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American Epidemic: The Societal and Multi-generational Impacts Caused by the Mass Incarceration of Women in the United States

> by Jessica Lynne Younts

A Dissertation Presented to the Abraham S. Fischler College of Education and School of Criminal Justice in Partial Fulfillment of the Requirements for the Degree of **Doctor of Philosophy** 

Nova Southeastern University 2021

## **Approval Page**

This applied dissertation was submitted by Jessica Younts under the direction of the persons listed below. It was submitted to the Abraham S. Fischler College of Education and School of Criminal Justice and approved in partial fulfillment of the requirements for the degree of Philosophy at Nova Southeastern University.

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## **Statement of Original Work**

I declare the following:

I have read the Code of Student Conduct and Academic Responsibility as described in the Student Handbook of Nova Southeastern University. This applied dissertation represents my original work, except where I have acknowledged the ideas, words, or material of other authors.

Where another author's ideas have been presented in this applied dissertation, I have acknowledged the author's ideas by citing them in the required style. Where another author's words have been presented in this applied dissertation, I have acknowledged the author's words by using appropriate quotation devices and citations in the required style.

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<u>Jessica Younts</u> Name

February 23, 2022 Date

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A very special thanks to the women who participated in this study. Thank you for your bravery. We need to continue to amplify our voices and stories to show the damage that has been and will continue be done to us, our children, and our society if things do not change.

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#### Abstract

American Epidemic: The Societal and Multi-generational Impacts Caused by the Mass Incarceration of Women in the United States. Jessica Younts, 2021: Dissertation, Nova Southeastern University, Abraham S. Fischler College of Education and School of Criminal Justice. Keywords: mass incarceration, reentry, collateral consequences, recidivism, children of incarcerated and formerly incarcerated women, cycles of incarceration and poverty.

This study examined the social impacts of incarcerating women, specifically mothers, as well as the far-reaching collateral consequences that the mass incarceration of women in the United States has on formerly incarcerated women's successful reintegration back into society and analyzed how the harsh policies that exist detrimentally impact family members and society as a whole. This study revealed several themes that show the far reaching damage incarceration itself has on women and their families and provides a more comprehensive analysis of the incalculable costs of mass incarceration. By raising awareness to the long-term impact on society, this research can provide a basis to reexamine current policies and help highlight and drive the need for systemic change within the criminal justice system's failed approach to crime, punishment, and reentry.

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#### **Chapter 1: Introduction**

#### **Nature of the Research Problem**

This country's "war on drugs" and tough on crime policies resulted in the mass incarceration of millions of people with a record high number of females being arrested and imprisoned. According to the Merriam-Webster dictionary, epidemic has multiple meanings both as an adjective and a noun, "affecting or tending to affect a disproportionately large number of individuals within a population; excessively prevalent; widespread growth; and a product of sudden rapid spread, growth or development." No matter which application, definition, or interpretation used, the mass incarceration of women in the United States is undoubtedly an epidemic. Further compounding the problem is the nation's opioid epidemic. When women are sent to prison for addiction related offenses but are not provided effective substance abuse treatment, the likelihood of them reoffending is significant, further impacting generational cycles of poverty and incarceration. The United States currently warehouses people with substance abuse disorders (a recognized medical condition), fails to provide the help they need, does little if anything to address any trauma that may have led to the substance abuse in the first place, and then violates and further punishes the individuals who suffer from the condition (as well as their families) if they reoffend. Further, the same agencies and organizations that benefit from people returning to prison are the same ones responsible for their care and potential treatment creating an inherent conflict.

Beyond the extensive research that can be done to show what may have led to the criminality or the overall increase in the number of women being incarcerated, what needs to be analyzed and addressed is not only the short-term impact incarcerating

women has on individuals, their families, communities, and society, but the long-term implications as well.

The damage done to families, communities, and societies when women are imprisoned lasts for generations. Imprisoning women and mothers and removing them from their children not only causes immediate and long-term harm to the individual, their children, and their families, but continuous social harm to communities on a much larger scale. These repercussions cost society economically, socially, and emotionally, much more in the long run than if resources were more appropriately allocated towards alternatives to incarceration, treatment programs, education, or even the decriminalization of certain offenses. When looking at financial costs alone, beyond the more obvious and immediate costs of investigation, prosecution, defense, pretrial and subsequent incarceration, are additional and often overlooked long-term costs such as expenses to care for the family members left behind, added costs to the dependency/ foster care systems, and other social service agencies that must be utilized to address the needs of children and families due to the absence of a mother as well as the future needs of the women and families post incarceration. In addition to the financial costs, are the numerous barriers and additional gender specific issues women face during and post incarceration, as well as the incalculable emotional costs that can result in a lifetime of damage to both the women who are/were incarcerated, their children, and their family members, all of which negatively impact future generations and negate any public safety goals used as reasoning or justification for the creation of most of today's current criminal justice policies.

What needs to be recognized is that mass incarceration, compounded with the

collateral consequences women face upon release, overcriminalization, and the criminalization of a major health crisis (substance abuse and addiction), ultimately created a national epidemic that will impact many future generations to come even if we choose to accept it and start doing something about it right now. Issues that still need to be explored include how the mass incarceration of women has impacted children and communities, as well as the ultimate impact to society? Does it increase public safety and benefit society to incarcerate women and separate them from their children, or would it be more beneficial and cost effective to provide treatment and other alternatives to incarceration?

This study examined the impact the mass incarceration of women has had on women who have been incarcerated, as well as their children and families, by focusing on the narratives of mothers explaining their lived experiences with the criminal justice system. This study not only proves the consistent barriers a society labeled status as "felon" creates, but the generational impact incarceration has on women and their families. These issues also help to show the overall impact to society as well.

#### **Background and Significance**

While the US only accounts for 4% of the world's female population, the US accounts for over 30% of the world's incarcerated women (Kajstura, 2018). According to the Sentencing Project, "as of 2010, more than one million women were under the supervision of the criminal justice system" in the Unites States (2012, p. 1). Between 1980-2010, the number of women incarcerated increased by 646 percent (Sentencing Project, 2012). By 2017, the increase was at 742 percent (Sufrin, Beal, Clarke, Jones, & Mosher, 2019). Comparing nations with US states, the top 25 jurisdictions in all the

world with the highest rates of incarceration women are US states (Kajstura, 2018). As of 2017, 60% of women in US jails have not even been convicted of a crime (Kajstura, 2017). In 2004, more than half of the women incarcerated had no prior criminal history, with 86% being convicted of nonviolent offenses and of those women, 61% were mothers (Glaze & Maruschak, 2010).

Majority of women who find themselves involved with the criminal justice system have histories of physical and/or sexual abuse, substance abuse and/or mental health issues (Alfred & Chlup, 2009). Almost 75% of incarcerated women had symptoms of a mental health disorder (Sentencing Project, 2012). Incarcerated women are also four times more likely than men to report a prior history of physical or sexual abuse (Glaze & Maruschak, 2010). It is widely accepted that root causes of subsequent delinquency, addiction and/or criminality are primarily physical and/or sexual abuse. Ultimately, women who have been marginalized, suffered trauma, and have been victimized are the ones who have the most involvement with the criminal justice system (Prisoner Reentry Institute).

While the US holds only approximately 4.6% of the world's population, it expends more than 80% of the global opioid supply (Terplan, 2017). Dr. Mishka Terplan went on to report that:

"Almost 40% of women aged 15–44 years report receiving at least one opioid prescription in 2015 and of the 2.1 million initiators of opioid misuse per year, 1.2 million (57%) are women, which translates to 3,300 women per day initiating opioid misuse in the U.S. (12)."

Dr. Terplan further stressed the importance of addressing substance abuse through a

public health lens as opposed to utilizing a criminal justice approach (Terplan, 2017).

Notwithstanding the data, society chooses, more often than not, to arrest and/or incarcerate women rather than helping with the underlining issues, especially women of color (Crenshaw, 2012; Kajstura, 2017).

Upon release, women face numerous collateral consequences that limit where they can work, where they can live, and their ability to reunite with their children (Pinard, 2010, Schirmer, Nellis, & Mauer, 2009). According to the Justice Center's National Inventory, there are over 44,000 documented collateral consequences to having a felony conviction (Justice Center).

It is difficult to account for the full range of collateral consequences a woman faces post incarceration in a particular jurisdiction not only because the limitations and restrictions are dispersed through numerous federal and state statutes, state regulations and local and state policies, but because of the gender specific experiences as well (Pinard, 2010; Opsal & Foley, 2013). These challenges do not even factor in the social penalties created by stigmas that often attach to women with felony convictions (Wakefield & Uggen, 2010; Logan, 2013; Cochran, Siennick, & Mears, 2018).

Already faced with numerous collateral consequences, the limited access to basic necessities such as housing and employment, only makes an already difficult process of reentry even more cumbersome and impact women's livelihood. Employment, housing, and food are necessities any individual would need to survive and by restricting formerly incarcerated women on where they can work, where they can live, and even the ability to obtain public assistance for food and housing (which may only be needed because of the restrictions on employment and housing), seems contrary to any legitimate goal of public safety (Pinard, 2010). Factoring in race puts Black women at an even further disadvantage shown with the unemployment rates of formerly incarcerated White women at 23.2% and Black women at nearly 44% (Couloute & Kopf, 2018).

Further, the collateral consequences, limited resources, and lack of social support women face post release can also impact recidivism rates (Scott, Grella & Dennis, 2016). Studies show that women who are impoverished were nearly 5 times more likely to recidivate (Scott, et al., 2017).

Social and economic consequences differ substantially between men and women and even more so for women of color (Lalonde & Cho, 2008; Crenshaw, 2012). Research consistently shows that while both men and women face a complexity of difficult experiences due to their felony convictions, women who are or have been incarcerated face additional gender related issues that are further heightened by race and previous trauma (Opsal & Foley, 2013; Sawyer, 2018). Additionally, women have different needs that prisons are not adequately set up to provide (Sawyer, 2017).

The social stigma and exclusion that women face post release differs from what men face because it does not fit into the normative structures of society (Fortune & Arai, 2014). This stigma not only attaches to the individual, but the family as well and can last a lifetime (Logan, 2013, (Cochran, et al., 2018). The stigma can result in children of incarcerated or formerly incarcerated parents being treated differently and has been shown to lead to increased depression and/or behavioral issues (Morsy & Rothstein, 2016).

Further, damage continuously happens to these children and families who are commonly referred to as the forgotten victims (See Rahimipour, Anaraki & Boostani, 2014). One in 25 women in state prisons and 1 in 33 in federal prisons were pregnant when sent to prison (Sentencing Project, 2012). In 2007, approximately 150,000 children in the US had a mother in prison (Glaze & Maruschak, 2010). That same year, about half of the children of incarcerated parents were under 10 years old. (Schirmer, et al., 2009).

When a parent is incarcerated, children often go to the other parent, another family member, or into foster care, each of which create different and complex challenges (Rahimipour Anaraki & Boostani, 2014). Some challenges include multiple changes in caretakers, financial strains, emotional strains on the part of the caretaker, and the relationships between the caretaker and parent and the parent and the child(ren) (Rahimipour Anaraki & Boostani, 2014). As a result of there being fewer women's prisons, mothers who are incarcerated are often placed far from home, making visits and maintaining family ties extremely difficult (Sawyer, 2017).

The societal impact of incarcerating women further complicates an already complex problem and essentially comes from the direct results, strains, and barriers it has on the children and families of those incarcerated that in turn impact the communities where the families live (Turney, 2017). Studies show the removal of a child from a parent causes significant harm and yet not enough is being done to address the child(ren)'s trauma (Dumont, et al., 2014; Wakefield & Wildmen, 2018; Morsey & Rothstein, 2016). One may not think these issues impact everyone, but when children experience trauma, they often act out in some way. When this happens, it could likely result in aggressive behavior, substance abuse, being disruptive in school or in the community, which ultimately impacts every child in the relative classrooms and communities. Another example is evident when more money is allocated to foster care and criminal justice systems rather than to education, housing, and employment and/or other areas that could better benefit a community; again, showing that the mass incarceration of women can impact everyone in many communities with a disparate impact on communities of color (Crenshaw, 2012).

This country's war on drugs, which led to the mass incarceration of women and the slew of collateral consequences that followed, has resulted in costing taxpayers an incalculable amount of money and social harms, as well as negatively impacting public safety at large thus showing the impact it has on all of society.

This study explored the generational impact incarcerating women and mothers has on the family which impacts society so that reform efforts can utilize this research when developing models for alternative methods to incarceration, prevention of criminal convictions, reducing recidivism rates, and decriminalization. While there has been research on mass incarceration, the effectiveness of reentry programs, and the collateral consequences of having a conviction, research is limited on the impact the mass incarceration of women has on women, children, families, and society as a whole.

Collectively, the limited research that does exists concludes that something needs to be done to address the plethora of issues that have resulted from the mass incarceration of women. Identifying the impact mass incarceration of women has not only on the women who were convicted, but their children and families as well, sheds much needed light on the impact it has on future generations, communities, and society and helps to advance much needed change within the criminal justice system. This study was necessary considering that women have been the fastest growing prison population in the United States, most of the women are mothers or will become mothers at some point, and there is limited research on the generational impact a mother's incarceration can have on her children, family, and society.

