

The Mass Incarceration of African American Women

by

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How and Why Women of Color Are Incarcerated

Chapters

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2. Policies that have played a role in African American women's mass incarceration.
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Chapter 1

Talk with You Like a Woman: African American Women, Justice, and Reform in New York

by Cheryl Hicks

Angela Y. Davis and Cassandra Shaylor's Race, Gender and Prison Industrial Complex

Say Her Name: The Black Woman and Incarceration by Stephanie Hong:

In the United States of America, racism has always existed in the lives of both men and women of color. Their book *Race, Gender, and the Prison Industrial Complex* (Davis and Shaylor 2007) explain how widespread and pervasive racism has become since the 1980s. (Hicks 2010) bridges the gap between social stances and how they relate to women of color oppressed by the prison system, with incarceration as our primary focus. Hicks uses a lot of data to give the reader a strong sense of understanding of the severity of the topic and a relatable approach to back up her claims (Hicks 2010); she also speaks extensively about the inequity that women of color, Native Americans, Asians, and others face. Even though each text provides engrossing data that helps the reader fully comprehend the topic, Beth's text stands out as the most important because her use of statistics and data, combined with a variety of topics that all help shed light on the topic, makes it very compelling for anyone reading to approach the topic with an objective standpoint due to the detailed information she provides.

Women of color have faced racial discrimination for centuries. The same justice system that is supposed to protect them has sentenced several black American women, children, and men to life in prison and, in some cases, death. The Black American community, particularly young females of color, has a long history of economic hardship. Women who have been subjected to abuse and

trauma, among other things, are particularly vulnerable to attacks by netizens (whites) because they understand they will not receive justice (Hong, 2017). On the other hand, the law has completely failed to protect these young women. The justice system in the United States has failed miserably in protecting women, particularly African American women. The legal system dates back to pre-colonial times when it was intended to protect property owners and their legal interests in their land. The title "property owner" was not intended for everyone, unfortunately. During the colonial period, the property owner was a white man, which meant that the property was a black woman. This pre-colonial view of black women as a source of wealth and a tool for physical molestation dates back to the pre-colonial period. The legal injustices that Black American women face daily are the subject of this term paper. It also focuses on women who have been sexually abused and convicted without protecting the law from the perpetrators who put them in such a dangerous situation. The name Combahee river collection was coined after a Union Army expedition that Harriet Tubman assisted in organizing and leading, led by feminist activist and writer Barbara Smith, who founded the Combahee River Collective. Tubman was a passenger on the expedition. Women's social problems, such as sexual and racial discrimination and homophobia, are connected to provide a critical point of view for advancement. How then did the Combahee River collection come into play? To begin our discussion of present Black feminism, we must recognize our roots in the battle for the independence and survival of Afro-American women throughout the Civil Rights Movement. As a consequence of our many racial and sexual identities, we have always had a tense relationship with the white man system.

African-American women have always maintained an anti-white masculine posture to defend themselves and their communities against white male supremacy. They spoke up about their sexual and racial identities' influence on their lives and political campaigns (Marshall, B. D.

et al., 2021). When our mothers and sisters battled for their rights, they made personal sacrifices and participated in militancy. This history has resulted in black feminism. The emergence of a Black feminist movement in the United States started in the late 1960s, during the recurrent American women's wave. External influences, such as racism and elitism within the feminist movement, have made it difficult for us to distinguish whether we are participating in the movement or not. A group of New York City-based African-American feminists felt compelled to start their non-profit organization in 1973. In the end, the National Black Feminist Organization was formed due to this endeavor.

For the foundation of this movement, the perception that women of color are essentially valued and that their freedom is fundamentally important sprang from our yearning for autonomy as human beings and not a luxury. Despite the obviousness of our tyranny, no supposedly progressive movement has made a concentrated attempt to abolish it. Throughout the Western Hemisphere, African-American women have been referred to as "mammy," "Sapphire (a negative name for a woman), "bulldogger," "whore" and other offensive terms. Looking back over the years, we may see how unappreciated our lives have been. In our opinion, we are the only ones who care enough about independence to take a stand and do something about it. Since our politics are founded on a healthy love of self, one's sisters, and the community, we can strive and work. This is due to our political philosophy. It's called "identity politics" when we concentrate on our victimhood because of the actions of others. No one deserves freedom more than Black women, based on all preceding political efforts. I find this concept revolting, terrifying, horrifying, and revolutionary. The monarchy and being ten years behind the times, two things we loathe, are placed on a pedestal. Just realizing that you are a fellow human being is enough atonement for your conduct in this situation.

