

Recommendations for the Effective Supervision of Female Offenders

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Abstract

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Under the Supervision of Dr. Susan Hilal

Statement of the Problem

Women and men are inherently different. The motives and driving forces for criminal behavior, learning pathways and emotions differ. Thus, a system that has a purpose to help protect the community, reduce recidivism and try to change criminals into law-abiding, productive citizens needs to consider these inherent differences. Gender-specific approaches to supervision can have a much better impact on the success of females under supervision and reduce recidivism. Research has found overwhelming support for current evidence-based programs. However, because much of the evidence is based on research conducted primarily on male subjects, it is unfair to suggest that these practices are best for female offenders. Gender-responsive criminal justice is a topic only recently earning a second look from researchers. Much of the gendered research in the field of Criminal Justice is focused on programming for females while they are in prison. This paper provides a focus specifically on the unique experiences of females, and the different considerations required for them while on supervision. A gender-responsive view to supervision is that the needs and risks of women differ than the needs and risks of males, thus a more gender-conscious approach should be implemented in supervising female offenders.

Methods of Approach

The methods of approach include an extensive review and analysis of relevant secondary data including statistics, empirical data, textbooks, internet sources, and peer-reviewed articles. This paper compiles information about the differences between males and females and discusses how those differences affect differences in criminal behavior and recidivism. Current prison and community programs which are based on gender-specific approaches are identified and reviewed. An overview of relevant theory follows. Based on the programs reviewed and the secondary data compiled and analyzed, suggestions and recommendations are offered for probation and parole officers about issues they need to consider when supervising females. Suggestions are included for actions that officers can take, available programs they can utilize and policies they can practice which will help them effectively supervise and aid in the reintegration of female offenders. Finally, an overview and conclusion to the topic are presented.

Findings

Gender-responsive approaches to supervision are scarce and no specific guidelines have been introduced universally to aid officers in supervising females. Women are generally socialized differently than men with different behavioral standards set by a largely patriarchal society, are abused at a higher rate than men, have a greater risk of co-occurring issues, and are often presented with fewer educational and employment opportunities than men. These, among other factors, contribute to different pathways to criminal behavior. Studies have shown that gender-responsive initiatives within the criminal justice system do work. Some prisons have tailored treatment and implemented programming that is specifically relevant for female offenders, including prison nurseries, therapeutic community treatment programs, and

educational and vocational training to prepare women for success in the community. Probation officers can learn from the success of such programs and either help continue the progress of these programs in the lives of their offenders, or, if the women were not afforded the benefits of these types of programs, they can refer them to such programs, and adopt gender-responsive styles of supervision. Some probation agencies have adopted such supervision tactics to the benefit of their offenders. Officers can help women find well-paying jobs or training for such jobs, be supportive of important roles women already have, refer women to integrated treatment services if needed, help facilitate the reestablishment of family ties, be sensitive of past and present abuse and trauma, participate in training on gender-sensitive issues, promote an agency wide incentive to provide material aid to female offenders who need it, and become more involved in the lives of their female offenders.

TABLE OF CONTENTS

	PAGE
TITLE PAGE	i
ACKNOWLEDGEMENTS	ii
ABSTRACT	iii
TABLE OF CONTENTS	vi
SECTIONS	
I. INTRODUCTION	8
A. Statement of the Problem	8
B. Purpose of The Study	10
C. Methods	10
II. Literature Review	11
A. The Purpose of Supervision	11
B. Gender Specific Issues for Female Offenders	13
i. Pathways to crime	13
ii. Abuse	13
a. Sexual abuse	13
b. Physical abuse	14
iii. Drugs	15
iv. Role in the family	16
v. Gender stereotyping	19
vi. Other issues	20
C. Unintended Consequences of Gender-Specific Approaches	20
i. Promotion of gender stereotyping	20
ii. Increased control over women	21
D. Current Gender-Responsive Programs	22
i. Prison Nurseries	22
a. Bonding with the baby	22
b. Recidivism	23
c. Education	24
ii. Prison Substance Abuse Programs	24
iii. Educational and Vocational Training in Prison	26

iv.	Community-Based Residential Parenting Facilities	27
v.	Gender-Responsive Community Supervision	28
III.	Theoretical Framework	30
A.	Feminist Theory	30
i.	Radical Feminist Theory	30
a.	Application of Radical Feminist Theory	30
ii.	Socialist Feminist Theory	31
a.	Application of Socialist Feminist Theory	31
iii.	Post-Modern Feminist Theory	31
a.	Application of Post-Modern Feminist Theory	32
IV.	Recommendations for Probation Officers	33
A.	Relationships	33
B.	Treatment	34
C.	Abuse Victims	35
D.	Education and Employment	36
E.	Other Suggestions	37
i.	Material Aid	37
ii.	Personal Involvement	37
iii.	Special Training	38
F.	Limitations to Gender-Specific Supervision	38
V.	Summary and Conclusions	40
VI.	References	44

Section I. Introduction

Statement of the Problem

Crime rates have been steadily decreasing in the past number of decades. Despite the decrease in crime rates, women make up an increasing percentage of those arrested each year. According to the Federal Bureau of Investigations Uniform Crime Reports (UCR), women comprised of 26.2% of all arrests in 2012 which has increased from 22.9% of total arrests ten years earlier in 2002 (FBI, 2003; FBI, 2013). This suggests that although overall crime is decreasing, women are making up an increasing percentage of total offenders. With women offenders becoming a more prevalent presence within the criminal justice system, the question arises about whether current programming and policies in prisons and community corrections are sufficient and effective for women.

Reintegration policies and procedures are generally based upon extensive research and evidence-based practices. Seemingly, these tried and true practices are deemed as the model for effective supervision practices. Supervision officers are expected to use these practices to help reintegrate the offenders they supervise back into society. However, as Blanchette and Taylor (2009) point out, the majority of the research that supports these policies and programs has evaluated them for men, and do not evaluate the effectiveness of those practices on women separately. A concerning question then remains unanswered: Do current policies and procedures for supervision really reflect the most appropriate and effective supervision practices for *all* offenders? This issue is gaining more and more attention and many professionals within the criminal justice system have begun supporting more gender-responsive strategies for dealing with women in the criminal justice system. In reality, women offenders pose interesting and

unique circumstances that should be considered during the numerous stages within the criminal justice system.

