



# Implementing Alternatives to Incarceration for Women in Rural Communities

## Lessons Learned from Campbell County, Tennessee

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Justice reform conversations tend to focus on issues in larger urban areas and on men, who represent the great majority of people involved in the justice system. However, small and rural communities across the country are wrestling with how to reduce overuse of the justice system, including local jail incarceration, and the many thousands of women that are arrested, detained pretrial, sentenced, and incarcerated. This case study, part of a series highlighting work supported by the Safety and Justice Challenge Innovation Fund, examines how Campbell County, a rural community in Tennessee, designed and launched the Women In Need Diversion (WIND) program to address the particular needs of women in jail.

Jail populations in the United States have grown nearly fivefold since the 1980s despite a steady decline in overall crime rates (Friedman, Grawert, and Cullen 2017; The Sentencing Project 2018). In 2015, local jails admitted nearly 11 million people and held an estimated 721,400 people in confinement on average (Minton and Zeng 2016). Counties of fewer than 250,000 people have driven jail growth despite lower crime rates than in urban areas (Friedman, Grawert, and Cullen 2017; Kang-Brown and Subramanian 2017). Rural areas of between 10,000 and 50,000 people now have the highest rates of pretrial detention, increasing 436 percent from 1970 to 2013. Many factors may explain rural jail growth, including limited alternatives to incarceration, rising pretrial detention rates, and increasing financial incentives to contract out jail beds (Kang-Brown and Subramanian 2017).

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## BOX 1

### The Safety and Justice Challenge Innovation Fund

The John D. and Catherine T. MacArthur Foundation launched the Safety and Justice Challenge Network in 2015 to create fairer, more effective local justice systems. Twenty competitively selected jurisdictions received financial and technical support to rethink justice systems and implement data-driven strategies to safely reduce their jail populations. In 2016, MacArthur partnered with the Urban Institute to expand this network by establishing the Innovation Fund to test bold and innovative ideas on how to safely reduce the jail population while maintaining or enhancing public safety. Innovation Fund jurisdictions received small grant awards, light touch technical assistance, and access to the Challenge's peer learning network.

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The number of women in confinement is also rapidly rising. The number of women incarcerated in prisons and jails increased by nearly 700 percent between 1980 and 2014 (The Sentencing Project 2015). Today, nearly half of justice-involved women are in local jails (Kajstura 2017). Women still form a small portion of the incarcerated population; however, the growth of incarcerated women is outpacing men by more than 50 percent (The Sentencing Project 2015). Research indicates that justice-involved women demonstrate a unique set of needs. Incarcerated women experience mental health, substance use, and co-occurring disorders at double the rate of men.<sup>1</sup> Nearly two-thirds of incarcerated women are mothers of minor children, and a majority are the primary caregivers for their children (The Sentencing Project 2015).<sup>2</sup>

Incarcerated women also experience trauma at an alarming rate, including trauma exposure, interpersonal trauma, victimization, posttraumatic stress disorder (PTSD), and violence.<sup>3</sup> The rate of incarcerated women who have experienced trauma reaches 98 percent in some states, and half of incarcerated women meet the criteria for a diagnosis of PTSD.<sup>4</sup> Incarcerated women are also more likely to experience trauma for longer periods: while incarcerated men and women experience similar risk of abuse in adolescence, the risk of abuse among incarcerated men drops after childhood while the risk among incarcerated women continues throughout their lives.<sup>5</sup>

These gender differences present important context for designing effective assessment and programming for justice-involved women. Historically, interventions have been developed for men in response to their pathways to crime (Covington and Bloom 2003). Over the past decade, criminologists have greatly elaborated upon the gendered pathways to crime and incarceration. The identified pathways include (1) childhood victimization, leading to mental health and substance use disorders; (2) experiencing violence in intimate relationships as adults; and (3) challenges in social and human capital, such as education, family support, and employment (Salisbury and Van Voorhis 2009). These pathways for justice-involved women have influenced the development of evidence-based, gender-specific programming, interventions, and assessment tools.<sup>6</sup>

Campbell County's work through the Innovation Fund addresses the unique intersection of rural jail growth and the increase in justice-involved women. While little remains known about this intersection,

rates of women incarcerated almost doubled in small counties from 1970 to 2014. Rates in mid-sized and large-sized counties have remained relatively stable or even decreased (Kang-Brown and Subramanian 2017). This case study presents Campbell County's design and implementation of the WIND program and its early outcomes, with a focus on lessons for rural communities. The case study draws on information from the Urban Institute's technical assistance and project monitoring work with Campbell County during the Innovation Fund grant period from January 2017 through March 2018, as well as from direct program observation and 13 in-person interviews with 19 WIND stakeholders.

