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2006

# Criminalized Mothers: The Value and Devaluation of Parenthood from Behind Bars

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# Criminalized Mothers: The Value and Devaluation of Parenthood from Behind Bars<sup>1</sup>

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*With the number of incarcerated women rising in the United States, scholarship and activism has focused more explicitly on the backgrounds, criminal contexts, and programming needs of the imprisoned population. This article focuses on motherhood and relies on qualitative life-history interviews with thirty women in a southwestern detention center. The women's narratives are used to further our understanding of the ways in which motherhood (1) resonates with incarcerated women's self-perceptions, (2) relates to their motivations for crime, and (3) informs therapeutic programming within the carceral<sup>3</sup> environment. In order to address the needs of a critical, yet often ignored, correctional population, we specifically examine the ways in which gender-specific therapeutic approaches may be applied to a jail facility where continuous, in-depth programming may be challenging due to inmate turn-around and unrest.*

**KEYWORDS.** Parenthood and prisons, criminal mothers, self-perception

## THE CRIMINALIZATION OF WOMEN IN THE U.S.

Twenty-five years after the beginning of the *get tough on crime* era, the effects of our ideology on crime and punishment have been felt across the criminal processing system. Over 7.7 million arrests were made in 2003 (Federal Bureau of Investigation [FBI], 2004), a consistent increase from 7.5 million in 1995 and 7.3 million in 1991 (FBI, 1996). Over 2.1 million people are incarcerated at any given time in the U.S. (Bureau of Justice Statistics [BJS], 2005b), nearly a two-fold increase from 1994, when this number was just over 1.1 million (BJS, 1995).

While staggering, these numbers mask the enormous toll of *get tough* practices on women. While women make up a minority of those in the system, increases in their incarceration rate have exceeded those of men every year since 1981, tripling in the 1980s alone, whereas men's doubled (Kline, 1993). Over the last ten years, arrest rates for males declined 6.7% while arrest rates for females increased 12.3% (FBI, 2004). Women currently make up 7% of the U.S. prison population (BJS, 2004) and 12% of the jail population (BJS, 2005a), while in 1990 they made up 6% (BJS, 1992) and 9% (BJS, 2005a) respectively.

The rising rates of women in the criminal processing system stem from two areas of policy reform. The first is the *war on drugs*, which has resulted in greater enforcement efforts and enhanced penalties for drug related offenses (Belknap, 2001). The second involves the *feminization of poverty*, which suggests that the rise in poverty rates, along with fewer public subsidies for the poor, has contributed to women's increasing involvement in economically based crimes such as forgery, counterfeiting, fraud, and

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<sup>1</sup> Post-print of article originally published in *Women & Therapy*. Published citation:

Moe, Angela M., and Ferraro, Kathleen J. 2006. "Criminalized Mothers: The Value and Devaluation of Parenthood from Behind Bars." *Women & Therapy*, 29(3-4): 135-164.

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<sup>3</sup> In using the term "carceral," we mean to imply all situations of confinement within the justice system, be it a juvenile facility, adult detention center, jail, or prison.

embezzlement (Belknap, 2001; Campbell, Muncer, & Bibel, 1998; Casey & Wiatrowski, 1996). The connection between the *war on drugs* and the *feminization of poverty* is well illustrated in the case of drug dealing. Selling drugs when few options for sustainable income are available puts poor women at even greater risk once arrested under our current crime policies, which ensure drug-related offenses are punished more severely than ever before. The felony record such a woman is likely to obtain because of such *get-tough* practices will effectively stunt any sustainable and legitimate employment she might find in the future (Diaz-Cotto, 1996). As further evidence of the gendered *war on drugs*, between 1986 and 1995, drug related offenses accounted for one-third of the increase of men in prison. However, they accounted for one-half of the increase of women in prison (Mauer, Potler & Wolf, 1999). Another common crime for women, prostitution, is highly correlated with drug related offenses. Both may be economically driven and are quite gendered in context within the illegitimate street market. Moreover, women may come to rely on drugs in order to numb their emotions for sex work or prostitute in order to support their addictions (Inciardi, Lockwood, & Pottieger, 1993; Maher, 1997).

In short, the crimes for which women are most likely to be arrested and incarcerated are also those that are best explained by worsening economic and social conditions. The majority of women in the criminal processing system are poor, single mothers. African American, Latina, and American Indian women are over-represented among them (Bush-Baskette, 1998; Davis, 1998; Donziger, 1996; Greenfeld & Snell, 1999). Within this context, the interconnected nature of oppression based on gender, single-parenting, poverty, and race/ethnicity is most apparent. However, this is only part of the picture. Official statistics estimate that 30-50% of imprisoned women have been abused by intimate partners (American Correctional Association [ACA], 1990; Greenfeld & Snell, 1999), although qualitative studies have found much higher rates of 80-85% (Gilfus, 1992; Moe Wan, 2001). A substantial line of research has connected the most common crimes for women to various survival mechanisms employed under coercion, battery, poverty, and substance abuse (Arnold, 1990; Chesney-Lind, 1997; Comack, 1996; Ferraro, 1997; Gilfus, 1992; Lake, 1993; Moe, 2004; Sargent, Marcus-Mendoza & Yu, 1993). The small number of women who do commit violent offenses are more likely than men to do so out of self-defense or duress. More often than not, an abusive intimate partner is the subject of self-defense as well as the source of duress (Johnson, Li & Websdale, 1998; Jurik & Winn, 1990). The criminal processing system too often ignores, downplays and blames women for the circumstances surrounding their criminalization.

### **PENALIZATION VS. REHABILITATION**

Rehabilitative programming has suffered great blows through delegitimization and funding cuts over recent years. The treatment philosophy of the 1960s and '70s has been markedly replaced with retributive and incapacitative penal practices, resulting in the warehousing of convicted offenders (Austin & Irwin, 2001; Donziger, 1996; Bloom, Chesney-Lind & Owen, 1994). A 2004 special report published by the Department of Justice on state prisons does not even mention rehabilitative programming as an expenditure. The majority of state prison expenses come in the form of staff salaries, wages, and benefits (65%), whereas 26% is devoted to operating costs such as medical care, food, utilities, and contract housing, and 4% is spent on construction, repairs, and renovation. One is left to assume that funding earmarked for rehabilitative services is somewhere under 5% of total expenditures (Stephan, 2004).