More and more research has emerged that focuses on the specific considerations and needs of incarcerated women. Some prisons and jails have implemented more programming and procedures that are tailored specifically for issues dealing with female prisoners. An example of one such successful program is the Residential Substance Abuse Treatment program in the Women's Huron Valley Correctional Facility in Ypsilanti, Michigan. The program is a gender-specific program which offers vocational and educational training, a dual diagnosis therapeutic community treatment program focused specifically on the needs and issues of women, and staff which are educated and trained specifically in women's issues (Combs, 2010). The increase in gender-specific programming in prisons and jails appears to be improving the success of rehabilitation for female of offenders.

In general, the backgrounds and experiences of women differ dramatically than their male counterparts. For instance, women generally experience violence and abuse at a substantially higher rate than men (Davis, Merlo & Pollock, 2006). Research has also shown that women and men generally have different paths to crime, drug use and recovery (Calhoun, Messina, Cartier & Torres 2010). The realization within the criminal justice system that female experiences, treatment needs, and rehabilitative needs differ from men, and require different programming has prompted the focus on gender-specific programming in prisons. While there is increasing support for gender-specific programs in prison and jail settings, research based on the area of gender-specific considerations required specifically for community corrections, is somewhat scarce and the issue has been largely overlooked. A focus on gender-specific supervision of this subgroup of offenders needs more consideration. Supervision tactics and

processes should be tailored to consider the innate differences between male and females, and should take into consideration the special needs of female offenders.

Purpose of the Study

The purpose of this study is to examine specific issues women offenders pose, review and evaluate programs and policies already in place that use gender-specific approaches, and review relevant theory. The ultimate purpose is to use those to propose specific recommendations to probation administrators and supervision officers to use in the effective supervision of female offenders by helping them reintegrate successfully into society, and helping to reduce their risk of further criminal behavior upon the public.

Methods

The methods of approach include an extensive review and analysis of relevant secondary data including statistics, empirical data, textbooks, internet sources, and peer-reviewed articles. This paper compiles information about the differences between males and females and discusses how those differences affect differences in criminal behavior and recidivism. Current prison and community programs which are based on gender-specific approaches are identified and reviewed. An overview of relevant theory follows. Based on the programs reviewed and the secondary data compiled and analyzed, suggestions and recommendations are offered for probation and parole officers about issues they need to consider when supervising females. Suggestions are included for actions that officers can take, available programs they can utilize and policies they can practice which will help them effectively supervise and aid in the reintegration of female offenders. Finally, an overview and conclusion to the topic are presented.

Section II. Literature Review

The following review is divided into four sections. The first section discusses the purposes and goals of supervision. The second section identifies and explains current gender-specific issues that female offenders face, of which supervision officers should be aware of while they supervise females. The third section discusses some of the unintended consequences of implementing gender-responsive programming in supervision. Finally, the fourth section identifies and evaluates many of the currently implemented gender-responsive programs throughout the criminal justice system.

The Purpose of Supervision

The goals of supervision officers, whether it is probation, parole or supervised release, may seem to be straightforward. One would think that the purpose of supervision is to keep tabs on the offender to ensure they are not violating the conditions of their release. However, it is not that simple. Probation officers have the sometimes difficult task of assessing offenders to determine their supervision needs and their risks to the community. They need to determine what types of treatment, vocational, educational, and social needs the offenders have. They need to assess the risks the offender poses to the community in terms of reoffending. Finally, they need to develop a supervision plan to help the offender reintegrate and become a productive member of society, and provide enough oversight to try to protect the community from potential harm the offender may pose. Two of the three statements of the mission of Federal Probation and Pretrial Services are the protection of the community and the long-term positive change in those under supervision (U.S. Courts, 2013). Similarly, the Wisconsin Department of Corrections (2013) states their focus is on keeping citizens protected and helping offenders succeed.

Balancing the two goals of supervision, protecting the community from future harm and helping the offender reintegrate appropriately into society, can be difficult for officers to balance. Many supervision agencies have a standard risk assessment tool which is based on evidence-based practices, or practices which have been tested and statistically have been shown to work. The risk assessment tools help officers determine the appropriate level of supervision they need to impose on the offender to ensure the safety of the community by reducing the potential for the offender to recidivate, helps officers assess which type of treatment needs of the offender, and helps the officer determine the life skills or educational needs of the offender, among other proven methods to help the officer support the offender and protect the public. The federal probation and pretrial services uses a risk assessment tool called Post Conviction Risk Assessment (PCRA) (U.S. Courts, 2013), and similarly, some state probation programs have risk assessment tools they use, such as the Wisconsin Department of Corrections' COMPAS Assessment Tool (WIDOC, 2013).

The “evidence” behind evidence-based practices that shows they are the most effective methods for assessing and supervising offenders is based on studies of mainly male offenders. These tools may not necessarily be the best practices for assessing risk and needs of females. According to Hall, Golder, Conley and Sawning (2013), most criminal justice research focuses on the male population, and uses males as the primary focus of study. Yet, the results of those studies are often generalized to explain the behaviors of women as well. There are numerous issues that are exclusive to or more prevalent in women, which need to be considered when assessing these offenders and determining their risks and needs while under supervision. To best meet the goals of supervision for female offenders in particular, officers need to be aware of and consider those unique issues.

Gender-Specific Issues of Female Offenders

There are a number of gender-specific issues for probation officers to consider when supervising women offenders. Some of these specific issues include pathways to committing crime, sexual and physical abuse, drug abuse, the general female role in the family, gender stereotyping, and other issues.

Pathways to Crime. Men and women often have different pathways to their criminal behavior. It can be said that each individual offender, whether male or female, has their own pathway to criminal behavior because each has their own background, experiences and issues. However, women more than men, tend to have limited education and work histories or skills, more mental and physical health issues, different patterns of alcohol or drug abuse, more family and children separation issues, high rates of physical and emotional abuse as children, and high rates of sexual abuse and domestic violence victimization as adults (Blanchette & Taylor, 2009; Morash, 2010; Sheehan, McIvor & Trotter, 2011). Women often turn to drug and alcohol abuse as a result of their backgrounds of abuse and hardships (Morash, 2010).

Abuse. Sexual and physical abuse affects both males and females. However, women offenders report significantly more violent, incestuous, and sexual victimization than male offenders (Blanchett & Taylor, 2009). Past sexual and physical violence victimization has been strongly linked to criminal offending in females (Sheehan, et. al, 2011).

