevents many women from making deals, even when they have such knowledge. A review of more than 60,000 federal drug cases indicates that men are much more willing to sell out women to get a shorter sentence than women are likely to sell out men (Szalvitz, 1999, p. 43). Women are frequently convicted of drug crimes when

they have had no involvement or very little knowledge of their boyfriend's involvement. Women, for example, have been convicted of "improper use of the telephone" or answering the phone for what later turned out to be a drug sale (Szalvitz, 1999, p. 43).

INMATE MOTHERS

In 1999, there were about 87,000 women incarcerated in prisons and jails in the United States. This represents 6.5% of the prison population (Beck, 2000, p. 4). Although the exact percentage of female inmates with children is not known, most estimates indicate that about 80% have dependent children at the time that they are incarcerated (Watterson, 1996, p. 210; Williams, 1996, p. 80). In 1999, there were at least 126,100 children with mothers in prison, and the mean age for all children with parents in prison was 8 years (Mumola, 2000, p. 2).

There are many more children with fathers in prison than mothers, but incarcerated mothers are more likely to have been living with their children prior to incarceration (Mumola, 2000, p. 2).³ Undoubtedly, the social and emotional trauma inherent in incarceration of a parent produces significant strain on all children with imprisoned parents, but the pain is especially significant for those whose families were broken by the incarceration of a parent. More than 60% of fathers in state prisons and more than half of those in federal prisons did not live with their children in the months before arrest. But about 60% of mothers in state prisons and 73% of those in federal prisons did live with their children before arrest (Mumola, 2000, p. 2).

In addition to the obvious stress created by separation, there are other concerns associated with incarceration of mothers. About 25% of incarcerated women are pregnant or have recently given birth at the time of their incarceration. Separation from a newborn infant creates additional stress, worry, and anxiety for an incarcerated mother. Their unique concerns are different from the typical worries of other parents who are separated from their children while in prison.

Most research on the effects of incarceration on parenting or on children have focused on the immediate issues related to stress, anxiety, maintaining strong family ties, and other programmatic concerns. The issue is much wider than the immediate needs of inmates or families, however. Factors related to the life histories and crimes of inmate mothers both explain incarceration patterns and influence postrelease family unity.

Although incarcerated women are not a monolithic group, their background characteristics are much more similar than those of incarcerated men.

The overriding experience of abuse and very common pattern of substance abuse by female offenders are linked. Most incarcerated women enter prison with these problems. The fact that most also have dependent children means that many of the problems of female inmates also present problems for their children. To be effective, programming in women's prisons must address the unique characteristics of incarcerated women, as well as promote family growth and unity. Despite widespread recognition of the unique needs of female inmates, 39 states use the same classification instrument for men and women, in 7 states the male instrument is adapted for women, and only 3 states use a special instrument for female inmates (Mumola, 2000, p. 3). By most accounts, the special needs of female inmates are met with sporadic, inconsistent, inappropriate, or inadequate programming.

Women are very likely to return to their children after release from prison. Among the many differences between male and female inmates is an overriding concern among women for the welfare of their children while they are in prison and high anxiety about how they will provide for their children when they are released. Programming in women's prisons only sporadically addresses these concerns.

But by most accounts, programming for female inmates fails to address the issues that are most important for humanistic reasons and are most likely to reduce recidivism. As one administrator in the National Institute of Justice's survey of approaches to women's programming indicated, "Women who are victims of abuse tend to continue on as victims of abuse. Men on the other hand, tend to react to their own history of victimization by becoming abusers themselves" (Mumola, 2000, p. 10). And, as another prison administrator indicated in a private conversation, the most consistent pattern among all incarcerated women is that they "have been battered beyond belief."⁴

Female inmates have generally used more drugs and used them more frequently than men prior to their incarceration (Morash et al., 1998, p. 1). Drugs have provided a means of escape for most female inmates. Incarceration frequently provides their first opportunity to evaluate their own lives and the effects of their decisions on their children. Female inmates' needs are different from male inmates' and interrelated to both their prior history and their future parenting skills.

PUNISHMENT, WOMEN'S CRIME, AND PARENTING

Current punishment strategies that focus on instilling future goals of self-restraint, personal control, and moral strength through retribution for wrongful behavior are inadequate, illogical, and futile as a response to women's

crime. The prior life experiences of incarcerated women dictate more humane and constructive approaches than characterize contemporary strategies. To use contemporary retribution models as a response to women's crime fails to recognize the prior precipitating experiences of women. Their crime does not fit the justice model for several reasons.

First, women's crime is generally nonviolent and low-level. It is often punished with serious prison time, not because of the inherent harmfulness of their criminal acts but because of their lack of power or knowledge with which to negotiate prosecutorial deals, especially in drug cases. The punishment does not fit either the crime or the offender.