#### **Barriers and Issues**

One of the biggest issues with this research was to try to account for all the direct and indirect costs of incarceration. While it is easier to gather research on the direct costs, fully accounting for the indirect costs is difficult. The collateral consequences that women and their families face as a result of a conviction are so far reaching and intertwined that it makes it difficult to fully break them down and take into account all the implications that result from them. Further, the intersectionality of race and gender adds an additional layer that also plays a significant role in the outcomes.

Another major barrier was the ability to collect data on prior abuse history and the number of women who had parents who were previously incarcerated. Even utilizing limited resources and past studies that have collected this type of data added an additional limitation: prior research data on the abuse history of women or whether they had a parent in prison might not be reliable or accurate. Some women are not willing to talk about and/or are ashamed of their past. Others may not be completely upfront or might be more comfortable telling researchers what they believe the researcher wants to hear. Others may have mental health conditions that could prevent them from remembering or not wanting to talk about it.

#### **Purpose of the Study**

While this research resulted in ascertaining certain reasoning for higher incarceration and recidivism rates among women and the severity of the trauma that was experienced during incarceration, the main purpose of this study was to identify the shortand long-term impacts incarcerating women ultimately has on the women, children, families, and community. Sociological, psychological, criminal justice, and economic research were utilized to develop the framework for the study.

### **Definition of Terms**

*Re-entry*: Reentry encompasses everything that impacts an individual's re-integration back into society post incarceration including everything from a personal level of medical, mental health, education, and substance abuse issues to the social context and environment that ex-offenders are being released to (Lynch, 2006).

*Collateral consequences*: Formal (legal) and informal consequences that result from a criminal conviction that significantly affect the lives of the convicted individuals as well as their families and friends (Logan, 2013).

Recidivism: re-offending and/or re-arrest after being released from prison (Collins, 2010).

#### **Chapter 2: Literature Review**

The world leader in incarceration is the United States of America (Wildeman & Wang, 2017). With one in thirty-five people either in prison, jail, or under some form of criminal supervision such as probation, parole, or supervised release, mass incarceration is an American epidemic. (Vick, 2016). The results mass incarceration has had and continues to have on society will be evident for generations to come. (Lynch, 2004). The impacts of collateral consequences are both direct and indirect results of mass incarceration (Logan, 2013). The purpose of this study was to identify the short and longterm impact(s) incarcerating women ultimately has on the individual, children, family, and society. This literature review explores some of the reasons behind the mass incarceration of women, the direct impacts resulting from the incarceration of women and mothers, some of the collateral consequences women face upon release from prison, as well as the impact the incarceration and subsequent barriers have on family members, the community, and society. This review includes the review of over fifty resources including past studies, law review articles, and fact summaries from many criminal justice organizations. The research was broken down into three themes. The first section will discuss the history and causes for the increased incarceration of women and the implicit and direct results. The second section will discuss some of numerous collateral consequences women face due to their conviction and incarceration and the impact it has on successful reentry. The next section will discuss how the long and short-term consequences the incarceration of women impact children, other family members, future generations, and the community at large. Ending with the final section, which will summarize the findings and discuss the gaps in research.

#### How and Why Did We Get Here: The Results of Mass Incarceration of Women

Mass incarceration has been defined as "extreme rates of imprisonment and by the concentration of incarceration among the most marginalized" (Wildeman, 2012). However, the term as applied today refers to the result of America's "experiment in incarceration, which is defined by comparatively and historically extreme rates of imprisonment and by the concentration of imprisonment among young, African American men living in neighborhoods of concentrated disadvantage," while others characterize it specifically as mass incarceration of African Americans (Wildeman, 2012; Roberts, 2004). Under a pretense of public safety, a tough on crime position was taken and so began what is commonly referred to as America's War on Drugs and as a result, mass incarceration of Americans (Pinard, 2010). One study concluded that there are only two main causes of increase in incarceration: patterns of criminal activity and policy responses to crime and that the main reasons for such high incarceration rates in the United States were the result of changes to sentencing policies beginning in the 1980's (U.S. Commission on Civil Rights, 2020).

With new drug laws that included stricter sentencing and new crime control policies, came an increase in police presence in low-income minority communities (Roberts, 2004). As a result of the increased presence of law enforcement on the street level and massive arrest rates, social distrust in these communities began to heighten (Roberts, 2004; Wildeman, 2012). Mass incarceration caused many more low-level offenses to result in incarceration than in years prior and thus contributed to the current cycles of incarceration and poverty which disproportionately affects Black populations (Turney, 2017, Wildeman & Wang, 2017).

In addition to the compromised relationship between law enforcement and citizens of low-income minority communities that was created, collateral consequences were a major result of mass incarceration (Roberts, 2004). Individuals who are incarcerated will spend on average six times the length they were incarcerated dealing with the collateral consequences of their conviction (Wildeman & Wang, 2017).

The next consideration is that gender differences and disparities are prevalent throughout the criminal justice system (Crenshaw, 2012). Gender differences not only occur in the type of offense and conviction, but in the treatment, sentencing, placement, access to programs, economically, and with regards to specific needs while incarcerated (U.S. Commission on Civil Rights, 2020).

While women only represented 7 percent of the overall prison population, from 1980- 2016 the amount of women incarcerated increased 730 percent (U.S. Commission on Civil Rights, 2020). By 2017, there were 225,060 women who were incarcerated (Sentencing Project, 2019). In 2004, more than half of the women incarcerated had no prior criminal history with 86% being convicted of nonviolent offenses and of those women, 61% were mothers (Glaze & Maruschak, 2010), and almost 75% had symptoms of a mental health disorder (Sentencing Project, 2012). Almost 7,000 women are serving life sentences which represents approximately 1 in every 15 women in prison, and at the federal level, 56 percent are women incarcerated for non-violent drug offenses, with only 4.5 percent incarcerated for violent offenses (U.S. Commission on Civil Rights, 2020). According to the Sentencing Project, "as of 2010, more than one million women were under the supervision of the criminal justice system" (2012, p. 1). While there is research to indicate how many women are incarcerated and under supervision at a given time,

there is a lack of data, as it relates to gender, indicating information such as how many women are no longer incarcerated, nor under supervision but are still living with the collateral consequences of their conviction (Kajstura, 2018).

The US prison system is supposed to hold prisoners in the least restrictive environment, yet as a result of some classification systems primarily designed for men or those that do not make modifications to gender neutral classifications systems specific to women, many women are often improperly classified at a higher level which is not consistent with the actual level of threat posed by their behavior (U.S. Commission on Civil Rights, 2020). Women, especially those that recidivate, are mostly incarcerated for non-violent drug related offenses (Herbst et al., 2016). Even though this information is known at the time of classification, women are still improperly classified and experience significant harm when trauma informed and gender responsive classification systems are not utilized (U.S. Commission on Civil Rights, 2020). Classification systems are also found to further inequities already prevalent within society and throughout the criminal justice system (Wakefield & Uggen, 2010). Further, these classifications directly impact whether a mother can visit with her children and can impact termination of parental rights decisions (U.S. Commission on Civil Rights, 2020).

In 2007, approximately 150,000 children had a mother in prison (Glaze & Maruschak, 2010). Further, 80% of women in jails are mothers (Kajstura, 2018). Even though studies show that women who maintain close ties with their families have lower recidivism rates, women are often placed further away from their families than men because there are fewer facilities that house females (Sawyer, 2017; U.S. Commission on Civil Rights, 2020).

Twenty-five percent of all girls in the United States will have experienced sexual trauma by the time they are 18 and that is one of main predictors of subsequent involvement with the criminal justice system (Saar, et al., 2015). Majority of women who find themselves involved with the criminal justice system are young mothers with histories of physical and/or sexual abuse, substance abuse and mental health issues (Alfred & Chlup, 2009; Sawyer, 2018). In fact, incarcerated women are four times more likely than men to report a prior history of physical or sexual abuse (Glaze & Maruschak, 2010) with at least 50 percent having a been the victim of physical and/or sexual abuse and 90 percent experiencing traumatic events prior to incarceration (U.S. Commission on Civil Rights, 2020). Research has shown a clear link between childhood victimization and subsequent involvement with the criminal justice system (Herbst et al., 2016).

The criminal justice system and rule of law does not always address very relevant factors as it relates to abuse, especially as it relates to women and even more so black women, such as arresting women for self-defense, allowing expert testimony for Battered Women's Syndrome, and issues related to victims of human trafficking, which often leads to incarceration and further trauma (Sandler, 2007; Crenshaw, 2012; Griffin, 2019). This contributes to the realization that there is overpolicing and underprotection of Black women in addition to gender and racial differences in interrogation practices contributing to higher rates of incarceration and showing further inequities (Crenshaw, 2012).

Another factor contributing to the mass incarceration of women is the nation's opioid crisis (Terplan, 2017). A 2013 national study concluded that 80% of heroin users used prescription opioids before the use of heroin (NIDA, 2015). Further, substance abuse, a common indicator of subsequent incarceration, is found in up to 70 percent of

those incarcerated, while only up to 6 percent in the general public (U.S. Commission on Civil Rights, 2020).

Additionally, it is much more difficult for women who enter the prison system with substance abuse issues and/or mental health or co-occurring disorders; and those who do enter the prison system with these past experiences are more likely to end up receiving more disciplinary infractions and punishments such as solitary confinement which can further exacerbate underlying issues (U.S. Commission on Civil Rights, 2020).

Ultimately, with approximately six in ten women released from prison reporting a combination of physical health, mental health, and substance abuse conditions and without obtaining proper services while incarcerated, the chances of recidivism post release only increase (Malik-Kane & Visher, 2008). A study done by the US Commission on Civil Rights found up to 60 percent of people who are incarcerated suffer from mental health issues, compared to only 11 percent in the general population (U.S. Commission on Civil Rights, 2020).

To make matters worse, sexual misconduct by correction officers is a significant problem for incarcerated women (Sentencing Project, 2012). Federal protections such as Prison Rape Elimination Act (PREA) which passed in 2003 were enacted to prevent and address the sexual abuse that was frequently occurring in the prison system, however, that also failed the women considering the National Prison Rape Elimination Commission did not meet annually as required and the recommendations were never fully implemented (U.S. Commission on Civil Rights, 2020). Even though prison officials have an obligation to protect people who are incarcerated from sexual abuse, and even with the protections of PREA, in 2018 there were almost 28,000 allegations of sexual abuse in adult correctional facilities in the US, yet only 6 percent of the claims were substantiated (Maruschak & Buehler, 2018).

Medical care and needs are also different for women and the standards can differ on the federal and state levels (Wakefield & Uggen, 2010; U.S. Commission on Civil Rights, 2020). Just being incarcerated increases the likelihood of contracting a communicable disease such as hepatitis or tuberculosis (Wildeman & Wang, 2017). Access to basic needs such as sanitary napkins and tampons is lacking and while charging for these essential items were supposed to end on the federal level through the First Step Act of 2018, they are still not adequately provided (U.S. Commission on Civil Rights, 2020).

Incarcerated people have a constitutionally protected right to receive adequate healthcare, yet women who enter prison are not often provided with adequate care, especially while pregnant (Wakefield & Uggen, 2010; U.S. Commission on Civil Rights, 2020). In 2016, approximately four percent of newly incarcerated women were pregnant which resulted in 46 miscarriages and 4 stillbirths (Sufrin, et. al, 2019). Some women are forced to give birth in shackles which is a violation of the Eighth Amendment's cruel and unusual punishment and while steps have been taken to end this horrific practice, nothing can be done to erase the memories and the trauma caused to those women who had to endure such treatment (U.S. Commission on Civil Rights, 2020). Upon release, there are high rates of infectious disease and mental illnesses, including but not limited to PTSD and anxiety (Wakefield & Uggen, 2010). One study found that over 70 percent of women did not seek medical care while incarcerated because of the costs that were billed to them (U.S. Commission on Civil Rights, 2020). Further, studies show women's health is affected even after release due to the previous incarceration and there is a disconnect between the prisons and community based programs (Opsal & Foley, 2013; Wildeman & Wang, 2017).

Knowing that a man's response to trauma differs from women, that incarcerated women are more likely to have been victims of abuse prior to incarceration, that studies have shown there is a link between prior physical and sexual abuse and subsequent incarceration in women, and that at least ninety percent of women entering prison have experienced trauma, there is not nearly enough trauma-informed and gender-responsive policies and trainings being implemented in the current system (Opsal & Foley, 2013; U.S. Commission on Civil Rights, 2020).

These are only some of the numerous issues that have resulted from the mass incarceration of women that clearly have long-term detrimental effects and to further complicate the gender specific issues women face, the very pathways that result in women being incarcerated and often further complicate their reentry experience and outcomes (Opsal & Foley, 2013).

#### **Collateral Consequences: Lifetime Sentences**

Collateral consequences are the formal and informal consequences that result from a criminal conviction which significantly impact the lives of the convicted individuals as well as their families and friends (Logan, 2013). Numerous restrictions are placed on individuals with convictions which consequently creates restrictions and barriers on families as well, thereby affecting entire communities (Pinard, 2010).