Sexual Abuse. The prevalence of sexual abuse is largely unknown throughout the United States. Underreporting of this type of victimization has been a social issue that hinders the ability for researchers and policy makers to make correct estimates of the prevalence of the problem. Despite underreporting, researchers have found, based on what is known to authorities,

that women are the victims of sexual assault at a much greater rate than men. According to Southerland and Southerland (2006), in 2002, women were six times more likely to be a rape or sexual assault victim than men. Underreporting of sexual abuse may have to do with the fact that most perpetrators are someone known to the victim or an acquaintance. This may prevent the victim from reporting the crime so that they do not feel as if they are getting the offender in trouble. Further, many victims of sexual assault or rape may not perceive their experience as a crime so the crime goes unreported (Southerland & Southerland, 2006). For example, hypothetically, a wife may not know that the unwanted sex forced by her husband is considered rape, or a child may not understand that the touching from a family friend constitutes sexual assault. Also, sometimes there is a stigma associated with reporting sexual assault, which may prevent reporting. A woman's sexual past, or the way she was dressed at the time of the assault may bring unwarranted scrutiny of the validity of the assault.

Whether a sexual assault or rape is reported or not, the issues the victim faces are many, especially if he or she does not get counseling or deal with it in another therapeutic way that helps them cope. Many times adult and childhood sexual victimization can accentuate social or emotional issues or manifest in social or emotional issues, substance abuse, mental health problems, and criminal behavior later in life (Southerland & Southerland, 2006; Blanchett & Taylor, 2009; Morash, 2010).

Physical Abuse. Many female offenders have been subjected to physical abuse as children or intimate partner abuse as adults. According to Neal (2007), the majority of women who are under community supervision have been the victims of domestic violence. Repeated domestic abuse can lead to defensive criminal offenses or other criminal behavior, and trauma related to physical and sexual abuse can lead to drug use as a survival or coping strategy (Owen,

2006). According to Gosselin (2006), the 2002 National Crime Victimization Survey (NCVS) reports 85% of intimate partner assaults were males assaulting women. A review of 2012 NCVS results mirrored the results from ten years ago, that women were 84% of intimate partner assault victims. Many women stay with their abuser for a variety of reasons, often keeping them in danger of being the subject of subsequent abuse. Some of the reasons women remain in these damaging relationships include feeling trapped, economic dependence on the perpetrator, being psychologically controlled, danger to themselves and their children if they leave, a lack of a support system to help them, and embarrassment and shame if their abuse is exposed, among many other reasons (Gosselin, 2006). It is clear that like sexual abuse, physical abuse is a highly gendered issue.

Drugs. The criminal justice system's focus on drug crimes in the 1980s has dramatically increased drug-related sentences for both males and females. However, according to Owen (2006), the increase in prison admissions for men from 1986 to 2000 was mainly due to violent offenses, while the increase in prison admissions for women during that time was mainly due to drug offenses. In an analysis of the Uniform Crime Reports, from 1986 through 2012, male drug offense arrests have increased by approximately 50%, while during the same time period, women drug offense arrests have increased by 130%.

The crackdown on drug crimes contributes to the increase in female drug arrests and convictions. Substance abuse also contributes to the increase in other crimes that women commit at high rates. Many female offenders use alcohol, drugs, or both during the commission of their crimes, and many commit their crimes to obtain money to support their habit (Davis et al, 2006; McShane & Williams, 2006; Owen, 2006). This can explain the high rates of property crimes committed by women.

Women's roles in drug offenses are generally relatively minor. The majority of women convicted of drug crimes are often holding drugs for dealers or are in domestic relationships with dealers; were arrested for drug use, possession, or minor selling; have small roles in trafficking due to household responsibilities; or play a co-conspirator, aiding and abetting role, or maintain drug deal gains, rather than being major distributors or kingpins (McShane & Williams, 2006). The fact that drug crime rate increases for women surpass those of men is troubling, considering women generally play a diminished role in these crimes. In sum, while drug laws have greatly impacted the rise in overall arrests, convictions, incarcerations and supervision caseloads, this effect has been greater on women.

Role in the Family. Women generally have an inherent role as the caretaker of the children within their family. While there are many men who take on this role, most often the role is reserved for women. According to Glaze and Maruschak (2008), 77% of mothers in prisons reported they provide most of the daily care for their children, compared to 26% of fathers. The role as caretaker is even more complicated when a woman is under probation, parole, or supervised release. The ramifications of probation systems and the officers who oversee female offenders of not considering the offender's role in her family can have devastating effects on the offender, her family, and society.

Female offenders who are the primary caretaker of her children can have a difficult time juggling the demands of both her role as caretaker and the demands of supervision. The expectation of strict adherence to the various rules of supervision puts increased stress on the offender's time and priorities. According to Owen (2006), women offenders are less likely than male offenders to be employed or even looking for employment at arrest, and are less likely to be married than their male counterparts. Employment is often a condition that offenders must meet

under supervision. It would be more difficult for a woman who is the primary caretaker to find employment without it jeopardizing the care of her children, especially if she is a single mother.

As discussed in the previous section, women offenders often have drug abuse issues along with mental health issues related to childhood or partner abuse. The co-occurring issues suggest that women are in need of wrap-around care in programming. Wrap around care refers to services that are coordinated through multiple treatment providers (Morash, 2010). Such care, for instance, may be mental health treatment and drug and alcohol abuse treatment, which coordinate to address the multiple needs of the offender. The time investment in the extensive care coupled with the demands of being the primary or only caretaker may inevitably lead the offender to only meet the demands of one at the expense of neglecting the other. The demands of care-taking would often take priority over personal treatment, and would inevitably be considered violations of supervision. Further, the multiple demands may force a woman into destructive living situations in order for her to meet all of her conditions. Owens (2006) describes this situation as the woman being caught in a net of social welfare, which takes control over her. To ensure care of her children, a woman with extensive supervision demands may be forced to live with an abusive man who provides for her and her family financially or to live in a dangerous and poverty stricken community in order to be able to afford to make ends meet.

To further complicate the issue of the woman's role as primary caretaker, women who have been imprisoned have another level of difficulty during supervision. When a woman or man is incarcerated, they are separated from their children. Since women are generally the primary caretaker of their children, this qualifies as an additional gender-specific issue. Fathers who are separated from their children due to incarceration also must deal with a disruption within their family; however, because women often are the primary care taker, this disruption is

even more detrimental. Further, prisons which house female offenders are much more scarce than those that house male offenders. For instance, there are 119 institutions in the Federal Bureau of Prisons (BOP), only 22 of which house both male and female offenders, and only six are female-only facilities (BOP, 2013). This means that there are 113 federal facilities around the country (and its territories) to which a male offender can be designated, and only 28 federal facilities to which a woman offender can be designated. Similarly, state corrections departments also have limited facilities for females. For instance, the Wisconsin Department of Corrections has 36 adult correctional facilities, and only three of those facilities house women (WI DOC, 2013). The fact that there are far fewer female correctional institutions means women could be sent to an institution far from home. This distance, coupled with the fact that most female offenders have very limited resources, means it may be much harder for the families and children of female offenders to visit, and in turn, makes it difficult for her to maintain these familial relationships (Owen, 2006).