This predicament is made even more precarious by long-standing, and often misguided, carceral practices for women. As a legacy of discriminatory treatment, women and girls in our adult and juvenile correctional systems have long suffered from either negligent treatment, aimed at resocialization into stereotypical gender roles (e.g., sewing, cosmetology, child-rearing) or non-existent rehabilitative efforts (Dobash, Dobash & Gutteridge, 1986; Rafter, 1985). Since their numbers in the criminal processing system are so minute compared to men and boys, and because they are seen as less dangerous or serious criminals, their actual needs have neither been recognized nor legitimized (Mann, 1984).

However, with increasing arrests and prosecutions of women and girls over recent decades, greater attention has been given to the needs of females in the system. Morash, Bynum and Koons (1998) were funded by the National Institute of Justice to conduct an assessment of needs and a survey of successful programs and published their conclusions in 1998. Unfortunately, most of their recommendations have not been implemented. The specific needs of female offenders have been neglected due to gender discrimination. Based on sexist misunderstandings of calls for gender equality, equal treatment of females has been translated into a *one size fits all* approach (Belknap, 2001; Chesney-Lind, 1991). Rather than investing in research on what women and girls actually need as far as programming, existing rehabilitative practices, which were developed for and by males, were made available in a blanket approach to all females. This phenomenon, aptly termed *equality with a vengeance* (Chesney-Lind, 1997, p. 152), has contributed to the continued invisibility of women and girls in the correctional realm.

## GENDER-SPECIFIC NEEDS AND PROGRAMMING

While the political and social debate over gender equality is an ongoing one, there is general consensus among criminologists and criminological practitioners that criminalized women do indeed have experiences and needs distinct from those of men. Due to their high risk of violent victimization, drug addiction and involvement in prostitution, women may enter a carceral setting with very emergent needs for medical care, counseling, and support (Moe & Ferraro, 2003; Shaw, 1992). Given cuts in public subsidies, it is less likely that these women would have received adequate physical or mental health care prior to incarceration. Unfortunately, the type of services available to incarcerated women are woefully inadequate and often inaccessible (Moe & Ferraro, 2003; Teplin, Abram & McClelland, 1997; Young, 2000).

The distinct needs of women become even more obvious in the area of motherhood. Specific medical care is necessitated by the estimated 5-6% of women who enter jail or prison pregnant (ACA, 1990; Greenfeld & Snell, 1999). Beyond physical health care for expectant women, all mothers have a myriad of needs in terms of emotional and social support. Sixty-five percent of women entering prisons are parents, as compared to 55% of men (Mumola, 2000). Additionally, 65% of all incarcerated mothers with minor children had custody of them prior to incarceration, as compared to 47% of incarcerated fathers. Most report that they intend on regaining custody of their children upon release. However this may be contingent on the placement of their children during incarceration. Twenty-three percent of women report that their minor children are in the custody of their non-incarcerated parent during their confinement, compared to 90% of men (Schafer & Dellinger, 1999). Women's children are much more likely to be in the custody of their maternal grandparents or with other willing relatives. If relative placement is unavailable, women may face involvement by state child protective services [CPS] (Belknap, 2000; Owen, 1998; Ross, 1998; Schafer & Dellinger, 1999). The placement of their children often affects the type of contact women may have with them. According to a Bureau of Justice Statistics report, 54% of incarcerated mothers never have a visit from their children. Distance is also a factor here, as 60% are imprisoned more than 100 miles away from their homes (Mumola, 2000). Even telephone contact is difficult due to costs and institutional constraints on the privilege of telephone use (Sharp & Eriksen, 2003). Lack of contact between incarcerated mothers and their children creates problems for children and their mothers, during confinement and upon release.

Given these types of concerns, attention has focused on *gender-specific* programming. Gender specific programming refers to services developed for and targeted explicitly toward either males or females (Juvenile Justice Evaluation Center [JJEC], 2004). Since most traditional programs were initially developed from research on men and boys, they may already be deemed gender-specific *for males* (Rafter, 1985). When it comes to women and girls, new approaches are needed that do not duplicate historical efforts at resocialization into stereotypical feminine roles. Contemporary gender-specific programming is focused on addressing the lived experiences of females (Bloom & Covington, 1998;

Zaplin, 1998). It is recognized that while women share some experiences and programming needs as men (e.g., support for parenting), these experiences and needs may be qualitatively different (e.g., women being the primary parent) and must be addressed in distinct ways. Likewise, gender-specific programming addresses women's experiences that are quite different from those of men (e.g., higher rates of sexual assault victimization), thus programming of this nature is aimed at being more holistic and comprehensive in its approach (Koons, Burrow, Morash & Bynum, 1997; Task Force on Federally Sentenced Women, 1990). Finally, gender-specific programming recognizes that female offenders have lived experiences distinct from those of males, and that the various aspects of these experiences, and the larger social context in which they occur, are often interrelated (Austin, Bloom & Donahue, 1992; Bloom & Covington, 1998).

Gender-specific programming has gained most notoriety in the arena of juvenile delinquency (see Belknap, Dunn & Holsinger, 1997; Pepi, 1998). Beginning in the early 1990s, practitioners began experimenting with new treatment programs aimed at the rising numbers of girls in the juvenile justice system (JJEC, 2004). Today, such programming is becoming more popular among adult populations as well, being targeted at both women in community corrections and prison (Austin et al., 1992; Bloom & Covington, 1998; Kendall, 1994). We argue that jail is another correctional setting that ought to be examined in terms of the utility of gender-specific programming, particularly with regard to motherhood. As discussed earlier, women entering confinement often have very immediate needs. In this context, fear, concern, and angst are quite salient. Women may enter (or re-enter) the criminal processing system with pending charges or probation revocation, while others await trial or a transfer to prison. This is a time of crisis on many levels for women, beyond the uncertainty of their criminal cases. For some women, the "temporary" pre-trial incarceration in jail can turn to years, particularly when there are male co-defendants whose cases must be resolved prior to the woman's case. While the jail setting is often ignored as a site for therapy and gender-specific programming, we argue that it is a necessity, given the very immediate needs and often crisis-laden states of the women detained there.