## Design of the WIND Program

Campbell County is a rural community north of Knoxville on the border of Tennessee and Kentucky. It has a population of 40,238.<sup>7</sup> The Campbell County Jail has a capacity of 323 with 90 jail beds for women. Poverty is a persistent problem in Campbell County: 24 percent of the general population and 35 percent of youth under age 18 live in poverty.<sup>8</sup> Services such as housing, education, public transportation, and health care are scarce, and recruiting qualified professionals to deliver services is challenging. The few services that do exist have long waiting lists and often do not take clients without insurance.

The opioid crisis has hit Campbell County hard. According to research on county-level prescribing patterns from 2006 through 2015, Campbell County has the third-highest rate of morphine milligram equivalents per capita in the United States (Guy et al. 2017).<sup>9</sup> Stakeholders estimate that 90 percent of people enter the county jail for drug-related offenses, primarily for opioid and methamphetamine use and possession.

The focus on justice-involved women is rooted in serving women with children, and the goal is to keep families together and interrupt intergenerational cycles of justice involvement, substance use, and poverty. Community Health of East Tennessee (CHET), the leading service provider in Campbell County and surrounding areas, and the Campbell County Department of Children's Services (DCS) partnered to develop the WIND program. WIND was conceived to provide women an alternative to incarceration, access to services and programs, and the opportunity to stay with their children despite justice involvement. CHET and DCS approached Campbell County judges for support to design WIND and form its core team. WIND is a collaboration between CHET, DCS, the Sheriff's Office, Campbell County Detention Center, probation department, District Attorney's office, Public Defender's office, Department of Children's Services, LaFollette Police Department, LaFollette Housing Authority, and community service providers. Representatives of these organizations formed the WIND core team that designed the program, selected clients, and tracked participants' progress. Critical to the program design was the existing drug recovery court, also administered by CHET. The recovery court's referral and decisionmaking process, eligibility criteria, and core team structure informed WIND program design.

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*We saw a need for the women. In our jail, men have more opportunities—such as being trustees—while women get excluded. We saw a need because they were being overlooked. They're just being put aside.*

*—Campbell County stakeholder*

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The WIND program is a 9- to 12-month specialized court. The court targets women 18 years or older with no violent offenses or weapon convictions who have yet to be convicted (i.e., pre-adjudication); women who have taken a plea at arraignment are ineligible. Candidates could be referred to WIND by jail staff, probation, the district attorney's or public defender's office, or by direct jail in-reach by the project coordinator. Once referred, CHET administers the Service Planning Instrument for Women (SPIn-W), a gender-responsive assessment and case-planning tool, and the Addiction Severity Index (ASI), an assessment to measure addiction severity and treatment needs. Both tools inform the client's individualized case management plan. Once assessed, the candidate's case is reviewed by the WIND core team for eligibility. If found eligible, the candidate appears before the judge and WIND core team, and she is offered participation in WIND. Participant's legal status may change from pretrial detention to probation, but this is not guaranteed. Some participant's legal status becomes the WIND contract, which they can cease at any time and return to confinement minus their served time or time in treatment. Successful completion of WIND results in expungement of the arrest from the participant's record.

Participants progress through four phases. Each phase has established advancement criteria including appearing in court, attending counseling/education sessions, and completing community service hours. Each phase name indicates the focus of its counseling or education sessions:

- phase 1: responsibility to self,
- phase 2: responsibility to others,
- phase 3: responsibility to self and others, and
- phase 4: reinforce family strengthening practices and a legal lifestyle.