Male offenders with children, on the other hand, most often have a co-parent to take care of their children providing more time for them to partake in treatment while on supervision, and providing care for their children if they are imprisoned. Clearly, the courts have more options of prison facilities for men, and can often try to help facilitate the maintenance of family ties by recommending a placement at a facility close to home or family.

Considering the majority of crimes committed by female offenders are drug-related or property crimes, it is understandable that their role in the family can lead to criminality. The situation of women offenders often having very little economic means may account for the high rates of property crimes such as theft, check and welfare fraud, larceny, and forgery to help provide for their families (Davis, et al., 2006).

It is clear that in general, female offenders who have children have a much different experience than male offenders who have children. A woman's care-taker role in the family means a more difficult transition to prison and supervision. Probation officers need to be aware of the differences between men and women with respect to their role in their families. Officers should help mothers on parole or supervised release with the reunification with their children, and create innovative options for mothers on supervision that need additional treatment, so that the demands of supervision are not hindering her familial responsibilities.

Gender Stereotyping. Even today, decades after the Civil Rights movement, women must deal with a great deal of oppression and stereotyping. This is one issue that is almost exclusively one only women must deal with, with a few exceptions, such as members of the LGBT community. Women still live in a primarily patriarchal society, which is especially evident when analyzing women offenders. According to Owen (2006), when assessing dangerousness in offenders, men are assessed by the degree of threat of physical violence or damage to property they pose, where women are assessed by their threat to morality and the patriarchal social order. This is partly evident in the criminalization of prostitution.

The general stereotypical role of women in the family, as the care-giver, often limits their access to education and employment, whereas the role of the man, as the breadwinner, often facilitates their access to education and employment. Even when obtaining employment, women in general have a hard time breaking into a stereotypical male employment position, and their lack of training and education for those positions makes it even more difficult. Helping women offenders break the perpetuation of gender stereotyping proves to be a difficult task for probation officers.

Other Issues. As more and more research becomes available regarding gender-specific issues, other issues that the criminal justice system should consider in supervising female offenders will come to consideration. It can be assumed that health issues unique to women concerning pregnancy, disease and other circumstances could prove to be issues that would require gender-specific consideration. As new laws emerge, technology advances, and more behaviors become criminalized, even more gender-specific issues may arise. Future research related to these and other topics will need to be conducted to determine their gendered nature and the implications they may have for the criminal justice system and specifically supervision.

Unintended Consequences of Gender-Specific Approaches

Much of the research shows that focusing on the specific issues that women face helps the predominately male-centered criminal justice system appropriately deal with women. However, there are some concerns about singling out women and their issues and the unintended adverse effects of gender-specific approaches to supervision. According to Morash (2010), two of the by-products of using gender-specific approaches to supervision include the idea that singling out women and their issues can promote instead of challenge gender stereotyping and oppression, and a gendered approach leads to more intensive supervision of the offender.

Promotion of gender stereotyping. While on supervision, the goals probation officers help achieve for men tend to emphasize obtaining employment while the emphasis for women tends to be on their intimate partner and parenting relationships (Morash, 2010). Emphasizing the female parenting role and responsibilities while on supervision may perpetuate the stereotype of a woman's role and what she should be doing, and ultimately put her back in the same economic situation she was in prior to her criminal behaviors. Goodkind (2010) suggests that gender-responsive approaches may promote gender stereotypes in supervision situations where

the agency does not have the time or resources, such as too large caseloads or limited budgets, to properly assess a female offender's risks and needs. Thus, she notes, that officers might use gender stereotypes to make clinical decisions rather than properly assessing each offender's risks and needs and making decisions based on those assessments. Further, even if correctly using risk assessments, some agencies override the scores in the name of more adequately supervising the offender, but actually inflating risks and needs, perpetuating the idea that women are needier than men (Goodkind, 2010).

Increased control over women. The idea that women involved in supervision where they employ gender-sensitive strategies to supervision are under much more intensive supervision and control than women under non-gender-sensitive supervision, is valid. In a comparison between two county supervision agencies, Morash (2010) noted that the women were much more closely supervised in the gender-responsive supervision agency than in the traditional supervision agency. She found that drug offenders in each community had similar rates of violations and failures while on supervision, but those results could be because the women in GRC are much more closely watched, so their violation behavior is better detected (Goodkind, 2010).

It has been shown that too much supervision can have an adverse effect on low-risk offenders, and they are actually more likely to recidivate with too much correctional intervention (Wickland, 2013). It can be argued, however, that although women in general may be low-risk offenders, because of the specialized needs they have, which have been discussed earlier in this paper, the intensive supervision that increases control over the women in gender-responsive supervision often may help the offender more. Because the officers are so involved in the woman's life, they are probably more likely to be there to help her out when needed, for

instance, if she is being abused. The increase in control that gender-sensitive approaches produce, may be outweighed by the positive impact the officers can have on the woman's life and success. Goodkind (2010) notes that even the simple material assistance that gender-responsive supervision agencies often provide; such as toiletries, clothing, assistance in securing housing, and referrals for social services; can have a huge effect on the lives of their offenders. Without such close supervision, officers may not recognize their offenders have some of these needs, and the woman may be too embarrassed to ask for them.

Current Gender-Responsive Programs

There are currently some programs in prisons and in the community which base their approaches to dealing with women offenders on gender-specific foundations. Many of these programs have shown great promise in the effects they have had on women's situations and of concern to the criminal justice field, on their recidivism. Some prisons have taken great strides to provide opportunities and programs to women specifically targeting their issues. There are also some gender-cognizant community programs which have fared favorably to the female offender population.

Prison nurseries. As of the start of 2011, there were eight states that have prisons which operate nursery programs that allow women to keep their babies for between 12 and 36 months (Campbell & Carlson, 2012). These programs are important for pregnant female offenders who are sentenced to incarceration.

Bonding with the baby. Women who can participate in prison nursery programs are less affected by the separation from her family and children. The nursery program allows the mother to keep in contact with and continuously care for her infant, a major gender-specific concern. Allowing a baby to stay with the mother while she is incarcerated facilitates the formation of

mother and baby attachments and bonds, while taking the baby away a few days after birth prohibits the bonding.