To us, sexual politics among Black women are on par with economic and racial politics when it comes to influencing. It may be difficult to tell the difference between oppression based on race, class, and gender when faced with all three types of oppression at the same time. The history of white men raping black women as a tactic of political repression shows clearly that racial and sexual oppression exists in the United States.

Chapter 2

Talk with You Like a Woman: African American Women, Justice, and Reform in New York
by Cheryl Hicks

Policing, Race, Gender, and Sex: A review of Law Enforcement Policies ***by Andrea J. Ritchie***
and Delores Jones-Brown:

Pseudofamilies, Misconduct and the utility of the General Strain Theory in a Women's Prison
by Wulf-Ludden

As a result of addiction, intimate partners, and/or family members, many women end up in the criminal justice system (Hicks, 2010). Coupled with abuse and financial difficulties, they are most likely influenced to commit illegal acts. It also affects their work and educational routines. It also shows how the tough-on-crime, tough-on-drugs war disproportionately affects African American women. "mass incarceration" refers to the historically high numbers of people imprisoned in prisons and jails. In the United States, incarceration has been one of the primary

methods of punishment for the last four (almost five) decades. Mass incarceration is associated with a slew of problems. The majority of the problems are related to drugs and race. The majority of African Americans in prison are there for non-violent drug offenses. This statistic is contradictory because whites are more likely than blacks to use/deal drugs. In 2016, "54 percent of whites age 12 and older had ever used an illicit drug in their lifetime, compared to 46 percent of blacks," according to the article "Kansas lawmaker says African Americans are more susceptible to drug abuse due to "character makeup" and "genetics." a (Ritchie & Jones-Brown, 2017)

Black women's femininity is characterized by protection rather than empowerment because of the legal system. Slave-born Africans and Englishmen's offspring were required by law to be "kept chained or free, according to their mother's rank," according to a 1662 Decree. Enslaved women who had been sexually abused were paid to push their children to work for the planters, which led to an increase in rapes and forced procreation. Victims of rape in colonial societies had little legal recourse, making them even more vulnerable. According to Steve Wilf, the rape of African-Americans was not a criminal under early American law. According to mainstream views, black women's libidinous sexual activity was exaggerated to minimize their pain. Racism was redefined in the United States post-independence via the use of African American women's bodies by white men. KKK members encouraged rapes of black women and regularly mistreated black domestic employees. When black women were seduced by their hunger, they were seen as consenting, if not compelled. These obstacles did not deter the severe punishment of black women who dared to stand up for themselves, damaging their fellow students' image of femininity (Hess A. et al., 2018). Researchers in criminal anthropology evaluated black women's criminal conduct in light of Western ideas of femininity, morality, and

virtue, which they used as a benchmark. According to Cesare Lombroso and Guglielmo Ferrero, black women's bodies have an "exceptionally strong relationship with the male." Misconceptions about black women's roles in the criminal justice system have damaged many.

The War on Drugs in the United States played a key role in introducing mass incarceration, which began in the 1970s. President Nixon's adversaries were "drugs" and people of color. Nixon realized that eradicating people of color would be impossible, so he launched the War on Drugs. His goal was to link African Americans to drugs like crack cocaine, causing the media to portray black people as "bad" and "criminals." He also wanted America to believe that he was in control of the drug problem. Nixon increased drug control in the United States significantly. He also increased the length of prison sentences and harshened the penalties for drug offenses (including non-violent ones). At the time, Nixon did nothing to discourage the use of regular cocaine. Crack is a drug that looks a lot like cocaine. They are available in various forms, with crack containing baking soda, water, and cocaine, and cocaine containing only cocaine. Cocaine has earned the moniker "the rich man's drug." According to some, it was a popular drug among politicians and wealthy white men. Crack is also considerably cheaper than cocaine. Crack was easier to obtain in African American communities because it was less expensive. The media used this as another opportunity to portray the black community as unacceptably oppressed. Substance abuse is linked to female offenders' mental health issues because it is their only coping mechanism for maintaining their stability. Female prisoners' psychological harm resulting from common prison physical and sexual abuse exemplifies the criminal justice system's mistreatment of women. The United States of America's hypocrisy regarding sex trafficking is palpable. While the government looks on, the sex industry thrives in America's most powerful states. The callousness of their bosses hurts sex trafficking victims.