## ***METHODS AND SAMPLE DEMOGRAPHICS***

Our findings are based on qualitative life-history interviews with thirty women in a southwestern detention center. The second author of this article negotiated access to the detention center. We traveled to the facility over a series of weekends in the spring of 2000 to conduct interviews with women who indicated ahead of time that they were interested in talking to us. Of the approximately 200 women incarcerated at the facility, 65 volunteered to participate. We interviewed 30 of them. None of these women were screened by us, or to our knowledge by the detention center administration, for their involvement in the project. We had no pre-conceived requirements for participation, other than that the women be willing volunteers. Our sample was limited to 30 due to scheduling conflicts (some women were working, sleeping, visiting guests, or at court during the hours we were on site) and budget constraints (for our travel and the \$10-20 stipends provided for each participant). Informed consent was obtained from the participants, all of whom allowed us to audio-record the interviews for later transcription. All provided their own, or were assigned, pseudonyms in order to maintain confidentiality. The interviews were conducted in private rooms at the facility, out of earshot of staff. They lasted anywhere between 30 minutes and three and a half hours.

Our sample was fairly diverse, yet representative of the population of women detained at the facility as well as the female carceral population in the U.S. On average, the women were 34 years old, the youngest being 21 and the oldest being 50. Fifteen women were white (50%), seven were African American (23%), three were Latina (10%), two were American Indian (7%), and three identified as biracial (10%). Nearly all of the women had little to no legitimate income prior to their incarceration. Twenty-five of the women had already been convicted and sentenced; the majority were being detained on probation violations. Three women had been convicted but were awaiting sentencing and two were awaiting trial. These two

women were by far facing the most serious of ramifications, both having been charged with murder. All of the rest of the women were convicted of drug offenses, prostitution, or property offenses.

The interviews were conducted as part of a larger project on the link between women's victimization and offending. However, as our interviewing approach was semi-structured, the interviews often flowed into other topics. We utilized this interviewing approach based on our understanding of standpoint epistemology, wherein the contributions to research by members of socially, historically, or economically marginalized groups are privileged above the contributions of members of more privileged groups (Bar On, 1993; Hartsock, 1987). Rather than predetermine a structured list of topics, our aim was to allow issues to arise as the women saw fit. Among the most common of issues raised in this format was motherhood.

Motherhood stood out as an important theme in several respects. Ninety percent ( $n = 27$ ) of the women were mothers. They averaged three children each and the vast majority (92%) had children under the age of 18. Two of the women were also pregnant, and one had given birth just one day prior to her incarceration. The women discussed the ways in which they viewed themselves as mothers, the role of parenting in their criminal offenses, and their need for social support within the carceral setting.

## FINDINGS

When the women began talking about their lives prior to incarceration, what we first noticed was the way in which they viewed themselves as parents and, in particular, the social significance placed on their motherhood. After hearing about their views on motherhood and listening to the contexts in which they explained their criminality, it became clear to us that motherhood and criminality were inexplicitly linked.

### *Motherhood and Self-Perception*

The women viewed motherhood from two primary vantage points. The first was as a valuable social status, one that required that women uphold, or at least try to uphold, hegemonic standards of motherhood (Kline, 1995). In this vein, the women viewed motherhood as a highly coveted status. By speaking of themselves as good mothers, they seemed to be struggling to think less about their current negative status and instead concentrate on a more positive social status. In so doing, they were able to think of themselves as something other than *criminal*—an asset and a valuable member of society.

A couple of observations illustrate the importance of the women's identity in this regard. Several women reminisced about their children, recalling births, birthdays, accomplishments at school, and the like. A few had photos or sketches of their children and where possible, they returned to the interview rooms in order to show them to us. However, one woman went a step further. During the interview with India, a 31-year-old American Indian woman, the conversation turned to her visible tattoos. As she began describing them, it became clear that they were tattoos with the names of her six children—one tattoo per child. Each contained colors and designs that reminded her of that child. Her most recent tattoo was of a heart with flowers surrounding a blank space on her right breast. This one was reserved for her youngest child whose name she had not yet had tattooed. All of her kids were staying with their father's sister and she planned to reunite with them upon release.

Thus, in their own ways, the women viewed themselves in a positive light, as mothers devoted to their children above all else. Regardless of whether the law or public opinion would agree with such assessments, the power of this self-perception was undeniable. More than providing a buttress against negative connotations of their criminalized state, seeing themselves as good and worthy mothers provided the women with a kind of strength and resilience they may not have derived from anywhere else.

However, the women still struggled to reconcile their past. Several expressed great remorse about their situation, and simultaneous to seeing themselves as mothers, they internalized the social stigma attached to their crimes. As Lisa, a 27-year-old Latina, explained about her use of crack cocaine during pregnancy:

It's awful [crying] . . . just seeing her. She's a little angel from God. For me to just imagine one hit, you know, what it does to me. Imagine what it did to her little brain. . . . [crying harder] Just like for me to hurt her, just horrible. . . . CPS got involved. I mean I don't blame them. The hospital called them, and you know, they treated me like a monster, and I felt like a monster. I knew I was a monster, but the remorse I feel, the hurt.

Such pain over the loss of children was prominent among women whose drug addictions were the impetus for state intervention. In the following two narratives, we hear from Julianna, who was addicted to crack, and Linda, who was addicted to both crack and heroin. Both were black, 35 years of age, and each had four children, although the oldest of Julianna's was an adult. Like Lisa, both of these women were likely deemed the least deserving of the *mother* label, and both used their religious beliefs as a basis for redemption and the belief that they would be seen as good mothers again and reunited with their children. Their persistence in this regard was so strong that it seemed almost vital to their survival.

