



Women Behind Bars Are Deprived of Their Basic Rights

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Three years ago, I journeyed back to Santa Fe to return to a city where I had once lived -- and that always seemed to call me back.

I headed out from Seattle with a snowboard for the freshly blanketed mountains, as well as an insatiable appetite for the food I could not find in the Pacific Northwest. But most of all, I traveled back because the New Mexico Women's Correctional Facility had agreed to let me come and spend a day in the state's only women's prison in Grants.

I was eager for the experience, not just because much of my work in journalism had centered on criminal justice and prisons, but also because my editor at the *Santa Fe Reporter*, Julia Goldberg, had given me the kind of assignment that investigative reporters like myself treasure the most: Just go out there and see what you find.

Owned and operated by the Corrections Corporation of America (CCA), now the nation's biggest private prison company, New Mexico Women's Correctional Facility (NMWCF) opened its doors in 1989 as the first privatized female prison in the country. From the beginning, the facility locked up women from all classification levels -- from drug possession to murder and everything in between -- and from all parts of the state, no matter how distant.

Even back in 1989, the strategy of locking up women far from their communities of origin -- to an isolated rural town inaccessible by public transit -- should have been seen as a problem. NMWCF's original population consisted of 149 women. Today, roughly 650 female prisoners at Grants are estimated to have 1,800 dependent children, many of whom don't see their mothers for years on end and who sometimes end up in foster care.

It also should have been recognized, without too much intellectual effort, that a 28-year-old homeless heroin addict serving time for street prostitution would have very different psychological, medical and counseling needs than a 56-year-old woman who shot her chronic alcoholic husband -- a man who took to using his fists once he got drunk enough.

But this was almost 20 years ago, and "gender-responsive incarceration" wasn't yet the burgeoning buzzword it is today. Back then, inmates were unlikely to receive anything akin to effective drug treatment in a women's prison, much less a diagnosis of post-traumatic stress disorder or counseling for major depression. (Both are common among women in prison.)

As for the trauma of being so far removed from one's community and family, back then, the attitude toward "criminals" wasn't much different from what it is now: If someone in authority has put you behind bars, well, then, you deserve the sentence you got, you deserve to go to the place you're sent and you even deserve the unpleasant things that might happen to you while you're there.

So it goes with women and men in prisons across the U.S., and so it went during my tour of New Mexico's women's prison. Nonetheless, there were surprises.

To be clear, there were several tremendously compassionate and engaged employees with whom I interacted at NMWCF, as was usually the case when I visited other detention facilities across the U.S. conducting interviews and research for my book, *Women Behind Bars: The Crisis of Women in the U.S. Prison System.*

But at NMWCF, as elsewhere, I encountered numerous correctional officers whose disdain for the incarcerated women was palpable, and whose preferred method of communication seemed to revolve around commands and directives barked at high volume. (By contrast, the regular reliance on physical brutality I witnessed in California, in the world's largest women's prison complex, didn't seem to be as endemic to NMWCF's environment.)

I met prisoners who had seized on every opportunity possible to access the facility's limited education programs, vocational training and drug addiction recovery. I had hushed conversations with women who made it abundantly clear drugs weren't hard to find in prison, including heroin, which women would inject with homemade "needles" made of pens and other supplies. The rate of hepatitis C infection in New Mexico's state prisons is indicative of how prevalent injection drug use is both before and during a prisoner's incarceration: Nearly 30 percent of prisoners are believed to be infected, and most are untreated.

In the crowded receiving/evaluation unit, a few women pulled me to the side to show me huge, oozing wounds -- what appeared to be the common lesions associated with the often deadly, antibiotic-resistant form of staph infection known as MRSA. These women told me they had been told they had nothing more than a "bug bite." I sat with one group of Native women during lunch who were initially embarrassed to be seen eating the "food" on their plates, which consisted of some kind of unidentifiable beige mash and the palest, limpest slice of tomato I had ever seen in my life. Once they explained that they didn't have a choice about the kind of food they were eating, they marveled at the fact that there was a "fresh" vegetable on the plate because they hadn't seen one in months.

I saw a few women who definitely seemed to enjoy their roles as the bullies of their units, and I saw even more women with far-off, pained expressions in their eyes who didn't say a word.

The hardest part of my prison tour was, as I had expected, the walk through NMWCF's solitary confinement unit. It was as bleak and depressing as any I had ever seen. Some of the women rambled incoherently, while others made an effort to come talk to me through the tiny food slots, telling me of their attempts to stay sane in their tiny, dingy cells where the lights never went off, recreation consisted of

running around in a "dog cage" a few times a week and a short shower was permitted only while cuffed inside the shower unit -- every two or three days.

