

Women Behind Bars

The Needs and Challenges of NH's Increasing Population of Incarcerated Women

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About the NH Women's Policy Institute

The NH Women's Policy Institute is a non-partisan, non-profit research organization dedicated to informing policies and decision-making related to women in New Hampshire. The Institute was founded in 2002 on a belief that credible, unbiased data on issues affecting women can inform meaningful policy change, enable the public and private sectors to work together more effectively, and advance the well-being of women in this state.

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DEFINITIONS

Alcohol offenses – Alcohol offenses in this report include driving under the influence and liquor law violations, and also—due to the way arrest data is reported— ‘holds’ for drunkenness and protective custody; though these cases are not actual arrests. These holds constitute approximately 20% of the total alcohol offenses arrests, in NH and nationwide.

Drug Offenses – Drug offenses consist of both drug and narcotic violations, and drug equipment violations, including sales and possession.

Felony – A serious crime (as distinguished from the less serious misdemeanor), which often results in a sentence of a year or more to be served in state prison.

House of Correction or HOC – A correctional facility operated by a county government, including a jail for offenders being held until trial and a house of correction for those serving sentences of up to a year.

Misdemeanor - A crime that is less serious than a felony, which may result in a fine, probation, or a sentence of less than a year to a House of Correction.

Jail – The part of the House of Correction where offenders are held while awaiting trial.

Parole – Correctional supervision in the community after release from state prison, where the offender is still under the jurisdiction of the NH Department of Corrections. Conditions of behavior are imposed by the state Parole Board and monitored by Probation and Parole Officers. Violation of those conditions can result in a return to state prison.

Prison – A correctional facility operated by the state, for offenders serving sentences of a year or more.

Probation- Correctional supervision ordered by the court and monitored by NH Department of Corrections Probation and Parole Officers. Violation of conditions imposed by the court may result in sanctions, including incarceration.

Protective Custody- When an adult is taken into custody for their own protection due to drunkenness; these individuals are not actually arrested but are held in protective custody and released within 24 hours.

Recidivism – The act of committing a new criminal offense after having been convicted of and serving time for a prior offense.

Violent Crime – In this report, offense data on national and statewide arrests and prison admissions is categorized using the Federal Bureau of Investigation, Uniform Crime Reports definition of violent crime, which includes murder and non-negligent manslaughter, forcible rape, robbery and aggravated assault. For data on county house of correction admissions, ‘violent’ offenses include any assault except simple assault. The Institute recognizes that offenses such as simple assault, resisting arrest, or disorderly conduct may involve some level of violence in some cases, but for purposes of this report, these less serious crimes are not categorized as violent.

EXECUTIVE SUMMARY

Women's incarceration and involvement in New Hampshire's criminal justice system is increasing, at a faster pace than men's, driven by drugs, alcohol abuse and a complex set of rehabilitative and treatment needs. Poverty, unemployment and past victimization of domestic violence are also underlying factors. Women's role as primary caregivers for children complicates both their incarceration as well as their path to rehabilitation. While these multiple needs do not excuse women's crimes, they provide a context for understanding their involvement in the system and the challenges they face in getting out, and suggest a need for programs with comprehensive supports and services.

On any given day in New Hampshire the Institute estimates there are about 430 women behind bars, plus 1,450 who are or were under correctional supervision in the community during the past year, and approximately 960 who were released from county houses of correction at some point during the past year, or 2,850 women in all (this estimate makes adjustments to avoid double counting individuals). With increasing admissions to the houses of correction and state prison, the current system designed to rehabilitate and punish men, is becoming increasingly overburdened supervising and addressing the complex needs of the women- offender population.

This report presents the findings of the Institute's study of women at all levels of the system, focusing on women in the county jails. The study is based on an extensive review of the best data available, including paper files, electronic records, and aggregate data provided by county and state departments of correction. The Institute also interviewed New Hampshire experts in the field and reviewed the national literature. Our major findings appear below; references and data sources are provided throughout the report.

Women are less likely than men to be involved in the criminal justice system, representing only 26 percent of all those arrested in NH, 18 percent of the jail population, and 7 percent of the state prison population, but their involvement is increasing:

- Admissions to the county houses of correction increased by 24 percent for women between 2003 and 2007, and by 14 percent for men. Admissions to the State Prison for Women increased by 64 percent during the same time period.
- In six of New Hampshire's larger communities, arrests of women increased by 25 percent between 2002 and 2006, compared to 9 percent for men. These trends are consistent with national data. Alcohol offenses among young women were one of the fastest growing arrest categories.

Women in New Hampshire's justice system have complex and multiple treatment and rehabilitative needs, which impact not only them but also their children. Among women in the county houses of correction that we studied:

- Two-thirds have children and approximately 45 percent are single mothers. An estimated 1,300 or more children are impacted by their mother's incarceration each year. The social and financial costs of the impact on these children are significant.
- 54 percent of the women are unemployed and one-quarter did not graduate from high school. Poverty and economic security are significant challenges, and drive women's dependence on bad relationships that contribute to their failure.
- 85 to 92 percent have problems with substance abuse; and corrections staff consider that in most cases this abuse contributed to the inmates' economic and legal problems, based on a sample of female inmates studied.
- Two-thirds say they have had previous diagnoses of mental illness; 14 to 20 percent have a primary diagnosis of mental illness confirmed while at the jail. About half the women report both substance abuse problems and a history of mental illness. The jails are functioning as an integral part of the state's mental health system without sufficient resources to identify and treat mental health problems.
- The data, at a minimum, suggest troubled pasts, and may signal histories of trauma and abuse: nearly three-quarters of the women said they struggled with depression in the past and 30 percent reported past suicide attempts.

Many professionals we talked to described a cycle of drugs, poverty, and domestic violence with repeated incarcerations and involvement in the criminal justice system. Indeed, recidivism is a major factor driving the increase in incarceration. Among women we studied in the jails, 82 percent had prior convictions and one-fifth had prior felonies. An average of 23 percent were in for probation violations, suggesting the need to re-examine probation to determine whether the current structure could be more effective. Recidivism is driving admissions to the state prison as well, where parole violators made up 36 percent of female admissions during 2007, and probation violators made up 19 percent.

While substance abuse is an underlying problem for most female offenders, research shows the most effective programs for women in the justice system are comprehensive, going beyond substance abuse treatment to include child care and child involvement in treatment, mental health treatment, housing assistance, job training and case management services. Very few communities in New Hampshire have comprehensive, one-stop programs for women in the criminal justice system.

The upward trend in women's involvement in crime and incarceration, the impact on their children, and the future cost to the state of that impact, calls for action. The Institute encourages New Hampshire county and state leaders to come together to address this growing problem and to consider alternative models and supports that might prove more effective and less costly than incarceration.

INTRODUCTION

This report provides a comprehensive study of women in New Hampshire's criminal justice system: who they are, what offenses they have committed, and the challenges they face. The first section describes the women's treatment needs, family status, and criminal histories. Next we review the number of women in the county jails and state prison, projecting current incarceration trends forward into 2012. The third section reviews the increasing trends in female arrests in New Hampshire and nationally. Lastly we look at effective practices in rehabilitation and substance abuse treatment for women, examining gaps in the New Hampshire system relative to national best practices.

This study is based on data gathered from the state Department of Corrections and the county houses of corrections and interviews with professionals in the field. Data sources are detailed in the Appendix and throughout the report. The Institute is indebted to the correctional and treatment professionals who provided data and insights for this report.

WOMEN IN THE SYSTEM—MULTIPLE NEEDS & CHALLENGES

Women in the New Hampshire's criminal justice system are challenged with substance abuse, mental illness, a history of domestic abuse, low education, and poverty. Many are unemployed, single mothers. The data suggest most of the women have experienced some kind of past abuse, and that substance abuse is an underlying medical problem for the vast majority. None of these factors excuses the women's crimes, but they do provide a context for understanding their path to criminality and the challenges they face in turning their lives around. Most are serving time for nonviolent crimes, though some have criminal histories that are fairly extensive. National research shows women in the criminal justice system are more likely to have these multiple disorders and needs than women in the treatment or in the general community.¹

The following section details the extent of the women's rehabilitative and treatment needs, focusing on women in the county houses of correction, or HOCs.² The findings are based on an in-depth review of intake records of nearly all the women admitted to the Cheshire County House of Correction during 2007 and an analysis of electronic records of all admissions to the Sullivan County Jail over the past five years,³ as well as aggregate data provided by Grafton, Hillsborough, Merrimack, and Strafford county HOCs. The Institute also used results of a survey of female state prison inmates conducted by faculty and

¹ Pimlott-Kubiak and Arfken, "Beyond gender responsivity: Considering differences between community dwelling women involved in the criminal justice system and those involved in treatment." *Women and Criminal Justice*, 17 (2/3).

² The House of Correction is for inmates serving sentences of up to a year; the Jail or Pre-Trial section is for inmates being held until trial; state prison is for offenders serving longer sentences.

³ The Institute reviewed 148 comprehensive intake records of all weekday admissions during 2007; more detail is provided in the Appendix.

students from St. Anselm College. Since not all counties were able to provide data on all characteristics, many of the Institute’s findings are county-specific and may not be representative of the state as a whole. Discussions with professionals in the field, however, suggest the characteristics of women in the system are relatively consistent across the state,⁴ with variation as noted. Data tables indicate the counties on which each finding is based; all data are based on self-report by female inmates unless otherwise indicated.