I believe in my heart of hearts, once you birth a child, they can take your child from you for so long but that child will come back. Listen to a lot of these talk shows on how families are starting to reunite. Just look at the awesome power of God to bring families back together that haven't been together for 14, 20, 30 years. I have a dream that one day my two children that is within the state, I will see them [sic]. We will reunite and be together. With my other children in Nebraska, I have no doubt that I will see them. They'll be family. God will show me the way for us to reunite and be together again. That's my strong belief. . . . He [God] spoke to me. . . . "I'm gonna' pick you up and I will turn your life around and I will make you want success and great things. Most of all, I will make you a great woman of God. . . . I'm gonna bring you back to your children again." That, right there, is enough for me to hold on, to walk through the storm and the rain, and move on with my life.

-Julianna

I ask God to give me my life back, give me my children back. I'm okay with where I'm at because I know when I leave here it won't be long before I can reunite with my children. Not right away, but eventually it's goin' to come together. I know God is gonna' give them back to me. I know I'm goin' to see them real soon. Without them, I'm nothin'. I just thank God.

-Linda

Similar to the way in which Juliana and Linda talked about the children they had lost, so too did Buckwheat, a 44-year-old black woman whose son had been killed in a drive-by shooting:

These Christian women come out here for a Valentine's thing. . . . They gave out these little heart shaped doilies and they had a little prayer on them and they said to all of us, "These are special gifts that we're goin' to give you and hopefully the right one is goin' to reach you." Well, it surprised me about the one that they gave me because it said, "I gave my son to the Lord. . ." and he would live forever. I said, "Oh my God." And He told me to let it go. To let him go.

Such religious conviction was common among the African American women. As we discuss elsewhere (Ferraro & Moe, 2003a), the use of religion, particularly Christianity, was a popular coping strategy as the women were able to attend church and prayer groups several times a week. Moreover, the majority of volunteers inside the detention center were from area churches. Thus, due to their religious beliefs prior to incarceration and/or the religiously guided social support inside the facility, women turned to their faith for comfort, empowerment, and cultural pride. As found elsewhere (Ross, 1998), however, religion served as both a mechanism of survival as well as social control in that while providing comfort, it also conveniently reinforced an ideology wherein women turned inward or toward God for an explanation of

their circumstances, rather than toward the structural conditions that reinforce violence against women, racism, and poverty.

The second way in which the women viewed motherhood was as a pragmatic obligation to provide for their children, which in most instances was made difficult due to poverty, abuse, and drug use. As we will discuss in the next section, the women's obligations to provide for their children were often connected to their motivations for committing crimes. In terms of their self-perceptions, however, they also spoke about their practical role as a *mom*, and in doing so, they expressed a great deal of guilt about being absent. During her interview, Lonna, a 31-year-old Latina/White woman, was quite concerned about her three kids. They were staying with her mother-in-law and while she visited with them regularly, she blamed herself for not being there. She indicated that while she felt badly for missing both of her daughters' birthdays, she was particularly worried about her 14-year-old son, who was acting out and getting into trouble. While she was still married to the children's father, he showed little concern for their welfare, being gone most of the time on drinking and gambling binges:

My son's in a lot of trouble. He'll leave in the middle of the night or he won't come home from school. I'd look for him and I could find him. I'm not there to do that anymore and he [her husband] won't do it. He's hanging out with bad little kids and stuff. I put him in counseling before I came in here. He [her husband] was supposed to take him to counseling. He took him and dropped him off at his friend's house . . . didn't go to counseling. . . . [crying] They don't have a mom or a dad. My mother-in-law asked my son, "Why are you acting this way?" He says, "Why do I have to come home? I don't have a family." I hear in the background my older daughter saying, "It's true. My mom's in jail and my dad's out partying." Damn. [long pause]

In order to cope with such guilt, Lonna did what she could to stay connected to her children: "I write to my kids and stuff and I made my daughter a little birthday card. She was all happy but I didn't want her to have nothing so my mother-in-law sent her balloons from me at school. So they know that I'm not forgetting about them."

Others also wrote to their children. Angel, a 41-year-old black woman awaiting sentencing for writing fraudulent checks, spoke about the relationship she was able to maintain with her eldest of seven children, who was also incarcerated:

My son and I write letters every week to each other. We've been doing some wonderful communication since I've been here. I try to make each letter to him some kind of lesson. I feel like I'm still teaching him and so I use the letters as an opportunity to put that mothering in there for him and try to keep him on track and keep his spirits lifted and, you know, make sure he's growing.

Of course such strategies are dependent upon women being both literate and having familial support on the outside. Literacy is a significant problem, as only 55% of jailed women have a high school education and 12% have less than an eighth grade education (Greenfeld & Snell, 1999). Moreover, women must rely on family or friends to put money into their accounts in order for them to purchase paper, pens, envelopes, and postage. However, where it was possible, such contact somewhat buttressed the lack of institutional support for motherhood on the inside.

Similar to the ways in which women who had lost their children due to state intervention or death retained the social status of *mother*, one woman tried to emulate the notion of having contact with her son by writing him stories and poems, even though he never received them. Orca, a 31-year-old white woman being detained on a probation violation (original charge was drug-related), had lost custody of her son after over a decade of battling an addiction to crack. She felt that writing served a functional purpose in keeping her emotionally tied to her son. Even though she did not know where he was and would likely never have contact with him again, her writing helped her feel as if she was fulfilling some sort of



motherly duty: “I write a lot. It’s the only way I can cope. I write things for my son, children’s poems and books.” Soon after describing this type of communication during our interview, we heard a baby crying in the visitation room. Orca fell silent and began weeping.