Upon release from incarceration and/or supervision, people with criminal convictions are limited on where they can work, where they can live, where they can

volunteer, the ability to reunite with their children, and access to government assistance that may not have otherwise needed but for the numerous restrictions that they are now forced to live with (Pinard, 2010; Schirmer, et al., 2009). Not only are most incarcerated people unaware of the full extent of collateral consequences they will face upon release, but even criminal justice professionals are often unaware of all the far-reaching restrictions and limitations that attach to a conviction (Thompson, 2004).

The American Bar Association identified almost 50,000 collateral consequences that a formerly incarcerated individual can face after completing their sentence (Biden et al., 2015). Collateral consequences create a significant barrier to successful reentry; with the most common and significant barriers being housing and employment (Thompson, 2004). People with criminal convictions, specifically those who have felony convictions, are found to have reduced life chances which stratification researchers have been studying labeling prison as a stratification institution (Wakefield & Uggen, 2010).

Economic insecurity is significant and a recognized collateral consequence that impacts every aspect of having basic human needs such as food and housing (Vallus, Boteach, West, & Odum, 2015). Housing is a central element for successful reentry (Keene, Smoyer, & Blankenship, 2018). Upon release, it is difficult to locate safe and affordable housing (Opsal & Foley, 2013). The stigma attached to having a felony conviction or being formerly incarcerated contributes to the difficulty in finding housing (Keene, et al., 2018). With increased and easier access to people's criminal records, rental communities asking about criminal history on applications and restricting those with a criminal history from renting, as well as legislative and other policy restrictions preventing access to public housing, those returning from prison find it nearly impossible to find housing (Pinard, 2010; Thompson, 2004). Four out of five landlords do background checks and in 2015, 79% of people with felony convictions were denied housing with 18% of families evicted or denied housing due to an incarcerated family member returning home (Vallas, Boteach, West, & Odem, 2015). When women are incarcerated, they can be forced into eviction (McLaughlin & Rena, 2018). Not only do these women potentially lose all their personal property when incarcerated, but having an eviction can further impact the barriers to housing that being classified a felon already creates (Vallas, et al., 2015). Factor in race with prior incarceration, and the limitations are even greater (Crenshaw, 2012). This results in formerly incarcerated women having higher rates of homelessness (Opsal & Foley, 2013).

Employment, a necessity for economic stability and a common condition of probation or supervised release once released from prison, is yet another limitation women will face at disproportionate rates (Thomspon, 2004; Wakefield & Uggen, 2010). Women generally make less than men, but when looking at income levels prior to incarceration there is a significant difference with 72 percent of women ages 27-42 who made less than \$22,500, as opposed to 57 percent in males (U.S. Commission on Civil Rights, 2020). Research shows that formerly incarcerated men make approximately 40% less than someone without a felony conviction, when gender and race pay gaps are factored in, women, especially women of color, face an even harder reentry path (Wakefield & Uggen, 2010; (Opsal & Foley, 2013; Vallas, et al., 2015). To further impact successful reentry, there are also the fines and fees that are attached to felony convictions (Bannon, Nagrecha, & Diller, 2010). These legal financial obligations may be levied from paychecks when and if these women can find employment and can also prevent them from obtaining their drivers licenses so they can get to their jobs and take their children to school and/or daycare. (Fair & Just; Bannon, et al., 2010).

Thirty-three percent of formerly incarcerated women were found to be employed 10 months post release compared to fifty percent of men (Opsal & Foley, 2013). Employment can be difficult for anyone to secure, but adding to that having a felony record, not being able to get a driver's license due to the outstanding legal financial obligations and collections fees, and the regulatory limitations on where you can work, only further limit the chances of finding employment and thus successful reentry (Thompson, 2004; Fair & Just; Bannon, et al., 2010).

Barriers to employment and housing are also impacted by women's health issues (Opsal & Foley, 2013). With over 75% of women entering prison with mental illness and over 70% not seeking medical care while incarcerated due to fear of costs, proper care while incarcerated and post release is important is a relative factor (Sentencing Project, 2012: (U.S. Commission on Civil Rights, 2020). Access to healthcare remains a barrier to women upon release and has been shown to impact recidivism (Opsal & Foley, 2013).

As a result of women entering the criminal justice system having experienced prior trauma, having little to no education, less access to programs and education while incarcerated, and often leaving prison having experienced further trauma, the ability for women to find gainful employment upon release is significantly low (Roberts, 2012; Opsal & Foley, 2013). Prior incarceration essentially sentences most people to a lifetime of low income and low status jobs (Wakefield & Uggen, 2010; Lyons & Pettit, 2011).

Women also face barriers if they want to further their education, with sixty-six percent of colleges and universities using background checks during their admission

process (Vallas, et al., 2015). With further barriers including restricted access to financial aid due a drug related felony conviction (U.S. Commission on Civil Rights, 2020). Most women who enter the criminal system do not have post-secondary education (Opsal & Foley, 2013; Dumont, et al., 2014). Studies show that a mother's education level strongly correlates not only with vocabulary and mental processing for children in the early years, but also in future educational outcomes, so by limiting women's educational opportunities post incarceration we are also directly impacting their children (Vallas, et al., 2015).

Since most women who are incarcerated are mothers, the reentry experience differs from men in this way as well, as most mothers will be seeking the difficult task of regaining custody of their children (Roberts, 2012; Opsal & Foley, 2013). Adding to an already complex reentry experience, these mothers often must factor in dealing with foster care and the dependency system and the numerous tasks requirements that are put on them only to be further judged and determined if they are worthy enough to get their children back (Opsal & Foley, 2013; Keene, et al., 2018).

Yet another significant collateral consequence faced as a result of having a felony conviction is the inability to vote, which is referred to as felony disenfranchisement (Uggen & Manza, 2002; Wakefield & Uggen, 2010). Almost six million American citizens are restricted from voting due to felon disenfranchisement laws. (Sentencing Project, 2014 and Pinard, 2010). In addition to the exclusion from the polls through disenfranchisement policies, the demise of democratic process that results from prior incarceration is also due to the creation of a second-class citizenship for those convicted of felonies. (Lerman & Weaver, 2014). This furthers social inequality and civic engagement on various levels by eliminating the very means to trying to address the restrictive policies that make reentry so difficult. (Wildeman, 2012; Wakefield & Uggen, 2010; Roberts, 2004). Additionally, those with felony convictions commonly lose their right to sit on a jury, which further adds to inequities when already marginalized communities are stripped from the ability to be judged by a jury of their peers (Wakefield & Uggen, 2010).

There is also a stigma that is attached to having a felony conviction and being incarcerated that tends to be worse for women (Opsal & Foley, 2013). The social stigma that attaches due to a prior conviction or term of incarceration not only impacts access to housing, employment, and education, but has been shown to perpetuate inequalities as well as serve as a form of population control (Keene, et al., 2018). Relationally, those who have been incarcerated are less likely to get married (Wakefield & Uggen, 2010). People with felony convictions, as well as their family members, can also be denied victim benefits if the victim has a criminal record further showing the social policies and acceptance of people with convictions being treated as a lower class (Santo, 2018).

The apparent problem is that absent a pardon or some other form of clemency, most of these restrictions and the stigma that attaches will last a lifetime (Pinard, 2010). Sealing and expungement are some ways that address some limitations, but they vary from state to state, can have further limitations due to outstanding legal financial obligations, and have even further limitations in the federal system (see generally Fair & Just; Vallas, et al., 2015). Additionally, some states such as Florida, only permit the sealing and/or expunging of criminal records in very limited circumstances and are set up only to address arrest records that did not result in a conviction (Chapter 943, Florida Statutes).

# Societal Impact of Collateral Consequences: Effect on Families, Communities, and Future Generations

Mass incarceration not only marginalizes those who are incarcerated, but their families as well and growing evidence concludes that incarceration creates collateral consequences for families and children (Cochran, et al., 2018). The criminal justice policies that resulted in mass incarceration had one of the greatest public policy impacts on the lives of poor this nation has ever seen (Lyons & Pettit, 2011) Mass incarceration has resulted in breaking up intact families, detrimentally impacting families and communities, and forever limiting peoples' earning potential (Wakefield & Uggen, 2010).

Mass incarceration has been shown to have long term health impacts both on those incarcerated and family members and continues to contribute to health disparities both within the US, and in comparison, to other countries (Wildeman & Wang, 2017; Sundaresh R, Yi Y, Harvey TD, et al., 2021). Studies show that these consequences contribute to immediate family members of individuals in prison having numerous health impacts including but not limited to increased risk of chronic diseases and reduced life expectancies Sundaresh, et. al, 2021).

While the generational impact is an area that has been receiving more focus recently (Wildeman, 2012), the issues rarely address what is actually happening to the children and families (Rahimipour, Anaraki & Boostani, 2014). Mass incarceration and the collateral consequences that go along with it have created an underclass that not only impacts the individual who was incarcerated but increases cycles of incarceration and poverty for family members (Morsy & Rothstein, 2016).

The impact mass incarceration has had on children will take generations to fix (Wildeman, 2012; Vallas, et al., 2015). Over 5.1 million children have had a parent incarcerated at some point in their lives (Elderbroom, et al., 2018). The number of mothers who were incarcerated from 1991-2007 increased by 122 percent (U.S. Commission on Civil Rights, 2020; Schirmer, et al., 2009). In 2010, 2.7 million children had an incarcerated parent, indicating that their ages now range from at least 10- 28 (Cochran, et al., 2018).

Children are impacted from the moment the criminal justice system touches their lives and can create detrimental outcomes that cannot always be rectified. (Wakefield & Wildment, 2018). The collateral consequences of parental incarceration can impact every aspect of a child's life and future (see generally, Cochran, et al., 2018).

"Incarceration not only predicts worse outcomes for formerly incarcerated individuals and their children, but their grandchildren and beyond as well" (Morsy & Rothstein, 2016).

Parental incarceration has numerous short- and long-term effects including but not limited to childhood poverty, childhood homelessness, learning disabilities, behavioral issues, health issues including obesity and asthma, physical issues such as developmental delays, and psychological issues such as depression and anxiety (McLaughlin & Rank, 2018; Morsy & Rothstein, 2016). When the parent that is incarcerated is their mother, studies show the children are five times more likely to end up in foster care (Hager & Flagg, 2018). In fact, the increase in female incarceration explained a 40% increase in foster care caseloads (which doubled) between 1985 and 2000 (Elderbroom, et al., 2018). Another study found that from 2013 to 2015, the total number of children in foster care in the United States increased approximately 7 percent to about 429,000 and 32 percent of all foster placements were attributed to parental substance abuse (Collier, 2018).

When a parent is incarcerated, children are often removed from their homes, which create complex and different challenges (Rahimipour Anaraki & Boostani, 2014). Prior to incarceration, women who were the primary caretakers were five times more likely to have their children placed in state care (U.S. Commission on Civil Rights, 2020). Over 100,000 children have been put into the foster care system due to maternal incarceration (Wakefield & Wildeman, 2018). Some children are also separated from their siblings (Rahimipour Anaraki & Boostani, 2014). Termination of parental rights can occur if the mother is incarcerated more than 15 months (U.S. Commission on Civil Rights, 2020). From 2006- 2016, in 3 million child welfare cases, incarcerated parents were more likely to have their rights terminated than parents who physically or sexually abused their children, with at least 32,000 not being accused of any abuse (Hager & Flagg, 2018).

From the beginning, not only can the arrest, if occurred in front of the child(ren) be considered a traumatic stressor, but so can the removal of the parent (Dumont et al., 2014). A significant amount of trauma can occur when a child is removed from everything they know; new people, new home, new school, and possibly losing contact with their mother and other family members (Wakefield & Wildeman, 2018; U.S. Commission on Civil Rights, 2020). These children, who suffer a severe trauma with removal, often exhibit behavioral issues and are treated negatively in the school system, but little to nothing is being done to address the trauma they have experienced (Wakefield & Wildeman, 2018; Wildeman & Wang, 2017). To make matters worse, the behavioral or emotional issues that might require treatment or other forms of assistance such as tutoring and/or counseling, which could take years to fix and be severely costly not just monetarily, but emotionally (Wakefield & Wildmen, 2018; Morsey & Rothstein, 2016). This is a significant result of mass incarceration that will impact many generations (Wildeman, 2012).

In 2007, about half of the children of incarcerated parents were under 10 years old (Schirmer, et al., 2009). Some studies estimate that nearly half of US children have at least one parent with a criminal record (Joiner, 2015). Children of incarcerated parents suffer serious harm not only from the immediate effects, but long term as well (Wakefield & Wildeman, 2018; Cochran, et al., 2018). A child's life chances are correlated to childhood circumstances with parental incarceration being shown to result in adverse childhood experiences (ACE) which is associated with greater risk of traumatic stress (Vallas, et al., 2015).

Early childhood developmental delays are linked to parental incarceration (Dumont, et al., 2014). Parental incarceration has also been linked to reductions in educational performance (Rahimipour Anaraki & Boostani, 2014). Parental incarceration is also show to impact relationships both during their childhood and later on in life (Cochran, et al., 2018). Mental and physical health problems in children have also been attributed to parental incarceration (Dumont, Wildeman, Lee, Gjelsvik, Valera, & Clarke, 2014).