WIND rewards progress with incentives such as a reduction in probation terms or fines, fees, and costs and addresses lack of progress or violation of WIND rules with sanctions such as increased drug screens, community service, or incarceration. WIND stakeholders involved in design and implementation named several reasons to focus on diverting and assisting women. A primary one was the dearth of services and interventions in the county jail and community available to and designed to address the needs of women. Stakeholders perceived that low-income, single mothers are particularly vulnerable to incarceration, and they disproportionately require social and legal services. Stakeholders saw intervening successfully with women as having potential beneficial ripple effects, such as avoiding separating children from their families and interrupting intergenerational cycles of trauma and poverty.

## WIND Implementation

Campbell County had successes and challenges in implementing WIND. Among its successes, WIND fostered additional collaboration across different criminal justice and social services actors. Before WIND, the only county collaborative in place was the drug recovery court's committee. Establishing the WIND core team provided the county an opportunity to build another formalized, cross-agency group. Many justice agencies and service providers joined the WIND core team, thus forming new partnerships. However, the WIND collaboration, like that for the drug recovery court, was focused on the operation of a specific intervention. The county does not have a criminal justice coordinating council or similar entity to determine justice reform priorities or monitor cross-agency efforts.

Decisionmaking about candidate eligibility continually tested WIND's collaboration. The process for selecting candidates was unclear. Per some stakeholders, the WIND core team's selection process required discussion of the candidate and a unanimous vote to accept her into the program. Other stakeholders indicated that the unanimous vote was not upheld in practice. Rather, the judge made final decisions about candidates and could veto the group's vote. The district attorney could also veto a candidate, but it is unclear whether the district attorney could override the judge.

A second example of increased cross-agency collaboration was the memorandum of understanding established between CHET and LaFollette Housing Authority (LHA) to allow WIND participants access to public housing if found eligible based on income. LHA serves seven counties, and this memorandum was the first time it had partnered with a county. This was also the first time LHA would explicitly serve a justice-involved population.

WIND also allowed Campbell County to enhance capacity to effectively intervene with justice-involved women using evidence-based approaches. WIND stakeholders were trained in two gender-specific tools: the SPIn-W assessment and the Seeking Safety curriculum.

- **SPIn-W (Service Planning Instrument for Women)**, developed by Orbis Partners, Inc., is a gender-responsive assessment and case planning tool that reviews social and cognitive skills, family supports, relationship with children, and history of violence, victimization, and addiction.<sup>10</sup> The SPIn-W, which is used to guide case management planning, gives case managers an in-depth understanding of a client's unique needs and risk factors.
- **Seeking Safety** is an evidence-based counseling model that helps individuals address histories of trauma and substance abuse. The model focuses on five principles: 1) safety in relationships, thinking, behavior, and emotions; 2) treating trauma/PTSD and substance use; 3) a focus on ideals; 4) four content areas: cognitive, behavioral, interpersonal, and case management; and 5) attention to clinical processes.

These tools also increased community awareness and education on alternatives to incarceration and the needs of justice-involved women.

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*I think that probably the most important feature to me is the fact that we've been able to build a level of awareness of the number of women who are being incarcerated and who are not getting the services that they need. It's creating that level of awareness.*

*—Campbell County stakeholder*

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One major challenge in WIND was enrollment, given the restrictive eligibility criteria initially adopted. The original eligibility criteria were low-income single mothers that were heads of households with minor children and that had no prior felonies. Between May 2017 and March 2018, 41 women were referred to WIND. Only 35 percent of referrals were determined eligible, which was frustrating for stakeholders who felt the program was too restrictive and could be serving more women. After the WIND core team adjusted the eligibility criteria, both referrals and the number of candidates deemed eligible increased. Stakeholders noted that WIND has reached “harder-to-engage” individuals who had previously resisted treatment and intervention. Still, only 13 women (32 percent of total referrals) were enrolled in WIND over the Innovation Fund grant period.

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*There are a couple of parents we are working with who were previously refusing to work with us and they are now in treatment, which is critical. Collaboration is critical—you'd think losing your kid would be rock bottom, but it isn't, and WIND helps women recover.*

*—Campbell County stakeholder*

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WIND program participants had high needs, particularly around co-occurring substance use and mental health disorders. Through March 2018, 77 percent of participants (10 of 13) were referred to inpatient, residential treatment, with completion of treatment made part of their WIND contract. Completion of treatment was considered an indication of commitment to WIND. Some participants needed to complete residential treatment before signing a WIND contract; others signed their WIND contract and entered treatment at the same time. This emphasis on treatment delayed getting other components of WIND started.