Regardless of their circumstances, the women retained their motherhood status. Doing so allowed them to think about the future, to a time they might be outside the control of the criminal processing system and fully able to parent their children. Even for those who had lost their children, continuing to see themselves as mothers was an important coping mechanism. In most cases, doing so provided comfort, motivation for change, and resistance to the social stigma placed upon them.

### *Motherhood and Criminality*

Motherhood seemed connected to the women’s criminality in numerous ways. In most cases, motherhood, and the responsibilities thereof, provided the motivation for women’s economically based offenses.

For example, Angel, quoted earlier, began writing fraudulent checks in order to pay for the exorbitant childcare, grocery, and housing costs she incurred as a single mother of seven children. She had been on her own since the age of 17 and had managed to get through two and a half years of college. She had been working at decent-paying jobs until her abusive husband found her. She then moved to the southwest but had trouble finding employment. It was at this point that she started writing bad checks:

The check writing went off and on for a period, for a number of years . . . sometimes I was getting benefits [public subsidies], sometimes I wasn’t. I would have to supplement my income writing the checks, buying the groceries, stealing money from the bank to pay for rent or to pay for a car repair. You know, it was always something. . . . There were a couple of times I went to the bank and wrote checks for cash and made it out for \$1,000 cash that was for covering things, bills, stuff like that.

For Angel, and several others, economically based crimes, were connected to abusive partners as well as motivated by the need to provide for their families. Alicia, a 21-year-old African American/white woman, provided a similar rationale for drug dealing:

I don’t regret it because without the extra income, my kids wouldn’t be fed every day. Even though I do have a good job when I work and stuff like that, it’s hard raising two kids by yourself. . . . You get used to having money every day and you don’t have to worry about the electric being off or the rent being paid. Your check is like your hard earned money, you’re not going to spend it ridiculously like, “Oh, let’s go buy a \$100 pair of shoes with it.” You know what I’m saying? You budget it because it’s the only thing you look forward to for paying your bills . . . but that money goes so fast. As soon as you get it, the kids need new clothes or spend \$20 at the Circle K for candy. . . . We may not have chosen the right paths to go along in life, but I’m not a dummy. . . . They get mad at you if you can’t get a job in two weeks. Who in the hell is going to employ you? I’m not going to McDonald’s. McDonald’s is not going to pay my rent. That’s what they want you to do. Lower your self-esteem to where you will take anything. I’m sorry, I have never worked for a \$5 an hour job, not since I was a teenager. I’m not going to now. I have two kids to support. Where am I going to live with them? In a shelter, making \$5 an hour? I’m not going to subject my kids to something like that. I’d rather just do my prison time if I have to do it and get rid of all of this.

Although she was the youngest of our interviewees, Alicia seemed very cognizant of some of the larger social structures that affected her situation. She was the mother of a three year old and a five year old, and she had been on her own since she was 17. She had no family support and had been involved with an abusive man. While she had completed technical training as a nurse’s assistant, she found that the \$10 an

hour she made was not enough to provide for her family. Although she believed that selling crack was wrong, she also felt justified in doing it because of the support it provided for her kids.

Lonna's story was similar to Angel's and Alicia's. She was in jail for violating probation, but her original offense was welfare fraud. She blamed her husband for stealing the family's grocery, rent, and utility money and putting her in the predicament of having to collect extra checks:

I don't want to make it sound like it was all his fault but it is. There came a time when there was sometimes no water in the house, no electric, no food. So while I was working I collected welfare. Not only that, sometimes he would take my money anyway no matter if he was working or not. It didn't matter. Sometimes he'd just take my money anyway, so I would go and get extra checks.

In total, 27% (n = 8) of the women were being detained on probation violations. In most instances, the violations involved relatively petty matters such as missing an appointment with their probation officers or skipping a drug test. The most serious probation violation involved Patrice, a 28-year-old Black woman serving a 120-day sentence for smoking marijuana. Patrice's original crime of welfare fraud was directly connected to her need to provide for her three kids, and began when her children's father was sent to prison and she was struggling financially: "I wanted my baby a baby bed and wanted her this and I wanted her that and he wasn't there. I didn't know where he was. Just one day he disappeared." The drug conviction was a felony, which Patrice was beginning to realize would complicate her ability to find a legitimate job, as she had just been placed on work release:

When I went for my sentencing, I thought he was going to let me go because I paid for all of my restitution for the welfare check and everything. My lawyer's like, "We think she should be released." And the judge goes, "No, I'm going to give her about 120 days . . . you shouldn't have smoked that joint." . . . I don't think he was very fair at all. I think that a felony is for somebody who did something really actually bad. I ain't sayin' what I did wasn't a crime. I know it was a crime. I just can't imagine why he would give me a felony because I broke probation and smoked a joint. I write down "felony" on my applications and everybody goes, "Oh no, we can't hire you." . . . A lot of us are in here for probation violations. The judge didn't care that we had kids.

The difficulties of complying with community supervision requirements were addressed frequently. The women who did so believed that such requirements placed additional burdens on an already strained situation and negatively impacted their kids. Alicia described the requirements of her intensive probation:

Three to four times a week, counseling, but you have to pay for it. One girl said she was paying like \$60 a week just for three counseling sessions. Every time it was \$20 . . . bang. . . . They expect us to have a full time job, which is fine, counseling four times a week, on top of community service two hours a day, so that's ten hours a week, so where is the time for your kids? And they know some people have kids, but they don't care. You mess up any step of the law and they're violating you and putting you in prison. And if you don't go to counseling when they say to go, you're violated even if you drop clean every day. If you mess up in any of those areas, say the traffic is bad, or say my daughter is asthmatic. She goes into an asthma attack in the middle of the night, I have to make sure I page my IPS [intensive probation supervision] worker and make sure he calls me back in time before I go to the doctor. My daughter could be suffocating in this time while he's taking his time calling me back and they don't care. You leave without them knowing, you're violated. They don't care if you're dying or your kids are dying. Good thing my daughter hasn't been in the hospital. She has a heart murmur. Anything can happen to her and I don't feel like that's right for them to violate if I am at the hospital with my child. Even if I get there right away and I page them, they say, "Well, too bad. You're prison bound." That's what IPS stands for: in prison soon. A lot of people say that.