But the biggest surprise came at the tail end of a long day, when I was led past the prison's secure "Crossings" unit and asked to go inside.

I later learned the Crossings unit is known -- to the prison population -- as the "God Pod." A residential, 24/7 immersion program, the God Pod is designed to build up the "character" of those prisoners who are willing to stay locked in a special unit and submit to a rigorous daily schedule of classes, workbook assignments, group sessions and other activities as outlined in the voluminous mandatory course material. God Pod participants only interact with one another -- not with prisoners outside the program.

I sat, listened and watched the women perform religious songs and interpretive dances, and then walked around the unusually spacious living unit (complete with a couch, microwave and personal decorations, which are not allowed in the general population units). Unlike most general population prison living units, there was a lack of radios and/or televisions.

There were, however, a lot of reading materials, all written by a man named Bill Gothard. The worksheets struck me, on cursory review, as oddly fixated on complete rejection of anything produced by the secular world, as well as unquestioning obedience to authority figures. I asked -- and received permission -- to take some of the workbook materials home with me.

Those materials eventually became the basis for a lengthy investigation resulting in a January 2005 *Santa Fe Reporter* cover story, "Beyond the God Pod," which exposed the close link between CCA and the Chicago-based Institute in Basic Life Principles (IBLP), a secretive, fundamentalist ministry run by Christian reconstructionist Bill Gothard, and the degree this group had been given influence on and access to women in the God Pod.

Not only was this program being run in a state facility (and thereby with state funds), but women prisoners were being instructed, among other things, to "submit" to male authority unquestioningly and to steer clear of demonic influences all around them, ranging from "dating" to listening to popular music -- even Christian music that wasn't written or authorized by Gothard or the IBLP.

After coming across our story, the Freedom From Religion Foundation (FFRF) sued the New Mexico Department of Corrections and CCA for funding and/or facilitating an overtly religious program with state taxpayer dollars. That lawsuit earned national attention and drew more media attention to the phenomenon of God Pods.

Unfortunately, after a protracted battle, FFRF eventually withdrew its lawsuit in July 2007, after the presiding judge said he would rule against the right of FFRF's state taxpayers to sue. The program continues to this day at the Grants women's prison (as well as several men's prisons).

Coercive "character" and faith-based units like the one I ran across at the Grants

prison are popping up with increasing frequency in states like Oklahoma, Florida and Indiana. New Mexico seems to have started a trend in corrections, much in the same manner as it has with its nation-leading, record-breaking reliance on private prisons and all manner of other privatized services within its detention facilities (including the Wexford debacle, exposed by SFR, related to the often deadly "quality" of privatized health care in state prisons, sfreporter.com: "The Wexford Files").

A version of "Beyond the God Pod" ended up as a chapter of my book, and that chapter has become one of those that most surprised and outraged readers, including those already well-versed in female imprisonment. To this day, I continue to report on Gothard's operations, further exposing the workings of this organization, and the degree to which it has infiltrated local, state and federal government offices across the world. (In 2006, I gained entrance to the IBLP's secular front organization, the Oklahoma City-based Character Training Institute, for an In These Times cover story, "Cult of Character.") I also continue to follow trends in the collaborations between private detention centers and entities with a particularly strong interest in having access to captive populations.

Still, the issue is just one of the many plaguing American jails and prisons.

Human rights violations of all sorts are endemic in the U.S. prison system. Some are subtle; some are overtly abusive. Unfortunately, much of society is becoming used to the idea that jails and prisons -- and the people who work for them -- can do just about anything they want: four-point restraints, hooding, pepper spraying, Taser or rape. And popular culture isn't doing much to dissuade anyone.

From reality TV to cable dramas, imprisoned women make good watching, apparently.

Cable shows like MSNBC's "Lock-Up", as well as network shows like "Jails" and "COPS" (both with "Bad Girls" editions) regularly depict these kinds of methods of regressive, abusive tactics on clearly mentally ill persons.

That's where "reality" television goes these days, and these shows aren't just popular, they're considered an entertaining way to watch criminals get their due. When it comes to women doing time, there are several shows featuring "greedy," "immoral" women who have killed ("Snapped", "True Hollywood Story", as well as the slightly less sensational "Women Behind Bars" on WeTV). Television seems to love the idea of a female killer -- at a distance that is -- although women who kill represent a small and unique population within female prisons. Even more television shows about women in prison are already on the air or forthcoming: Of them, only Mexico's "Capadocia" (already available in the U.S. on HBO Latino) and the forthcoming "Bad Girls" (the American version of a long-running BBC drama series) promise a bit more than familiar stereotypes. (Capadocia actually takes on privatization of prisons and abuse in prison as major themes.)

