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WOMEN IN PRISON: HOW MUCH COMMUNITY RISK?

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Introduction

Less than 5% of the inmates in Wisconsin correctional institutions are women. Despite small numbers relative to males, the female correctional population is growing at a high rate and crowding in the state's only women's institution is likely to become a problem in the near future. One possible response to this problem is to place some women offenders in small community facilities instead of prison.

This research examines one aspect of the community placement alternative by asking how much risk women offenders pose to the community? Community risk is estimated by observing how many women engage in criminal activity after release from prison.

Research Objectives

This study presents descriptive information about women offenders and their behavior after prison release. Specific objectives are to:

- 1) Provide Department staff, elected officials and other interested parties with information that will assist development of state programs and policies that affect women offenders.
- 2) Assess the feasibility of community based programs for women as an alternative to prison from a community risk standpoint.
- 3) Inform discretionary community release decisions made by the parole board or Division of Corrections staff who are concerned with risk assessment.

Findings

- 1) Women offenders, as a group, pose very little risk to community safety. Compared to men, very few women offenders engage in criminal activity after prison release. During a two year followup, 32% of the males released from prison were involved in criminal activity but only 18% of the women.
- 2) Women who do engage in criminal activity are unlikely to commit serious offenses. Only 3% were charged with an attempted or actual assaultive crime. The typical offense committed by women was forgery, theft or fraud.

- 3) It is possible to identify subgroups of women who have an unusually high criminal activity rate and thus should be classified as high risk offenders. The same characteristics which identify high risk women offenders (prior penal experience and juvenile institutional placement) also identify high risk males so a separate classification method for women is not necessary. However, women with high risk characteristics still pose less criminal risk than their male counterparts and they constitute a very small portion of the female offender population.
- 4) A distinguishing characteristic of women offenders is that 59% have dependents. This is true of only 38% of the male offenders released from prison.

#### Recommendations

- 1) Because women offenders pose little criminal risk, community facility placements and intensive community supervision can be safely employed as alternatives to incarceration. Any overcrowding at Taycheedah should be addressed by expanding community programs.
- 2) Regardless of institutional crowding, the Department should consider if the cost of institutional placements for some women is warranted from a risk standpoint. The findings do not suggest that correctional institutions for women are unnecessary or that female offenders need not be incapacitated because their crimes are trivial. They do raise the possibility that for many women offenders community facilities may serve the same purpose as a high security institution at a lower cost and, given the offenses women tend to commit, afford the public adequate protection. The fact that so many women offenders have dependents also makes community facilities an attractive alternative.
- 3) Department staff who make discretionary decisions based, in part, on a community risk assessment should be aware of the unusually low criminal risk posed by female offenders as a group. There are women who have high risk characteristics (e.g., prior penal experience and juvenile institutional placement), but they are a small subgroup in the total population. This information may have implications for both the Special Action Release program and discretionary parole decisions.

## WOMEN AFTER PRISON: HOW MUCH COMMUNITY RISK?

### INTRODUCTION

In late 1985, there were 230 women in Wisconsin correctional institutions. Compared to a male prison population of 4,500 plus, there are very few women inmates. Despite the dramatic difference in the size of these two populations, the number of female inmates has been increasing steadily during the past few years. Although the unprecedented growth in the male prison population has been more widely publicized, the female prison population has actually been growing at a much higher rate. Consequently, the state institution for women at Taycheedah is at or near capacity. In the near future, crowding may become a problem at Wisconsin's only correctional institution for women.

One factor always considered when exploring program alternatives for the prison population is community risk. Risk, in this instance, refers to the probability that the offender will engage in criminal activity after his or her release to the community. How much risk female offenders pose to the public is an important question because Wisconsin and other states have had to implement community based programs to manage prison crowding - at least in the short term. Typically, intensive supervision in the community or residence in a community facility is employed to reduce the prison stay of selected inmates while maintaining close control over offender behavior and activities. This study estimates how much criminal risk female offenders

pose in an effort to assess the extent to which community programs may be a viable alternative to prison for women.