What does this mean for supervision? First, research shows that poor attachment to the mother is associated with emotional and behavioral issues within the child later in life (Campbell & Carlson, 2012). This can cause a cycle of offending, which the child has a greater chance of entering the criminal justice system himself. In relation to the mother on supervision, often officers must help their female offenders reunite with their family and friends. It is one less bond the mother has to reestablish upon her release. Helping an offender reunite with a child who is under the care of the state or foster care can be a long and strenuous process for both the mother and the officer.

Recidivism. Studies have shown that women who are provided the opportunity to participate in infant nursery programs have reduced recidivism rates compared to female inmates not in the infant nursery programs (Campbell & Carlson, 2012; Villanueva, 2009). The amount of research on the effect these programs have on recidivism is scarce, but the few studies out there show promising results. It has also been determined, possibly because of the strict qualifications and conduct standards of participating in these programs, that involvement in these programs have decreased misconduct incidents within prisons (Campbell & Carlson, 2012).

While more research should be completed on this issue, it appears that the prison nursery programs are proving to be beneficial for the success of women on supervision, because they are correlated with reduced recidivism. In a study regarding prison administrator's views on prison nurseries, Campbell and Carlson (2012) found that 50% of the study participants were completely unaware of the concept of prison nurseries. Perhaps further research would bring more attention to the benefits of prison nurseries on misconduct within prisons, recidivism, and

success on supervision after release, and more prisons would follow suit by creating their own nursery programs, should funding exist.

Education. According to Villanueva (2009), offenders involved in each of the prison nursery programs are required to participate in child development and parenting programs. Some nursery programs also require those women without a high school diploma to take GED classes, and others have head start programs for the children. Other nursery programs go as far as developing and coordinating resources for the offender upon her release (Campbell & Carlson, 2012).

The educational opportunities these programs in prison provide to female offenders help the woman while on supervision. As mentioned above, some coordinate programming for women upon release into the community, which is an obvious way these programs can help a woman on supervision. Also, the skills and knowledge learned through the parenting and child development classes will help the mother in her parenting abilities while on supervision. The programs which require the mothers to work on her GED will be beneficial to her supervision, because having a GED helps her get better employment, or provides a prerequisite for furthering her education.

Prison Substance Abuse Programs. There are some prisons that have implemented gender-responsive programming into their substance abuse programs. One such program is the Residential Substance Abuse Treatment (RSAT) program in the Women's Huron Valley Correctional Facility (WHVCF) in Michigan. According to Combs (2010), this program is based on a concept of the therapeutic community where women participate in intensive cognitive behavioral group therapy. He goes on to explain that they address their past issues with the other members of the program, the "family," and learn to be honest, open and trusting with the rest of

the group. The treatment program is modified for offenders who have dual diagnoses. They learn to live with and accept others, and learn to recognize and diffuse triggers to their poor behaviors. Staff is experienced and highly trained in women's issues such as substance abuse, trauma, abuse victimization, and family and relationship issues (Combs, 2010).

The program has quite a high success rate. Three years after release, 86% of the women were still out in the community and 77% had not tested positive for substance use (Combs, 2010). Supervision officers benefit from this and similar gender-responsive prison programs because they address women-centered issues and teach women the skills necessary to succeed once out of prison. Officers can also help the female offenders on their caseloads find similar therapeutic community-based treatment programs available to them upon release. Further, officers can familiarize themselves with the issues of women by participating in training on the issue.

Another gender-responsive prison program was implemented in Montana Women's Prison in Billings, Montana. The program, started in 2007 and named the Right Living Community program (RLC), was also based on the therapeutic community model, with the goals of promoting pro-social behaviors, values and attitudes in order to eliminate drug and alcohol abuse (Montana Department of Corrections, 2013). This program, however, was not so beneficial. According to the American Civil Liberties Unit of Montana (ACLU) (2013), the Montana Department of Corrections (MTDOC) was involved in a lawsuit in 2012 which ended the program. The ACLU's (2013) synopsis of the lawsuit provides that when the program was implemented, it replaced a voluntary women's bootcamp program which allowed women to earn time off of their sentences. The Right Living Community program was mandatory and no longer allowed women to earn early release, a privilege still offered to men in the State of Montana

through the bootcamp program, clearly gender discrimination. Further, the program put prisoners on a hierarchical system where privileges could be taken away by other prisoners, made the women participate in degrading activities, and provided very little in educational or vocational programming (ACLU, 2013). This program was problematic in that it created gender discrimination, and was a program that required all women participate in programming, even the women who were not in need of treatment.

The probation field can learn from errors of the Montana program. The program failures illustrate the importance of referring services to women based on their individual needs, rather than referring women to services based on the needs of women in general.

Educational and Vocational Training in Prison. Most, if not all, prisons provide some sort of educational and vocational classes for their inmates. Prisons provide these programs so offenders have marketable skills that can be beneficial for them upon release. Some prisons provide a great variety of vocational programming that is gender-responsive, but does not reinforce gender stereotypes. Michigan's WHVCF discussed in the substance abuse section of this paper provides training in automobile mechanics, horticulture, food technology, business education technology, building trades and custodial services (Combs, 2010). On the other hand, Montana's RLC program, also discussed earlier, provides vocational training such as assembly and manufacturing of duck call lanyards, rifle slings and bow sights, and textile training such as screen printing, embroidery and design work (MTDOC, 2013). Montana's vocational programming is very narrow in the scope of skills learned, thus making the skills almost unusable in the workplace after release. However, the Montana Women's Prison does provide more substantial educational programming including HSED, college prep, computer, personal,

job and work skills development, remedial and continuing education, and employment planning courses (MTDOC, 2013).

When a woman is released to supervision it is important that officers consider whether the vocational and educational training the offender participated in while incarcerated was chosen because it was what the offender was interested in, or simply because there was a lack of other viable options. Officers may have to help female offenders find other sources of vocational training, if the skills she learned from programs provided to her are not very marketable in society or if she is not interested in that field.

Community-Based Residential Parenting Facilities. There are a number of community-based mother-infant facilities for expecting mothers or mothers of young children. According to Villanueva (2009), many of these programs are designed for mothers who have substance abuse issues, so the programs provide both treatment and parenting support. These programs are much like residential substance abuse treatment facilities but have the added aspect of children being involved, so they promote mother-infant and/or mother-child bonding. Villanueva (2009) explains that these programs are often an alternative to incarceration for pregnant offenders or participation fulfills conditions of supervision. Some programs offer combined treatment for mothers with dual diagnoses, such as the Family House Now, in Pennsylvania (Resources for Human Development, 2013).

