

Statistics on Women in the Justice System

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All material is available through the web site of the Bureau of Justice Statistics (BJS): <http://www.bjs.gov/> unless otherwise cited. Note that correctional populations (prison, jails and community supervision) and rates have decreased during the last two-three years. Results can be skewed by changes in large states. Because of large sample sizes, older BJS data remain definitive.

Felony Defendants:

An estimated 17% of defendants were female in 2009. This was a slight increase compared to 1990 when females represented 14% of defendants.

In 2009, the most frequently charged offenses among female felony defendants were fraud (37%), forgery (34%), and larceny/theft (31%). Female felony defendants were least often charged with a weapons-related offense (4%).

Felony Defendants in Large Urban Counties, 2009-Published in December, 2013, Bureau of Justice Statistics, US Department of Justice

State and Federal Prisoners:

Between 1991 and 2011, new court commitments of females to state prison for violent offenses increased 83%, from 4,800 in 1991 to 8,700 in 2011.

In 2006, 19,600 females entered prison for property crimes compared to 10,300 in 1991, and 17,100 in 2011.

Among female prisoners in 2012, black females ages 18 to 19 were 3 times more likely to be imprisoned than white females. Hispanic females in this age group had imprisonment rates nearly twice those of white females. Black and white female imprisonment rates were closest among prisoners ages 25 to 39, when black females were less than twice as likely as white females to be imprisoned.

Prisoners in 2012, published in December, 2013, Bureau of Justice Statistics, US Department of Justice

Males (932 per 100,000) were imprisoned at 14 times the rate of females (65 per 100,000) in 2011. Imprisonment rates for males (down 1.7%) and females (down 1.8%) showed similar rates of decline from 2010 to 2011.

Females comprised 6.7% of the 2011 state and federal prisoner population. In eight states, at least 10% of the sentenced state prison population was female.

At yearend 2010, male and female state prison inmates differed in the types of offenses for which they were sentenced. At yearend 2010, 25% of female inmates in state prisons were incarcerated for drug crimes, compared to 17% of male inmates. Property crimes comprised 29% of the overall sentenced female population in state prison and 18% of the overall male population. An estimated 37% (34,100) of females in state prison were held for violent crimes, compared to 54% (689,000) of males.

There were 111,387 women offenders incarcerated in state and federal facilities in 2010 compared to 1,487,393 male inmates.

Prisoners in 2011, published in December, 2012, Bureau of Justice Statistics, US Department of Justice

Prison, Jail and Community Supervision:

In 2009, the majority of the total correctional population (prison, jails, community supervision) was male (82 percent) and 18 percent was female.

Men comprised a smaller portion of the total population in 2009 than in 1990 while the percentage of women increased slightly within the total correctional population.

Women under correctional supervision in 2009 (85 percent) were more likely than men (66 percent) to be supervised in the community on probation or parole.

Correctional Populations in the United States, 2009, Published in December, 2010, Bureau of Justice Statistics, US Department of Justice

The rate of incarceration in prisons and jails per 100,000 was 1,352 for males and 126 for females. The rates by race include Black females (260), Hispanic females (133) and White females (91).

Correctional Populations in the United States, 2010, Published in December of 2011, Bureau of Justice Statistics, US Department of Justice. Note that the 2011 version of the report (published in November, 2012) did not offer demographic information.

Previous Years: The number of female prisoners rose at a faster rate (4.8 percent) than the number of male prisoners (2.7 percent). The percent increase in female prisoners was almost twice that of male prisoners. *Prison and Jail Inmates at Midyear, 2006. Published June of 2007. Bureau of Justice Statistics, US Department of Justice.* Please note that jails (not prisons) hold and release the majority of incarcerated men and women.

HIV: In 2004, 2.6 percent of all female state prison inmates were HIV positive, compared to 1.8 of males. *HIV in Prisons, 2004. Published November, 2006. Bureau of Justice Statistics, US Department of Justice.*

Mental Health: Female inmates had higher rates of mental health problems than male inmates (73 percent of females versus of 55 percent of males in state prisons). *Mental Health Problems of Prison and Jail Inmates, Published September, 2006 Bureau of Justice Statistics, US Department of Justice.* Note: Based on self report data, not necessarily a formal diagnosis.