HIGH PREVALENCE OF SUBSTANCE ABUSE

The large majority of women in New Hampshire’s county houses of corrections abuse substances. These findings are consistent with national research.⁵ In Grafton and Merrimack counties, 85 and 92 percent of the female inmates admitted during 2007 had a known or suspected substance abuse problem. In Cheshire County, the facility’s intake staff rated 70 percent as having a problem severe enough to lead to legal or economic problems, and in a few cases, assaultive behavior.

Table 1: Alcohol and drug abuse among women in NH's justice system

ALCOHOL & OTHER DRUG (AOD) ABUSE	Cheshire	Grafton	Merrimack	Prison⁶
AOD problem (per jail treatment staff)	70%*	85%	92%	
Received prior AOD treatment (self-report)	46%		26%	
Used drugs** (self report)	41%			58%
Used alcohol*** (self report)	57%			43%
Average age of first use	13 yrs old			

*More inmates may have used substances, but 70% had a problem that caused legal or economic problems.

**Because these are self reports, it is likely that drug use is under-reported.

***These data reflect inmates who say they ‘use’ alcohol and not necessarily alcohol abuse.

Many women who abuse substances also suffer from mental illness. Nearly three quarters of those identified by Cheshire County staff as having substance abuse problems said they had a prior diagnosis of mental illness, and 38 percent were referred for counseling.

MENTAL ILLNESS AND DEPRESSION

Fourteen to 20 percent of women in the county jails had a primary diagnosis of mental illness confirmed by HOC treatment professionals, based on data from Merrimack and Grafton counties. Many more women reported histories of mental health problems. In Cheshire County nearly three-quarters of all female inmates reported a history of depression, about two-thirds reported having a prior mental health diagnosis, and half said they had received mental health treatment. The most common mental illnesses reported by

⁴ The Institute conducted unstructured and semi-structured interviews with county superintendents, probation and parole officers, and treatment professionals, as listed in Appendix.

⁵ Belknap, 2003; Holtfreter & Morash, 2003; Marcus-Mendoza & Wright, 2004; Silber-Ashley, Marsden, and Brady, 2003, see Bibliography for full citations.

⁶ From the survey ‘Community Assessment: NHSP-W and Shea Farm: 2008’ conducted by Margaret Hayes, Ph.D., and St. Anselm College students.

the women were depression and anxiety.⁷ In 40 percent of admissions, the intake evaluator referred the inmate for mental health counseling.

The gap between the larger number of women with self-reported problems and those with confirmed diagnoses may reflect several factors. The HOCs have limited staff resources to identify mental illness, so the actual percentage with diagnoses may be higher. At the national level, research has concluded that insufficient mental health assessment and screening of women in the system is insufficient to prevent adequate identification and treatment.⁸ In addition, substance abuse may cloud the detection of mental illness, mental illness may be the secondary as opposed to primary diagnosis, or the inmates' self-report of mental health problems may be unreliable.

Table 2: Mental Health of Women in NH County Houses of Correction and State Prison

MENTAL HEALTH (percent of women admitted that have characteristic or history)	Cheshire	Grafton	Merrimack	Prison**
MH diagnosis ever (self report)	67%		60-75%*	78%
Confirmed MH diagnosis (by clinical staff)		14%	20%	60%
'Mentally impaired' (per intake staff)	13%			
Prior MH treatment	49%		26%	78%
Referred for MH counseling (by staff)	40%			62%
On psychotropic meds (per staff)			50% (est)	58%
CO-OCCURRING DISORDERS				
Substance abuse <i>and</i> prior MH diagnosis	51%			66%
Substance abuse <i>and</i> under MH care at admission	24%			57%
Substance abuse <i>and</i> referred to MH care by HOC or Prison	26%			67%

*Estimated percentage who would respond affirmatively if asked, per HOC counselor Nancy Gallagher.

**These data provided by Edmund Hucks of the NH State Prison for Women.

PAST ABUSE AND TRAUMA

Women who have experienced family violence are at significantly higher risk for substance abuse, addiction, and mental health problems and they often engage in delinquent or criminal behavior.⁹ National research finds the majority of women in the criminal justice system, in some studies as many as 90 percent, say they have experienced physical, emotional, or sexual abuse in childhood or adulthood.¹⁰ It should be noted that men in the

⁷ Less common diagnoses included post traumatic stress disorder and bi-polar and mood disorders.

⁸ M. Kelley, M., The state-of-the-art in substance abuse programs for women in prison, in S. Sharp, *The incarcerated woman: Rehabilitative programming in women's prisons.*, 2004.

⁹ Brown, Miller & Maguin, 1999; Baugh, Bull and Cohen, 1998; Marcus-Mendoza & Wright, 2004; Ritchie, 2000; Daugherty, 1998; Grella, Stein and Greenwell, 2005, see Bibliography for full citations.

¹⁰ Marcus-Mendoza & Wright, 2004; Browne, Miller and Maguin, 1999; and Ritchie, 2000.

justice system also have experienced relatively high rates of past violence, though the rates for women are higher.¹¹

Unfortunately the houses of correction could not readily provide data on inmates’ past abuse or trauma, but interviews with corrections professionals indicated a high prevalence of domestic violence victimization among female inmates. The types of mental illnesses reported in Cheshire County—depression, anxiety, and post-traumatic stress disorder—coupled with the fact that 30 percent of the women reported past suicide attempts, suggest troubled pasts, and possibly histories of trauma. In the state prison, 47 to 85 percent of women report past abuse of some kind, as shown in Table 3.

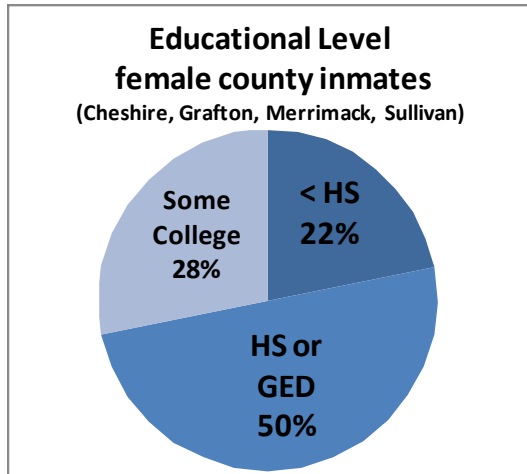
Table 3: Women in NH State Prison and Shea Farm who have experienced past abuse

Type of abuse	Percent female inmates responding affirmatively
Physically harmed by intimate partner	67%
Emotionally harmed by intimate partner	87%
Sexually abused by intimate partner	45%

LOW EDUCATION AND EMPLOYMENT

Poverty appears to be a significant challenge for women in the county corrections system. Most have limited education and low or no employment. More than one-fifth did not graduate from high school, and an average of 54 percent were unemployed at the time of admission. Merrimack County’s female inmates had significantly higher levels of education and employment, which pulls the average up since it is the largest county that provided this data.

Figure 1: Female Inmates Education Levels



In Cheshire County, female inmates who were employed at time of admission worked primarily in clerical positions or in service jobs requiring little or no education, such as housekeepers, cooks, waitresses, or painters. A few women reported working as licensed nursing assistants or in a managerial capacity.

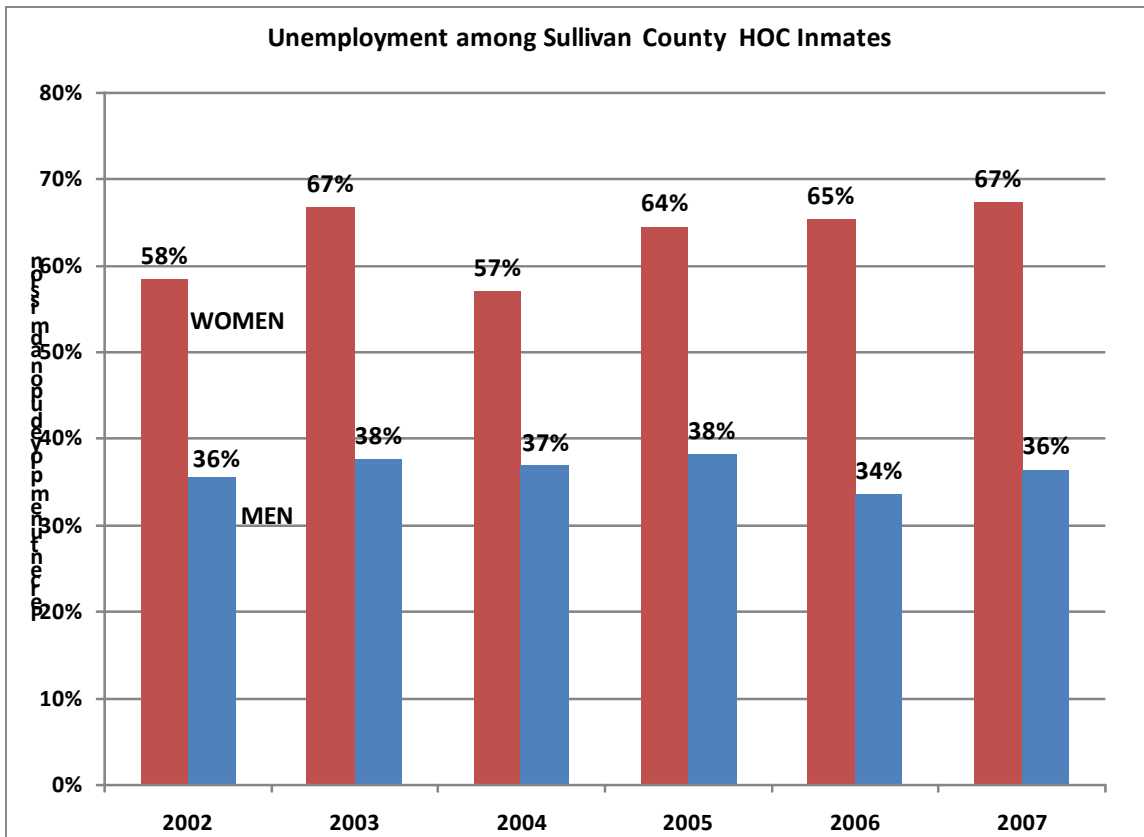
¹¹ Belknap 2003, Browne, Miller, and Maguin 1999, and Grella, Stein & Greenwell, 2005.