A final observation about probation violations is noteworthy. In cases where women had violated their probation through a new offense, as well as other cases where women knew they were going to be in trouble with authorities (e.g., an arrest warrant being issued), the majority turned themselves in. Before

doing so, however, they often negotiated placement of their children so as to lessen the chance that state authorities would intervene and place their children in foster care or other undesirable locations. They did not feel they could rely on their current partners for this.

On the whole, these narratives resonate with *pathways to crime* research, which is primarily concerned with the ways in which a person's life experiences may situate her or him in ways that make criminal offenses more attractive. Within feminist scholarship, pathways research has been connected most directly with prior victimization, the typical scenario often involving a battered woman who kills her abuser (Arnold, 1990; Belknap, 2001). It has also been used to examine avenues of criminalization outside of interpersonal victimization (e.g., drug use, prostitution), though all of these experiences are often interconnected within a woman's lived experience (Daly, 1992, 1994; Owen, 1998; Richie, 1996). Based on these narratives, motherhood, in and of itself or combined with exigent factors such as abuse, drugs, and poverty, appears to be a pathway toward criminality.

In a different vein, motherhood was sometimes connected emotionally to crimes. Women who had lost custody of their kids because of abusive partners and/or drug addictions often spoke of crimes they committed as a result of such loss. Almost all of these crimes involved substance abuse. A total of ten women (30%) had permanently lost their children due to state intervention. Gillian, a 36-year-old white woman, faced severance of her parental rights after her abusive husband molested their nine-year-old daughter. During the case, she had separated from her husband and moved in with her mother. She felt as if she had done all she could to do comply with state authorities, but she eventually lost her daughter permanently. She immediately began using crack:

We went to court and they tried to say I had a drug and alcohol problem. I didn't even do drugs back then. I smoked pot, but since I've been here, I haven't smoked no weed. I did drink. They said I had a drug problem and I don't even know where they got that. I wasn't even doing drugs. I did start drugs after I lost her. About two to three months later, I did it. I was like, "Hell, they said I did it." I didn't have nothing to lose then. I had already lost her, so that's when I started doing drugs.

Similar experiences were shared by two women who were still struggling to maintain their parental rights. One of them, Marie, a 27-year-old white woman with a three year old and a five year old, was serving six months for prostitution. She had turned to prostitution to support a long-time drug addiction. CPS became involved with her family after her husband had gotten high and rolled her kids in a stroller onto a busy highway. Marie's addiction worsened after this, as she turned to crack, cocaine, heroin, and methadone. However, despite being intermittently homeless and abused by her husband, Marie had managed to get sober, find an apartment, and file for a divorce in order to comply with CPS. The state was still moving toward terminating her parental rights, but Marie remained hopeful. She explained how drugs related to the situation with her kids:

I think getting them back is a real strong drive for me to stay out of drugs. It gives me something to concentrate on. I know if I touch those drugs, the kids are gone. I'll never even have a fighting chance. So, I know I can't. The only barrier I see is just the last court date. I didn't go because I was high. I knew they were takin' them and I couldn't bear to hear about severance and adoption as they planned, so I just didn't go. That didn't help. I just hope it ain't the same judge.

### ***Need for Social Support as Mothers***

There was limited recognition within the detention facility of motherhood or the powerful role it played in the survival of the inmates. The only therapy available to the women occurred in a group setting and was run primarily by one counselor. The program appeared fairly comprehensive in that it addressed topics such as domestic violence, anger management, and substance abuse. Brina, a 27-year-old white woman,

commented on how she and others felt about having access to this therapy. In particular, she was struck by a movie they had watched about a woman who mistreated her baby. While Brina had not been in that same predicament, she did feel as if she had lost her two-year-old daughter because she had left her in another state in the custody of her best friend after being arrested and extradited for embezzlement:

It hit home with me because of losing my baby . . . the consequences are still the same. It brings hope to the women in here . . . who have lost them [children] to circumstances. It gives you hope that you can straighten yourself out. You can get everything rearranged and on the right track.

Others commented that participation in this program was a unique experience and one that they would not be able to have on the outside. Indeed, this program was unique, even within a jail setting. According to the National Institute of Justice, only about 20% of jailed women receive mental health services upon admission (Harlow, 1998). This is quite negligent given that incarcerated women report psychological counseling as being the single most important service they need (ACA, 1990). Despite the availability of this program, some women did not even acknowledge its existence and instead drew attention to the continued needs of the inmates. This indicated to us that not all the women either found the group-based program effective or had access to it:

I see so many girls in here that don't need to be in prison. They need to be intensively in some sort of therapy. They've been so severely abused that their personality is just splintered. They don't even know who they are. They're just shells of people. They need to be put back together before they can begin to be expected to understand any kind of responsibility or consequences.

—Angel

For one woman in particular, just having the opportunity to talk to us was therapeutic. Sherrie was a 40-year-old white woman with four children, three of whom were under the age of 18. She had lost them to the state due to her involvement with an abusive man. She had lived on the streets on numerous occasions in order to hide from him, but was eventually seen as an unfit mother for not doing more. She began the interview relatively reserved, but opened up as it progressed. At one point she spoke about her fragile emotional state:

Yeah, I've got to get some of this stuff out. You know, you people are the first people I've talked to . . . I've told nobody any of this, you know? And it's hard. . . . And even right now it's just the bare surface, you know? If I start talking, I'm going to be like Humpty Dumpty. I'm going to fall and you ain't going to find all those pieces. That's what I'm afraid of, that I'll lose it completely mentally, you know? It's going to take a lot.