Although it appears that there are not a plethora of these programs available, they could be beneficial to probation officers in helping their female offenders. It may be difficult if there are budgetary or contracting restraints, but if possible, officers could refer their offenders to the residential parenting facilities for those that require residential treatment and have children. Further, officers could utilize these programs for the female offenders they supervise that have

substance abuse issues and that they suspect may be involved in abusive relationships. The programming could be a way to “save” the woman and children from a dangerous home life.

There are also similar day treatment programs geared toward mothers and children. At the ARC Center for Women and Children (ARC CWC) in Madison, Wisconsin (2006), women who require outpatient treatment come to the facility with their children for their treatment, training, and other programming. Their children stay in the on-site daycare, and can be involved in AODA prevention programming. The program is designed to hurdle the obstacles of childcare to attend treatment, provide the family concept AODA treatment, provide welfare for children, addressing problems of abuse, provide family support, and provide other material needs to participants (ARC CWC, 2006).

Gender-Responsive Community Supervision. In addition to community treatment programs, there are some probation offices that already practice a gender-responsive approach to supervision. Morash (2010) compared the approaches and outcomes of two probation and parole departments in the same state. One department she calls “Gender-Responsive County (GRC),” and the other she labels “Traditional County (TC),” each based on their approach to supervision. Morash (2010) identifies differences to the two counties’ approaches. Goals for TC officers are to move women to lower levels of supervision and concentrate on whether women meet their court-ordered obligations such as restitution and treatment programming. Goals for GRC officers are to also ensure women are following court orders, but also to assess the woman to determine the root causes of her offending, referring her to all appropriate treatment determined to be necessary. Both men and women supervise women in TC, and officers are assigned to geographical areas, so if a woman moves she would be assigned a new officer. In GRC, women offenders are only assigned to women officers who work in teams, often based on the officers’

specialization, thus the offender remains assigned to the same officer throughout supervision. Morash (2010) shows that in GRC, officers and offenders form bonds of trust and communication, and contact with officers is common and often. In TC, officers and offenders have limited contact and communication.

Morash (2010) found only an insignificant difference in substance-abuse failure between the two counties: 46.2% failed in TC and 42.2% failed in GRC. She attributes the similar results most likely due to the increased level of supervision in GRC, rather than the actual behavior of the women. This finding provides support for the reservations some have about gender-specific approaches, particularly that it can create greater control over women. However, Morash (2010) suggests that the field of criminal justice not look solely to drug-use, recidivism or revocation to determine success of a program. Instead, she suggests that the women in GRC gained far more positive changes in their thinking and their lives than the women in TC.

Teaching women about themselves, appropriate respectful relationships, how to deal with emotions, and promoting self-sufficiency are often goals of gender-responsive programming, and it teaches women to be successful. Many times failure on supervision is not the result of new criminal activity, but other less serious infractions of the rules or conditions. Thus, minor infractions should not necessarily be included in the measuring factor of success on supervision. Instead, a common theme in Morash's (2010) research is that offenders in TC felt officers were out to catch them doing something wrong, whereas in GRC, offenders felt officers were trying to help them. It is suggested that this very important focus on helping women better themselves based on a thorough assessment of each individual's needs and providing appropriate help and referrals should be a major focus for supervision officers.

Section III. Theoretical Framework

The research regarding gender-specific approaches in the criminal justice system and the evidence-based practices utilized are all based on criminological theory. Understanding the theories behind criminal offending can help supervision officers understand the processes by which the offenders on their caseloads begin or continue their criminal behavior. Much of the understanding about women's criminality has roots in feminist theories.

Feminist Theory

Radical Feminist Theory. Radical feminist theory suggests that the male dominance and patriarchy in society oppresses women, and social relationships are shaped by male power (Burgess-Proctor, 2006). This perspective suggests that women can become criminal after they are oppressed by patriarchal society, or abused by men. Sometimes they commit crime against their abuser, or escape abuse and must rely on behavior classified as criminal by a patriarchal system in order to survive (Daly, 2008). A change away from a patriarchal society would liberate women of their oppressed roles and thus reduce crime. According to this theory, a societal change in values should occur where men do not have primary control and rule over women and their sexuality, but rather there should be equality in power. This suggests that women and men do not need to have absolute equality, but their different roles should be embraced. According to Neff and Meyers (2012), this means that women's traditional roles need to achieve equal respect and be valued equally by society as are the male traditional roles.

Application of radical feminist theory. This perspective explains how the gendered-approach to supervision does not mean absolute equality and standards between males and females under supervision, but rather supervision of females should take into account their specific issues, like traditional supervision relies on specifically male issues. Radical feminist

theory proposes a complete societal change, which is unlikely. However, probation systems can change their perspectives and standards by adopting an approach to supervision which views the importance of women's issues as different but just as important as men's issues.

Socialist Feminist Theory. Socialist feminist theory suggests that crime should be looked at while considering the intersection of both race and class. Women are in a state of oppression because patriarchal society discriminates against them, according to socialist feminism, because of both their sex and their lower class status (Burgess-Proctor, 2006). This theory can explain why many women commit property and economic crimes, because the oppression of their gender keeps them in a lower class, and they must commit crime for economic survival.

Application of socialist feminist theory. Davis, et al. (2006), found support for the idea the economic marginalization between males and females may explain women's increase in property crime. Women are more often heads of single-parent households and employed women earn less than their male counterparts, which may account for their high rate in property crimes. This theory is the basis for suggesting that women be afforded the same opportunities as men in the educational and employment realm, because it would promote gender and class based equality, and possibly provide less reliance on criminal activity to succeed.

Post-Modern Feminist Theory. Theorists and researchers have been finding that one particular feminist theory does not adequately explain female criminality. Instead, one must look at individual circumstances of female offenders. Post-modern feminist theory is different in that the general knowledge about criminality, femininity, oppression, deviance and other culturally constructed concepts are challenged (Burgess-Proctor, 2006). Instead, post-modern feminism

focuses more on the individuality of female criminals rather than social generalizations about women and other concepts in criminology.

Application of post-modern feminist theory. This theory provides insight into the recommendation to view women individually and consider the unique experiences of each in assessing their needs and risks. Prior feminist theory does not consider drug-related crime or drug use of female criminals, instead it generally explains either violent crime or property crime. It is clear that the push for a crack-down on drugs in the 1980s has substantially increased female, as well as male, entrance into the criminal justice system. However, the juxtaposition of drug abuse, mental health issues, gender oppression, victimization and other issues for women shows that it may not be possible to explain female criminality just by gender or class roles.