But for that bit of progress, we may soon have "Cherry Hill" (a spin-off of Prison

Break), as well as Robert Rodriguez' "Women in Chains", which promises "hot" female-on-female action in prison, including predatory lesbian wardens and mud-wrestling behind bars.

Just as cinematic and televised portrayals have tended to sensationalize and sexualize the plight of women behind bars, so, too, have the fields of journalism and criminology traditionally ignored or simplified the complexity of women's experiences behind bars. It's time for criminologists and journalists alike to help the public understand the extent to which antiquated notions about what it means to be a "proper" woman inform the way we treat a person who deviates from the norm or commits a crime. In particular, I refer to women who engage in sex work and women who sell or use drugs.

Susan Boyd, author of *From Witches to Crack Moms: Women, Drug Law, and Policy*, points out that women have alternately been respected, tolerated or castigated for their drug use throughout history. Attitudes have varied wildly from one generation to the next, and have always been skewed by a woman's ethnic and class status. Of particular significance, Boyd notes, is the 18th and 19th centuries' upper- and middle-class women's use of opiates, cocaine or marijuana in medicinal tinctures, which was viewed as a matter of sophistication and high social standing. But all that began to change with the temperance movement of the late 1800s: "Contrary to early Christian views that women were inherently evil, the new temperance movement depicted women as naturally moral," Boyd writes. "However, some women were constructed as more moral than others. Poor women and women of color, immigrants, and 'fallen women' were viewed as immoral and deviant."

In essence, some women were considered "redeemable," while others were dismissed as hopeless. Since that time, the religiously based concept of "fallen women" has marred the American psyche, informing current attitudes, laws, prison programs and media portrayals of women who use illicit drugs. While drug- and alcohol-using boys and men have a certain amount of latitude to indulge their pleasure-seeking proclivities, women who are similarly inclined are more commonly viewed with disdain and disgust, which they, themselves, often internalize.

Researchers and social workers in the field of drug and addiction treatment have long understood that women's substance abuse tends to be interrelated with serious and unresolved life traumas and the societal imperative that women not act out their discontent, anger or aggression in the public sphere. Knowing what we know about women in prison with histories of substance abuse -- including the fact that the majority of all women in prison have a mental illness, much more so if substance abuse is also involved -- imprisonment has increasingly become the nonsensical American reaction to drug crimes of any kind.

Simply put, the war on drugs is the main reason for the explosive growth in women's imprisonment, and New Mexico is no exception. Here, the vast majority of women doing time don't just have substance abuse histories (at 85 percent) but have a nonviolent drug-related violation as their primary sentencing offense.

We know, without a doubt, that the overwhelming majority of women in New Mexico's jails and prisons -- and in cities across the U.S. -- come from backgrounds

of poverty and abuse, typically entering the prison system with chronic medical and/or psychiatric problems. (Women in prison also have higher rates of HIV, hepatitis C and MRSA than their male counterparts.) This situation would be difficult even if it were not regularly compounded by humiliating cavity searches, callous disregard for the needs of the mentally ill and indifference to providing the tools women need to re-enter society. Many women go straight to their cells from the streets, fleeing abusive homes, or from marginal housing situations. (One-third of women in jail were homeless before they were arrested.)

Many women lack basic literacy skills, much less a GED or any substantive vocational training. Six in 10 women in our jails and prisons are women of color; persistent gender and ethnic discrimination, and racial profiling on the part of local police are such a regular part of life that many women I interviewed didn't even think to comment on such experiences unless I specifically asked them, say, about an allegation of a police beating I came across in their records.

One of the most groundbreaking books to have ever been published on female incarceration was written by Kathryn Watterson. When *Women in Prison: Inside the Concrete Womb* was first published in 1973, there were 7,730 women nationwide in jails, and another 15,000 women in state and federal prison. Watterson had hoped that sounding an early alarm about the nascent trends in women's imprisonment (and the accompanying constitutional and human rights violations) would spur enough prison reform to change the tide. When she had the chance to update her book two decades later, in 1996, she reported with dismay that the overall number of incarcerated women was nearly 110,000.

Watterson's sense of outrage at a situation gotten so completely out of hand is understandable. It's a feeling I share as a journalist who has watched these numbers increase so dramatically throughout my life; even as serious crime rates have decreased over the past decade, prisons are bursting at the seams and state coffers are running dry.