Table 4: Percent of women admitted during 2007 by education and employment

Education & Employt.	Weighted County Avg	Cheshire	Grafton	Merrimack (06-07 avg)	Sullivan	Prison
Education						
Less than High School	22%	22%	27%	11%	22%	20%
HS or GED	50%		58%	48%	23%	55%
Some college	28%		15%	41%	8%	28%
Unemployed	51%	55%	53%	41%	67%	52%

In Sullivan County, unemployment among female inmates is higher than among male inmates, and has been increasing while remaining constant among the men, as shown.

Figure 2: Unemployment among Male and Female Sullivan County HOC Inmates



A recent study of prisoner re-entry found employment rates for women were considerably lower than for men,¹² and women with substance abuse problems had lower rates of employment than women who did not abuse alcohol or drugs.¹³

¹² Malik-Kane and Visher, 2008.

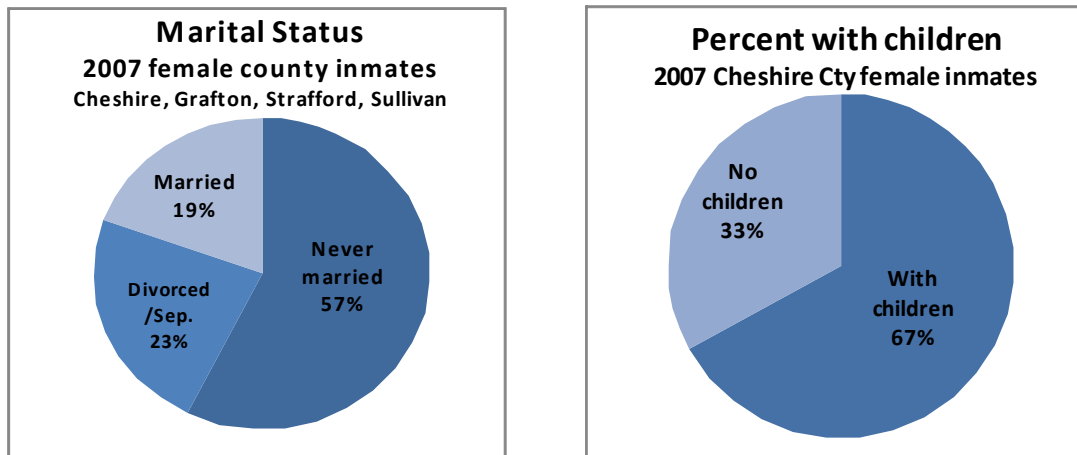
¹³ Pimlott-Kubiak, and Arfken, 2006.

FAMILY STATUS AND CHILDREN

MANY ARE SINGLE MOTHERS

Most women in the county system are single or divorced. Sixty-seven percent of all female inmates have minor children. The Institute estimates about 47 percent of female inmates are single mothers.¹⁴ Single motherhood combined with unemployment and low education creates a cycle of poverty that is challenging to break.

Figure 3: Marital status and motherhood among women in the county jails 2007



The data for each county are shown below. The average age is 33; 94 percent are white.

Table 5: Demographic characteristics of women in the county houses of correction 2007

Demographics of female inmates	Weighted Cty Average	Grafton	Merrimack	Strafford	Sullivan	Prison
Marital Status						
Never married	57%	62%	54%	57%	57%	48%
Divorced/Separated/Widow	23%	22%	22%	26%	15%	30%
Married	19%	16%	23%	16%	28%	22%
Race - % White	94%	98%	96%	89%		80%
Average Age	33	33		33	32	33

OVER 1,300 CHILDREN MAY BE AFFECTED EACH YEAR

Research suggests children of incarcerated parents are five times more likely to enter the criminal justice system than children whose parents have never been incarcerated.¹⁵ Children of incarcerated mothers often have emotional and psychological problems

¹⁴ This estimate of single mothers is based on the following data and assumptions: 19 percent of county inmates are married, but we assume a higher rate of 30 percent for incarcerated mothers, based on national research. If 30 percent of the 67 percent with children are married, that leaves an estimated 47 percent who would be single mothers.

¹⁵ Charlene Wear Simmons, *Children of Incarcerated Parents*, California Research Bureau, 2000.

stemming from the trauma of separation from their mother, as well as from witnessing substance abuse and criminal behavior in the home.¹⁶

Nationally, 64 percent of mothers in state prison lived with their children immediately before being incarcerated.¹⁷ Assuming similar rates of child custody in New Hampshire, we can estimate that approximately 1,350 children in New Hampshire had mothers—their primary caretakers—who were incarcerated during 2007, as shown in Table 6. (The estimates of the number of women are explained in more detail in Appendix Table 11.)

Table 6: Estimated number of NH children living with mother before her incarceration

Number of Women Incarcerated at Any Point during 2007¹⁸	
<i>In Prison or Shea Farm Halfway House</i>	142
<i>In House of Correction (includes protective custody cases)*</i>	291
<i>Paroled during 2007</i>	31
<i>Released from HOCs during 2007 (estimate)*</i>	967
<i>Total women incarcerated at some point during 2007</i>	1431
Estimated Number of Children Affected:	
<i>Est. number of women incarcerated who are mothers (1431 x 67%)</i>	958
<i>Est. number who lived with their children before incarceration (958 x 64%)</i>	613
<i>Est. number of children they have (x 2.2 each, based on Cheshire County)</i>	1350

*The jails hold people who are severely intoxicated in 'protective custody' for 24 hours.

While there are far more children with incarcerated fathers, there is generally greater impact when a mother is incarcerated because of her role as primary caregiver. Nationally, less than half of fathers in prison lived with their children at the time they were incarcerated, and most who did said their children were being cared for by the mother during their incarceration. In contrast, two-thirds of mothers in prison lived with their children immediately before their incarceration; only 28 percent reported their child being cared for by the father.¹⁹ Mothers relied more on grandparents, relatives, and foster care.

Some mothers lose custody of their children when incarcerated, creating significant stress on both the inmate and the correctional facility during this process. New Hampshire's foster care system plays a significant role in caring for children of incarcerated mothers. Unfortunately, data on these children is not readily available. There is need for further study on their needs and characteristics, whether the system is meeting the demand, and how the children ultimately fare.²⁰ Most mothers do continue to be the primary caregivers to their children after incarceration, and must support their children economically and

¹⁶ Greene, Haney, and Hurtado, 2003; Grella and Greenwell, 2006; Sharp, 2003.

¹⁷ Mumola, Christopher, *Incarcerated Parents and Their Children*, U.S. Department of Justice, Special Report, August 2000, NCJ 182335.

¹⁸ Prison and parole data are excerpted from data provided by the Department of Corrections; county estimates are based on data provided by the county houses of corrections, see details in Appendix.

¹⁹ These data are based on state prisoners; Mumola, 2000, see footnote 17.

²⁰ Discussions with Kristina Toth of the Family Connections Center, Lakes Region Facility, NH Department of Corrections.

emotionally immediately upon release from prison or jail.²¹ Corrections professionals we talked to said the need to care for children upon release was a particular challenge for women; and suggested subsidized child care would help mothers and their children become economically stable.

Corrections officials also told the Institute that the growing number of pregnant female inmates is straining the system, and raising a myriad of complicated issues that the system is not equipped to address. One Superintendent recounted his frustration at trying to be proactive in protecting the well-being of a child to be born to one of his female inmates. He contacted the state to arrange care for the unborn child, but was told the state could not intervene because the child had not yet been abandoned or neglected. When the inmate found a distant relative in another state to care for the child, the Superintendent himself drove out of state to get the relative in order to ensure she would be present at the birth to bond with the infant and take the child home. Superintendents told us they will try to get an inmate released before she gives birth whenever feasible, but it is not always possible. One county house of corrections recently found the costs of supervision and care for one pregnant inmate totaled \$20,000, including medical care and transportation. County houses of correction were obviously not designed for infants and mothers, with cramped quarters that limit opportunities for mothers to bond with and feed their babies, and corrections officials hard pressed to guarantee the safety of the children.