For another woman, opening up in this way was too painful. One of our shortest interviews was with Theresa, a 39-year-old white woman, whose parental rights to her four children had been terminated in the previous year. Similar to some of the stories in the previous section, she was serving six months for a second D.U.I. (driving under the influence). While she had long battled alcoholism, her use worsened after state authorities informed her that they were going to move toward severance. She had managed to remain sober and comply with state authorities for over two years; however, after a weekend visit from her abusive ex-husband, the state changed its position on the dependency case. Theresa appeared to be in shock throughout the 40-minute interview, which was formally ended after she became too distraught to talk.

But there were instances where the women spoke about how they were using incarceration, regardless of what they felt about it and the lack of institutional support, as a time for future planning. Lonna had survived a 14-year abusive marriage in which her husband constantly stole the family's money to support his drug and alcohol use. Initially caught for welfare fraud (described earlier) and after being arrested for

violating probation, she had finally come to the realization that she needed to end the relationship for the benefit of her three minor children. While she was attending group counseling in order to learn how to break free of the relationship, her situation was illustrative of how helpful a well-staffed, comprehensive, advocacy-based program could be:

While I'm here, I'm not going to make it a waste of time. I'm going to do what I can to get ahead. . . . I think it's a good thing that I came to jail . . . I'm not going back home. I'm getting a divorce when I leave here. I'm just going to take the kids and leave. That's my plan when I leave here. . . . It's a good thing I'm here I guess. Not for the kids but it will be better in the long run.

In most other instances, the women expressed a lack of support for their motherhood. Such opinions were not reserved for the detention center alone, but rather from the treatment the women received throughout the criminal processing system, the effects of which were only magnified in the carceral setting. As Alicia stated regarding the judge who sentenced her:

If you really cared about me being a good parent, what is 90 days in here really going to do for my children? . . . Some of us in here do have families. It's broken up two times because the father's not there and then the mom is not there because they have to be locked up. . . . We're not all bad people.

There was only one woman in our sample who claimed she was receiving institutional social support. However, upon considering the circumstances of her life, it became clear why she would feel this way. Boo, a 27-year-old Latina, had been in and out of jail several times prior to our meeting. In the last five years, in between incarcerations, she lived on the streets and supported herself through prostitution, drug sales, shoplifting, and burglary. She admitted being addicted to crack, heroin, and alcohol. She had three minor children and was pregnant at the time of the interview. In the following excerpt, Boo describes the kind of support she found in the detention center:

To me this is my home away from home 'cuz I don't have nobody on the outside. So it's kind of hard for me but then at the same time I like it in here 'cuz I get that special attention that I crave. . . . I know all of the COs [correctional officers] here. They're like my uncles and aunts . . . they're real good people to me. I like them. . . . I get taken care of in here very well. They give three pregnancy bags a day which contain two cartons of milk, two orange juices, and two fruits and you get three pills three times a day during breakfast, lunch and dinner.

For Boo, having access to prenatal vitamins and nutrition, as well as knowing the staff, translated into institutional social support. Other women recognized the lack of institutional support for their motherhood. Mary, a 32-year-old white woman with a nursing degree who was arrested for D.U.I., shared her observations of how pregnant women were treated: "This girl went into labor and she was so scared and she screamed and cried and nobody came. Finally several of us started screaming until somebody responded because she was getting ready to deliver her babies, her twins, all alone." In order to help, Mary used her education to assist others manage the dismal health care services available in the facility: "I help people fill out medical slips. A lot of these people come in here and they don't know how to read and write and they can't really put it together and say what it is they want to say . . . people in here need an advocate."

Throughout these narratives, we see issues that a gender-specific program could address. In lieu of such a program, women began helping themselves by creating their own informal peer support system. As Boo described, they lifted each other's spirits and helped each other out whenever possible: "We clown a lot. We make each other laugh and stuff. Otherwise we'd be sitting in our rooms and we'd go crazy. That's why a lot of people do the things they do. I've seen a couple people hang themselves in here. I've seen people go crazy." To some extent, the counselor who worked most closely with the women during the group sessions was trying to institutionalize these efforts. As Angel attested:

I've done a lot since I've been here. I taught a class . . . the counselor here is really, really good and she lets us do what we want to do in the group so now since I've taught the class, a couple of the other girls are putting together exercises and they're going to also get up and teach a class. You have to have something to do in here and there's not enough programs.

Such support was critical for many of the women, and the format used by the counselor fits well within the gender-specific model we discussed earlier. However, while notable, she was alone in her efforts and as previously mentioned, the program she ran did not seem to be accessible to or known by all of the women. Institutional barriers to communication with loved ones on the outside worsened the situation. As mentioned previously, the women no longer received writing utensils, paper, envelopes or postage from the facility. Such items had to be purchased from commissary with funds put on the women's accounts from outside the facility.

Even calls to the outside, since they must be collect calls, required loved ones to have disposable income. This caused quite a burden, as attested by Shakilla, a 34-year-old, black woman with a 14-year-old daughter who was in the custody of her mother. Shakilla had been trying to maintain regular contact with her daughter but was no longer able to because her mother had a \$300 phone bill from the many collect calls. Phone calls from the detention center cost the receiver \$1.90 for each 15 minutes. Her mother was on a fixed income and did not have the money to cover those types of bills. Shakilla feared that continuing phone contact would take money away from that which was needed to provide for her daughter.

Not surprisingly then, the stipends we provided for interviews produced a strong incentive for participation. Some women expressed concern about their friends inside the facility who for whatever reason were not able to be interviewed. While sharing funds was prohibited by administrators, they indicated that they still planned to do so. In short, without outside resources, several women lost contact with their families, particularly their children. Again, simple and relatively affordable forms of tangible support, which could be a part of a therapeutic program, could go a long way toward helping women feel connected and empowered.