The intensity of WIND's demands and strictness of program sanctions posed an enrollment and retention challenge. According to stakeholders, some women saw serving time as an easier and faster commitment than WIND. Of those referred but not enrolled (28 of 41), 43 percent dropped out of the application process and 21 percent pled out). Other participants were sanctioned for noncompliance during the application process; 29 percent of those referred but not enrolled committed another felony

that made them ineligible for WIND. As a result of strict enrollment criteria and sanctions, slightly less than half the women enrolled in WIND (6 of 13) remained in the program as of March 31, 2018.

Delivering WIND services and outreach put significant pressure on the limited capacity in Campbell County. Finding the time to conduct outreach, administer the SPIn-W and ASI, and follow up with participants was difficult. Less than half of referred women (44 percent) had complete SPIn-W assessments, but all the women enrolled were assessed with the SPIn-W and ASI. Following up with participants was challenging because of their unstable housing and telephone numbers. Linking to services also was a significant challenge for the program, given the weak infrastructure of services within the county and nearby areas.

Accessing services was another challenge. For instance, many services, such as walk-ins for urinalysis, are only available between 8:00 a.m. and 10:00 a.m. Campbell County has one public transit organization, East Tennessee Human Resource Agency (ETHRA), which operates on limited weekday-only hours (8:00 a.m.–4:30 p.m.). Reservations must be made three business days in advance, drivers wait for riders a maximum of five minutes after arrival, and drivers are not considered late until more than an hour past the scheduled pick-up time. A ride with ETHRA costs \$3.00 each way, and another \$3.00 when crossing county lines, making the cost prohibitive for people who are justice-involved or recently released from incarceration, experiencing unemployment, or living in poverty. Transportation challenges interacted with the strict program sanctions; missing an appointment could cause removal from the program.

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*We have slim to no transportation options and not even taxi services. They will charge \$20 just to go to the grocery store and with a fixed income, that is a lot of money. People have to choose between groceries and medicine... ETHRA is an all-day affair and by the time you return to your home, all your groceries have gone bad.*

*—Campbell County stakeholder*

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Finally, measuring WIND outcomes was a challenge. During the program design, stakeholders identified several desired outcomes, at the individual and systems levels:

- helping individuals succeed in their goals
- preventing the generational cycle of drug use and incarceration within families
- avoiding criminal conviction for justice-involved women by expunging their records upon successful completion of the program
- decreasing in the number of incarcerated women

- increasing in the number of reunited families
- building a culture of diversion within the county, so that this is one of many alternatives to incarceration for justice-involved individuals

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*If you can do nothing but help one person, you can be okay with that. Every blood, sweat, and tear is worth it if you can get just one person to be successful, then you've done it. To us they may be just a number for our success rate of the program, but to them it completely changes the entire course of their life and the course of the lives of the future generation.*

*—Campbell County stakeholder*

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Measuring success is difficult in a community like Campbell County, which has limited institutional capacity for data collection and analysis. This challenge was offset by the small number of participants enrolled in WIND. WIND program data come from the administration of the SPIn-W assessment tool, but program outcomes were not measured systematically for all participants. Stakeholders signaled this as a next step for the program. Some stakeholders reported that from their anecdotal observation, the number of offenses being committed by the same people has started to decline; however, the number of women enrolled and retained is too small to see jail population impacts.

## Lessons Learned for the Field

Over the 15-month WIND implementation period, Campbell County learned valuable lessons useful for others interested in implementing programming for women and/or in small, rural communities.

**Work in rural communities is highly relational.** Rural areas tend to have a strong sense of community and investment in taking care of community members and solving local problems. Families stay in Campbell County for generations, which can build rapport in neighborhoods and personal and professional networks. Success depends upon relationship building over years. Relationship-based work also can be a challenge if long-standing tensions exist between certain agencies, organizations, or people. Rural communities also have minimal bureaucracy and institutional red tape; a small number of partners and leaders make collaboration easier and more centralized, and make for quick decisionmaking.