Some are infected with dreadful diseases like HIV/AIDS, gonorrhea, and syphilis, as well as sexually transmitted infections like gonorrhea. Some sex enterprises are legal or are registered as legal businesses with white men as the owners (Ritchie & Jones-Brown, 2017). Some businesses, such as salons, nail salons, and restaurants, appear to be legitimate, but what is going on behind the scenes is the molestation of women of color, which should be illegal. Over time, many sex establishments change their names and locations. Protective beliefs benefited white women due to the marginalization of black women in the late nineteenth and early twentieth century. Most African women were impoverished because they could not work outside the home or in the fields. White employers placed black women in danger by accusing them of sexual harassment and theft, whether or not the claims were true. Even while officers often incarcerate black women for sex and domestic violence, white judges and jurors accepted white employers and other white authority figures more than black women's testimony, according to the findings. Despite the lack of blatant racism at the time, racist cartoons showing African American women as diabolical criminals were extensively published in the 1950s, leading to the development of the general belief that African American women are guilty.

According to Beth Richie's book on black women and jail, murder was the second biggest cause of death for black women and girls aged 15 to 25. In light of the alarming statistics on violent deaths among black men, it should be no surprise that the situation is no different among black women (Marshall, B. D. et al., 2021). When it comes to racial and gender issues, it's the elephant. As a result, many African-Americans are reluctant to speak out against gendered violence out of fear of propagating racism. "Sweet Rough Man" and "Black Eye Blues" by Gertrude "Ma" Rainey and her band sparked a "public discourse about male violence" in the 1920s and 1930s. Regarding male aggressiveness, early judicial systems, and the disparity in

prison sentences for black women today. There are few studies on intra-racial gender violence in race and mass incarceration studies because of the drug war and felony disenfranchisement. Only a quarter of all state prisoner charges are for drug offenses, compared to 50% for violent offenses. It's time to move the deck chairs. To avoid mass imprisonment in the United States, one must first understand the historical role of racism, patriarchy, and sexism in the criminalization of African Americans. ' This does not diminish the importance of socioeconomic and racial determinants in crime but rather underscores their interconnectedness. Racism, sexism, and violence against black women are all intertwined in the criminal behavior of black women. Future criminal justice research and historical issues that have kept black women out of the legal system may be improved by acknowledging this reality.

Chapter 3

African American Women, Mass Incarceration, and the Politics of Protection by Kali

Nicole Gross

Angela Y. Davis and Cassandra Shaylor's Race, Gender and Prison Industrial Complex

Challenges incarcerated Women face as they return to their communities

The Truth About Women of Color Behind Bars by Eleanor Brock

Familial incarceration, social role combinations, and mental health among African

American women. Journal of Marriage and Family, 83(1), 86-101 by Patterson, E. J.,

Talbert, R. D., & Brown, T. N:

I am not your felon: Decoding the trauma, resilience, and recovering mothering of formerly incarcerated Black women. Crime & Delinquency, 67(8), 1103-1136.

<https://doi.org/10.1177/0011128720974316> by: Williams, J. M., Spencer, Z., & Wilson, S. K. (2021)

County-level jail incarceration and preterm birth among non-Hispanic Black and white US women, 1999–2015. . Social Science & Medicine, 250, 112856 by Jahn, J. L., Chen, J. T., Agénor, M., & Krieger, N. (2020)

Women do not receive as harsh or vigorous treatment as men because they have it easier, according to Gross (2015), a common misconception that has become deeply ingrained in society. On the other hand, female offenders face a higher level of immorality and exploitation while behind bars. The vast majority of practices found in the American prison system throughout history, and even now, are based on gender disparities that highlight a bias toward male offenders. "Major policy changes that have resulted in a largely gender-neutral approach to criminal punishment have been linked to the rising rate of female incarceration. "On the other hand, this 'gender-neutral' approach does not treat men and women equally but rather treats women as if they are men" (Davis & Shaylor, 2001). Despite this, no immediate steps are being taken to end androcentric practices and ensure that women have equal access to opportunities. Because their numbers are growing faster, women are left to deal with motherhood behind bars, and more women report suffering from mental, physical, and sexual abuse while incarcerated; female inmates face far more neglect than male inmates. First and foremost, the fact that the number of women incarcerated is rising at an alarming rate shows that female inmates face far more neglect than male inmates. It has been reported that efforts to reduce overall incarceration