### **DISCUSSION: PROGRAMMING POSSIBILITIES**

Women in this study both accepted and challenged hegemonic discourses on mothering by retaining and defending their motherhood status under the most dire of circumstances. We do not mean to suggest that all were the most protective and nurturing of parents. Indeed many were not. Some put their children at great risk by their decisions and behavior, while others had attempted to provide for their children through illegal means. The question of what may be best for the children of these women and whether the women ought to have contact and/or custody of them is beyond the scope of this paper. Our focus is on how women's symbolic or pragmatic status as mothers fed into their motivations for crime and the ways in which they survived incarceration. In this regard, therapeutic programming that concertedly addresses issues related to family, parenting and motherhood would be helpful. Specifically, an assets-based approach to therapy within jail settings may go a long way toward helping mothers focus on their futures, with or without their children. Given the crisis state women may be in upon incarceration, as well as the short time in which they may be incarcerated at a jail or detention facility, such a program would need to be adaptable and short-term.

A framework for such a therapeutic program is van Wormer's strengths-restorative approach (2001). Building on strengths theory (see Saleebey, 1997) within the social work discipline and restorative

justice principles (see Hahn, 1998; Johnstone, 2001), this model is premised on identifying and using the strengths of an individual to build support systems around her as she works to more fully recognize and recover from negative experiences throughout her life. In the case of incarcerated women, such negative experiences are probably numerous and may include prior childhood or adult victimization, poor family relations, poverty, racism, sexism, miseducation, physical and mental health problems, substance abuse, and of course criminalization. Such experiences may be aggravated by motherhood, single-parenting, and CPS intervention.

While still relatively new in the correctional arena, strengths-restorative approaches have been utilized with juvenile offenders (Clark, 1998; Pepi, 1998) and domestic violence victims (Hoyle & Sanders, 2000). A few articles have laid a framework for adapting it to female offenders (Wilson & Anderson, 1997; van Wormer, 1999) and in van Wormer's (2001) book, the structure and method of the program is elucidated more fully. The program would begin by recognizing and legitimizing these many negative experiences, on an institutional level, so as to help women to understand that they are not alone in having them and that there is a larger social context, perhaps well beyond their control, in which they occurred. For women who are already cognizant of this, such a program may at least offer a setting for receiving and building social support as they negotiate the legal system and plan for the future. Social workers, counselors, or therapists running the program would not excuse the women's offending behavior or even justify it; the goal would be to simply provide a space for women to safely reflect on the difficulties in their lives and to see them from varying perspectives. This could be very powerful for women who blame themselves entirely for what happens to them, rather than seeing the larger social structures that support patriarchy, racism, and poverty.

The main aspect of the program, however, is to assist women in moving beyond the point of recognition and toward strategizing and action. In this respect, the program would provide a platform for women to know and appreciate their individual strengths and the ways these strengths may be used in the future. It would allow women to go beyond thinking about how they would like their lives to be to planning for their lives upon release. Grounded in realistic goals and possibilities for achieving them, administrators of the program would assist, and perhaps advocate on behalf of, women who need such things as a G.E.D., safe housing, substance abuse treatment, parenting skills, child care, legal representation, employment, and transportation. While the women's caseworkers or probation officers may address some of these needs, within the program the assistance would be couched in a therapeutic setting that would provide social support along with encouraging of women to make their own choices rather than follow another person's directives.

While presented as just a framework here, *strengths-restorative* therapy, as van Wormer (2001) conceptualizes it, may be implemented in varying contexts as a gender-specific program, encompassing a holistic perspective of the types of concerns and experiences women may have while recognizing that each woman may be distinct in her need, experiences, individual assets, and ways of coping (Austin et al., 1992). In this way, motherhood could be addressed, legitimized, and supported within the carceral context, regardless of what a woman's circumstances as a parent are on the outside. For those who need and want it, realistic plans could then begin as to how to remain safe, stay out of the legal system, and support one's family upon release. For those mothers who no longer have rights to their children, the program could be a healing process that may eventually foster a realistic plan for living independently. This type of framework could be adapted to individual or group-based therapy (van Wormer, 2001) and formatted for short-term use (Berger & Andrews, 1995, as cited in van Wormer, 2001) such that women in jail would benefit, if in no other way than from greater social support. And while we recognize that a carceral setting represents the epitome of oppression and is among the least desirable of spaces for therapeutic progress, we also know that it may actually be the safest place for women who on the outside face violence, poverty, and rampant drugs (Bloom & Covington, 1998; Ferraro & Moe, 2003b).

## CONCLUSION

Women have been disproportionately affected by the *war on drugs* as well as increased poverty and the eradication of public services. Moreover, the contexts of their crimes have yet to be fully recognized by the criminal processing system. While advocacy and social reform must target these arenas, until or unless meaningful change occurs, women will continue to be criminalized at astronomical rates. These women will continue to face a host of issues upon entering the criminal processing system. They may be recovering from the physical, sexual, and emotional abuse inflicted by intimate partners; dealing with the effects of street violence, poor nutrition, absent medical care, and/or substance abuse; and reconciling the crimes they committed. In most instances, they will also be mothers with dependent kids for whom they worry, cry, pray, and vent. Their children are also harmed in ways that may reproduce their experiences that led their mothers to jail. We have argued for greater attention to jailed women, a carceral population that has been largely ignored. We advocate for greater focus on the immediate needs of this population and the development of short-term, gender-specific strengths-restorative based therapy. This is only a first step, and resources and support following release are essential to women's continued success as mothers and as citizens. While we focus here on women in jail, we endorse the increased use of alternatives to incarceration and the reversal of the trend toward harsh, punitive responses to non-violent crimes.

The value of motherhood for the women in this study, and other women ensnared in the crime processing system, is multifaceted. It would behoove us to begin addressing the needs of incarcerated mothers in a more concerted and systematic way, with the hope that they may better come to terms with the reality of their situations and, if given the opportunity, strive to provide the best possible upbringing for their children. Their futures are not hopeless. Many have survived circumstances worse than incarceration and will continue to survive despite insurmountable odds. We must recognize this and choose to support them through the process, instead of ignoring, scapegoating, and criminalizing them.

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The authors are indebted to the women who candidly shared their experiences with them. The authors also thank the administrators and staff of the detention center in which they met these women, as without their cooperation this research would not have been feasible.

The authors were grateful to receive monetary support for this research through the Center for Urban Inquiry at Arizona State University.