### STUDY OBJECTIVES

Risk assessment has always been an issue in community supervision and community based correctional programming. The decision to grant a Special Action Release takes risk into account as does the parole board in its release decisions. The Division of Corrections assigns supervisory resources to an offender on probation or parole based, in part, on an estimate of the criminal risk posed by the case. These decisions are informed by a large body of research which has examined the relationship between offender characteristics and criminal activity.

One shortcoming of risk assessment research studies is that they typically observe the entire offender population without regard to sex. Since males outnumber females by nearly twenty to one in the offender population at large, a clear empirical presentation of the criminal risk posed by women offenders has rarely, if ever, emerged.

This study simply observes male and female offenders separately in an attempt to discover sex based differences in criminal risk. The research has three objectives:

1. To narrow the information gap about the female offender for Department staff, elected officials and other interested parties. The more we

know about women offenders the better we will be able to respond with policy and programs.

2. Assess the feasibility of community based programs for women as an alternative to prison. Under the assumption that crowding may cause the Department to explore alternatives to conventional prison placements for women, an objective appraisal of community risk is important. Community based programs are clearly less costly and they become more feasible if the risk posed by an identifiable group (e.g., women) of offenders is low.
3. Inform discretionary community release decisions. Both the Parole Board and Division of Corrections staff make decisions in which risk assessment is a major consideration. This research should increase their knowledge about the criminal risk posed by women and help them identify high and low risk offenders.

The research findings are presented in three sections which examine offender characteristics, criminal activity and the relationship between offender characteristics and criminal risk. A brief discussion of the findings and their implications follows.

#### CHARACTERISTICS OF WOMEN INMATES

This study observed 169 women inmates released from prison to community supervision during a two year period -- June 1980 to June 1982. During this same time period, 3,149 male offenders were released; thus, women represent only 5% of all persons released. Each offender was observed for exactly two years after release to determine if he or she was returned to prison for a criminal offense.

The research is concerned with three things: 1) the characteristics of offenders including age, sex, offense history, etc., at prison release;

2) The incidence and type of criminal activity offenders engage in within two years of their prison release; and 3) the relationship between offender characteristics and post release criminal activity.

The Reference Point for Women Offenders - In order to describe how much community risk women pose, there must be some reference point for comparison. There are only two possibilities for a comparison group - the total offender population, or male offenders. Since the total offender population is predominantly male, a sex based comparison is used.

Selected Characteristics of Women and Men at Prison Release - The characteristics of offenders can be divided into two groups - those that are strictly personal attributes such as age and sex and those which describe the offender's offense history. Table 1 (on the next page) presents selected characteristics and describes their distribution in the male and female offender subpopulations.

TABLE 1  
SELECTED CHARACTERISTICS OF FEMALE  
AND MALE OFFENDERS AT PRISON RELEASE

	<u>Female</u> <u>%</u>	<u>Male</u> <u>%</u>
<u>Personal Characteristics:</u>		
Age 24 or Younger	34%	42%
Married	19%	16%
One or More Dependents	59%	38%
<u>Offense History:</u>		
Prior Adult Penal Experience*	15%	38%
Juvenile Penal Experience	14%	27%
Entered Prison as a Probation or Parole Violator	41%	46%
<u>Prior Convictions:</u>		
Crimes Against Persons**	33%	37%
Burglary	8%	31%
Forgery, Theft, Fraud	40%	15%
Drug Offenses	8%	6%
Other Felonies	11%	11%

\* Penal experience prior to the current one.

\*\* Homicide, Assault, Robbery, Sexual Assault (actual or attempted).



Personal Characteristics and Offense History - Age, marital status, prior probation or parole violations, and penal experience (both as an adult and juvenile) have been found, in many research studies, to be related to criminal risk. Generally, offenders who are younger, unmarried, have prior adult or juvenile penal experiences, and have prior parole/probation violations are more likely to engage in criminal behavior after prison release. These characteristics, which appear in Table 1 above, were identified in studies which observed the general offender population, but they serve as a starting point for exploring possible risk related differences between male and female offenders.