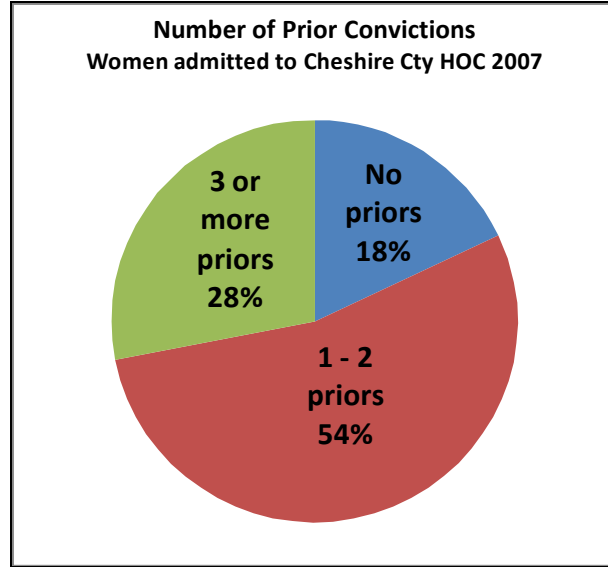
CRIMINAL HISTORIES: EXTENSIVE BUT NOT VIOLENT

IN THE COUNTY HOUSES OF CORRECTION

Women in the county jails are likely to be repeat offenders with fairly extensive but nonviolent criminal histories, though some are first-time offenders. Of those admitted to Cheshire County, one-fifth had a prior felony conviction and almost half had a current felony charge. More than half said they had been incarcerated before, 39 percent of them in Cheshire County. In Grafton County, only 11 percent of the female inmates had been in that facility before. Figure 4 shows the criminal history of women admitted to Cheshire County HOC. As shown, almost one-fifth had no prior convictions.

²¹ Grella and Greenwell, 2006 (see Bibliography for full citation).

Figure 4: Prior convictions, women in Cheshire County HOC 2007



Women in the county HOC’s are commonly serving time for sale or possession of drugs, theft, aggravated DWI, violation of probation, and forgery, among other offenses; the majority are facing a single charge. Despite the women’s significant criminal histories, violent offenses account for only one to six percent of the total female admissions, varying somewhat by county. Geographic differences may explain some of this variation. Rockingham County, for example, reports a higher percentage of violent offenses due to its proximity to more urban areas in Massachusetts.²² Differences in the categories of offense reported and the way data was reported by each county prevent exact comparisons.

Table 7: Percent of female HOC admissions by offense type, categorized by primary charge²³

County	Percent of 2007 Female Admissions by Offense Type (partial 2007 for Cheshire)									
	Violent	Drug	DWI/Traffic*	Property	Simple Assault	Obstruct. Justice**	Prot. Custody	Prob. Viol.	Other/ unkn	Alt. Sent.
Cheshire	2%	11%	19%	20%	4%	5%	28%(est.)	17%	0%	Not avail.
Strafford ²⁴	6%	12%	15%	12%	6%	26%	Not avail.	16%	2%	5%
Sullivan	3%	15%	9%	12%	3%	22%	8%	26%	2%	Not avail.
Merrimack							24%			

*Includes serious offenses such as driving after license revocation and others that lead to ‘habitual offender’ conviction, which carries a mandatory one-year sentence.

**Includes resisting arrest, disorderly conduct, breach of bail, tampering with a witness and other offenses related to obstructing justice.

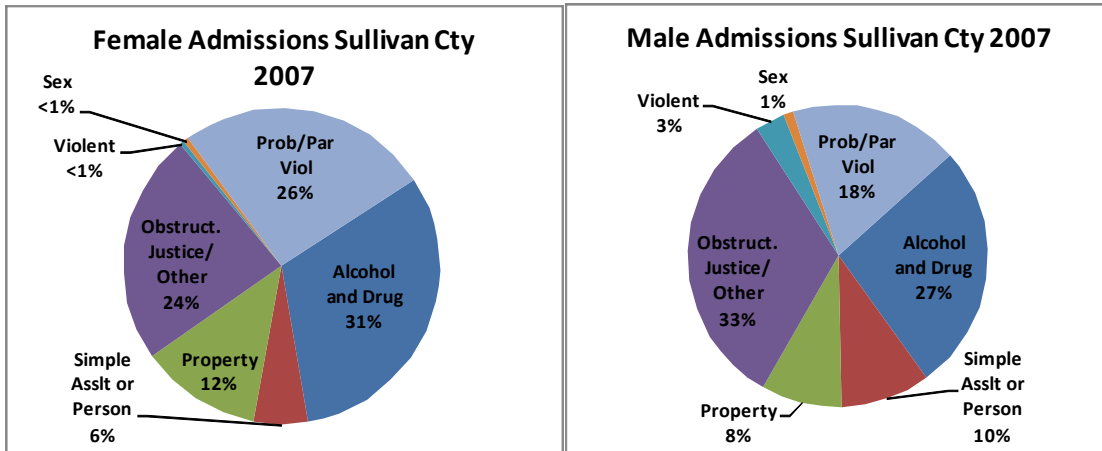
²² Discussions with Albert Wright, Superintendent, Rockingham County House of Corrections.

²³ The majority of admissions have multiple charge; when determining primary charge the Institute considered violent charges to be primary, and alcohol and drug charges secondary; see Appendix section on ‘data sources’ for full discussion. Probation violations also included new crime charges.

²⁴ Strafford data are for 566 of the 952 female admissions in 2007, and *exclude* Rockingham County inmates, federal inmates, and NH State Prison inmates that are held in the Strafford County facility.

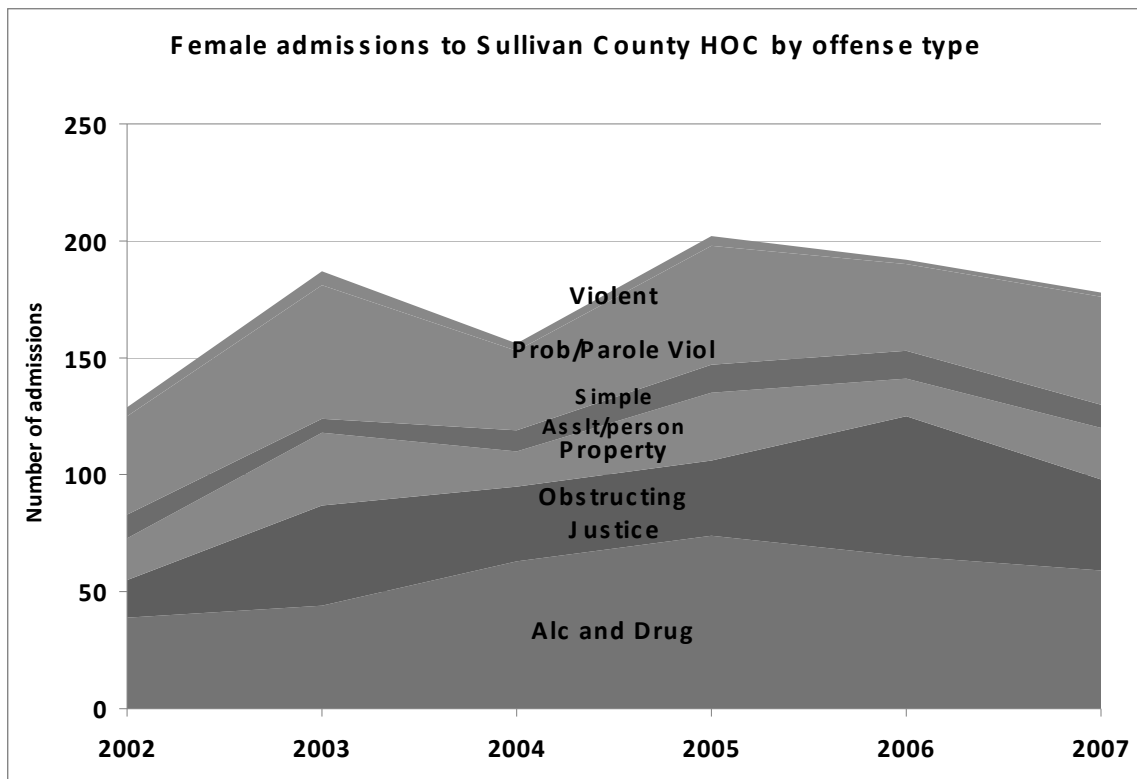
In Sullivan County, women are more likely than men to be admitted for drug and alcohol charges or probation violation, with fewer violent charges and charges related to obstructing justice, as shown below.

Figure 5: Charges against women and men admitted to Sullivan County 2007*



*DWI and traffic offenses are included under alcohol and drug offenses.

Figure 6: Sullivan County HOC female admissions by offense type 2002 - 2007



The fastest growing offense type for women in Sullivan County was obstructing justice, almost all of which was breach of bail and bench and arrest warrants for prior offenses. Admissions for alcohol and drug crimes increased by 51 percent between 2002 and 2007.

IN THE STATE PRISON

Figure 7: Female Admissions NH State Prison 2007

Compared to the houses of correction, the state prison has a higher percentage of women admitted for violent offenses and drug crimes. Violent offenders increased from seven percent of female admissions in 1997 to 20 percent of admissions in 2007, as shown at right and below.