These days, I expect to come across outrageous statistics related to our criminal justice system, but even I wasn't emotionally prepared for the statistics I dug up for this article. As it turns out, since I finished my book in May 2007, the number of girls and women under correctional supervision hasn't just inched up, as I would have expected, it has taken a giant leap. At the time I turned in my manuscript, there were roughly 203,000 women in jails and prisons. Now, there are more than 215,000 females, and those statistics only bring us up to mid-2007. Overall, there are now 1.4 million women and girls under some form of correctional supervision, compared with 1.3 million at the time I finished my book.

All within the space of 18 months.

When I traveled to places like Valley State Prison for Women and the women's section of the Los Angeles County Jail system (the nation's largest), I saw, firsthand, what happens to prisoners and correctional employees alike when a system has spiraled so out of control it has begun to implode on itself. I saw cells designed for two women packed with eight bodies, women sleeping in corridors, and the rampant misery and aggression birthed by such inhumane conditions. I witnessed so many

untreated mentally ill people that these environments felt more like Dickensian mental asylums than places designed to rehabilitate people and release them back to their communities.

While California's chronic jail and prison overcrowding (at more than 200 percent in some prisons) and relentless prison expansion has resulted in an utter catastrophe that might soon force a federal takeover, New Mexico is currently experiencing a slight decrease in its prison population. Whereas California's Legislature can't seem to move forward coherently on any kind of prison reform or alternative sentencing, New Mexico Gov. Bill Richardson's Task Force on Prison Reform released a comprehensive report earlier this year outlining numerous progressive, forward-thinking solutions to address the needs of women and men who end up in jail and prison.

And that's great news. Unfortunately, the long-term predictions are still such that the New Mexico Corrections Department is preparing for substantial increases in both female and male prison populations in the years to come. All the while, New Mexico's privatized prisons and prison services continue to generate controversy (and lawsuits), while its jails are rife with serious problems. A slate of recent (and forthcoming) lawsuits target numerous facilities for egregious abuses -- most recently, against the Grant County Detention Center for employing guards who forced inmates into human cage fighting. In addition, the Department of Justice released a report in June that found the CCA-run Torrance County jail had the highest sexual victimization rate of female and male inmates in the country (four times the national average).

This week, a CCA prison guard, Anthony Shay Townes, was expected to go to trial in Albuquerque on 23 criminal charges, including rape, kidnapping and bribery/intimidation of numerous women incarcerated at Camino Nuevo Correctional Facility in Albuquerque. Townes is alleged to have committed the crimes last year and has been locked up on a \$500,000 cash-only bail since October 2007. Incredibly, when Townes was interviewed by detectives in October, he stated that if the women who alleged multiple abuses had his DNA, "they probably took it out of the staff bathroom." The facility was shut down in April and then reopened as a "high-needs" juvenile detention facility in September. Since Townes' arrest, the New Mexico Corrections Department has instituted new policies, including the requirement that guards double up when working with fewer than three prisoners at a time, and that female guards should conduct inspections of women's cells whenever possible.

Progress is being made to try to make the criminal justice system more "gender-responsive," but the change is very slow in coming. In the meantime, girls and women locked up in the system often come back to their communities sicker, more miserable and more alienated from their families -- and from society as a whole -- than before. The result is predictable: The majority of female ex-prisoners in New Mexico eventually end up being rearrested, at great cost to the taxpayers. What's more, the women who end up spending their lives cycling in and out of captivity live out their days and nights in what Watterson called a state of "forced dependency" that she found illogical when the expectation is for "people to come out of prison as independent, law-abiding, responsible citizens."

"I am tired of being in a cage and being treated like an animal," is how one Native American prisoner at the Grants women's prison explained her existence to me. What she described, in that one sentence, sums up the common experiences of people locked away in places where we can't see or hear what's going on, even though our hard-earned dollars pay for each and every day they spend behind bars.

What she described, as well, is what happens when criminal "justice" is implemented as retributive punishment versus the ideal of rehabilitation and restoration. Unfortunately, this approach just generates the same old results: more money spent, more jails built, more bodies locked behind bars. New Mexico has already seen enough of this to know it's not working. The criminal justice system can be reconceptualized and restructured to address more of the underlying reasons why people engage in self- and/or socially-destructive behaviors.

For New Mexico, this isn't just a timely opportunity to earn national distinction of an entirely different kind, it's also an opportunity to map out a safer, saner and more stable future for the people who live in and who love this land.

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