As Table 1 demonstrates, there are relatively small differences between men and women in marital status and probation/parole violations but significant differences are apparent for age, penal experience, and dependents. Women are far less likely to have had a prior adult prison experience\* - only 15% versus 38% for men. This holds for juvenile penal experience as well - 14% of the women had been institutionalized for a juvenile offense compared to 27% of the men. In addition, women are somewhat older than men when released from prison -- only 34% are age 24 or younger. The final disparity is in the number of dependents - 59% of the women, but only 38% of the men had one or more dependent children.

\* Prior to the prison term from which they were released. All subjects in this study had completed one prison term.

Prior Conviction - The relationship between a prior felony conviction of a particular type and future criminal risk is difficult to assess and will not be considered in this brief analysis, but since the subjects of this study are inmates released from prison it is interesting to note why they entered a state institution in the first place. The prior conviction information presented in Table 1 (above), displays the type of felonies for which the subjects of this study were sentenced to prison. Women and men were imprisoned for Crimes Against Persons, Drugs, and Other Felonies in approximately equal proportion. Overall, women are not much more likely to be imprisoned for property crimes (Burglary, Forgery, Theft, Fraud) than men, but they did commit a different kind of property crime. Few women had Burglary convictions (8%), but a large percentage were incarcerated for Forgery, Theft and Fraud (40%). For men this pattern is reversed - Burglary is much more prevalent (31%) while Forgery, Theft and Fraud are less in evidence (15%).

Summary - Women do have personal and offense history characteristics that differ from those observed for male offenders. It is especially significant that far fewer women have three characteristics that are usually associated in the general offender population with increased criminal risk (i.e., age 24 or younger at release, prior penal experience as an adult or juvenile penal experience). The next question is whether this translates, as might be expected, into reduced criminal risk for women.

POST-RELEASE CRIMINAL ACTIVITY

Each offender was observed for two years after release from prison. If an individual was returned to prison during that period because of a new criminal conviction or a parole violation related to a criminal charge, the nature of the criminal activity involved was recorded. Therefore, in this study, a criminal charge (either felony or misdemeanor) for which an individual was either sentenced to prison by the courts, or returned to prison by the Division of Corrections is regarded as evidence of criminal activity. The rate at which criminal activity occurs is the research estimate of community risk. Total criminal activity rates for men and women and the type of crimes they were charged with appear in the graph and table which follow.