**Female Admissions
NH State Prison 2007**

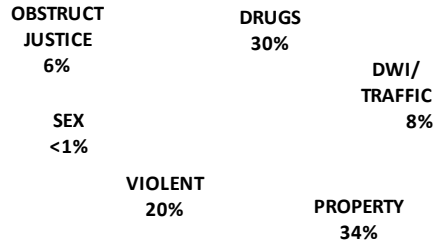
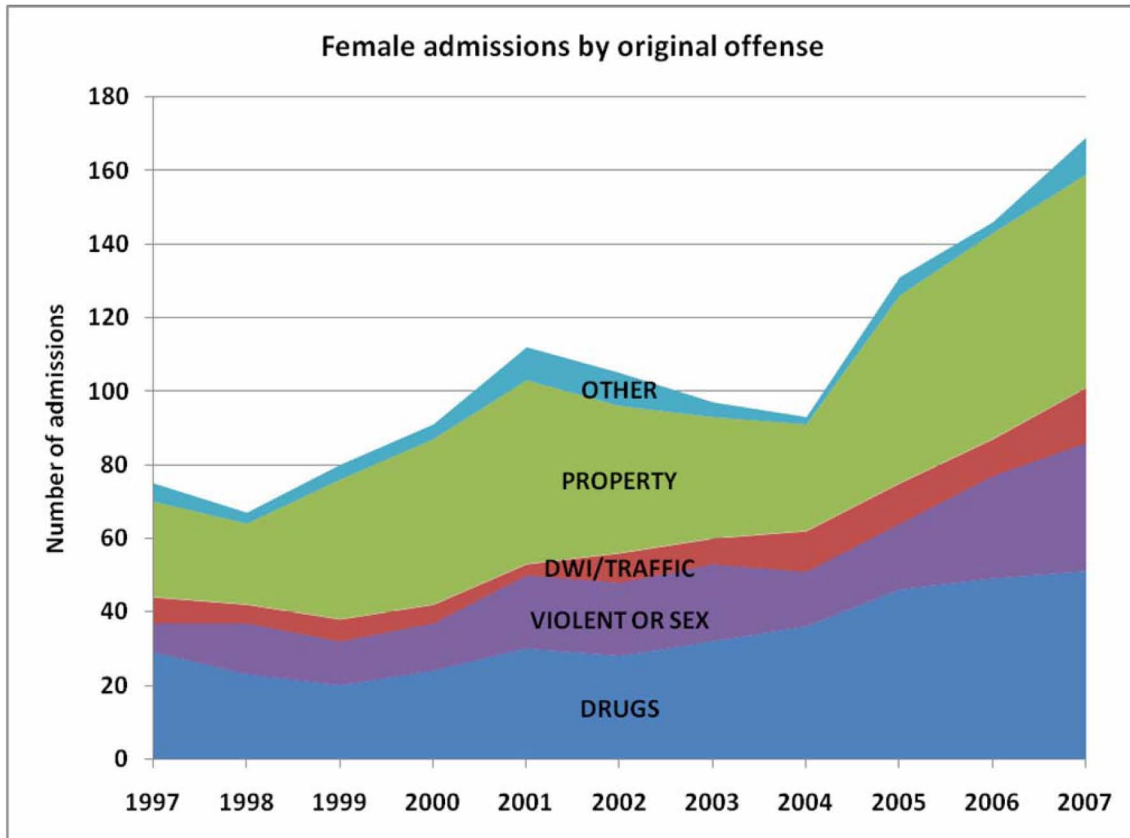


Figure 8: Admissions to the State Prison for Women 1997 - 2007



THE NUMBER OF WOMEN BEHIND BARS IN NH

The number of women in state prison in New Hampshire is relatively low compared to other states, but among the fastest growing in the country. Over the past three decades the growth in state prisoners has been exponential for both men and women, for women growing from two in 1977 to 142 in 2007. The increases in the number incarcerated at the state and the county levels far exceed the recent growth in the state's overall population.

Table 8: New Hampshire's State Prison* Incarceration Rate Compared to the Nation²⁵

NH/US State Prison Incarceration as of 2004	NH Women	NH Men and Women	US Women
Incarceration rate per 100,000	18	119	64
National rank for incarceration rate	47 th lowest	47 th lowest	n/a
Percent increase 1977 to 2004	5850%	799%	757%
Ratio male to female prisoners	20 to 1		13 to 1

*Excludes county houses of correction.

During 2007, the Institute estimates there were roughly 2,850 New Hampshire women who were under some kind of correctional supervision at some point during the year, as shown in Table 9. Most were under community supervision or cycling in and out of the county jails. This estimate is based on data provided by the HOC's, the NH Department of Correction, diversion programs, with estimates where data were not available. The Institute has adjusted all the data to avoid double counting individuals who are incarcerated multiple times or on probation and also serving time in jail. The assumptions and methodology are detailed in Appendix Table 11.

Table 9: Estimated Number Women in NH Justice System During 2007

<i>Incarcerated</i> (at single point in time, on average):	
Houses of Correction	291
Prison/Shea Farm	142
<i>Total behind bars</i>	433
<i>In the Community:</i>	
Released from HOC during 2007*	967
Probation	954
Parole	150
In Academy alternative sentencing program	70
In Diversion/Alternatives	72
In Merrimack Cty AOD Education program (FAST)	199
<i>Total in community</i>	2417
<i>Grand Total (estimate)</i>	2850

*Includes protective custody cases.

The number of women on probation greatly exceeds the number on parole. Regionally, most female offenders are concentrated in the state's larger communities.

²⁵ Women's Prison Association, the Institute on Women and Criminal Justice, *The Punitiveness Report, Hard Hit: The Growth in Imprisonment of Women, 1977 to 2004*.

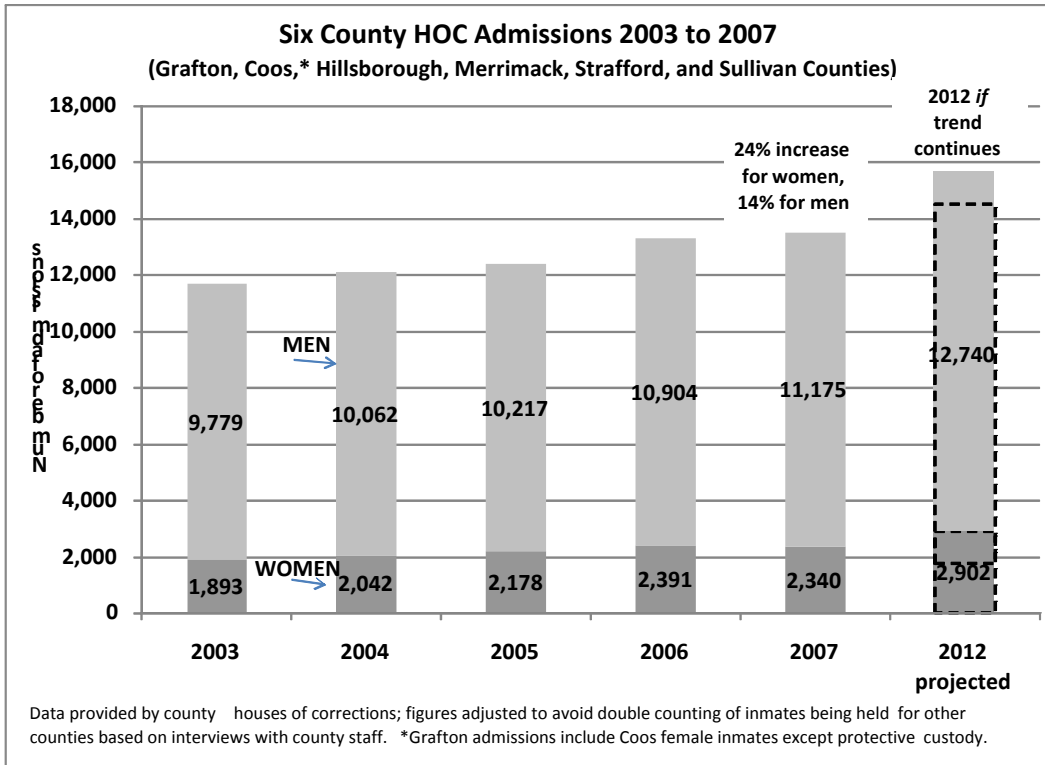
Table 10: Women under DOC community supervision

DOC District Office	Female probationers (April 2008)	Female Parolees (June 2008)
Berlin	51	7
Claremont	67	11
Concord	116	44
Dover	151	8
Exeter	158	9
Haverhill	93	11
Keene	60	11
Laconia	58	12
Manchester	145	16
Nashua	76	21
Ossipee	46	5
Total ²⁶	1021	155

INCREASING INCARCERATION OF WOMEN AT THE COUNTY LEVEL

Incarceration at the county level has been increasing. In recent years Carroll, Merrimack, and Strafford counties have all built new jails, with Cheshire County just beginning the process. County incarceration is increasing faster for women than for men, increasing by 24 percent for women and by 14 percent for men between 2003 and 2007. These findings are based on information provided by 7 of the 10 counties; detail is provided in the Appendix.

Figure 9: Admissions at Grafton, Hillsborough, Merrimack, Strafford, and Sullivan HOCs



²⁶ This total differs from that in Table 7, because figures in Table 7 were adjusted downward to avoid double counting probationers serving time in the county houses of correction.