Children of incarcerated parents are 48% more likely to have ADHD, have higher rates of anxiety, depression, and PTSD, as well as health issues such as asthma, elevated

blood pressure, risk of obesity and higher body mass indexes which could lead to heart disease and diabetes and were found to be 33% more likely to have speech and language problems, and 23% more likely to have developmental delays (Wakefield & Wildeman, 2018). Researchers have only recently began looking at the health mass incarceration has on children, families, and even communities (Wildeman & Wang, 2017). One study found that the unprecedented scale of incarceration in the US simultaneously presents a social determinant of health that may contribute to disparities in prenatal care and poorer infant and early childhood development (Dumont, et al., 2014). Some studies show poor self-reported outcomes as it related to children of incarcerated mothers when looking at education, health, and contact with the criminal justice system (Wildeman & Wang, 2017). Other studies have shown that not only is health negatively impacted, but so is life expectancy (Widra, 2017; Widra, 2021; Sundaresh, et. al, 2021).

Parental incarceration has also been linked to reductions in educational performance and behavioral issues (Rahimipour Anaraki & Boostani, 2014). Children of incarcerated parents have lower gpa's (Wakefield & Wildeman, 2018) and parental incarceration has a stronger impact on a child's educational performance than any other type of parental absence (Elderbroom et al., 2018). Not only are children of incarcerated parents 43% more likely to use drugs, but they are also more likely to drop out of school, engage in delinquency, and subsequently be incarcerated themselves (Wakefield & Wildeman, 2018; Schirmer, et al., 2009, p.1), even though studies show that treating the substance abuse issues together with parent and child can prevent subsequent behavioral and addiction issues (Zhang, Slesnick, & Feng 2017). One study showed that, youths impacted by the criminal justice system were more likely to have been to court, sent to the principal's or counselor's office than their peers, consumed alcohol, used marijuana or hash, be a member of a gang, as well as having an increased likelihood of running away, stealing, violent behavior, and skipping school and when children engage in risky behavior which greatly impacts the entire community (Rahimipour Anaraki & Boostani, 2014).

Parental incarceration significantly increases the odds of criminal justice involvement for offspring (Burgess-Proctor, Huebner, & Durso, 2016; Cochran, et al., 2018). Parental incarceration has even been considered as part of a risk set to identify children as high risk (Giordano, Copp, Manning, Longmore, 2018). Maternal incarceration has been found to be a strong indicator of adult daughter incarceration (Burgess-Proctor, et al. 2016). Sons of incarcerated parents have a 25% higher dropout rate with 55% likely due to involvement with the criminal justice system, with the greatest risk found in children of incarcerated mothers (Wakefield & Wildeman, 2018).

The results of mass incarceration and collateral consequences have also been shown to be linked to increased child poverty rates (Rahimipour Anaraki & Boostani, 2014). Some estimates state that 20% of the United States poverty rate could attributed to the 60% of formerly incarcerated people returning to the community that face the reality of long-term unemployment (Roman, Fontaine, Taxy, Peterson, Breaux & Rossman, 2015). "Even having a minor criminal record can mean a life sentence to poverty" (Vallas & Dietrich, 2014). Not only are children raised in poverty more likely to end up in the criminal justice system, in 2015, \$192 billion in spending was due to special education and health costs linked to child poverty and reduced earning income potential for children raised in poverty resulting in \$294 billion dollars of reduced earnings with a total estimated cost of childhood poverty at over \$1 trillion. (McLaughlin & Rank, 2018).

Residential instability, which is not only linked to the inability to find housing, but the inability to find gainful employment due to having a felony conviction, increases the likelihood of poor school performance, behavioral issues, suspensions, and expulsions (Wakefield & Wildeman, 2018). The economic insecurity and instability that results from having a felony conviction can have devastating effects on children's development and outcomes and contributes to the generational impact to the children and families (Vallas, et al., 2015). Parental incarceration often leads to income instability, which can lead to housing instability, which increases stress and family instabilities, which leads to higher divorce rates, school performance issues, increase in emotional and physical health problems, behavioral issues, and an increased likelihood of a child engaging in delinquent behavior showing the cycle is not a direct result of parenting, but rather the barriers and limitations that are in place due to having a felony conviction and/or having been incarcerated (Wakefield & Wildeman, 2018).

Further challenges include the impact the incarceration has on the parental relationship with the child(ren) (Steman, 2017). There are less women's prisons than men's prisons which means mothers are often placed farther from their children which makes visitation hard or even impossible (Elerbroom, Bennett, Gong, Rose, & Towns, 2018). While the First Step Act of 2018 now requires placement "as close as practicable" with practicable meaning within 500 driving miles of the individual's primary residence, Bureau of Prisons has only 29 facilities that house females which means there is not a facility in every state (U.S. Commission on Civil Rights, 2020). While maintaining the family relationship is important to reduce the breakdown of family bonds, visiting a

parent behind bars can also be traumatic for children (Morsey & Rothstein, 2016).

Most families cannot afford the cost of travel to visit (U.S. Commission on Civil Rights, 2020). At an average of \$1.20 per minute, even phone calls can be difficult to maintain which leads to additional financial strain on the part of the caregivers (Elderbroom et al., 2018). While email and video conferencing capabilities have been introduced, accessibility and significant costs prevent everyone from being able to utilize these methods (U.S. Commission on Civil Rights, 2020).

Emotional and financial strains on the part of the caretaker and the relationships between the caretaker and parent and the parent and the child(ren) can also lead to the breakdown of the family structure (Rahimipour Anaraki & Boostani, 2014). Grandparents, specifically grandmothers, most often become the caregiver of the minor children when mothers are incarcerated (U.S. Commission on Civil Rights, 2020). Sixtythree percent of family members were primarily responsible for the incarcerated family members conviction related costs with two thirds of those families unable to meet basic food and housing needs due to the family members incarceration and approximately 63% of women reported that their physical health was significantly impacted due to a family members incarceration with that number rising to 86% relating to their mental health (Elderbroom et al., 2018). Further, due to the high rates of infectious disease upon release, family members and entire communities can be impacted (Wakefield & Uggen, 2010).

Family members of those who are incarcerated can also experience micro and macro levels of impact of social exclusion due to the withdrawal, stigmas, and shame that comes with having a family member that is incarcerated (Cochran, et al., 2018).

Additionally, nonincarcerated family members were found more likely to be victim of crimes (Morsy & Rothstein, 2016).

Studies that show children of parents who have been incarcerated are also less likely to vote, less likely to trust the government, and less likely to engage in community service (Morsy & Rothstein, 2016, Cochran, et al., 2018). The exclusion from the democratic process through felon disenfranchisement laws essentially leaves low-income communities without a voice, contributing to perpetual cycles of low incomes and generational imprisonment (Loury, 2014). With so many individuals from low income minority communities cut off from the polls, restricted from sitting on juries or holding public office, this not only creates civic isolation for an individual, but far too often leaves entire communities cut off from the civic and political process creating obvious limitations on having elected officials in office that can address their needs; and with these communities already having a distrust towards law enforcement and the criminal justice system, they now also have reduced political power (Roberts, 2004). This shows the community level damage done to the democratic process as a result of mass incarceration (Morsy & Rothstein, 2016).

Ultimately, mass incarceration contributes to intergenerational inequities (Giordano, et al., 2018). All these issues ultimately impact everyone in society. Links between poor health, higher rates of sexually transmitted diseases, higher rates of those with asthma, and psychiatric morbidity and neighborhoods with high incarceration rates have been made (Wildeman & Wang, 2017). States with higher numbers of formerly incarcerated residents have been shown to have poorer healthcare systems, higher infant mortality rates, lower life expectancy, and higher rates of HIV and mass incarceration which can even be shown to explain racial disparities in HIV infection rates (Wildeman & Wang, 2017).

Economically, the financial cost of incarceration costs this nation approximately \$122 billion per year (McLaughlin & Rank, 2018). The overall costs for incarcerating women are greater than it is for men (Lolande & Cho, 2008). Approximately \$8.1 million dollars was spent on healthcare for those incarcerated in 2015 (U.S. Commission on Civil Rights, 2020). The total non-budgetary social costs of incarceration are estimated at \$83.2 billion (McLaughlin & Rank, 2018). Further, given that mass incarceration has also been shown to be linked to increased childhood poverty rates, mass incarceration costs this nation far more than just monetary costs (Rahimipour Anaraki & Boostani, 2014). The collateral consequences that result from incarceration further increase the financial costs for the individual, the victims, taxpayers and all of society (Levshin, 2011). All these consequences far exceed and negate any proposed reasoning or goals for the policies that led to mass incarceration (Cochran, et al., 2018).

#### **Conceptual Framework**

This study was based on the assumption that the mass incarceration of women not only creates a generational impact on families, but detrimentally impacts entire communities for generations. Recognizing and addressing that mass incarceration creates harm to families and communities and the collateral consequences women face postconviction continue to oppress families and communities. Reentry issues are not something one faces just immediately upon release but are post incarceration punishments they must endure for the rest of their lives and impact their families and communities for many years to come.

# **Research Questions**

With the mass incarceration of women recognized as one of the fastest growing prison populations, this research looked at how and why the incarceration of women impacts all of society. The goal of this dissertation was to not only show the impact to children, families, and communities, while women are incarcerated, but the long-term impacts that continue post-conviction/incarceration that ultimately impact families and communities for many generations and contribute to cycles of poverty, incarceration, and ultimate oppression. This research will not only show the damage done to children and families while a mother is incarcerated, but how the collateral consequences these women face for the rest of their lives continue to damage and put strains on their families and communities.

**The central research question asks:** What are the experiences of women in the justice system, particularly mothers, before and after incarceration?

**Research question one.** RQ 1: What can be learned from examining the collateral consequences women face post incarceration immediately upon release and at five-year intervals?

**Research question two.** RQ 2: How have the poverty levels among children of women who were formally incarcerated been impacted?

**Research question three.** RQ 3: How have the education levels, performance levels, and behavior of children of formerly incarcerated women been impacted?

**Research question four.** RQ 4: What impacts to the community can be shown by examining the experiences of mothers who have been incarcerated?

#### Summary

Mass incarceration has failed this country. Based on the research, recognizing the harm mass incarceration has had on society and the need for the government, police, and communities to join forces to address this epidemic is paramount for substantial change to occur. Addressing the current barriers in place that limit successful reentry, as well as sentencing reform and decriminalization efforts, needs to be at the forefront and a priority for any successful change to occur.

With millions of Americans being impacted by this crisis, it is shocking to see opposition to resources being spent address this issue because of the mentality that it would be "helping criminals." Instead, society must change their mindset in order to realize that allocating resources towards alternatives to incarceration such as treatment, earlier access to reentry programs, and eliminating or reducing harsh restrictions on housing and employment post incarceration, ultimately result in less crime and safer communities for everyone. Acknowledging that we have a failed system full of inequities and if a person survives the sentence imposed by the criminal justice system, society and laws should not continue to punish people for the rest of their lives. Any other view would undermine the criminal justice system in and of itself and contribute to perpetual cycles of both incarceration and poverty, ultimately hurting everyone in society.

While reentry programs were created as a way of addressing some of the collateral consequences formerly incarcerated people face upon reentry, these programs cannot take away the costs and other damage done from the incarceration itself. Additionally, most of these programs are too often limited to help people who are recently released from incarceration leaving out a whole subset of people with convictions that were not incarcerated that likewise have to live with the barriers that come with having a conviction, as well as those that are not recently released but still facing numerous reentry barriers especially after major events like the covid pandemic. There are also fewer programs that specifically help women. Further, reentry programs are still bound by the legislative and policy restrictions that exist for women who have a prior conviction so without changing the restrictive policies that exist, they are still limited on how much they can help.

More resources need to be allocated towards alternatives to incarceration that do not include supervision, mental health treatment, substance abuse treatment, education, and other programs to keep women out of prison, as well as promoting efforts for sentencing reforms, and to decriminalize offenses in order to prevent these debilitating generational impacts from further damaging families, communities, and society.

#### **Chapter 3: Methodology**

#### **Strategies of Inquiry**

The researcher conducted explanatory case studies to contribute to the knowledge of and address the long-term effects of female incarceration both to the individual and the impacts to society. Case Studies are similar to the historical method, but they add direct observation of events being studied as well as the interviews of people involved in the events (Yin, 2003). This study incorporated qualitative research methods to collect and analyze data. The researcher conducted virtual face-to-face interviews and used the responses and notes from the interviews for this study.

The researcher provided a comparative case analysis with the goal of identifying key trends and patterns creating a grounded theory based on the observations of this study that shows the impact that mass incarceration of women has on society, the limitations of reentry programs without necessary policy changes that eliminate barriers to education, employment, and housing, and how the trauma of incarceration itself creates long term consequences for women and their families. This case study was based upon a comparative case analysis within a qualitative research design framework (See figure 1) (Yin, 2003).

The theoretical framework presented shows that the immediate response to crime (punishment and incarceration) is not what is best for the accused, the victims in some cases, or society. Addressing the social and emotional cause of the arguable criminal behavior with rehabilitative approaches would not only decrease the likelihood of reoffending, but also saves millions of dollars. That money could be reallocated to educational and social services that could actually prevent crime and incarceration.