CRIMINAL ACTIVITY(CA) RATES FOR MEN AND WOMEN

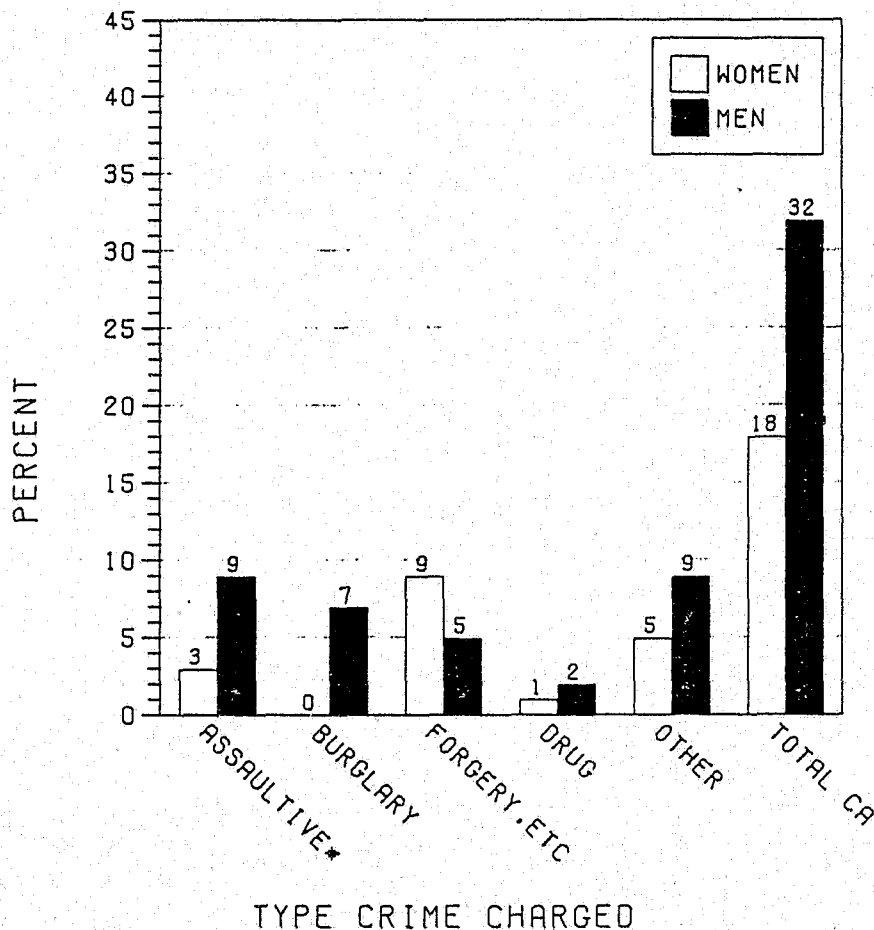


TABLE 2  
CRIMINAL ACTIVITY RATES FOR FEMALE AND MALE OFFENDERS  
TWO YEARS AFTER PRISON RELEASE

<u>Type of Crime Charged:</u>	<u>WOMEN</u> <u>%</u>	<u>MEN</u> <u>%</u>
A. Crimes Against Persons*	3%	9%
B. Burglary	0%	7%
C. Forgery, Theft, Fraud	9%	5%
D. Drug Offense	1%	2%
E. Other	5%	9%
<hr/>		
F. Total Criminal Activity Rate	18%	32%

\* Assaultive crimes such as Homicide, Assault, Robbery, Sexual Assaults (actual or attempted)

Women have a much lower Total Criminal Activity Rate than men -- 18% compared to 32% (see line F of Table 2). The odds that female inmates, as a group, will engage in criminal behavior during the two years following their release from prison are approximately 44% lower than for men. There are also significant sex related differences in the type of criminal activity observed. Women were charged with serious, potentially violent offenses (see Crimes Against Persons) at about one third the male rate -- 3% versus 9%. Women were also far less likely to be charged with Burglary (0% women, 7% men), and much more likely to engage in Forgery, Theft, Fraud (9% women, 5% men).

Crimes Against Persons are clearly the most serious offenses in terms of endangering public safety, but Burglary, although not a violent offense, frequently involves breaking and entering or criminal trespass and may be considered more serious than Forgery, Theft, Fraud.

Summary - By any reasonable standard, women pose significantly less community risk than men. Women are far less likely to engage in criminal activity after prison release and, even when they do, commit less serious offenses.

RELATIONSHIP BETWEEN POST-RELEASE CRIMINAL ACTIVITY AND OFFENDER CHARACTERISTICS

Although it is clear that women pose less risk than men, a question worth considering further is whether other characteristics related to risk in the general, predominantly male offender population apply to women. With one exception (Dependents), the offender characteristics presented in Table 3 (below) have demonstrated a relationship to post release criminal activity in other research studies. That relationship is negative in the case of marital status, i.e., married offenders are less likely to engage in criminal activity than their unmarried counterparts. For all other variables, the relationship is positive because it is associated with increased criminal risk.

When examining Table 3, keep in mind that average criminal activity (CA) rates for women and men are quite different (18% versus 32%). The relationship between the characteristics presented in Table 3 and criminal activity should be assessed against the sex group average. It has already been demonstrated that men as a group have a much higher criminal activity rate, the question of interest now is whether certain characteristics significantly alter the expectation of criminal activity given that the offender is female or male.