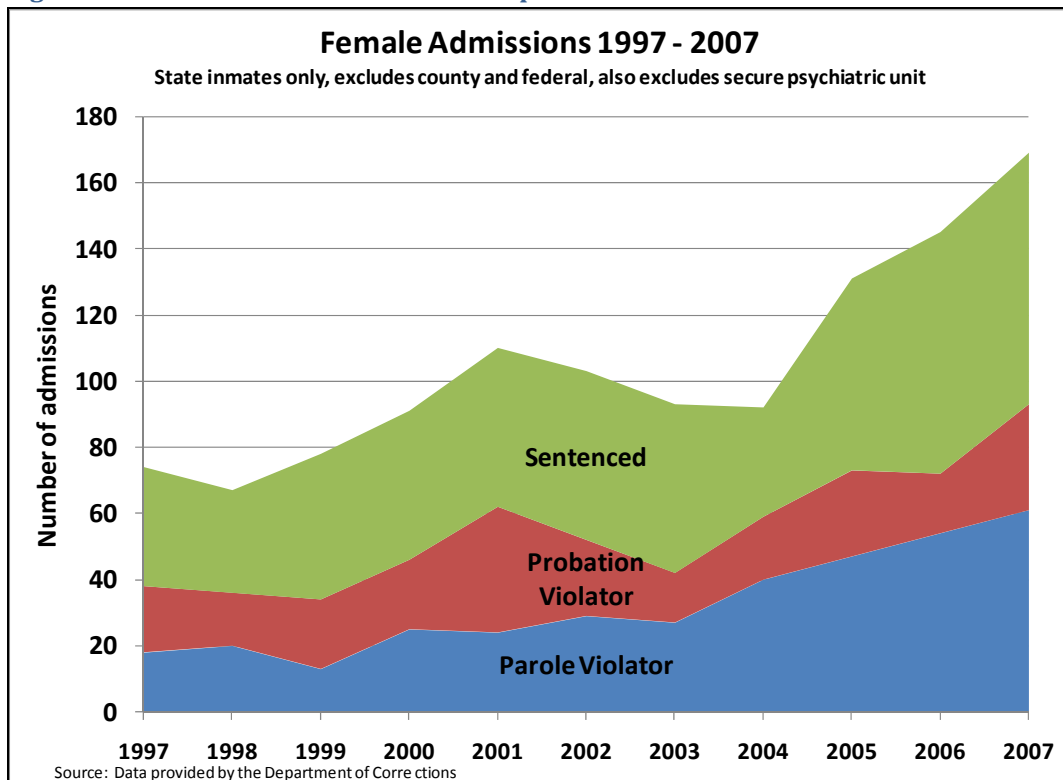
Women represented 16 percent of the daily population in 2003, and 18% in 2007, based on data from four counties. (See Appendix Table 12.) If the admissions trend continues, female admissions at the six facilities shown above will top 2,900 by 2012, resulting in an average daily population of 52 beds higher than current levels for the facilities shown.²⁷

The increasing percentage of women in the daily population of the HOCs is primarily driven by increases in admissions, including significant recidivism, and not by an increase in time served, as shown in Appendix Table 13.

INCREASING ADMISSIONS OF WOMEN TO THE STATE PRISON

Admissions to the State Prison for Women are also increasing, by 64 percent between 2003 and 2007. Recidivism is a major driver of admissions; the greatest increase in admissions is in parole violators, followed by those sentenced for new crimes, as shown below. The dip in 2004 is explained by DOC staff as reflecting back-ups in the courts when state leadership was discussing the possibility of closing the prison.²⁸ Interestingly, this shows the ability of administrative policies to impact incarceration rates, and suggests an opportunity for policy makers to consider limiting bed space in order to redirect resources to other programs that may be more effective.

Figure 10: Female admissions to the state prison 1997 - 2007



²⁷ This is based on average time served of 34 days, see Appendix Table 13.

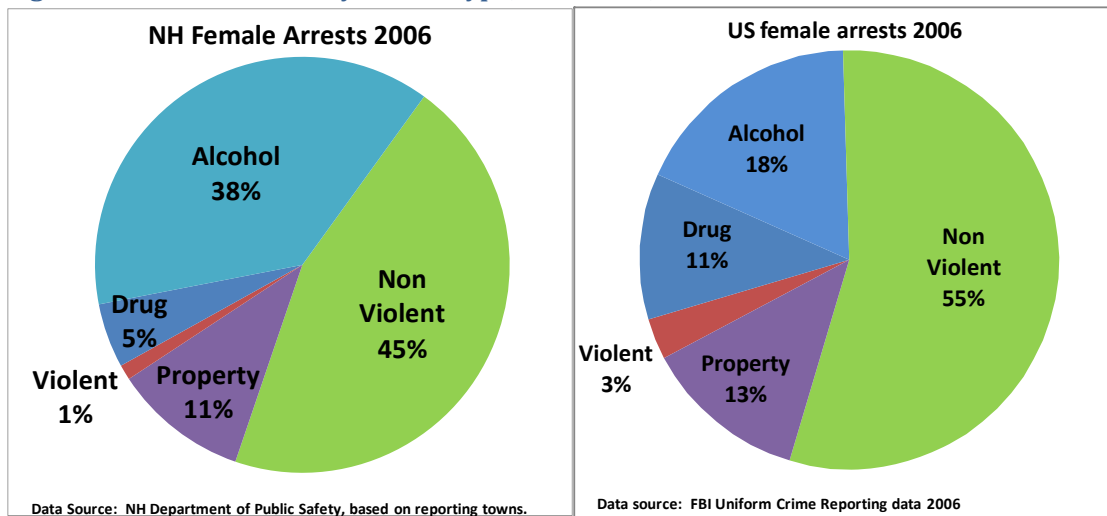
²⁸ Discussion with Edmund Hucks, NH Department of Corrections, May 2008.

ARRESTS TRENDS IN NH AND THE NATION

Nationally and in some of New Hampshire’s larger communities, female arrests have been increasing. Arrest trends often reflect crime trends, but also reflect changes in enforcement, so must be interpreted with caution. The Institute analyzed national trends and trends in six of New Hampshire’s larger communities where complete data were available, because arrest trend data for the state as a whole was not available.²⁹

Arrest data show women are far less likely than men to be involved in criminal activity and violence, comprising 26 percent all those arrested and only 15 percent of those arrested for violent crimes.³⁰ Alcohol offenses are one of the largest categories of arrest that bring women—and men—into the justice system; accounting for 18 percent of female arrests nationally and 38 percent of female arrests in New Hampshire, as shown in Figure 1. Due to the way arrest data is reported, individuals held for drunkenness, or ‘protective custody,’ are counted in the total alcohol arrests although they are not actual arrests; they account for about 20 percent of alcohol arrests in NH and nationwide.

Figure 13: Female arrests by offense type, NH and US, 2006



The higher percentage of alcohol arrests in New Hampshire may reflect greater prevalence of illegal alcohol activity, fewer treatment options, and differences in enforcement or state law. New Hampshire does rank 18th nationally in the percentage of drivers who drove while intoxicated,³¹ suggesting slightly more drunk driving activity than other states. In addition, New Hampshire enacted stricter laws for alcohol possession in 2003, after which

²⁹ Law enforcement agencies report arrests to the state on a voluntary basis, so reporting varies from year to year, making statewide trend analysis unreliable.

³⁰ US Uniform Crime Reporting System, 2006 adult arrests.

³¹ Office of Applied Studies, Substance Abuse and Mental Health Services Administration (SAMHSA). National Survey on Drug Use and Health, 2004-2006

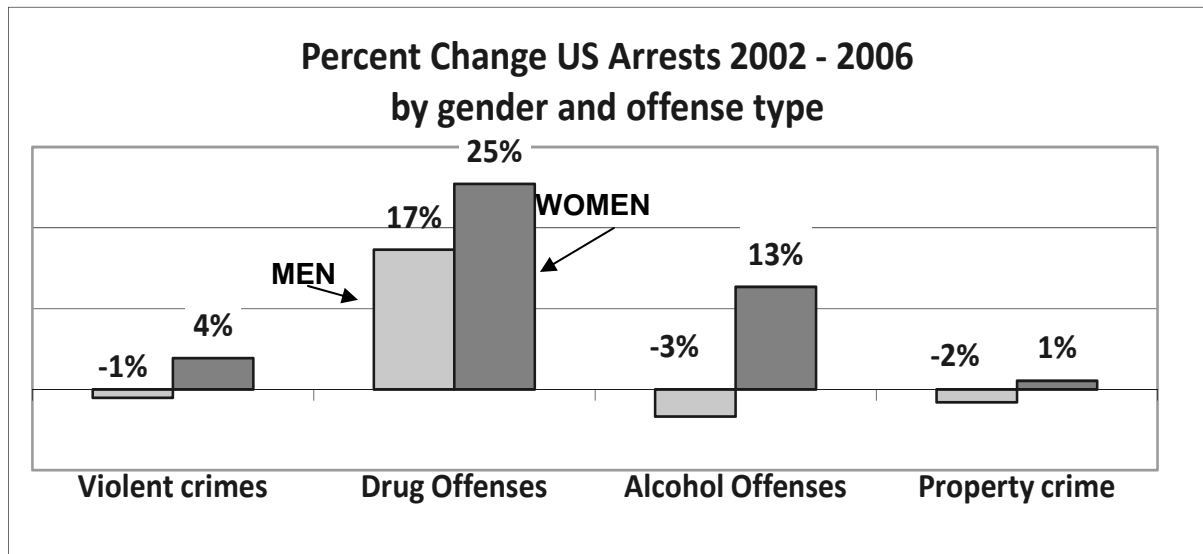
arrests for underage possession increased.³² Finally, limited treatment options may be a factor; national surveys have shown New Hampshire to have a relatively high unmet treatment need for alcohol and drug treatment among young adults.³³

Minority women accounted for only 20 percent of all minority arrests, while women overall accounted for 26 percent of all NH arrests. During 2006, minorities comprised five percent of all NH arrests, consistent with their representation in the general population. At the State Prison for Women and Shea Farm, however, minorities make up 24 percent of the population.³⁴ Other studies have also found representation of minorities to increase at deeper levels of the system.³⁵

ARRESTS OF WOMEN ARE INCREASING

Nationally, female arrests have been increasing. Between 2002 and 2006 drug arrests increased by a 25 percent and arrests for alcohol offenses³⁶ by 13 percent—while men’s arrests increased more slowly or actually decreased. Female arrests for violent and property crimes have also increased slightly, as shown in Figure 14. Again, the data do not indicate whether crime has increased or whether police practices and enforcement have changed.