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*In small, rural counties everything is based on personal relationships. You have to be careful with small town politics and family relationships. You can introduce someone with the same last name as a “problem” and assume they are. You’re automatically labeled then if you’re from that family. Benefits of a small town is that you can get stuff done. Same thing that helps you.*

*—Campbell County stakeholder*

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**Geographic challenges in small and/or rural communities limit service delivery and accessibility.** Small and/or rural communities often have a geographically dispersed population, and people may need to travel hours to access necessary services. This coupled with limited public and/or private transportation can cause critical issues in service access and delivery. For Campbell County, while ETHRA provides public transit, it is offered at limited hours, often experiences delays, and is cost-prohibitive for many people. In designing and implementing programs within small and/or rural communities, geographic challenges can be ameliorated by ensuring transportation for program participants, expanding service delivery hours to increase accessibility, and easing program sanctions to accommodate access issues.

**Limited resources require creative partnerships and approaches to meet people’s needs.** For instance, CHET partnered with LHA to find WIND participants stable housing. This was the first time that LHA partnered with a county to serve a justice-involved population. Another issue that remained unresolved was affordable or free transportation to services for clients. This will require future creative collaboration across local agencies, nonprofit organizations, and faith communities.

**Assessment tools can be a powerful way to build knowledge about served populations and overall system capacity.** The implementation of SPIn-W, a gender-responsive assessment and case-planning tool, was critical in improving Campbell County’s understanding of justice-involved women’s needs. This tool raised stakeholders’ awareness of client issues they would not have recognized otherwise, including information on prior history of violence and victimization, addiction, and social and cognitive skills. The tool also guided stakeholders in identifying previously unknown service gaps in their system. The information provided by the tool allowed stakeholders to make their programming more responsive to identified needs of justice-involved women, and have a data-driven process to identify and respond to gaps in their system.

**The urgency of a high-need population can accelerate partnerships and progress.** Every participant of WIND was identified as needing in-patient, residential treatment for substance use disorders. This was a significant drain on resources and coordination for the program team to link participants to services. However, this high-need population caused urgency in stakeholder responses to the issue and accelerated progress given the dire circumstances of addiction in Campbell County.

**Restrictive criteria can limit the number of referrals and enrolments.** WIND experienced challenges in receiving referrals of eligible candidates and enrolling participants. This stemmed primarily from restrictive criteria, which were adjusted over the implementation period. Restrictive criteria can be an advantage—for instance, when a county has limited capacity for working with participants and needs to keep numbers manageable. However, they can also cause unnecessary delays in enrolling participants and getting the program up and running. The fact that WIND had only 13 enrollees, and retained only 6 clients, demonstrates the downside of being overly restrictive.

**Strong sanctions or extra requirements can discourage people from participating and remaining in the program.** WIND was designed as a high-intensity intervention that required commitment for 9–12 months from participants. Stakeholders indicated that eligible candidates often recognized they could serve their sentence in a shorter time and return to their lifestyle before incarceration; this was interpreted as preferable to participants, even if that meant not achieving recovery or expunging their record. It is challenging to balance program design between having enough sanctions to ensure consequences while not discouraging participants from enrolling and remaining in the program.

**Criminal justice reform and alternatives to incarceration need to be completed alongside the construction of a robust infrastructure for service delivery.** Scarce social services limit the progress that can be made in diverting people with high needs from incarceration. In Campbell County, placements for in-patient, residential treatment are difficult to acquire; waiting lists for mental health services are long; insurance options are limited; and homeless shelters are located outside the county and not easily accessible. Even the most sophisticated criminal justice interventions may fall short with weak social services to support them. To ensure sustainability and success, jurisdictions need to invest significantly in building a robust infrastructure for social and legal service delivery before or concurrent with implementing criminal justice reform and alternatives to incarceration.

**Communities with limited capacity and resources can find ways to implement reform and evidence-based tools.** Campbell County was able to enhance its effective intervention capacity in areas such as the gender-responsive assessment SPIN-W tool and Seeking Safety curriculum. By doing so, Campbell County was able to build a culture of evidence-based tools among stakeholders, increasing alternatives to incarceration and appropriate intervention pathways.

## Conclusion

Both rural communities and incarcerated women face unique challenges resulting from a particular set of needs that cannot be readily addressed by today's most common interventions, which traditionally focus on interventions for men in nonrural jurisdictions.