Physical or Sexual Abuse: Nearly 8 in 10 female mentally ill inmates reported physical or sexual abuse. *Mental Health and Treatment of Inmates and Probationers, Published July, 1999. Bureau of Justice Statistics, US Department of Justice.*

Sexual Abuse: 57.2 percent of females report abuse before admission to state prison versus 16.1 percent of males. 39.0 percent of female state prison inmates report that they were sexually abused before admission to state prison versus 5.8 percent of males. *Prior Abuse Reported by Inmates and Probationers, Published in April, 1999. Bureau of Justice Statistics, US Department of Justice.*

Physical or Sexual Violence: Nearly 6 in 10 women in state prisons had experienced physical or sexual abuse in the past. 69 percent reported that the assault occurred before age 18. *Women Offenders, Published December 1999, Bureau of Justice Statistics, US Department of Justice.*

Women Offenders and Children: Approximately 7 in 10 women under correctional sanction have minor children, more than 1,300,000 children. *Women Offenders, Published December 1999, Bureau of Justice Statistics, US Department of Justice.*

Drug Use: On every measure of drug use, women offenders in state prison reported higher usage (40 percent) compared to males (32 percent). *Women Offenders, Published December 1999, Bureau of Justice Statistics, US Department of Justice.* Note: This is self reported data. Actual number of offenders with substance abuse histories is approximately 80 percent (national data).

Family Violence: The majority (73 percent) of family violence victims were female. *Family Violence Statistics, Published June, 2005. Bureau of Justice Statistics, US Department of Justice.*

“Returning Home: Understanding the Challenges of Prisoner Reentry,” (research based on a variety of dates) see <http://www.urban.org/center/jpc/returning-home/> documents the process of being released from prison for male and female inmates. The sample size allowed identification of statistical differences in the experiences of women versus men.

Selected Findings:

In Maryland, half the women reported daily heroin use in the six months leading up to their arrest compared to slightly more than a third of men. Half the women reported daily cocaine use compared to 22 percent of men.

In Texas, women were more likely than men to be clinically depressed, to have experienced post-traumatic stress disorder and to be diagnosed with lung disease and sexually transmitted diseases.

In all jurisdictions, sixty-one percent of men were working after prison compared to 37 percent of women.

“Women’s pathways to jail: The roles & intersections of serious mental illness & trauma,” 2012, see

https://www.bja.gov/Publications/Women_Pathways_to_Jail.pdf

Selected Findings:

This multi-site study addressed critical gaps in the literature by assessing the prevalence of serious mental illness (SMI), posttraumatic stress disorder (PTSD), and substance use disorders (SUD) in women in jail and pathways to offending for women with and without SMI.

The rate of incarceration of women has increased substantially in recent decades, with a 31% increase between 2000 and 2011.

Female offenders appear to have different risk factors for offending than do male offenders. In particular, female offenders report greater incidence of mental health problems and serious mental illness than do male offenders and higher rates of substance dependence as well as greater incidence of past physical and sexual abuse.

Other researchers also have noted elevated rates of experiences of interpersonal trauma, substance dependence, and associated symptoms of posttraumatic stress disorder in female.

Our national sample of women in jails demonstrated high rates of mental health problems, with a majority of our participants meeting diagnostic criteria for SMI, lifetime posttraumatic stress disorder, and/or substance use disorder.

Similar to Steadman and colleagues’ (2009) finding that 31% of female offenders residing in northeastern jails met criteria for a current SMI, 32% of participants in this multi-site study met criteria for a SMI in the past year. Further, the number of women meeting criteria for multiple lifetime and current disorders was high. The prevalence of SMI, PTSD, and SUD as well as rates for co-occurring disorders suggest female

offenders enter (or re-enter) jail with substantial and often multiple mental health concerns, and subsequently, have complex treatment needs.

Although over half of the participants indicated prior access to treatment, a significant portion of female offenders do not appear to have treatment that is addressing their problems and helping them to improve their basic level of functioning.

The women with SMI reported significantly greater frequency of all forms of victimization and more extensive criminal histories. As was demonstrated in the SEM analyses, women's experiences of child and adult trauma were significant predictors of their overall mental health.

The results of the SEM analyses also suggest that while child and adult victimization relate directly to women's mental health, victimization did not predict offending history directly; only mental health was directly associated with women's offending histories.

Women with SMI were at higher risk for numerous forms of offending including running away, substance use, and drug dealing/charges. In addition to the increased risk associated with SMI, various forms of traumatic victimization predicted the onset of offending.