Figure 14: Percent change 2002 to 2006 US Arrests by gender



³² Merrow, Katherine, *Teen Drug Use and Juvenile Crime*, NH Center for Public Policy Studies, 2005.

³³ Office of Applied Studies, SAMHSA. National Survey on Drug Use and Health, 2004-2006.

³⁴ Unpublished data from a 2008 survey of women in NH State Prison for Women and Shea Farm, conducted by Margaret Hayes, Ph.D., St. Anselm College.

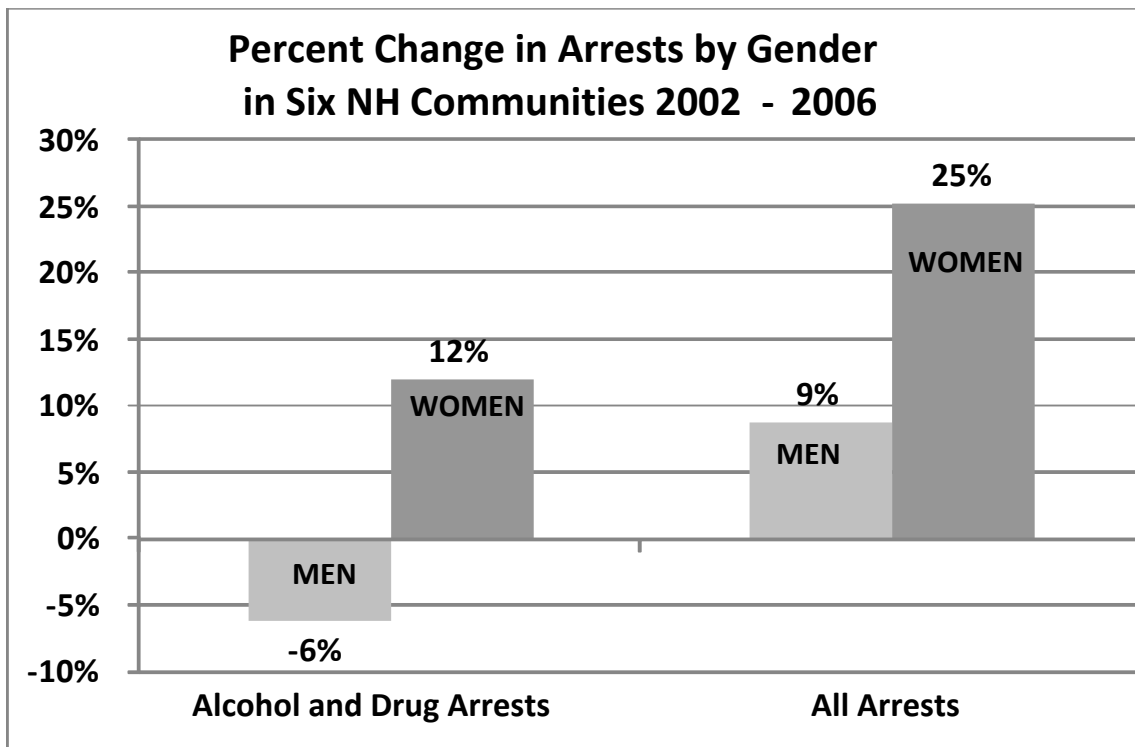
³⁵ Merrow, Katherine, *Teen Drug Use and Juvenile Crime*, NH Center for Public Policy Studies, 2005.

³⁶ As noted earlier, drunkenness or Protective Custody (PC) cases are counted in the alcohol arrests, and account for about 20 percent of total alcohol arrests.

The Institute also analyzed arrest trends in Concord, Manchester, Keene, Laconia, Plymouth, and Portsmouth, which account for 30 percent of all NH reported arrests. While these communities may not necessarily be representative of the state as a whole, they do provide a sense of arrest activity in the state’s larger communities.

Consistent with national trends, the increase in female arrests is striking, and greatly exceeds the increase for men. In the six communities female arrests increased by 25 percent between 2002 to 2006, compared to nine percent for men. Female alcohol and drug arrests also increased,³⁷ while decreasing for men, as shown in Figure 15. Interviews with corrections professionals suggest the increase in arrests is driven by drug use.

Figure 15: Percent change in arrests - six NH communities*



*Chart includes arrests in Concord, Manchester, Keene, Laconia, Plymouth, and Portsmouth.

Unlike the national trends, the New Hampshire communities saw a greater increase in arrests for alcohol offenses than for drugs. Arrests for DWI and drunkenness increased by six percent; underage drinking arrests nearly doubled, as shown below. Surprisingly, drug arrests increased in three communities, and decreased in the other three, for an overall decline of 23 percent.

³⁷ Alcohol arrests include protective custody and drunkenness holds, which are about 20% of alcohol offenses.

A review of literature on substance abuse treatment specifically for female offenders indicates that the most effective programs for women are those that are comprehensive, that include not just substance abuse treatment but also components such as child care and child involvement in treatment, parenting issues, mental health treatment, housing assistance, job training and case management services.³⁹ The majority of the research concluded that programming for women re-entering the community should also improve economic conditions and support children and family.⁴⁰ These findings are not surprising given the complexity of issues and multiple needs identified among New Hampshire's female offender population.

Some research suggests that effective substance abuse treatment for women requires a specialized set of principles that are 'gender specific,' or tailored to the women's specific strengths and challenges. This approach uses relationships in treatment and addresses issues like past trauma, depression and post traumatic stress disorder, and parenting issues. Gender-specific programming is a relatively new development in the field, and research comparing outcomes of mixed gender and gender-specific programs is still limited. Some studies have shown promising results, including greater treatment retention in women-only programs;⁴¹ better treatment retention has been associated with better outcomes in previous studies. In the county jails, one must question whether it is even possible to accomplish gender-specific programming in a setting that is overwhelmingly male. Superintendents from some counties reported that even work assignments for female inmates are complicated or prevented by the need to address safety concerns and keep the male and female inmates separate.

Interestingly, a national study has shown men have better outcomes in some aspects of re-entry from prison or jail. In follow-up interviews, men showed better outcomes in employment, housing, self-reported mental health and substance use or abuse. Researchers concluded that it is essential for social service and criminal justice professionals to be aware of the unique needs of women who are transitioning from incarceration to the community.⁴²

SYSTEM GAPS IN NH AND BARRIERS TO SUCCESS

The Institute interviewed several professionals familiar with community-based services to better understand the adequacy of services available to women offenders.⁴³ Services were described as adequate in some counties, and inadequate in others, but nowhere did interviewees describe programs that were comprehensive and addressed the multiple

³⁹ Silber-Ashley, Marsden & Brady, 2003. Gillece, 2002.

⁴⁰ Marcus-Mendoza & Wright, 2004; Holtfreter & Morash, 2003; Browne, Miller & Maguin, 1999; Baugh, Bull & Cohen, 1998.

⁴¹ Silber-Ashley, Marsden & Brady, 2003.

⁴² Mallik-Kane & Visher, 2008.

⁴³ Interviewees included treatment professionals, cooperative-extension service staff, and probation and parole officers, as listed in the Appendix.

needs identified in this report available to women during re-entry. Many treatment professionals highlighted the need for one-stop access to services and case management, and a better understanding of how past trauma affects female offenders and their relationships to services and correctional supervision systems.

Some we talked to identified lack of vocational skills and gainful employment as the greatest barriers for women, with economic dependency fueling women's connections to negative and abusive relationships and contributing to relapse and repeat offending. Corrections officials cited the lack of reentry supports in employment as well as housing as a significant factor in recidivism for female offenders in New Hampshire. Interviewees told us women often live with other substance abusers upon release; national research confirms this is more common among women than men, which may contribute to their poorer outcomes.⁴⁴ Affordable child care, affordable housing, and transportation too, were all seen as critical to enabling women to overcome these barriers and gain economic independence.

Another barrier mentioned was offenders' own lack of motivation to change. Corrections and treatment professionals described internal motivation along with supportive and positive relationships as key to helping women breaking the cycle of substance abuse, offending, and incarceration. These observations notwithstanding, mandated treatment has been shown to increase the length of time an offender stays in a program, increasing chances of treatment success. Finally, those we talked to highlighted mental health care as inadequate, particularly noting access to affordable medications upon release as a problem.

POLICY IMPLICATIONS

Women in New Hampshire's criminal justice system have complex histories of victimization with multiple treatment and rehabilitative needs. The upward trend in women's involvement in crime and incarceration is alarming, and the impact on children, and the future cost of that impact, is significant. The women have significant criminal histories though only a small percentage are violent. Taxpayers are paying for incarceration of these women again and again at both the county and state levels.