The WIND program encountered a number of implementation challenges. It proved difficult to find, enroll, and retain eligible participants given the program's strict eligibility criteria, stakeholder disagreement over which candidates should be selected, and the program's sanctions-based system. The program did not offer strong incentives for candidates, who saw serving time in jail as easier and requiring less of a commitment than enrolling in the program. In addition, county staff had limited time

and resources to conduct effective outreach and assessment. Finally, the unanticipated high need for WIND program participants to be enrolled in in-patient, residential treatment for substance use disorders, coupled with the wait for candidates to complete their treatment, delayed take-up of the program.

While much remains to be explored in what works for justice-involved women and how justice interventions can be implemented in small and rural communities, this case study highlights the challenges and successes of a community that tackled the unique intersection of jail growth pertaining to women in rural communities. As jail growth in rural communities and the growth of incarcerated women increasingly form part of the national criminal justice reform debate, Campbell County's case is an example for other jurisdictions, to highlight what challenges may arise, and what considerations need to be taken into account in the design and implementation of a program for justice-involved women and in small and rural communities.

## Notes

- <sup>1</sup> National Resource Center on Justice Involved Women, "Fact Sheet on Justice Involved Women in 2016," retrieved from <http://cjinvolvedwomen.org/wp-content/uploads/2016/06/Fact-Sheet.pdf>.
- <sup>2</sup> See also "Facts about the Over-Incarceration of Women in the United States," American Civil Liberties Union, accessed MONTH DAY, (2017) <https://www.aclu.org/other/facts-about-over-incarceration-women-united-states#comment-0>.
- <sup>3</sup> See Belknap and Holsinger (2006); Browne, Miller, and Maguin (1999); Carlson and Shafer (2010); Dehart and Altschuler (2009); Green et al. (2005); and Lynch, Fritch, and Heath (2012).
- <sup>4</sup> National Resource Center, "Fact Sheet on Justice Involved Women in 2016."
- <sup>5</sup> National Resource Center, "Fact Sheet on Justice Involved Women in 2016."
- <sup>6</sup> Gender-specific curricula developed for justice-involved women include *Helping Women Recover: A Program for Treating Substance Abuse*; *Beyond Trauma: A Healing Journey for Women*; and *Seeking Safety: A Treatment Manual for PTSD and Substance Abuse*. In addition, gender-specific risk and needs assessments and case planning tools have been developed, such as the Women's Risk Needs Assessment (WRNA) and Women's Risk Needs Assessment – Trailer (WRNA-T) by the University of Cincinnati and the Service Planning Instrument for Women (SPIn-W) by Orbis Partners, Inc., discussed in this case study.
- <sup>7</sup> "Campbell County, TN," Data USA, accessed April 18, 2018, <https://datausa.io/profile/geo/campbell-county-tn/>.
- <sup>8</sup> Numbers taken from "QuickFacts: Campbell County, Tennessee," US Census Bureau, accessed MONTH DAY, 2018, <https://www.census.gov/quickfacts/fact/table/campbellcountytennessee,US/PST120217>; and "Small Area Income and Poverty Estimates - Interactive Data and Mapping," US Census Bureau, accessed April 18, 2018, [https://www.census.gov/data-tools/demo/saipe/saipe.html?s\\_appName=saipe&map\\_yearSelector=2016&map\\_geoSelector=u18\\_c&s\\_state=47&s\\_county=47013&s\\_year=2016&s\\_measures=u18\\_snc&menu=grid\\_proxy](https://www.census.gov/data-tools/demo/saipe/saipe.html?s_appName=saipe&map_yearSelector=2016&map_geoSelector=u18_c&s_state=47&s_county=47013&s_year=2016&s_measures=u18_snc&menu=grid_proxy).
- <sup>9</sup> See also Christine Vestal, "New Numbers Reveal Huge Disparities in Opioid Prescribing," *Stateline* (blog), The Pew Charitable Trusts, August 14, 2017, <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/08/14/new-numbers-reveal-huge-disparities-in-opioid-prescribing>.
- <sup>10</sup> More information is available at "Gender-Responsive (SPIn-W)," Orbis Partners, accessed April 18, 2018, <http://orbispartners.com/assessment/gender-responsive-spin-w/>.

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