TABLE 3

CRIMINAL ACTIVITY (CA) RATES FOR FEMALE AND MALE OFFENDERS  
WITH SELECTED CHARACTERISTICS

<u>Characteristics:</u>	<u>FEMALE</u> <u>CA RATE</u>	<u>MALE</u> <u>CA RATE</u>
Age 24 or Younger	19%	37%
Married	9%	24%
One or More Dependents	20%	30%
Prior Adult Penal Experiences	33%	36%
Juvenile Penal Experience	29%	43%
Prior Probation or Parole Violation	23%	35%
<hr/>		
Average CA Rate	18%	32%

Characteristics with a strong, positive risk relationship for both men and women are Juvenile Penal Experience and Prior Adult Penal Experience. Approximately 29% of female offenders institutionalized as juveniles engage in criminal activity after release (compared to the 18% average for all women) as do 43% of the males (compared to a 32% average rate). Women with a Prior Adult Penal Experience have a CA rate of 33%, nearly twice the average female rate. The relationship between Adult Penal Experience and criminal activity is also positive for men.

Age has a weak association with criminal activity among women. Those 24 years old or younger have a CA rate of 19% which is very near the female group average of 18%. The CA rate of 37% for young males is well above the male group average of 32%.

Marriage is related to low risk in both groups. Married women have only a 9% CA rate which is half the group average. Married men also engage in criminal activity much less frequently than the average male offender.

Turning again to the direct comparison of male and female criminal activity rates, it is clear that for each characteristic presented in Table 3 men have a higher CA rate than women. When men and women share the same high risk characteristic such as prior adult penal experience, women are still less likely to engage in criminal activity.

Summary - The findings suggest that offender characteristics frequently associated with community risk may apply to both female and male offenders. Marital status, prior adult or juvenile penal experiences, and probation/parole violations demonstrate a similar relationship with criminal activity without regard to sex. Age, however, is much less positively associated with community risk among women than among men. Although these relationships have a similar influence, they are of a much different magnitude. Where men and women possess the same high risk characteristics, men remain more likely to engage in criminal activity and, therefore, pose more community risk.

Another finding is that high risk characteristics are far less prevalent among women than among men. In the study population just examined, only 15% of the women had a prior adult penal experience, 14% were institutionalized for juvenile offenses, and 4% possessed both these characteristics. In the male population 38% had a prior penal experience, 27% a juvenile penal experience, and 12% possessed both.

There are women who have high risk expectations relative to other women and nearly the same characteristics can be used to identify them as their high risk male counterparts. The differences are: 1) there are proportionately far fewer high risk women, 2) they pose less risk than men with the same characteristics, and 3) they are much less likely to be involved in dangerous criminal activity. When the facts about criminal activity are combined with the less serious kind of offenses women commit, it is clear that the vast majority of women being released from prison pose little threat to public safety.



CONCLUSIONS

- 1) As a group, women offenders released from prison pose little risk to community safety. They have a low criminal activity rate and are unlikely to commit serious offenses. Another distinguishing characteristic of the female offender is that a large percentage have dependents.
- 2) It is possible to identify subgroups of women for whom the expectation of criminal activity is unusually high. The characteristics used to make that identification are, for the most part, the same ones that identify high risk male offenders. However, women in high risk subgroups still pose less risk than men and they constitute a very small portion of the female offender population.
- 3) Because women pose such low risk, community facility placements and intensive community supervision should be employed as alternatives to incarceration wherever possible. Overcrowding at Taycheedah could easily be handled by expanding community programs. Regardless of institution crowding, the Department should consider if the cost of conventional institutional placements for women is warranted from a risk standpoint. This study does not suggest that correctional institutions for women are unnecessary or that the behavior of female offenders need not be closely supervised. It does raise the possibility that community facilities may serve the same purpose as a high security institution for many women offenders at a far lower cost and, given the offenses women tend to commit, still afford the public sufficient protection. The fact that so many women offenders have dependents also makes community facilities an attractive alternative.
- 4) Department staff who make discretionary decisions based, in part, on a community risk assessment should be aware of the low criminal activity and violent offense rates of most women offenders. This information may have implications for both the Special Action Release and discretionary parole programs.