In June 2006, officials in California declared the end of an unprecedented 20-year prison-building boom with the opening of the Delano II prison, acknowledging that it would be the state's "last prison." Fourteen months after this historic declaration, Governor Arnold Schwarzenegger—known for closing prisons in his first budget address in January 2004—opened a special session of the legislature with just one proposed solution to the crime that is the California prison system—to build, build, and build some more.

The problem: California's $8 billion prison system confines too many people, provides horrendous health and mental healthcare (a federal court has placed the healthcare system into receivership), underfunds and curtails schooling and services, and consistently fails to deliver on its promise of public safety. The Governor's short-sighted answer: To make this disaster even bigger by adding at least two new full-scale state prisons and 50 to 50 new smaller prisons scattered around the state, including up to 40 new prisons dubbed "community correctional facilities" specifically for women.

Building a Whole New System of Incarceration

Governor Schwarzenegger has not closed his building plan as tough on crime. A May 2006 poll of California voters indicated that 67% supported the position that "we have built enough jails in California." (FD. Ross, "New Poll Points the Way to Democratic Victory in Cali-

"Building a Whole New System of Incarceration:"

California prison system confines too many people, produces horrendous health and mental healthcare (a federal court has placed the healthcare system into receivership), underfunds and curtails schooling and services, and consistently fails to deliver on its promise of public safety. The Governor's short-sighted answer: To make this disaster even bigger by adding at least two new full-scale state prisons and 50 to 50 new smaller prisons scattered around the state, including up to 40 new prisons dubbed "community correctional facilities" specifically for women.

A May 2006 poll of California voters indicated that 67% supported the position that "we have built enough jails in California." (FD. Ross, "New Poll Points the Way to Democratic Victory in California") (2006); available at www.californi

The Governor has put forth a plan grounded on the rhetoric of "prison reform." With regard to people in women's prisons, this plan speaks of "gender responsive care." The California Department of Corrections and Rehabilitation (CDCR) has identified 4,500 women that, by its own criteria, do not need to be in state prison. While the CDCR has identified these 4,500 women as eligible to be transferred, there are approximately 9,000 people in women's prisons who have been convicted of offenses classified as "nonviolent property and drug related offenses." But, rather than release them, the Governor, CDCR, feminist scholars, and some advocates have proposed building a whole new system of smaller: prisons throughout the state for people they consider do not need to be in prison.

In a late June 2006 press release, for example, the Governor's office announced the Special Session in these terms:

The Governor proposed a measure to move 4,500 nonviolent women out of state prisons into community correctional facilities. This reform would also allow to-risk, nonvio-

icemates, women who are near the end of their release, to come closer to their families in their final months of custody. Experts have said that this type of program is effective in reducing recidivism. Moving these women out of prison, which consists of approximately 40% of the total female populace, would make room for an entire prison worth of space that could be used for male prisoners.

This article addresses that prison expansion is not prison reform. Moreover, advocating for gender responsive prisons fails to challenge the underlying assumption that prison is a proper and effective institution to address women's problems, an assumption I do not share.

Gender Responsive Prison "Solution"

Three advocating gender responsive prisons seek to create an "environment" that reflects an understanding of the realities of women's lives and addresses the issues of the women." (Barbara Elson, Barbara Owen, and Stephanie Cong-

October 2006

Kinder, Gender, Gender Responsive Cages: Prison Expansion Is Not Prison Reform

by Rose Bres* 4

*Rose Bres serves as the Director of Critical Resistance, a national prison abolition group. She can be reached at 1906 Pomegranate St, Suite 500, Oakland, CA 94612. (510) 654-2486. medicaleducationusa.org

Dr. Congdon, "Gender Responsive Strategies: Theories, Policy, And Practice," p 6 (4) Women, Girls & Criminal Justice 81 (2003). The underlying presumptions of advocating for gender responsive prisons is that such an environment can be created in a prison, that imprisonment can effectively address the "realities of women's lives" and the "needs of the women," a presumption that I also do not find valid. The biggest pitfall of gender responsive prisons in relation to imprisonment is that gender responsiveness fails to challenge the notion of prison as an institution that can effectively "address the issues of women."
and services for women or men. The current plan to see into a prison it will pro-
duce any different result and that real-
ity is coming to light in Sacramento.
In the midst of the Governor's Spec-
cial Session, Assemblywoman Jackie Goldberg
removed her name as one of the authors to build the new 4,500 beds. In a
yet unpublished article, Assm. Goldberg
wrote:

Earlier this year, I introduced legis-
lation requiring California Depart-
ment of Corrections and Rehabili-
tation (CDCR) to expand the use of
community correctional facilities in order to treat nonviolent, non-
serious female offenders consistent
with the recommendations of the
CDCR's Gender Responsive Strate-
gies Commission (GRSC), with the
belief that the CDCR was making
movements in the right direction
by focusing on treatment and serv-
ces for women in prison.

Today, this idea has become part of
a larger poorly constructed, short-
sighted plan to build more prisons.

The real concerns and needs of
women in prison have been manip-
ulated to support a prison expan-
sion package that will harm thou-
sands of women and children
throughout California. The recent
contract bid proposal put out by
CDCR for ABS-2 is filled with prob-
tems that would almost certainly
result in a reduction of services, less
family visitation, and countless other
custodial issues:

Myth of Kinder, Gentler, Gender
Responsive Prisons

California is selling these new prisons for
women to feminists, reformers, and
progressives as better for women. Even
if one believes that prisons could resolve
the issues facing women, the details of
the CDCR plan challenge the notion that
these prisons would, in fact, be kinder,
gentler, and able to reduce the popula-
tion.

Ironically, a major justification for
these new prisons is that women would
be "serving their sentences closer to their
families." Thus, it is suggested, they will
be able to better maintain family ties.
State documents point out that the new pris-
ons are "intended to strengthen family
bonds by making it easier for children to
have regular contact with their moth-
er." However, women are soon to be
granted three visiting days per week at
the state prisons where they are currently
incarcerated. CDCR, however, is only
requiring operators of the new prisons to
provide for two days per week of visit-
a. A New Way of Life: A New Way of Life is
a prime example of a truly communi-
ty-based organization that could effec-
tively provide the desired services to
women outside a correctional setting. A
New Way of Life has had the only sober-
living facility for women coming home
from prison in the Watts area of Los
Angeles. It has served 120 women since
1996. Its director, Susan Burton, knows
well the struggles, since she, too, faced
them as a woman coming out of prison in
the late 1990s. A New Way of Life's goals are to:

• Create a clean, safe, sober-living envi-
ronment.
• Offer reeducation, job training, and skill-
building; and perhaps uniquely,
• Provide leadership as community
advocates for the rights of women in
prison, the formerly incarcerated, and
their families.

Plans for Increasing Capacity Over
Decade. While the CDCR's plan even-
tually anticipates using the freed up 4,500
beds in current women's prisons for
men, the conversion of a woman's prison
to use for men is not slated to occur until
2020. Thus, CDCR plans on increasing—
not decreasing—the capacity to imprison
people in women's prisons for over a
decade. Moreover, the projected increase
is huge. An additional 4,500 people in
women's prisons would mean a 59% increase
by 2020. The CDCR has offered no detailed
plan as to how it would actually reduce
the population of people in women's
prisons in 2020. While CDCR might
hope that the reduction would come from
all the programming that will occur in the
new prisons because space would be
available, there is not one penny slated
for this purported programming and the
only way that funds would fail would require
the new prisons to open at a higher
literacy level. The plans advocate to
forget that construction of the build-
gings alone does not mean the program-
matic will necessarily follow, or that this
unspecified programming will produce
results.

Women Prisoners Oppose the Plan

A statistically significant number of
people in women's prisons have orga-
nized to oppose the CDCR's plan. Over
1,000 women imprisoned at the Central
California Women's Facility have signed
comments to Justice Now (www.jusnow.org) opposing the Governor's
plan, including Zander Johnson, who
writes, "We shouldn't keep expanding the
prisons when the current model is
a failed venture."

There are many other reasons to
oppose the plan. Because the Governor
wants to build new prisons using a loop-
hole called lease revenue bonds (LRBs),
taxpayers will not be allowed to vote on
whether California builds more prisons.
The past two times California voters were
asked to approve prison construction
bonds, these bonds were overwhelmingly rejected. The only reason to use LRBs to
build a prison is to bypass the need for
voter approval.