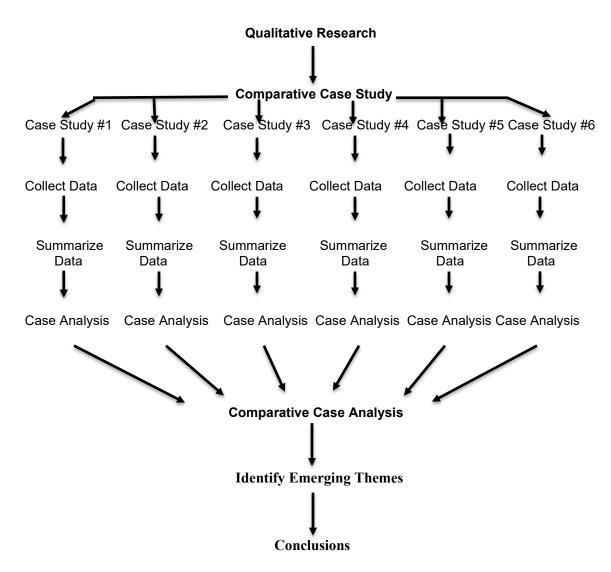


Figure 1: Visual Design of process for Qualitative Comparative Case Analysis

The results of the qualitative data collected resulted in a grounded theory based on a narrative analysis. The answers to the interview questions showed that regardless of how long it has been since someone has been released from prison, the collateral consequences that impact basic needs continue for a lifetime and that children family members, and communities will continue to suffer so long as women, especially mothers, are not provided alternatives to incarceration, there are not expansive efforts to eliminate the barriers that come with having a conviction, as well as to decriminalize some offenses. The formal and informal policies that create collateral consequences post incarceration will continue to make it difficult for women to not only reintegrate back into society but survive.

## **Participants**

For this study, the researcher recruited mothers with felony records who were no longer incarcerated and willing to be interviewed about their incarceration, collateral consequences, and reentry experiences. Recruitment was done by sending an approved recruitment flyer out to a formerly incarcerated led organizational list serv and also shared on social media. Participants varied in age, the amount of time they have been out of prison, and the felony offense(s). The goal was to get at least 6 participants, 3 who have been out of prison at least 5 years, and 3 who have been out of prison less than 5 years in order to build data sets for two emerging cases. One will show the unique experiences and struggles faced by women and their families early in their reentry experience. The second case will show how they were able to adapt to the numerous barriers they continued to face and the long-term effects it had on them, as well as their children and families.

#### Instruments

The researcher conducted interviews for this study. The researcher attempted to primarily utilize in person face-to-face interviews, but due to the COVID-19 pandemic, traditional methods were difficult. Therefore, the researcher utilized virtual/video conferencing methods to maintain the face-to-face interview method.

The researcher developed an interview protocol that contained procedural safeguards that were utilized for all face-to-face video conferencing interviews. To

engage more detailed responses, the researcher asked some open-ended questions including what specific challenges the women experienced related to housing, employment, their children, treatment from family members and/or community members, substance abuse issues and/or access to health care. The researcher also developed a note taking chart to identify other factors of the interview.

**Interview questions.** The questions, as provided in Appendix A, included current age; age at time of arrest (for the purpose of this study and if applicable, their age for their most recent arrest); offense; age at time of incarceration (for the purpose of this study and if applicable, for the most recent incarceration); amount of time out of prison; if they had a history of physical and/or sexual abuse; what challenges they faced during incarceration; immediately upon release and/or continuously upon release; any notable differences in collateral consequences based on location of residence (i.e. city, county, state); whether they were mothers before their incarceration, after, or both; their children's education performance; their children's behavioral performance; their income levels prior to and after incarcerated; any parental concerns or challenges they or their children face(d) due to their prior incarceration; as well as the impact their incarceration had on their relationships with family members.

**Role of the Researcher.** Choosing this research study was important because this issue impacts everyone in society. The long-term impacts will continue for generations and there is not enough research available to address and bring light to this epidemic and the long irreparable damage mass incarceration of women is doing to society and the most innocent of victims, the children. How society has chosen to address certain

arguable criminal behaviors has not only created long term damage to women and their families, but has also created the foundation for increasing crime and victims and decreasing public safety.

## **Data Collection Strategy and Procedures**

The primary data was collected from February 2021 through April 2021. In order to recruit women to be interviewed, the researcher utilized a formerly incarcerated led organization's list serv to send out a recruitment flyer asking for volunteer participants for a study on reentry and collateral consequences. At the time, researcher was employed by this organization so to prevent any potential issue of obligation or coercion, the email was sent out by another director. The flyer explained the study and asked anyone who was interested to contact the researcher for more information. The researcher's name and contact information were listed on the bottom of the flyer. A gift card incentive was offered for those who participated in the study.

Researcher selected participants on a responsive and quota meeting basis. The first 6 women who responded and were screened met the research criteria and opted to participate in the study.

The researcher utilized a face-to-face interview method through video conferencing using the questions presented in Appendix A and attempted to audio record each interview for transcription purposes. The interviewee's name and other identifiable information were not included in this study. Some of the questions were direct answer questions, some open ended, and some elicited a spontaneous response. Researcher utilized observation methods including, but not limited to, gathering notes by observation. Researcher was cognizant of the various issues that are present during conducting interviews and attempted to apply a tacit knowledge as it relates to the participants during the interviews.

## **Data Analysis**

For data analysis, the researcher first attempted to transcribe the interviews and type the interview notes. The researcher then created a chart based on the topics and correlated answers and began coding all the data (See Figure 2). There is a mixed approach on the correct method of coding as it may lead to different results if applied to the same data (Croswell, 2014).

Common	Limited	Limited	Limited	Limited	Difficulties	Difficulties
Themes	Access to	Access to	Access to	Access to	with	Maintaining
	Housing	Education	Employment	Healthcare	Children	relationships
CS 1	Yes	Yes	Yes	Unsure	Yes	Yes
CS 2	Yes	Yes	Yes	Yes	Yes	Yes
CS 3	Yes	No	Yes	No	Yes	Yes
CS 4	Yes	Yes	Yes	Yes	Yes	Yes
CS 5	Yes	Yes	Yes	Unsure	Yes	Yes
CS6	Yes	Yes	Yes	Yes	Yes	Yes

#### Figure 2: Chart of common themes

The researcher then analyzed the responses to assess the impact reentry barriers have on employment, housing, child-rearing, education and access to healthcare and food, as well to determine the impact the incarceration of women has on society including, but not limited to, the generational impact on children, the impact to other family members, the foster care system, school systems, as well as the effectiveness of reentry programs on addressing some of the major reentry issues. The researcher identified common and emerging themes among the responses from the participants and tried to explain them. The researcher utilized progressive focusing methods by adding concepts during the data collection process, as needed (Bachman & Schutts, 2017).

#### Limitations and Steps to Ensure Rigor and Trustworthiness of the Study

The potential limitations for this study included the ability to get formerly incarcerated women that met the proposed criteria to participate in the study and getting a range of participants both demographically and durationally. However, this did not result in a limitation since the first six women interviewed met the given criteria. Other limitations included possible extraneous variables for some of the collateral consequences women face post incarceration. For example, a reason for unemployment may not be the direct result of being formerly incarcerated, but rather choosing not to go on interviews or apply for certain types of jobs. Further complexities include the intersectionality of race and gender. Additional possible limitations were that the length of time post incarceration may have impacted the memories relating to the collateral consequences the women and their children and families may have experienced at a given time.

Given the context of this study and the researcher's own experiences, a potential bias could have existed. To ensure rigor and trustworthiness of the study, the researcher attempted to identify any potential bias that may be created by the researcher's background and status of being a formerly incarcerated woman. The researcher also attempted to address all limitations related to finding participants, as well as the reliability of recalling events that occurred years prior to the study.

The researcher collected data through the interview process and utilized member checking methods by showing the findings to the participants for review. The researcher presented all information regarding any emerging themes that arose from the findings to the participants. The researcher also utilized peer review to get an impartial perspective on the work. Selection Biases. The selection bias was limited to selecting the first 6 women who met the proposed criteria. Since this likely did not result in a true representative sample, the results may not accurately account for or address intersectionality which can further impact the myriad issues women within the criminal justice system experience.

**Researcher Bias and Subject Effects.** As a woman who was formerly incarcerated, the researcher has lived with the collateral consequences of having a felony conviction for over twenty years, including but not limited to barriers to housing, employment, education, and the impact on her children, family, and community. Given this experience, researcher was sensitive to the struggle's formerly incarcerated women experienced prior to and during incarceration, and during reentry, especially as it relates to struggling through them as a single mother. To eliminate any possible bias, research questions were peer reviewed prior to interviews and outcomes were peer reviewed post interviews.

# **Expected Findings**

Researcher expected to find common themes among each participant's reentry experiences as it relates to housing, education, employment, and healthcare. Likewise, researcher expected to see similar themes with regards to the impact incarceration had on their children both during and post incarceration, as well as the impact on families and relationships. Researcher also expected to show some of the long-term impacts incarceration itself and post incarceration barriers had on their children and families and consequently show how those impacts directly affect their communities and society.

#### **Chapter 4: Research Findings**

The exploratory research conducted for this study consisted of interviewing six formerly incarcerated women who are mothers. The purpose of this research study was to examine the experiences and perceptions of formerly incarcerated mothers and collect, analyze, and summarize the information to show the impact incarceration had on them, their children, and family members, which would ultimately show the impact it can have on community members and thus society.

The research findings reported are based upon a grounded theory approach resulting from a comparative case analysis utilizing semi structured interviews, researcher's observations, and follow-up conversations with most of the interviewees.

The primary research question considered for this study was: what are the experiences of women in the criminal justice system, particularly mothers, before, during, and after incarceration? Further questions that guided the study included: RQ 1: What can be learned from examining the collateral consequences women face post incarceration immediately upon release and at five-year intervals? RQ 2: How have the poverty levels among children of women who were formally incarcerated been impacted? RQ 3: How have the education levels, performance levels, and behavior of children of formerly incarcerated women been impacted? RQ 4: What impacts to the community can be shown by examining the experiences of mothers who have been incarcerated?

# Background

The ages of the women ranged from 26-54. Collectively the women had 18 children. Half of the women had a history of substance abuse and were convicted of addiction related crimes. All three of the women who had a history of substance abuse

had experienced sexual abuse. Two of the women who struggled with substance abuse also had a history of domestic violence. One woman had a history of domestic violence with no substance abuse or sexual abuse history. All the abuse histories were prior to incarceration. Of the six women, four live in the same county they lived in prior to incarceration. Additionally, four of the women had immediate family members that had been incarcerated.

Three of the women were incarcerated in state prisons and three served federal time. One woman served time in both with the most recent being state. Every woman who served time described traumatic conditions. The length of sentences ranged from 1-10 years. Five of the women also served time on probation. One is still serving time on probation. Probation lengths ranged from 1-10 years. The amount of time the women have been out of prison ranged from 1-15 years. Three women indicated they participated in pre-release programing prior to release and two of the women participated in reentry programming post release. One indicated having a post incarceration arrest because of a technical violation of probation (violating a condition of probation, not for the alleged commission of a crime).

Five of the women stated housing was a priority when released. Two suffered significant barriers upon release when attempting to seek housing, while four stated they face more barriers now. All six women indicated employment was a priority upon release. All six women stated that finding employment was difficult upon release and five of the six women stated that employment remains a barrier. Only one woman indicated that healthcare was a priority upon release and accessing it was not difficult. However, two women indicate it is difficult accessing healthcare now, one of which has been out of

prison for 15 years and the other one year. Four women stated education was a priority upon release, with two stating it was difficult to access upon release, and three stating it is harder to access now.

The ages of the children of the five women who were mothers prior to incarceration ranged from six months to 16 years. One woman did not have any children prior to incarceration. The ages of the children at the time of release ranged from 1-19 years. Two mothers indicated their children had been touched by the juvenile justice system. Five women indicated that their children had or continue to have behavioral issues. Four women indicated that their children experienced educational issues. Four women stated their children suffer/suffered from health issues with two indicating that their children suffered specifically from mental health issues. Two women indicated their children have/had substance abuse issues. Three of the five women who had children prior to incarceration stated their mothers became the primary caregiver while they were incarcerated. One had her parental rights terminated. One had another family member step in to help.

The researcher derived these findings from limited transcription, verbal responses to interview questions, notes taken during the interview process, as well as follow-up conversations with most of the women. Pseudonyms were used for all the women interviewed and findings are presented in the order each subject was interviewed. All of the women indicated the importance of and reason for participating was to raise awareness to these issues.

# Sarah

Sarah is a 27-year-old Hispanic mother of four children, however one child

passed away. Her first child was conceived through sexual trauma when she was 14 years old. She made the difficult decision to let him be adopted. Her next child was a year old when she was incarcerated. Her mother became the primary caregiver.

Sarah served 5 years in prison and was sentenced to 10 years probation. She currently has 7 years left. She has received one technical violation for not reporting an address change. She has been out of prison for 3 years and has since had one more child. Sarah indicated that she struggled with substance abuse and had "gotten into trouble before." Beyond suffering from childhood trauma, Sarah experienced extensive trauma during her incarceration which resulted in very high anxiety levels once released.