levels are more effective for men than women. Women's incarceration rates have surpassed male incarceration rates for the first time. "The entire US penal population has grown at an unprecedented rate over the last 40 years, with female incarceration growing at twice the rate of men" (Richie, 2018). The standards incorporated into criminal punishment allow for inequitable and excessive outcomes for female offenders. Women are sentenced to long prison terms for minor offenses, and female minorities are disproportionately affected. The growing number of female prisoners is led by black women and other women of color. African American women have a higher likelihood of being victims of sexual assault and violence because of greater rates of incarceration, as well as institutional and social impediments to protection. At least 57 % of female state prisoners had been sexually attacked before their arrest in 1999; 46.5% had been physically mistreated; and 39% had been sexually abused (Liu, S. 2020). In 2011, 22.3% of women who were either "incarcerated or otherwise under the authority of the court system" reported experiencing domestic or sexual abuse, which is in line with the overall prevalence of 22.3% among women in the United States.

Women of color are disproportionately represented in prison due to their participation in and vulnerability to the criminal justice system, and gender violence is likely a contributing factor to the disparity in the number of black women in prison as a result of their engagement with and vulnerability to it. It was discovered that a romantic partner had abused all-black female prisoners. According to the investigation results, they were more than twice as likely as white women to have been murdered by a spouse or lover (Kim, M. E. 2018). Because of their history, black women may benefit from looking at mass incarceration through the lens of their history. During prison life, one or more correctional employees or fellow inmates may engage in coercive or intimidating behavior (such as threats, pressure, and other actions). Prison

violence, particularly against African American women, has been reported by criminologists to be widespread and concerning. While conducting research, social science researchers have claimed to have come across severe cases of prison violence. According to them, oppression, racism, injustice, strained relationships between prison authorities' women and criminals, and a lack of communication between prisoners and correctional authorities are social scientists' main concerns. Prison violence includes forced rape, murder, stabbing, pushing and shoving, and maiming. As a result, this paper should provide a thorough examination of violence against African American women in prisons and potential solutions. While there is no consensus on the reasons for the rise in female incarceration, it is undeniable that these women face severe abuse, physical and psychological violence, and sexual harassment (Williams et al., 2021). Even though it is a serious problem, these abuses may go unreported for a variety of reasons, including the following two important facts: prison life is shrouded in secrecy, and those who attempt to report their horror stories to the media face harsher disciplinary actions and parole denial (Bowleg, 2020). As a result, most African American women submit to these heinous prison abuses to survive. Those who refuse to comply with these practices face harsher retaliation than those who do. Inequitable power distribution, imposed isolation, a culture of degradation, and other social conditions engendered by the prison environment all contribute to the emergence of violent situations. While incarcerated, the violence directed at African American women, and women in general, is systematic and occurs on several structural levels, ranging from indirect assault by legislators to direct abuse by authorities (Jahn et al. 2020). Punitive institutions, in particular, wield significant inequitable power over inmates due to (1) a lack of concern for their progress and (2) their legislative authority. Sexual abuse, retaliation, prison labor abuse, and police brutality are just a few examples of prison violence against African American women. However,

some may argue that male inmates face the same ordeal as female inmates and are subject to the same level of prison system neglect. They believe that men are not treated any better than women in female prisons and are subjected to the same hardships. They are, however, incorrect because the level of equality between male and female offenders is significantly different. Many people are unaware that, while men are subjected to injustice and hardship in prison, it is not as common or as severe as it is for women. Women are overlooked in the justice system due to gender disparities, and the system is solely focused on the structure of male imprisonment.

"While incarcerated men are more likely to come from low-income families, incarcerated women have it worse." (Jahn et al. 2020 opine that incarcerated women have poor outcomes. According to the literature..." the criminal justice system has created an environment in which female offenders are subjected to harsher punishments at a higher rate than male offenders. Inequitable outcomes for female offenders have resulted from a lack of representation for women in prison. Because women have fewer resources to defend themselves, they are more likely to receive more counts for a charge than men. Contrary to popular belief, male incarceration does not have the same imbalance as female incarceration.

As a result, racial conceptions of protection have molded the desire of black women to engage in extralegal violence for their safety. Black women are less likely to have small knives and other weapons in their homes or workplaces for self-defense against typical threats, such as assaults and infractions at home and work. According to current research, afro women are more likely to be abused than white women, with the figures standing in at about 35% for the latter and 2.5 % more likely to be abused than other women from different races. There has been no improvement in this percentage. These realities are seldom brought to the forefront of discussions on racial or gender fairness within the legal system because they are so obvious.