Second, women's crime commonly reflects prior life experiences with men who clearly perpetrated serious criminal acts, such as childhood sexual molestation, rape, incest, and domestic violence. The fact that such offenders frequently were not prosecuted or punished cannot frame the defense of women in their current offense. Yet the underlying injustice inherent in societal tolerance of suffering on one level, while overreacting to less serious crime on another level, frames a basic violation of human rights. If the justice model, which applies a hard-on-crime strategy to combat women's drug crime, were applied evenly, the issues that frame women's incarceration would be different. The dismissal or trivial reactions to the more serious actions of prior male offenders who have abused and mistreated female offenders at earlier stages of their life, however, contributes to the profound feelings of inevitable loss and hopelessness that are graphic in the stories of female offenders. Women's crime does not fit the hard-on-crime justice model because the penalties are often especially hard-on-women's-crime. Whereas many men have been unduly sentenced to very long prison terms on the basis of this philosophy, the pattern among women is rather overwhelming.

Third, the punishment of women's relatively nonserious crime with the same vehemence with which serious male crime is addressed hurts children. Among the most consistent themes that run through the literature about inmate mothers is the intense sense of loss, betrayal, desperation, and hopelessness that accompanies their incarceration. Their children suffer the loss of their mother while the hard-on-crime political strategy publicizes justice and deterrence. Children and society would be better served by more reasonable, proportionate sentences or no punishment at all. To perpetuate injustice into the lives of children whose mothers have been incarcerated for their boyfriends' crimes, as is frequently the case with drug crime, is inhumane, counterproductive, and futile. Women who have been victimized through multiple stages of patriarchy, exploitation, and marginalized social opportunities need understanding, support, and many therapeutic services. Punishment is the

least effective way to address their crime. Among women, crime is often an obvious symptom of their suffering at another level.

Fourth, in keeping with Quinney's basic principles of peacemaking, societal response to women's crime should accommodate the unique features of their offending patterns. Women's prior experiences of exploitation should be addressed in treatment. Children of women who have committed crimes should be supported with reasonable, positive opportunities for growth and development. Punishment does not serve this end.

PRISON PROGRAMS FOR MOTHERS

Mothers in prison have the same worries and concerns that all parents have about their children, but their inability to fulfill parental responsibilities for their children creates fear for their emotional and physical well-being, as well as great grief and anxiety over loss of involvement in their children's lives. Common backgrounds of abuse, high likelihood of drug involvement, and probable poverty also indicate that parenting and life-skill programs are essential for postrelease success. Drug addiction treatment and therapy that helps offenders deal with problems of past sexual abuse and family violence are especially critical because these factors are linked to women's criminal behavior, as well as to their parenting skills.

The most common programming options available for inmate mothers are those that allow for special visitation. The "Girls Scouts Beyond Bars" program, for example, has initiated girl scout troops in five states: Ohio, New Jersey, Missouri, Maryland, and Florida (Moses 1995, p. 1). Girl scouts with incarcerated mothers may belong to special girl scout troops that meet in prison. The purpose of the program is to enhance parenting skills for the mother and maintain involvement of mothers in their daughters' lives.

Most states provide either regular or occasional special visitation for families of inmates. Ohio and Illinois, for example, allow children of inmates to camp on the grounds of the prison with their mothers on some weekends during the summer. Ohio runs a 3-day day camp where inmates interact with their children in the camp. Pennsylvania gives children a book that helps them understand the pain of separation from their mothers, and they provide in-home social work to caregivers of incarcerated mothers' children. The New York Department of Corrections provides for extended overnight visits with families at 18 prisons. They also provide transportation to the prisons and operate play areas and hospitality centers for families. Texas allows for weekly contact visits between mothers and their children.⁵

The most innovative and comprehensive programs are in New York, Nebraska, Illinois, and California. Each of these states has some variation of the prison nursery program that was started in the women's prison at Bedford Hills, New York, in 1901. Nebraska's program is patterned after the Bedford Hills program. In both of these programs, mothers who have been convicted of an offense that did not involve their children and who have less than 2 years of their sentence left to serve may keep their babies with them in prison. Counseling, support groups, parenting classes, substance abuse treatment, and employment preparation are integral components of both programs. California offers prisoner mother/infant programs, which are operated by private agencies under contract with the state, at six locations. Illinois contracts with a nonprofit agency to run the Women's Treatment Center, where inmates keep their children with them in a converted hospital (Christian, 2000; Ervin, 1998, p. 14; Lays, 1992, pp. 44-51).⁶ Both the California programs and the Illinois treatment center include substance abuse treatment, occupational counseling, and support groups in their treatment strategies. Two additional states, Ohio and Vermont, are exploring the possibility of inmate nursery programs.