People just can't understand how you are treated in there and then you come out and you can't find anyone to hire you, it just makes you feel like giving up...it's just so hard.

Beyond the impact on her child caused by the separation when she was incarcerated, the impact it had on her mother was significant both relationally and financially. Her mother tried to pull together everything she could to help pay for a private defense attorney. Her mother ended up losing her home and has since had to move several times.

> If it was not for my mother, I do not know what I would have done..... [S]he still has to sacrifice so much because of all the barriers I still have to deal with.

Sarah indicated the conditions at the prison were terrible. Verbal and sexual abuse by the hand of correctional staff was rampant. Living conditions were also described as terrible and inhumane. Mold everywhere, lack of air conditioning, and constant plumbing issues were some of the conditions described.

Any time someone was coming to do a tour or visit, they would make us clean the mold or make it look like it wasn't there...they would threaten and have us on edge until after the visitor(s) left.

Upon release, Sarah was part of a post release reentry program that helped her with the transition. Sarah stated it took about a year to adjust. She suffered from anxiety, nightmares, and flashbacks of being in prison. She forgot how to drive and found it very difficult to trust anyone and build relationships.

If it wasn't for the ..... program and thinking for a change, I do not even

know if I would have been able to get through it. It helped me so much.

The barriers she faced and continues to face include education, housing, and employment limitations. This further makes it difficult for her mother who had to support her child when she was away and now must also continue to help financially because of the barriers Sarah continually faces.

> I studied cosmetology inside but when I came out it was virtually impossible to get into the program to finish it. My probation officer would not allow me to continue the program which was at no cost.

Sarah stated that her older child suffered from behavioral and educational issues as a result of her incarceration. While Sarah is surviving, she struggles to thrive due to the many obstacles she must continually overcome because of being justice involved. She is working hard to repair relationships but finds doing so an additional struggle due to the limitations.

# Danielle

Danielle is a 44-year-old women with 4 children. She identifies as Hawaiian and Portuguese. Danielle served 4 years in federal prison. She was incarcerated at the age of 26, indicated this was her first arrest and conviction, and has been out of prison with no additional arrests for 15 years. She served 3 years on probation.

Danielle had one child at the time of her incarceration, who was only 6 months old, and is now the mother of four children. Her mother became the primary caregiver, which significantly impacted her mother financially and emotionally. Danielle explained the trauma of having to be separated from her infant and how terribly that affected her emotionally not only while incarcerated, but still to this day.

I couldn't eat, I would cry all the time, there were days I felt I couldn't even breathe... it still haunts me.

Danielle's son also suffered emotionally which later showed up with behavioral and mental health issues. Danielle's son was subsequently touched by the justice system, and he also developed a substance abuse issue. Danielle believes that the numerous issues her son has experienced were directly related to her incarceration.

> I think being separated from his mother at such a young age did something to him psychologically that was never truly healed.

Danielle indicated that conditions of her facility were disgusting. The food was infested with roaches, and everything was filthy. Danielle also indicated there was significant abuse by the guards.

Even if you were hungry, your stomach would turn just looking at the food.

Upon release, Danielle explained that finding housing and employment was extremely difficult. This challenge further burdened her mother who thought she would be able to come home and help financially only to end up being further burdened by the barriers her daughter faced. This all took a heavy toll on the relationship and Danielle's mother's well-being. Her son continued to have behavioral issues which ultimately resulted in him dropping out of school and having substance abuse issues.

Danielle is now self-employed and has 3 additional children but continues to suffer from the trauma of being separated from her child at such a young age, the trauma experienced while incarcerated, and the struggles and barrier she continues to face. She suffers from extreme anxiety and does not understand why these consequences must follow her around forever.

I had to get put on medication for panic attacks and I know it's from the trauma I experienced from being incarcerated because I never had them before!

# Mary

Mary is a 51-year-old mother of 3. Mary suffered from severe prior sexual and physical abuse, and she also struggled with substance abuse. Mary was 18 years old the first time she was arrested and said she had been arrested numerous times. Her most recent arrest was when she was 43. She was held in county jail for almost a year because she could not afford bail. She was released when she was 44.

Mary described the conditions as horrible. She indicated that the women had to endure extreme temperatures, had insufficient clothing (items such as bras, underwear, and shoes were rationed), the staff would consistently do 3 am body and room searches, and the male guards were constantly in the shower area.

The so-called mattresses were so thin and created all kinds of pain and discomfort...and they only gave us 1 clean outfit each week, so the smells were not only unhygienic but horrible to endure.

Mary lost her parental rights of her first two children due to earlier convictions and when she was arrested at 43 also lost custody of her 9-year-old. Although she was able to be reunified with the youngest and he now lives with her, it was a long hard battle that not only played a huge toll on her emotionally, but also further impacted her child. He suffered from behavioral and emotional issues. Her children also suffered with mental health and substance abuse issues.

> I was only locked up because I could not afford bail and yet they removed him and made it so hard to get him back.... what they put him through was unconscionable and it has taken a long time to recover from and heal.

Mary indicated that housing and employment were a priority for her when she was released with employment being the most difficult.

Mary has not had any new arrests. She now serves women who are released from prison and helps them navigate the tremendous barriers they face.

## Sharon

Sharon is a 39-year-old women who identifies as Caucasian. Sharon had no prior history of sexual, physical, or substance abuse. She was 23 years old when she went to was convicted and sent to prison. She served 3 years in prison and 2.5 years on probation. She has been out of prison with no subsequent arrests for 15 years.

Sharon did not have any children at the time of her incarceration, but now has 2 children. She expressed the inability to be able to participate in school activities, how hard it is for her when her children ask why she cannot attend the activities, and how the limitations impact her children.

I wish I could volunteer at their school and go on field trips with them but because of the background check, I can't. How am I supposed to explain that to them?

She stated the prison conditions were terrible and sexual abuse by the guards was prevalent.

They would constantly threaten us and tell us we better not tell, or we would suffer...like they would give us a crappy assignment but then laugh and say and we will still be here...there was sexual harassment and abuse everywhere.

Upon release, Sharon went home and lived with her parents so did not have any issues with housing, but stated employment was a major issue. Her career in medicine was destroyed and she found it very difficult to find any work, let alone find something making a living wage. She was eventually able to get on her husband's medical plan so healthcare was not a barrier. Access to education was a priority, but there were limitations there too. She focused on cosmetology. Recently, she has been trying to get her real estate license but has already experienced some barriers.

> They ask for documents I do not even have, and I wouldn't even know how to get. Then they want me to attend a hearing so they can rejudge me on something from almost 20 years ago? When does it end?

Sharon described her social/ family relationships as being difficult but got better over time. While Sharon had her children post incarceration, she expressed that they do have limited behavioral, educational, and health issues that she attributes to the barriers she faces, as well as how the trauma she experienced manifests itself.

> The guards always had us on edge. They instilled an element of fear that is still with me. I have high anxiety and I am always on edge.

# Lisa

Lisa is a 43-year-old Caucasian mother of four. She was 32 years old when she went to prison and 33 when she was released. She was convicted of possession with intent to distribute. She also served 2.5 years on probation. While Lisa had no prior sexual or substance abuse history, she did have a history of physical abuse. Lisa also had at least one immediate family member who had been incarcerated.

Lisa was pregnant when she was sent to prison and her other children were 3, 6, and 8. When she was released, they were 1, 4, 7, and 9. Her sister became the primary caregiver while she was incarcerated. Lisa stated that while her children did not have any major health issues or any substance abuse issues, they did struggle with behavioral and educational issues.

Even though there were so many issues and struggles, I am grateful my sister stepped in to help and kept my kids together and out of the system.

Lisa served her time in a federal prison camp and described it as "ok." She did indicate that they were consistently on 23-hour lockdowns.

I tried to stay to myself but also knew if there was an issue, I would have to stand my ground and fight. We were almost always on 23-hour lockdowns.

Upon release Lisa expressed that while housing and employment were both priorities, employment was the most difficult. Lisa stated that both housing and employment remain to be difficult. Education was also a priority for Lisa upon release and found it a bit easier to access upon release than it is now.

> I feel as though it was easier to access when I was released but harder now, my PD [public defender] helped me. Now, I wouldn't even know where to begin.

## Yvette

Yvette is a 54-year-old mother of two who identifies as Cuban and French. Yvette suffered from physical, sexual, and substance abuse prior to incarceration. Yvette also had at least one immediate family member who had been incarcerated. In her most recent sentence, Yvette served 2 years and has been home for 1 year. Yvette indicated that she had multiple arrests and convictions and served time in bother federal and state prisons.

Yvette's children were 15 and 16 at the time of her incarceration and are 19 and 20 now. Her mother was the primary caregiver during her incarceration. Yvette stated that her relationship with her mother was very difficult, which only further impacted her relationship with her children. While things were extremely difficult for a very long time, they are slowly getting better.

While I was grateful that she took them, she made it very difficult to maintain a relationship with them...but she did take very good care of them.

Yvette had mixed feelings about her time while she was incarcerated. She

expressed appreciation for some of the programs that were offered by nonprofits that came into the prisons. She said the federal prison was much "better" than the state prisons. Yvette is continuing to try to repair relationships while living through the difficulties she faces due to her history with the system.

I am working hard to mend the relationship with my children. I know it's hard for them. I am also dealing with major health issues now, which only makes this process so much harder, but I am faithful.

# Findings

Three major themes emerged from the experiences:

- 1. In addition to the difficulties and strains the incarceration itself put on family members, the barriers the women faced during reentry also impacted loved ones.
- 2. Most of the children experienced behavioral and/or educational issues.
- Incarceration itself traumatized women, most of whom who had already experienced some form of trauma.

Theme 1: In addition to the difficulties and strains the incarceration itself put on family members, the barriers the women faced during reentry also impacted loved ones. This theme is discussed in three parts (1) the impact barriers had on the women (2) the impact on the children (3) the impact on family members.

#### The impact post incarceration barriers had on the formerly incarcerated

*women*. All 6 of the women interviewed indicated facing barriers not only upon release, but continuously throughout their reentry journey. Danielle stated that barriers to employment and housing continue to make things very difficult. Financial and employment barriers lead to housing barriers and educational limitations, and it is like the cycle never ends. She stated that, upon release, not having a driver's license and transportation made it very difficult for employment and satisfying the terms of her probation. Mary expressed how difficult the barriers to employment were because she was unable to reenter the field of medicine and notwithstanding her experience, she was essentially forced into low paying jobs that made it very difficult to get ahead. Sarah stated that since she has been released, employment has been an uphill and virtually impossible battle. For a long time, she could not even continue the educational training she began while incarcerated.

Lisa stated how employment and housing were not only an issue upon release but remain to be difficult. Yvette is further struggling with employment because of health issues.

*The impact on the children.* All 6 women interviewed expressed how the barriers to reentry further impacted their relationships with their children and their children's overall well-being. Danielle was unable to be reunified with her child until she had stable housing and employment. The numerous battles she faced further delayed the process and ultimate reunification with her son. Knowing his mother was home but that he could not live with her yet added to the emotional damage that occurred in her absence while she was incarcerated. Even after the reunification, Danielle had to work longer hours to make ends meet and the housing restrictions and limited income due to having a felony dictated the communities they could live in and the schools her child could attend.

Lisa also expressed how the barriers and restrictions on housing impacted where her and her children could live as well as dictate where they can go to school. Similar to Danielle, Lisa also described how the financial limitations impacted her children in several ways.

Even though Sharon did not have children until after she was incarcerated, she explained how the barriers impact her children every day. She stated how difficult it is not being able to volunteer and participate in her children's education by joining in field trips and activities and how that detrimentally impacts her children both emotionally and by way of their educational experiences.

Mary and her child had to endure a very long and difficult battle with the child welfare agency for reunification which only further impacted her child emotionally and educationally.

*The impact on family members.* Similarly, all 6 women indicated the negative impact the reentry barriers they faced had on family members. For the women who had children prior to incarceration, most of their mothers became the primary caregivers. Of which, all indicated the biggest struggle was not being able to meet expectations once released due to the reentry barriers they faced. Most of the women's mothers thought they would be able to get out of prison, get a job, take their children back, and start to relieve the financial burdens that were forced upon them. However, these were unrealistic expectations. These goals and expectations were nearly impossible to meet due to the numerous barriers they expect their relationships. Sarah's mom lost her house and they have since had to move several times. They still must live together to combine resources. Danielle expressed how difficult it was for her mother to understand that she could not even financially support herself, let alone her and her son. Danielle's mom is also still living with her. Yvette is struggling to build relationships with her now adult children.

The emotional toll is very heavy for these women all while having to continually navigate numerous barriers.

# **Theme 2: Most of the children experienced behavioral and/or educational issues.** This theme is discussed in two parts (a) behavioral issues (b) educational issues.

*Behavioral issues.* Every woman interviewed expressed that one or more of their children experienced behavioral issues. Having to be separated from their infant children, Danielle and Sharon both indicated their children suffered from behavioral issues both while they were incarcerated and once they were released and were reunified with their children. Danielle's son was diagnosed with ADHD, and she felt guilty. She believed that had she been home with him he may have been diagnosed earlier and therefore would not have been labeled with behavioral issues in school.