Similar mechanisms seem to be ongoing in the case of Alexander's disputes. Her desperate and dreadful deeds should not go unnoticed and should not be ignored. There's little doubt that Richie was right to be worried. Only once before has a lady Alexander's age and circumstances been the target of an unorthodox way of death. Society tends to focus solely on the mass incarceration of men when discussing the corruption in the American justice system. People demand prison reform for male inmates while completely ignoring the prevailing injustice against women who are incarcerated. It's crucial to look at groups more likely to commit violent crimes when studying mass incarceration. This does not necessarily imply pointing fingers but determining where help is most needed to solve problems. When it comes to violent crime, the best option is to prevent it. We must also acknowledge the role of poverty in violent crimes as a country; it would be a mistake to believe that holding hands would break down the barriers that impoverished people face. People can become involved in violent crimes in various ways, as we can see when we look at the problem from different angles. As a result, if communities put safeguards to prevent it, incarceration would most likely decrease. Depression is common among black women. It's especially concerning because it's common among female criminal justice system inmates. Being a poor woman who has been convicted of a felony has a negative social impact. Depression rates have consistently been higher in women of lower socioeconomic status, both African American and white (Brock, 2018). It may have a physical effect on them as well. The majority of African American women in prison are sexually exploited and abused. Similarities can be drawn to their inhumane treatment while enslaved (Brock, 2018). The only difference is that the assailants are blackguards as well. I want you to understand the extent to which these women are abused. Any coercive or intimidating behavior (e.g., pressure, threats, and/or other forms of communication) perpetrated by one or more correctional officers or

inmates are referred to as prison abuse (Dyer et al., 2019). In Michigan, male correctional officers work in all women's prisons. For example, roughly 80% of the staff at Crane prison is male. Some officers' desks are even next to the bathrooms, and the bathroom doors must be kept open, which I believe is inappropriate because bathrooms require privacy. Body-shake downs, which allow officials to freely run their hands over the women's bodies, are also permitted by male employees. Her breasts, genitalia, legs, and thighs are all part of the package (Ocen, 2012).

Women report far more cases of mental, physical, and sexual abuse established in the prison system than men. No one is addressing the psychological issues acquired by the female population due to trauma before and after prison because the justice system disproportionately caters to male needs. As children, many female inmates were traumatized by physical or sexual abuse. "...estimates of the percentage of women in prison who have experienced violence, such as rape, sexual assault, child abuse, and domestic violence before incarceration range from 40 to 85 percent," according to reports (Patterson et al. 2021). Unfortunately, these patterns of abuse continue to exist in prison.

Chapter 4

African American Women, Mass Incarceration and the Politics of Protection by Kali Nicole Gross

The Black Family and Mass Incarceration by Bruce Western and Christopher Wilderman

It's worth noting that African American women are more likely to experience domestic violence than women of other races or ethnicities. Indeed, 40% of black women report having been physically abused by their partners at some point in their lives. This percentage is higher than the overall female rate of 31.5 percent. According to the National Black Women's Health Project, domestic violence is the number one health issue for African American women. They are twice as likely as white women to die due to it. Furthermore, according to the National Center for Victims of Crime, 53.8 percent of victims of intimate psychological aggression were black, while only 47.2 percent were white; according to the same reports, black people accounted for 41.2 percent of physical abuse victims, while whites accounted for only 30.5 percent. Even though black/African Americans make up only 17.7% of the population of New York State, 39.7% of all intimate partner homicides reported in 2016 were black, 34.6 percent white, and 23.1 percent Hispanic, according to the Division of Criminal Justice Services (Gross, 2015) In 2016, African-Americans were responsible for 43% of all violent crimes, while Caucasians were responsible for more than 45%. In America, mass incarceration is a major problem that receives little attention. The current American approach to mass incarceration is racist and must be abandoned. In the United States of America, a black woman's chances of being imprisoned are higher than a white woman's. Nearly one-quarter of children of African descent have seen a parent, most often the father, imprisoned for an extended period by fourteen. As a result, more than 10% of Black schoolchildren have a parent in prison or jail, compared to 4% of White schoolchildren (Western & Wildeman, 2009). An African American child is six times more likely to have a parent incarcerated due to the mass incarceration of Black women.