There are few places in the state where the kind of comprehensive, transitional supports found to be effective in other states are available in New Hampshire. It is therefore difficult to determine whether public investment in community-based supports would reduce the population behind bars and the associated costs, though research suggests it would help stem the increasing rates of incarceration. While New Hampshire's current correctional model is effective in protecting public safety during an offenders' incarceration, it is costly and ineffective in terms of long-term successful rehabilitation. New Hampshire would do well to experiment with another model, and the female offender population, being less violent and more directly involved in the care of children, would be a good place to start.

⁴⁴ Mallik-Kane & Visher, 2008.

The Institute provides this report as a starting point for discussion among county, state, and community leaders, to bring communities together to address this growing challenge and the associated societal and monetary costs, and to work toward coordinated solutions and supports.

APPENDIX

SUPPLEMENTAL DATA TABLES, METHODOLOGY AND ASSUMPTIONS

The Institute based its estimates of the number of women in the system on admissions and average daily population data from county HOC's, and from data provided by the NH Department of Corrections, details on each calculation and assumption are provided below.

Table 11: Detailed calculations and estimates for number of women in the system in 2007

County	#	Data source or assumptions and sources for estimate
<i>Incarcerated:</i>		
Belknap	12	Estimated, based on 2001 HOC capacity as per Nat. Inst. Of Corrections* multiplied by 15%.
Carroll	4.5	Estimated, based on 2001 HOC capacity as per Nat. Inst. Of Corrections* multiplied by 15%.
Cheshire	12.6	Estimated, based on 2001 HOC capacity as per Nat. Inst. Of Corrections* multiplied by 15%.
Coos	0	Included in Grafton County numbers; Coos HOC female inmates are housed in Grafton.
Grafton	16	Provided by Grafton County.
Hillsborough	87.7	Total provided by County; females estimated at 16% of total (16% of 2007 admits are female).
Merrimack	45.8	Total provided by County; females estimated at 21% of total (21% of 2007 admits are female).
Rockingham	0	Included in Strafford County, since Rockingham HOC female inmates are housed at Strafford.
Strafford	92	Provided by Strafford County.
Sullivan	20	Actual female jail population (22% of total), plus an estimated 22% of the non-jail population.
Total in HOCs	291	Total of estimates above
In Prison/Shea Farm	142	Provided by the NH Department of Corrections
Total behind bars	433	
<i>In Community:</i>		
Recently released from HOC		Based on 2007 admissions to HOCs, less those currently incarcerated, as detailed below.
Belknap	250	Estimated, 2001 jail admissions adjusted for population increase** estimate 14% are female.
Carroll	148	Estimated, 2001 jail admissions adjusted for population increase** estimate 14% are female.
Cheshire	198	Actual count of 2007 admission files.
Coos	0	In Grafton numbers
Grafton	236	Provided by HOC.
Hillsborough	819	Provided by HOC.
Merrimack	454	Provided by HOC.
Rockingham	0	In Strafford County HOC numbers
Strafford	817	Provided by HOC, admissions for federal inmates and for NH DOC inmates subtracted.
Sullivan	178	Provided by HOC.
Total admitted to HOC	3100	Total admitted at any time during 2007.
Reduce by 40% for recidivism	1860	To avoid double counting offenders, assumes 40% have served time previously in same year.
Subtract those still in HOC	1569	Subtracts 291 still incarcerated; they are counted above.
Reduce by 23% to avoid double counting prob.violators	1208	Based on average admissions for probation violators in Cheshire (20%) and Sullivan (26%); probationers are counted below.
Reduce by 20% for those released to probation	967	To avoid double counting those admitted on new charges but released to probation, and therefore counted in probation numbers below.
Released from HOC in 2007	967	Total after subtracting estimates for those counted elsewhere.
On Probation	954	Probationers as of 4/15/08, provided by NH DOC, less 23% of the 291 incarcerated in HOCs.
On Parole	155	Provided by NH DOC, number of female parolees as of June 23,2008.
In Academy alt. sentencing	70	Provided by NH DOC, number of women in the Academy during 2008.
In Diversion/alternatives	72	80% of estimate of women in alternatives and diversion, based on partial data from counties.
In FAST program	199	80% of 2007 admissions (assumes 20% counted elsewhere above), provided by Merrimack County Attorney's office.
Total in community	2417	
GRAND TOTAL	2850	Includes those under supervision or incarcerated at any time during the year.

* National Institute of Corrections Jail Division, NIC TA 01-J1179, Planning Of A New Institution, Phase I, August 6-8, 2001, by NIC Consultants, Nate Caldwell, Robert C. Cushman.

**Based on 2001 HOC population as reported in *Under the Influence Part 2*, NH Center for Public Policy Studies, 2003, p. 25, adjusted for population increases using 2006 American Community Survey data.

Female admissions as a percent of total admissions has are increasing, as shown below.

Table 12: Female county admissions as a percent of all admissions

County	2003	2004	2005	2006	2007
Merrimack	17%	19%	20%	21%	21%
Hillsborough	15%	16%	15%	15%	16%
Grafton	18%	14%	19%	25%	22%
Sullivan	19%	17%	20%	21%	18%
Weighted average four counties	16%	17%	17%	18%	18%

Data on average days served shows increases in some counties, decreases in others.

Table 13: Average days served by female inmates in county houses of correction

County	2003	2004	2005	2006	2007	Change 03 - 07
Grafton	13	19	15	17	21	64%
Strafford*	65	62	58	65	49	-25%
Sullivan	33	42	43	42	21	-36%
Hillsborough	Not available				45	Not applicable
Average					34	1%

*Strafford's 'average days served' may be longer partly because it excludes anyone held for less than one day; the other counties do not.

In Grafton and Sullivan counties, the average age of women has declined slightly. This may reflect year to year variation in the small population, or that female inmates are getting younger, consistent with the data showing an increase in arrests among younger women.

Table 14: Average age of women admitted to Grafton and Sullivan County HOCs

County HOC	2002	2003	2004	2005	2006	2007
Sullivan	34	31	30	30	30	32
Grafton		34	31	30	31	33

DATA SOURCES:

The Institute used a number of different data sources for this report, as detailed here.

Study of women in Cheshire County House of Correction:

The Institute reviewed the records from all 148 intake interviews with women being admitted to the House of Corrections during 2007. The sample included all weekday admissions except for protective custody cases, and excluded women admitted during the weekend when intake interviews are not completed. A cursory review of files for weekend admissions indicated no notable difference between weekend and weekday admissions in terms of prevalence or severity of reported substance abuse. Intake interviews were conducted by a senior corrections professional, and included inmates' responses to standardized questions on an extensive intake assessment questionnaire. The intakes also included staff assessments of severity of problems, and all intake interviews were conducted and coded by the same senior staff person.

Sullivan County House of Corrections Study:

The Institute analyzed electronic records from 5,560 admissions to the Sullivan County House of Corrections from 2002 to 2007, aggregating and coding data on charges, employment, and time served. In determining the primary charge, the Institute used the following order of priority: violent and sex offenses, drug and alcohol offenses, and other offenses. Violent offenses included any assault charge except for simple assault.

Other County Houses of Correction

The Institute requested aggregate data on specific questions from all New Hampshire's counties and received data from 7 of the 10 counties, including Cheshire, Grafton, Hillsborough, Merrimack, Strafford, Sullivan, and Rockingham. Coos county women are held in Grafton, so they were included in that county's data. Data were provided through the offices of the Superintendents of each institution. Not all counties were able to provide data in response to all the Institute's questions. The types of data provided included female admissions from 2002 to 2007, average daily population, offense types, percent of admissions with substance abuse problems or mental illness, and other socio-demographic factors such as marital status, age, employment status, and race of the female population.

NH Department of Corrections

The Institute's findings on the female state prison population were based on the following data provided by the NH Department of Corrections:

- Electronic records of prison bookings from 1995 to present
- Listing of female parolees as of April 2008
- Listing of female probationers as of June 2008 .
- Aggregate data on female prisoners, based on intake interviews performed by mental health clinician.

And also by the results of interviews with female state prison and halfway house inmates, conducted by St. Anselm College faculty and students; the results of which summarized in "Community Assessment: NH State Prison for Women and Shea Farm, 2008."

INTERVIEWS

The Institute conducted unstructured and semi-structured interviews with a number of corrections and treatment professionals to gather insights for this report:

Ann Aubertin, former House Manager, Angie's Place Women's Shelter

Tiffany Bleumle, Director, Vermont Works for Women

Nancy Bradford-Sisson-Cheshire County Cooperative Extension

Christine Brehm, Mary's Place, Keene

Laurie Caldwell, Vermont Works for Women

Cooperative Extension staff (confidentiality requested)

Jill Evans, Director of Women's Services, Vermont Department of Corrections

Cathy Green, private defense attorney

Scott Harrington, Chief Probation and Parole Officer Manchester District Office, NH Department of Corrections

Owen Helene, Rhode Island Foundation

Howard Helrich, Assistant County Attorney, Rockingham County
Gail Kennedy- Sullivan County Cooperative Extension Service
Christine McKenna, Chief Probation and Parole Officer, Rockingham County District Office,
NH Department of Corrections
Leslie Masterman, Clinical Director, Odyssey House
Niki Miller, Director, NH Task Force on Women and Recovery
NH DOC Probation and Parole Officer (confidentiality requested)
Alan Robichaud, Director, Belknap County Citizens Council
Superintendents of County Houses of Corrections (group discussion)
Ellie Therrien, Director, Hillsborough County Reentry Program
Albert Wright, Superintendent, Rockingham County House of Corrections

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