Mary explained how all her children were taken into state custody due to her incarcerations and all experienced behavioral issues. She explained it as being a normal reaction to trauma, yet the system labels them with behavioral issues. Mary indicated that her youngest son, who also suffers from mental health issues, suffered the worst from the separation and the extensive battle once she was released.

Yvette said, thankfully, her children did well educationally and even though most of the behavioral issues were only apparent in the household, she knows they suffered emotionally.

*Educational issues.* Four of the women, Sarah, Lisa, Mary, and Sharon indicated that one or more of their children experienced educational issues they felt were related to their incarceration. Specifically, Mary stated the removal created such trauma that her son just could not function well in the school setting. He had been diagnosed with several

mental health issues and given the trauma he experienced, continues to struggle. Danielle believes that even though her son excelled in later years, not being diagnosed with ADHD earlier on resulted in him being left back one year. She attributes this delayed diagnosis to the barriers and restrictions imposed by her conviction dictating which school her son could attend, combined with the trauma her son endured by the removal and prolonged separation. Sharon expressed how difficult it was not having the ability to participate in her child's education due to her felony conviction. She wanted to participate by going on school trips and being able to volunteer on campus but because of the restrictions, having to have a background check, and the potential stigma, she did not event try. Sharon truly believes not being able to participate in these ways impacted her children's educational experiences.

*Theme 3: Incarceration itself further traumatized women who had already experienced trauma.* The responses to the interview questions clearly showed a pattern within the prison system that resulted in further trauma to these women. While most of the women did discuss that they experienced trauma prior to incarceration, the trauma experienced during incarceration and the resulting effects were clearly substantial. This theme will be discussed in three parts (a) prison conditions (b) treatment from correctional facility staff, (c) post release anxiety.

*Prison conditions.* Every woman interviewed described deplorable conditions and the lack of basic needs. Danielle described having to eat food with roaches crawling on it and the facilities being dark and depressing. Mary said she could not even believe what the mattresses she and the other women were forced to sleep on looked and felt like. She explained that they never had enough sanitary pads, clothes and shoes were rationed, and

they were only provided one clean outfit per week. Mary also stated that it was virtually impossible to get a medical call and even if you did get one, they medical professionals would not listen or do anything to help with the conditions or ailments. Yvette said no matter what you went to medical for they would just tell you to drink more water.

Yvette and Sarah said there was mold everywhere and when there was going to be an inspection or visit from an elected official, the women were forced to scrub and clean it.

*Treatment by prison staff*. Every woman interviewed also explained the horrible treatment they experienced from some of the staff in the facilities. While a few of the women indicated there were some staff that were decent and not abusive, overall, most were abusive in one or more ways.

Sharon explained constantly living in a state of fear while incarcerated. She said sexual harassment and assaults were rampant and that some of the guards would threaten you by saying things like "if you say anything I will make sure you get reassigned to a crappy assignment and I'll still be here."

Sarah recalls the guards being very demeaning, always making you feel like you were garbage and being sure to show their power. She too explained how expansive sexual and physical abuse was.

Lisa and Danielle also expressed how verbally abusive some of the staff were. Danielle explained that the guards would consistently say things that made the women feel worthless and how they were treated worse than animals. Mary said not only were some of the guards verbally abusive, but they would also consistently do 3 am room and body cavity searches. Mary also stated that the men were constantly coming into the bathroom and shower area. Yvette said most staff were disrespectful, but the younger ones were the worst.

*Post release anxiety.* Five of the six women interviewed expressed severe post release anxiety believed to be caused by the trauma of what they experienced while incarcerated. Two of the women had no prior abuse history that would have contributed to the aftereffects of trauma. Sarah said getting over how they treated you and what she witnessed has been extremely difficult. She said it took at least a year to adjust and not be as "jumpy". Sarah also said in addition to the high anxiety she experiences, she has major trust issues that did not have prior to incarceration.

Danielle said her panic attacks got so bad she had to get help and be put on medication. Danielle, who had no abuse history, believes it has everything to do with the trauma of incarceration. She remembers going into survival mode while incarcerated... "it's like I just shut off my emotions.....I did not cry once but when I came home it was like the flood gates opened and I was super emotional."

While Mary did not expressly discuss post incarceration anxiety, given the traumatic experiences she described in her interview, she too may suffer to some extent as well.

Sharon, who likewise to Danielle, did not experience abuse prior to prison says even now 15 years later, she still suffers from high anxiety and is always on edge. The element of fear that was instilled while she was incarcerated has remained with her.

Beyond the trauma of having to leave her children, Lisa who was pregnant at the time of incarceration, had to live through being separated from her infant while incarcerated. The emotional trauma was inconceivable, but Lisa said she had to remain strong and be ready to "stand her ground." The emotional toll of all that is still present today. Lisa state that she now suffers from anxiety, especially when she is in small spaces.

Yvette who has not been home long, said she is happy to be home. She is trying to properly deal with her medical issues but says adjusting is still difficult. She said she now experiences anxiety when in large groups, talking to the opposite sex, and when driving, none of which she ever experienced prior to incarceration. Yvette said she is "grateful and remains faithful" that things will get better.

# Summary

This chapter presented the results of the exploratory studies done with mothers touched by the criminal justice system. In doing so, the results innately show not only the short and long-term impacts done to the women themselves, but also showed some of the impacts their incarceration had on their children and other family members. The impacts on the children and family members were clearly significant ranging from financial to emotional behavioral, and physical. All the children that were separated from their mothers due to incarceration experienced trauma from the separation and experienced long-term consequences that affected them emotionally, educationally, and/or behaviorally.

Another interesting outcome was only two of the women indicated that any of the programs offered were significant in helping them and that they were provided by nonprofits, not department of corrections.

The next Chapter will break down and discuss how these results relate to the proposed research questions and further discuss the implications and provide recommendations.

# Chapter 5: Discussion, Implications, Limitations, & Recommendations

The purpose of this study was to identify the short and long-term impact(s) incarcerating women ultimately has on the individual, children, family, and society. This study examined the experiences and perceptions of formerly incarcerated mothers and summarized the information to show the far-reaching impact that mass incarceration of women ultimately has on society.

The primary research question considered for this study was: what are the experiences of women in the criminal justice system, particularly mothers, before and after incarceration? The following fundamental questions further guided this study:

RQ 1: What can be learned from examining the collateral consequences women face post incarceration immediately upon release and at five-year intervals?

RQ 2: How have the poverty levels among children of women who were formally incarcerated been impacted?

RQ 3: How have the education levels, performance levels, and behavior of children of formerly incarcerated women been impacted?

RQ 4: What impacts to the community can be shown by examining the experiences of mothers who have been incarcerated?

While the research questions may be answered to some extent by the emerging themes that resulted from the interviews as reported in Chapter Four, given the significant overlap and considering how the one contributing factor (incarceration) impacts so many people, issues, dynamics, and generational situations and outcomes, the discussion will be formatted by the research questions themselves.

# Discussion

Research Question 1: What can be learned from examining the collateral consequences women face post incarceration immediately upon release and at five-year intervals? What was discovered, as it relates to Research Question 1, is that the numerous barriers women face after they serve their time follow them for the rest of their lives. These barriers, including but not limited to access to employment, housing, and education, not only impact them, but contributed to creating limitations for their children and family members. For example, the inability to find stable housing or employment can result in family members having continue to help in various ways (as shown with 5 of the women in this study), could result in a violation of probation (as shown with one of the women) and possibly being sent back to prison, or also seen by this study, could further delay mother's ability to reunify with their children. Limitations on employment and housing can dictate where children go to school and the services and activities the children have access to; forever impacting their futures.

The barriers these women face cause direct harm to their loved ones and society. They create additional strains on already damaged relationships. They cause continued trauma to children and can prevent children from thriving. Further, they end up costing taxpayer money and can detrimentally impact public safety. The barriers these mothers faced throughout their reentry experiences also intersects with Research Questions 2 and 3.

Research Question 2: How have the poverty levels among children of women who were formally incarcerated been impacted? Poverty levels of children of incarcerated mothers were impacted in several ways. Due to the employment barriers and decreased earning income potential the formerly incarcerated women faced, poverty levels can remain the same or get worse with the following generation(s). All the women interviewed expressed how the barriers to employment and education had detrimentally impacted their livelihood. If a family was already living in poverty, adding incarceration to it not only takes an entire person's income out of the situation for the time they are incarcerated, but also comes with the addition of all types of court costs, fees and possibly fines, costs of supervision, and costs to the family for commissary and maintaining communication with their loved ones inside. These issues combined with the limitations and barriers women with convictions face, further decrease a women's earning income potential post incarceration. The study showed that some of the women were not even able to continue to work in the field they had education and experience in. When financial and educational barriers are present post release, it makes it even hard to get to the point of making a living wage (Vallas & Dietrich, 2014). All of which can forever impact the poverty level of a child and consequently, even their children. Further, the poverty levels can impact the education levels, performance levels, behavior, and even the health of the formerly incarcerated women's children as found in Research Ouestion 3.

**Research Question 3: How have the education levels, performance levels, and behavior of children of formerly incarcerated women been impacted?** The education levels, performance levels, and behavior of children of formerly incarcerated women were also impacted in several ways. From the trauma that occurs due to the incarceration itself (separation from their mother, removal from their home, their school, friends, etc.), to the barriers the mothers face post incarceration, children's behavior and educational outcomes can suffer tremendously (Wakefield & Wildeman, 2018; U.S. Commission on Civil Rights, 2020). As evidence by this study, the trauma can impact children for many years and potentially lead to all kinds of subsequent issues ranging from educational, to behavioral, to substance abuse, and even involvement in the juvenile and or criminal justice system further contributing to cycles of incarceration and poverty.

Collier discusses how foster children can benefit from using Trauma Focused Cognitive Behavioral Therapy (TF-CBT) to help them process and recover from their traumatic experiences and how the treatment helps them effectively manage posttraumatic feelings and thoughts by developing coping skills, but what is being done for the millions of other children that are not being placed into foster care (Collier, 2018)?

As a result of the barriers and limitations, the women may have to work longer hours or additional jobs to make ends meet which results in not being present as much, not being able to be on top of your child's homework or grades, sports and even being too tired or not having the ability to spend quality time with your child(ren). The barriers can even impact the ability to participate in your child's education. They can essentially dictate the schools the children will be zoned for and the availability of after school sports, activities, and other resources, forever impacting a child's behavioral and educational outcomes. The study showed the example of not being able to volunteer at her children's school and how that made Sharon and her children feel. People must be able to see and understand the impact that can have on a child's behavior and performance. When teachers see or think parents are disengaged with their children's it is negatively reflected on the parent, when in cases such as these, it is actually caused by policies that are in place. Some parents cannot even volunteers as coaches for their children's sports. Notwithstanding the negative impact that can clearly have on a child, think about the lost positive impacts that are prevented from even occurring.

Research Question 4: What impacts to the community can be shown by examining the experiences of mothers who have been incarcerated? As it relates to Research Question 4, the financial and even housing limitations are not limited to the women and children. Everything discussed in the research questions above can have impacts on other family members and the community. The assisting family members who thought their financial contributions and assistance would be over when the women were release can end up continuing for years, further impacting their livelihood, health, and well-being. The impact of the incarceration alone has already been shown to negatively impact immediate family members health and decrease their life expectancy (Widra, 2017; Widra, 2021, Sundaresh, et. al, 2021). The housing limitations can prevent them from living in certain communities if the women must continue living with them due to the economic insecurity they are facing. Poor living conditions and food insecurities also coincide with this dynamic and further impact their health and well-being (Vallus, Boteach, West, & Odum, 2015).

These factors contribute to cycles of incarceration and/or poverty. The impact on society likewise continues for generations and can include poorer neighborhoods, higher crime rates, more government spending on Medicaid, Medicare, Social Security, Section 8, food stamps, and the costs of the dependency and criminal justice systems. When more resources need to be allocated to these agencies, less money can be allocated to education, community development, and economic advancement. This impacts everyone in society.

# Limitations

There were further limitations experienced during this study. There were significant technological issues that occurred with each interview that either limited or prevented the recording and transcription of the interviews. To address this issue and ensure the integrity of the data, follow up calls were made after the themes emerged for comments, and a copy of each women's section was emailed to them for review. This resulted in additional memories and information being provided which in turn created the appearance of some inconsistencies. This can occur with any study when multiple contacts are made. To again ensure the integrity of the data, all final edits were sent to participants for review.

Researcher also believes the interview questions themselves, prevented the gathering of significant information that would have further helped the study. For instance, rather than asking a direct yes/ no question, i.e., did your child(ren) experience any behavioral issues, researcher could have asked what, if any, behavioral issues did your children experience.

# **Recommendations for Further Research**

Researcher recommends further research be done to show the negative impact probation and supervision has on the reentry process. Including questions related to the impact probation had on the women's reentry process would be imperative. While it did come up in one of the women's stories (technical violation and probation prevented one woman from continuing her education), researcher believes if it is was added to the interview questions, more relevant data would have been collected.

Based on the themes that emerged, researcher also recommends further research

on the long-term psychological impact incarceration itself has on women and the longterm impact of post-traumatic stress disorder(s).

Other important areas to research further are the rates of women incarcerated for drug addiction crimes, the validity and effectiveness of the treatment they are receiving, the amount of children impacted, and why prisons are continuing to house people with substance abuse issues.