So, it is extremely dangerous to base
prison policy on election year politics.
One cannot help but hold suspect the
election timing of this special ses-
sion. With a problem that has been
building for decades, does the Governor
think good public policy can be accomplished in a quick fix, three-week special session
just before his re-election bid?

Worldwide Changes

Shortly after Governor Schwarzeneg-
gre called the Special Session to build
See KINDER, page 91
KINDER, from page 58

an entirely new era of imprisonment for women, the International Center for Prison Studies (ICPS) at King's College, London, released the first World Female Imprisonment List. Bringing together data from 187 countries, the ICPS found that globally, over 500,000 women are locked in women's prisons. About one-third of the worldwide total, 165,000, are in U.S. prisons. The two largest women's prisons in the world are in California.

At the same time, the Howard League for Penal Reform petitioned the British government to start cloning women's prisons and recycling resources to community programs and treatment facilities. In addition, Italy announced that, as a solution to its overcrowding problem, it would pardon and release 12,000 prisoners. The Justice Minister had threatened to resign unless Parliament passed the bill.

Previously, Governor Schwarzenegger created a Commission to study and recommend reforms to California's prison system. The Governor's Commission, headed by former Governor George Deukmejian, concluded that the "key to reforming the system lies in reducing the numbers."

We all want safe and healthy communities. But bankrupting the state to expand a prison system that has not made us safer is bad public policy.

There are literally hundreds of ways we can both reduce the number of people in prison and improve public safety. The most obvious include releasing the 47,000 people in women's prisons that the state has identified and inventing the resources that would have gone into the construction and operation of 50 to 90 new men's prisons in their communities.

Imagine if we took just a portion of those funds and simply provided each of the women with six-months housing upon release. It's time to stop pretending that increased capacity, no matter how gender responsive, is part of the solution.

News Article, page 90

Race, Gender, and Incarceration: The Relationship Between Co-Occurring and Victim Characteristics for Violent Incidents Involving Female Offenders

by Barbara A. Koos Witt and Pamela J. Schram


According to Barbara A. Koos Witt and Pamela J. Schram, who teach criminal justice at the University of South Carolina, Columbia, and California State University, San Bernardino, police research studies (including some of their own) suggest that women who commit violent crimes differ from one another in terms of race, gender, class, and other factors. They report, for instance, that:

- Black women are more frequently involved in violent crime than white women.
- White women generally commit such crimes in the company of males, while black women commit these crimes by themselves or with other women.
- Black women kill friends, acquaintances, and other women more often than white women.

In this study, Koos Witt and Schram use the Federal Bureau of Investigation National Incident-Based Reporting System (NIBRS) data to examine more fully the interactions between race, co-offenders, and relationships to violent crimes that women commit. The NIBRS data made available in 1999, reports crime incidents to only 11 states (Colorado, Idaho, Iowa, Kansas, Maine, Missouri, Michigan, Nebraska, North Dakota, Ohio, South Carolina, Tennessee, Texas, Utah, Vermont, and Virginia).

More specifically, Koos Witt and Schram study the extent to which the racial makeup of offender groups conditions the relationship between whether females offend alone, with other females, or with males, as well as the sex of the victim(s) of the sexual arrest between the victim and perpetrator(s).

Overall, the authors discover three general patterns of findings:

- **A significant (albeit not race-based) relationship between offending group and violent crime type.**
- **A significant relationship between offending group victim's sex and the crimes of aggravated assault, robbery, and murder or nonnegligent homicide.**
- Black women kill friends, acquaintances, and other women more often than white women.

In this study, Koos Witt and Schram use the Federal Bureau of Investigation National Incident-Based Reporting System (NIBRS) data to examine more fully the interactions between race, co-offenders, and relationships to violent crimes that women commit. The NIBRS data made available in 1999 reports crime incidents to only 11 states (Colorado, Idaho, Iowa, Kansas, Maine, Missouri, Michigan, Nebraska, North Dakota, Ohio, South Carolina, Tennessee, Texas, Utah, Vermont, and Virginia).