EFFECTIVENESS OF MOTHER-INFANT PROGRAMS

Although comprehensive statistical analysis of four programs would not provide meaningful data, the success of mother-infant programs is accepted as definitive in those states that have funded these programs. The most common measures of success may give only vague insight into the utility of these programs, however. Recidivism, which measures the likelihood of reoffense among released inmates, is decidedly lower for women who participate in mother-infant programs. Women's recidivism is generally much lower than men's, but mother-infant programs claim a further reduction of 20% to 50% in recidivism. In other words, mothers who participate are not likely to return to prison (Christian, 2000; Ervin, 1998, p. 14; Lays, 1992, pp. 44-51).⁷ Whether the recidivism results from the success of the programs or the selection of inmates who participate in the programs is less clear. Supporters of mother-infant programs claim that both the opportunity to interact with their infants in a controlled, supportive environment and the comprehensive counseling that accompanies these programs are what lead to their success.

The success of children whose lives are enhanced by their mothers' opportunity to participate in a mother-infant program are less easily studied. Researchers and advocates for more humane treatment of female prisoners have pointed out for many years that children of inmate mothers suffer tre-

mendous loss and experience profound alteration of their lives. Critics may contend that mothers should have thought of these issues prior to committing the crime for which they were incarcerated. But the pervasive patterns of physical and sexual abuse, drug addiction, and emotional pain characteristic of female inmates prohibits the sort of reflective thinking that would have prevented their crime, regardless of how much they love their children. And wider structures of patriarchy and capitalism are not even imagined as sources of women's crime, by this reasoning. The result of more compassionate response to women's crime is that children who are connected in meaningful ways with their incarcerated mothers are less likely to feel abandoned, isolated, and lonely.

Prisoner programs that address the complex nature of women's confinement, which include treatment for emotional and substance abuse problems and help them to achieve purposeful child rearing, offer the most promise for postrelease success and successful parenting. Models available in Nebraska, New York, Illinois, and California may provide insight into the importance of strengthening family bonds for inmate mothers and their children.

CONCLUSIONS

The horrifying, heartbreaking experiences that incarcerated mothers live with, or relive in prison, often overwhelm intentions for good parenting. Thus, prison programming that addresses only parenting skills or which narrowly focuses on specific occupational skills will fail to address the needs of incarcerated women. Comprehensive approaches that treat addiction, depression, occupational skills, and parenting offer the most affective options. Women's incarceration stems not only from a conviction for a specific crime but also from an array of social problems that affect women as a group and which permeate many facets of American culture. As Quinney told us, what has gone on before the crime tells us more than the act itself. The life patterns of incarcerated women poignantly illustrate Quinney's point. Humane, supportive, and therapeutic responses to female offenders would also address what has gone on before the criminal act.

Cultural devaluation of women results in exploitation, abuse, and mistreatment. The specific illustrations of the suffering of female victims are visible in the faces of incarcerated women. To ignore the cultural problems that give rise to women's crime is to blame the victims of abuse for their own abuse. In the short term, women who are empowered to control their own lives and avoid men who abuse and exploit them will be the most successful after release from prison. They will also be better mothers who may be able to

break the cycles of abuse that are very commonly characteristic of their own lives and the lives of their mothers. In the long term, ending patriarchal exploitation and economic inequality and fostering humane, compassionate respect for human potential are essential to a peaceful society, and they are what will end women's crime.

Crime will continue until we end suffering. If we robotically adhere to laws and models of justice without understanding the sources of crime, we will not be able to end suffering. With Quinney's poignant explanations of what it takes to end suffering in mind, we must abandon the philosophy of punishment and find a means of supporting female offenders by responding to the sources of their suffering. In other words, we must find a means of cutting through the arbitrary rules to find the true meaning of the actions.

NOTES

1. Alternative perspectives are sometimes discussed, although they have found little representation in contemporary criminal justice policies. Liberal critics of contemporary trends suggest that education, investment in neighborhoods, community building, and jobs training could counter crime with positive alternatives. Those who offer solutions to crime in this venue stress the importance of investment in programs to improve the quality of life among those most vulnerable to crime. Poor neighborhoods, inadequately funded schools, hopelessness fostered by urban decay, and insufficient investment in those with the fewest social opportunities produce crime, from this perspective. Solutions require investment and commitment to improve. For discussion of the underlying philosophy of criminal justice policy, see Walker (2001, chap. 1).

2. See, for example, Steffensmeier and Allan (1996, pp. 459-487) and Messerschmidt (1986).

3. There are estimated to be 1.3 million children with fathers in prison.

4. Conversation with Jane Higgins in 1989, when she was warden of Dwight Correctional Facility in Dwight, Illinois.

5. See the Directory of Programs for Families of Inmates at <http://www.fenetwork.org/Dir98/dir98f-n.html>.

6. See the Directory of Programs for Families of Inmates at <http://www.cdc.state.ca.us/program/mother.htm>.

7. See the Directory of Programs for Families of Inmates at <http://www.cdc.state.ca.us/program/mother.htm>.

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