Section IV. Recommendations for Probation Officers

Probation officers have the ability and position to make a great difference in the lives of the offenders they supervise. Female offenders often come with their own unique set of issues to which officers should consider.

Relationships

Women who have been imprisoned are presented with numerous relationship issues upon release to supervision. Some women, albeit only a handful, may have been afforded the opportunity to participate in prison nursery programs with their infants or young children. The majority of women coming out of prison have not had that opportunity, and need help in navigating the avenues to reestablish ties with their children. Even those who were able to participate in the nursery programs may have other children they may have lost connection with. According to van Wormer (2010), female inmates' most pressing concern is often of their children, where male inmates' most pressing concern is of their legal case. More often than men, women are the primary caretaker of their children (Glaze and Maruschak, 2008). Children of incarcerated mothers are often placed with other family members who live in poverty, or are placed in foster care (van Wormer, 2010). Conversely, children of incarcerated males most often remain with their mothers, not likely uprooting the child (Glaze & Maruschak, 2008). Clearly, reestablishing ties with children is generally a much bigger issue for female offenders than for male offenders. Probation officers should be knowledgeable about their local foster care systems so they can help the offender begin the process of reconnecting with her children. Officers may also need to help facilitate communication with family members who maintain custody of the offender's children, to begin reconnection.

Women not only need to reestablish ties with their children, but sometimes with significant others and family. Ties to the community and family members are often an integral part to an offender's success on supervision. Officers can suggest referrals for family or relationship counseling that may benefit both parties as to their thoughts about the offender's behavior. The men in female offenders' lives may have moved on to other relationships (van Wormer, 2010). It is also common that some of the relationships in a female offender's life are abusive. Officers need specialized training on how to recognize victimization and actions that can be taken to help keep the offender safe from abuse.

Treatment

Most female offenders have treatment needs and many often have multiple treatment needs. Often female offenders are struggling with past or recent abuse, mental health problems and drug problems. A BJS report from 2006 reported 75% of female inmates with mental health disorders also had substance abuse issues (van Wormer, 2010). It is imperative that probation officers have appropriate assessment tools to determine if female offenders on their caseloads have co-occurring disorders. Officers also should facilitate coordinated treatment where multiple providers work together to address the offender's needs and treatment goals (Morash, 2010). Officers can facilitate this type of care by keeping in close contact with providers and remaining involved and immersed in the offender's treatment.

More often than not, female offenders must juggle family, treatment and employment obligations while on supervision. If they are the primary caretaker to their children, it may be difficult to commit to treatment programming, especially if they suffer from co-occurring disorders, because it means more time must be invested into treatment. Officers should be knowledgeable about treatment programs like Family House Now or ARC CWC described in a

previous section of this paper, which provide care for children while the mothers are participating in treatment. If no such programs exist in the community, officers should help offenders find affordable quality childcare, so she has ample opportunity to participate in treatment without it jeopardizing the care of her children. Officers who invest in such hands-on involvement with offenders are helping to eliminate obstacles women face while on supervision.

Abuse Victims

Women suffer from abuse at a much greater rate than men. According to the National Crime Victimization Survey, in 2012, men were 16% of intimate partner violence victims, while women were 84% of the victims of intimate partner violence. Childhood abuse and adult abuse tend to be a common pathway to crime amongst women. Psychological, mental and physical health problems often arise from women who have untreated abuse issues. These statistics show the importance of assessing women's needs while on supervision and the gravity of the importance of referring them to programming that deals with any co-occurring issues they may have.

Not only does childhood or recent abuse present treatment issues for officers, but it also presents officer-offender relationship issues, especially for male officers. Often abused women do not have experience with appropriate relationships, personal or professional, with men. Male officers need to recognize these cases, and promote appropriate boundaries with their female offenders. Some gender-responsive supervision agencies deal with this issue by only assigning female officers to female offenders, such as the GRC agency in the study by Morash (2010). While this policy can be comforting to many abused female offenders who may feel uncomfortable with a male officer and may feel female officers can relate to them better,

assigning female offenders to male officers can help show these women what appropriate relationships with the opposite gender should be like (Goodkind, 2010).

Again, officers need to be trained to recognize abuse and need to be trained in actions they can take to help an offender being abused to get out of the situation. They can be knowledgeable about the steps in getting restraining orders, be aware of domestic abuse shelters and their policies, have collaborative relationships with other domestic violence advocates, and help women develop safety plans should the need arise.

Education and Employment

Considering many women on supervision have limited educational, vocational or employment histories, probation officers need to be apprised of resources that are available to their offenders that afford them the opportunity to gain these skills. Increasing educational and vocational skills will help these women become more productive members of society. Officers can evaluate what types of employment, training or education women received in prison, if any, and promote advancement in these areas. However, officers need to be careful not to perpetuate stereotypical ideology by pushing women to only strive for stereotypically female positions or educational focuses.

In line with radical feminist theory, probation agencies may need to be more receptive and accepting of some women's role as primary caretaker in the family. Women who have a great deal of familial responsibilities may benefit from less focus on educational and employment requirements, and may be less inclined to fail due to not meeting those obligations. As long as basic needs of her and her family are able to be met, it may be more beneficial to her and her family to focus on promoting her role as caretaker, and her personal, physical and mental health than to force her to obtain traditional employment. At the same time, in line with post-

modern feminist theory, each individual should be assessed separately, and some women and their families may benefit much more from the offender gaining educational or vocational skills, or finding employment outside the home.

Other Suggestions

Material Aid. While it is generally out of the scope of individual probation officers' abilities, material needs are greatest for women who are just reentering society from incarceration. If probation department budgets can assist, certain aid could benefit these women. Providing clothing, children's items, household furnishings, bus passes, and numerous other material items that are of basic need to these women could help eliminate obstacles for them as they begin their transition into their community. Officers and the community corrections department can hold drives to collect some of these items, so that they can be provided to women in need. Professional clothing for offenders interviewing for jobs, children's toys and diapers, and small household appliances could be collected to loan or give to offenders who may be in need. These types of material provisions may seem menial, but could mean starting a female offender out on supervision without the hurdles of buying these things before they have established income.

Personal involvement. Many probation officers take a very uninvolved approach to supervising offenders, only focusing on minimal oversight and condition requirement set out by the court, which may limit the help they can provide to their offenders. While a very involved approach with women offenders may provide excessive control over their lives, much like intensive supervision programs, the positive change they can make a woman's life can arguably outweigh the negative effects of excessive supervision (Morash, 2010). Further, officers can limit the required level of supervision and involvement in the lives of women on their caseload

based on needs. Women with multiple gender-responsive needs, such as co-occurring disorders, reconnection issues with children and poor employment history will need much more involvement than a female offender who has no children and no substance and mental health issues. In addition, levels of supervision can change across time as women meet certain needs, which require the officer to continuously reevaluate the needs and risks of the women on their caseloads.