## **Recommendations for Reform**

The criminal justice system has become an institution—like the education system—that both reflects systematic and institutionalized racism and exacerbates existing inequities" (Wildeman & Wang, 2017; Wakefield & Uggen, 2010). Criminal justice reform needs to be a priority and we need to recognize that this issue bleeds into so many other areas such as education, poverty, and health (Morsey & Rothstein, 2016; Wildeman & Wang, 2017). Studies have shown the adverse impact parental incarceration has on the future outcomes for children in education, income levels, and health (Cochran, et al., 2018), so there is no excuse to allow this to continue. Knowing what evidencebased studies show as it relates to the results of mass incarceration, federal and state systems need to address these issues by not only investing in better and earlier reentry services, but by considering alternatives to incarceration and the decriminalization of certain offenses (Stemen, 2017; Kang-Brown, Hinds, Heiss, & Lu, 2018).

Maintaining the family bond should be paramount in order to mitigate the effects parental incarceration has on children (Giordano, et al., 2018). Diversions, shortening duration of probation, and eliminating incarceration for technical violations are clear ways to address this (Fair & Just). Access to loved ones such as the utilization of video conferencing should be at no cost to those incarcerated or their family members.

Progressive prosecutors can be effective in their leadership on implementing much needed change (Fair & Just). There has been a recent push to accept that alternatives to incarcerating women who have experienced trauma from abuse, have substance abuse issues, and/or mental health issues would be more appropriate (Sawyer, 2017). Changing policies and properly addressing substance addiction issues and crimes must be a priority. Continuing to criminalize substance abuse and addiction and failing to treat them as the health crisis that it is, is ineffective as well as unethical and inhumane (Terplan, 2017).

Restorative justice is another popular trend which involves a victim playing more of an active role in the direction of the case and punishment, but this would only apply in offenses that involve a victim (Fair & Just). Additionally, addressing the integrity and specific needs of women while incarcerated is a relevant factor that is important and gaining more awareness (Sawyer, 2017; U.S. Commission on Civil Rights, 2020).

Prior policies that focused on policy goals of public safety need to be readdressed because the negative impacts of mass incarceration have ironically created even more of a public safety concern (Clear, 2007; Cochran, et al., 2018). In 2014, over 700,000 people were in prison for non-violent crimes (Morsey & Rothstein, 2016).

Decarceration efforts must be made and could positively result in wide range outcomes in population life expectancies, health and wellbeing, as well as being able to impact racial and ethnic disparities both through those incarcerated and their family members (Sundaresh, et. al, 2021). Some drug sentencing reforms have led to a decrease in prison population, but for a more substantial impact, major reforms need to occur (Wildeman & Wang, 2017). However, simply getting people out of prison will not address the damage done due to the collateral consequences people face post incarceration (Kang-Brown et al., 2018).

Diversion should be the rule, not the exception (Fair & Just). Reforming sealing and expungement policies could help (Fair & Just). Ban the Box movements, which eliminate the requirement of disclosing criminal history on an application, can be helpful in some cases, but again, a search on the internet is all that it would take to find out the information (see generally, Wakefield & Uggen, 2010).

Eliminating barriers to employment, housing, and education are critical in trying to stop the generational impact the collateral consequences are having on families (Joiner, 2015). There needs to be a focus on the long-term consequences and disparities as it relates to children and families (Turney, 2017). Policy reforms must intend and aim to reduce the harms to children in families (Cochran, et al., 2018). There also needs to be more research on the national level to show the state trends on the connection between incarceration and health (Wildeman & Wang, 2017). Utilizing evidence-based research and developing alternatives to incarceration, decriminalizing certain offense, and having policies that consider the impact on children, families, and the community will have better long-term results (Wakefield & Wildeman, 2018).

## Conclusion

The expected finding of this exploratory case study included finding common themes among each participant's reentry experiences as it relates to housing, education, employment, and healthcare. Researcher also expected to see similar themes with regards to the impact the incarceration had on their children both during and post incarceration, as well as the impact their incarceration had on their relationships. The researcher expected to show a least some of the long term impacts the incarceration of these women had on their children and families, as well as their communities, to ultimately show how the mass incarceration of women impacts all of society.

The findings were consistent with the expectations. Barriers to housing, employment and education were experienced collectively throughout the study and lasted for many years post incarceration. The emerging themes showed how the financial and emotional impacts the women faced due to barriers ultimately impacted their children and family members.

A significant finding was that none of the women felt like they benefitted from any agency programming. The only two women who said they did benefit from any of the programming they received while incarcerated were provided from local nonprofits who came into the prisons to help the ladies. This too is consistent with the research that the correctional facilities are not doing enough, if anything, to help these women and reduce recidivism rates.

While the researcher did predict a significant amount of the women would have been impacted by physical and/or sexual abuse prior to incarceration, recognizing that the trauma of incarceration caused more damage than the prior abuse is something everyone needs to be aware of as continue reform efforts.

The researcher did not predict that half the women interviewed would have had substance abuse/addiction problems. Further discovering that those women also had substance abuse related crimes is consistent with studies the researcher came across and confirms the belief that the United States is criminalizing a health issue and contributing to the epidemic we are facing. Not only is the US is criminalizing a health issue, but nothing, or at the very least, not enough is being done to properly address the substance abuse issue to prevent these women from coming back.

Society needs to see that not only are women being subjected to cruel and unusual punishment while incarcerated, but the restrictive policies experienced post incarceration should also be recognized as cruel and unusual because they are a perpetual continuation of the criminal conviction and the discriminatory policies result in the deprivation of basic human necessities (i.e. food, housing, medical).

With all the research that has been done on both the medical and criminal justice sides, elected officials and policy makers need to accept the mistakes that have been made and work to correct the problems. All of society is suffering and will continue to suffer because of the current ineffective and discriminatory policies. Children are losing parents and are suffering irreparable harm and it's not by the hands of their parents, but by the state and federal governments. In the dependency system, the collective standard is "best interest of the child" but when it comes to the criminal justice system little to no consideration is made when it comes to the best interest of the children impacted by parental incarceration.

An important aspect to realize is that none of the advocates fighting for much needed change are stating that there should not be accountability, what they are saying is that everyone who should be accountable, be held accountable and that includes the government. Generational cycles of poverty, substance abuse, and incarceration will continue until we properly address and change current policies. Unless, of course, the current harmful policies that exist are intentionally meant to keep the status quo and to continue to fuel the need for prisons, their employment opportunities, and census count strategies.

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Appendix A: Interview Guide and Questions

# **Appendix A: Interview Guide and Questions**

Explain the purpose of the study: To highlight the lived experiences of women who have been incarcerated and to discuss the numerous barriers they have and continue to face and how that impacts their children and family members.

Ask generally why they want to participate in the study.

- I. Tell me a little bit about yourself:
  - 1. How old are you?
  - 2. Would you like to share your race and/or ethnicity?
  - 3. How many children do you have?
  - 4. Do you have any history of physical or sexual abuse?
    - a. If yes- Are you willing to discuss it?
  - 5. Was anyone in your immediate family ever incarcerated?
  - 6. Do you have any history of substance abuse?
    - a. If so, was it prior to or post incarceration?
- II. Tell me about your experience with the criminal justice system?
  - 1. How old were you when you were arrested (if more than one arrest, your

first)?

- 2. Are you currently residing in the same county you were arrested in?
- 3. How old were you when you went to prison?
- 4. What were you convicted of?
- 5. What were your experiences while incarcerated?
  - a. What were the prison conditions like?

III. Now we will be discussing your experiences post incarceration.

1. How many years has it been since you have been released from prison (if

more than once, the first time?

- 2. How old were you when you were released from prison?
- 3. Did you go back to your hometown when you were released?
- 4. Did you serve on probation or parole?
  - a. If so, how long?

4. Did you face difficulties with any of the following the issues and if so please describe them and explain if and how the experiences were different upon your release and at approximately 5 years intervals post incarceration?

- a. Housing
- b. Employment
  - How much did you make prior to incarceration as opposed to post incarcerating?
- c. Access to health care
- d. Access to education
- e. Socially/ Relationally
  - What impact did your incarceration have on your relationships with your immediate family members?
  - What did those relationships look like upon your release and at 5 years intervals post incarceration?
- 5. Did you participate in any prerelease or reentry programs?

a. If so, what impact did they have on your reentry, specifically any of the areas discussed earlier (housing, employment, education)?

- 6. Have you been arrested since release from prison?
- IV. Now tell me more about your children.
  - a. How old were your child(ren) at the time of your incarceration?
  - b. If you became a mother after convicted, did you have your child(ren)

in prison?

- c. If you became a mother post incarceration, how long after?
- d. Did you/ your children experience any of the following issues:
  - Were any of your children involved with the juvenile justice system either during your incarceration or after your incarceration?
  - Did any of your children have any behavioral issues during or after your incarceration?
  - Did any of your children have any educational issues during or after your incarceration?
  - Did or do your children suffer any health issues during or after your incarceration?
  - Who took care of your children while you were incarcerated, if applicable?

**Appendix B: Consent Form** 



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**Could I be removed from the study early by the research team?** There are several reasons why the researchers may need to remove you from the study early. Some reasons are: If you do not complete the entire interview or if you are unable to answer more than 3 questions.

#### Are there possible risks and discomforts to me?

This research study involves minimal risk to you. To the best of our knowledge, the things you will be doing have no more risk of harm than you would have in everyday life.

This research study involves minimal risk to you. To the best of our knowledge, the things you will be doing have no more risk of harm than you would have in everyday life.

Psychological risks- minimal based on the option of discussing potentially difficult memories

You may find some questions we ask you (or some things we ask you to do) to be upsetting or stressful. You will not be required to answer any question(s) if it is too upsetting or stressful.

#### What happens if I do not want to be in this research study?

You have the right to leave this research study at any time, or not be in it. If you do decide to leave or you decide not to be in the study anymore, you will not get any penalty or lose any services you have a right to get. If you choose to stop being in the study, any information collected about you **before** the date you leave the study will be kept in the research records for 36 months from the end of the study but you may request that it not be used.

# What if there is new information learned during the study that may affect my decision to remain in the study?

If significant new information relating to the study becomes available, which may relate to whether you want to remain in this study, this information will be given to you by the investigators. You may be asked to sign a new Informed Consent Form, if the information is given to you after you have joined the study.

## Are there any benefits for taking part in this research study?

There are no direct benefits from being in this research study. We hope the information learned from this study will raise awareness about the harm caused by incarcerating women and mothers and promote changes in policy and other criminal justice reform efforts.

### Will I be paid or be given compensation for being in the study?

You will be given a \$25 Amazon e-gift card sent via email/phone number (based upon preference) within 24 hours upon completion of the interview.

### Will it cost me anything?

There are no costs to you for being in this research study.

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#### How will you keep my information private?

Information we learn about you in this research study will be handled in a confidential manner, within the limits of the law and will be limited to people who have a need to review this information. The interviewee's name or other identifiable information will not be included in this study. This data will be available to the researcher, the Institutional Review Board and other representatives of this institution, and any regulatory and granting agencies (if applicable). If we publish the results of the study in a scientific journal or book, we will not identify you. All confidential data will be kept securely. All data will be stored in interviewer's personal locked computer. All data will be kept for 60 months from the end of the study and destroyed after that time by deleting the files.

#### Will there be any Audio or Video Recording?

This research study involves audio recording. This recording will be available to the researcher, the Institutional Review Board and other representatives of this institution. The recording will be kept, stored, and destroyed as stated in the section above. Because what is in the recording could be used to find out that it is you, it is not possible to be sure that the recording will always be kept confidential. The researcher will try to keep anyone not working on the research from listening to the recording by keeping the file in a secured file on researcher's locked computer.

## Whom can I contact if I have questions, concerns, comments, or complaints?

If you have questions now, feel free to ask us. If you have more questions about the research, your research rights, or have a research-related injury, please contact:

Primary contact: Jessica Younts can be reached at

If primary is not available, contact: Dr. Marcelo Castro can be reached at

#### Research Participants Rights

For questions/concerns regarding your research rights, please contact:

Institutional Review Board Nova Southeastern University (954) 262-5369 / Toll Free: 1-866-499-0790 IRB@nova.edu

You may also visit the NSU IRB website at <u>www.nova.edu/irb/information-for-research-participants</u> for further information regarding your rights as a research participant.

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## Research Consent & Authorization Signature Section

<u>Voluntary Participation</u> - You are not required to participate in this study. In the event you do participate, you may leave this research study at any time. If you leave this research study before it is completed, there will be no penalty to you, and you will not lose any benefits to which you are entitled.

If you agree to participate in this research study, sign this section. You will be given a signed copy of this form to keep. You do not waive any of your legal rights by signing this form.

## SIGN THIS FORM ONLY IF THE STATEMENTS LISTED BELOW ARE TRUE:

- · You have read the above information.
- · Your questions have been answered to your satisfaction about the research

Adult Signature Section		
I have voluntarily decided to take part	in this research study.	
Printed Name of Participant	Signature of Participant	Date
Printed Name of Person Obtaining	Signature of Person Obtaining Consent &	Date
Consent and Authorization	Authorization	22.6

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