Special Training. Officers should have training related to women's issues, so they can effectively assess and supervise female offenders. There are specialized training programs that deal with women's issues. One such program of the Substance Abuse and Mental Health Services Administration (SAMHSA) provides trauma training to criminal justice professionals which informs them of trauma related issues, trains them in appropriate responses, and teaches them how to implement informed policies on the issue (SAMHSA, 2013). Officers should be required to participate in other training on gender-specific issues, such as abuse victimization, co-occurring disorders, relationship and familial role dynamics, employment and education issues specifically experienced by females, etc.

Limitations to gender-specific supervision

In a time of great budgetary constraints and overwhelming caseloads, the reality of the supervision situation and what can be done may be limited. Costs for needed programming may not be able to be covered by the probation department's budget, and the costs to the offender could be overwhelming and unfeasible. Caseloads for officers may be so large that such individual involvement in gender-responsive supervision may be out of the question.

Assessment tools for risks and needs specific to women offenders are lacking. Current evidence-based practice implemented assessments in probation departments are generalized to

both men and women, but based on the research results of primarily men. The absence of gender-specific assessment tools leaves probation officers no choice but to use the male-oriented assessment tools for their female offenders.

Section V. Summary and Conclusion

Women are becoming a greater percentage of the total offenders coming through the criminal justice system, despite a steady decrease in overall crime. Community supervision is an integral part of helping offenders reintegrate into society and live law-abiding, productive lives. The policies and procedures followed by probation officers in supervising men and women tend to be similar, if not identical. However, men and women generally have dramatically different backgrounds in experiences and socialization. Further, men and women generally have different pathways to their criminal behavior (Calhoun, 2010). Supervision approaches for women should be modified from those of men to take those considerations into account, which should maximize the benefit to the offender and society. Traditional supervision approaches are based on evidence-based practices; however, those practices are based on research conducted primarily on men, and may not be best practice for supervising women (Blanchett & Taylor, 2009; Hall, et al., 2013). Tailoring supervision to women offenders can help probation departments reach their goals of reducing the risk to and protecting the community and promoting affective reintegration of those women back into society.

Women often experience physical, emotional and sexual abuse at a greater rate than men (Davis, et al., 2006). They have different pathways to crime and drug use, often stemming from unresolved trauma (Calhoun, et al., 2010). Women also play a much more involved role within their family, as primary caretaker of the children. However, there are many less female prisons than male prisons, so women often serve sentences much further away from their families than men do, making it difficult for prison visits, and leaving a greater disconnect from family (Owen, 2006). Women generally have a much more minor role in drug offenses than men (McShane & Williams, 2006). However, the female increase in drug crime convictions has greatly surpassed

the increase in convictions for men since the 1980s. This shows that the crackdown on drug crimes has had a greater impact on females, despite their often diminished role in those crimes. Our society is still largely patriarchal, and women are still subjected to gender-stereotyping. Girls are often raised to be prim and proper and must act appropriately, but when boys act out, society sees it as boys just being boys. The expectation for women to be the caregiver in the family often limits their access to employment and education, making it more difficult for them on supervision where they are often expected to gain employment as a court-ordered condition.

Prisons and some community programs have started implementing gender-responsive programming and approaches to favorable ends. Some prisons have developed prison nursery programs for pregnant female offenders. These programs have promoted mother-child bonding, reduced recidivism, and included requirements such as educational programming, all which improve the post-release situation of the offender. Prisons have also included gender-responsive substance abuse programs, focusing on how women learn and thrive. The programs are based on a therapeutic community model of cognitive treatment, and often include special programming for women with co-occurring disorders (Combs, 2010). Those programs can be successful as long as they are not demeaning or promote gender-stereotyping, but rather treat women for their individual needs. Female prisons have also implemented educational and vocational training programs that provide women with useful experience and education for gainful opportunities once released. Gender-responsive community programs such as treatment facilities exist which provides care for their children while they participate in treatment. These programs eliminate a great obstacle for mothers who have treatment needs.

There are few supervision agencies which take a true approach to gender-responsive supervision. There are some that do, and have been shown to have a great impact on the

livelihood of female offenders. Morash (2010) evaluated an agency which takes gender-responsive supervision seriously. Women received more appropriate treatment, more abstinence from drugs, better coping strategies, independence from negative influences, and overall more positive changes in their lives.

By applying radical, socialist and post-modern feminist theory, probation officers can implement gender-responsive approaches to supervision which have a greater impact on women and their progress on supervision. They can promote and help women reestablish ties with their families, which includes knowledge of legal systems and processes for regaining custody of their children. They can refer women to gender-responsive treatment programs such as integrated services for co-occurring disorders and family friendly treatment facilities. They should be sensitive to abuse issues that may include reservations offenders may have with different gendered officers, recognition of current abuse, and education on how to help keep women safe from abuse. Officers can also promote educational and employment opportunities, while also being aware of the potential for perpetuating gender-stereotypes. For women who are primary caretakers in their families, officers should be sensitive to that role and treat it as much a respectable role as outside employment, as long as she is financially stable enough to remain in that role. A few other things officers can do include providing material aid, if the agency has the means to do so; participating in gender-related training on pertinent issues related to female offenders; and taking a more proactive, involved role in the lives of their female offenders.

Budgetary constraints, over-extended officers with large caseloads, and lack of gender-specific assessment tools are all limitations to gender-specific supervision. These types of constraints are not easily overcome. The decision-makers about probation agencies funding and budgets would have to reallocate monetary provisions and increase staff to deal with some of

these issues. It is suggested that gender-specific assessment tools be developed and extensive testing of these tools be performed on them, using female offenders in the research, to eventually have evidence-based practices for female offenders.

Further, some believe that gender-specific supervision can lead to excessive control over female offenders causing increased punishment, and the reinforcement of gender-stereotyping (Morash, 2010). However, the benefits each individual offender can receive from gender-responsive supervision come in the form of increased preparedness for success when off of supervision, independence and self-sufficiency, improved relations with family and other important relationships in their lives, appropriate treatment opportunities, better jobs and education, appropriate coping strategies, and more effective reintegration back into society. Female offenders can have greater opportunities and live better lives, free of crime, when supervision policies are geared toward their needs and issues.

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