Mass incarceration in the United States is a growing problem that raises several social concerns. The United States has the world's largest prison population, with over two million

people incarcerated as of 2002. According to Gross (2009), one out of every 142 citizens was housed in American jails by June 30, 2002. (223). According to the report, women were imprisoned at a rate of 113 per 100,000, while men were imprisoned at a rate of 1,309 per 100,000. However, Black men are disproportionately affected by mass incarceration. African Americans are imprisoned at higher rates across the board, with Black men aged 25 to 39 having the highest incarceration rate by sex, gender, race, and age. In terms of incarceration, Black men are more likely than White men to have been arrested at some point, with 31% of Black gay men having served time in prison. With more black men incarcerated in the United States than in India, Canada, Argentina, Lebanon, Germany, Japan, England, Finland, and Israel combined, it is clear that those most affected are those from the black community.

The dehumanization of pregnant women in prison is exemplified by the lack of care and precision with which prison systems handle female pregnancy and birth. People are imprisoned in the United States. As a result of a lack of necessary precautions and health-care services, maternal-fetal deaths are rising in American prisons (Davis & Shaylor, 2001). Pregnant women in prison face a high risk of complications and death, but there has been no commitment to ensure that all pregnant women in prison are protected and safe (Cross, 2020). The lack of understanding and empathy for maternal figures in the prison system and the harm they did to the inmates' lives and their children exemplifies the abandonment that women face while incarcerated.

Chapter 5

The Joint Effects of Gender and Race/Ethnicity on Sentencing Outcomes in Federal

Locking up black dissidents and punishing the poor: The roots of mass incarceration in the US. Socialism and Democracy, 28(3), 1-14 by Abu-Jamal, M., & Fernández, J. (2014):

African American Women, Mass Incarceration and the Politics of Protection by Kali Nicole Gross:

Angela Y. Davis and Cassandra Shaylor's Race, Gender and Prison Industrial Complex

I am not your felon: Decoding the trauma, resilience, and recovering mothering of formerly incarcerated Black women. Crime & Delinquency, 67(8), 1103-1136.

<https://doi.org/10.1177/0011128720974316> by: Williams, J. M., Spencer, Z., & Wilson, S. K. (2021):

A system designed to apprehend, prevent, and punish people who have been accused and/or convicted of breaking the law is known as the criminal justice system (Doerner, 2015). One of the main topics regarding the fairness of this system is whether there is discrimination between races when prosecuted, specifically between African Americans and white Americans. Several studies and reports disagree on this question, but the vast majority of them appear to agree that the system is broken. It's difficult to avoid the inevitable truth in cases like Trayvon Martin, George Floyd, and Eric Garner when presented with hard cold facts. Even if we go back to the beginning of the War on Drugs or when America first created the system, it was never intended to ensure that all men are created equal. This research will look into how deeply racism is ingrained in the criminal justice system. In the United States, incarceration has become a tool

for preventing African Americans from achieving the same economic status as white people. Slave chains and shackles have been modernized and are now approved for use in prisons. Killings and harsh prosecutions of African Americans are justified under the law. These sentences are frequently nonviolent offenses, and these injustices put black men and women in prison and subject them to unfair penalties that are not imposed on white people (Doerner, 2015). Even though numerous studies have shown that African Americans are no more likely than Whites to use or trade in drugs, many African Americans have been arrested for drug offenses (Abu-Jamal & Fernández, 2009). This is almost certainly due to racial profiling, as confinement has come to be associated with Black masculine subjectivity. To prevent the United States of America's judiciary from being unjust to the black community, all crimes should be punished equally in the justice system regardless of race.

Black women are six times more likely to be imprisoned than white women. Some may claim that African-Americans have a higher crime rate than whites, but this is untrue. According to numerous studies, women of color, particularly black women, are over-arrested, over-indicted, and over-sentenced. African-American women are seven times more likely to be arrested for prostitution than women from other ethnic groups. For property crimes, black women have received longer sentences significantly and spent significantly more time in prison. For both murder and drug offenses, European women served one-third less time in prison than black women. Society tends to focus solely on the mass incarceration of men when discussing the corruption in the American justice system. People demand prison reform for male inmates while completely ignoring the prevailing injustice against women who are incarcerated. Women are being separated from their children at alarming rates, and a significant proportion of imprisoned

women are victims of mental, physical, and sexual abuse. Rather than seeking reform for the unethical practices that plague female incarceration, people choose to dismiss female incarceration issues to make it appear as if men in prison are the only ones in need of help. The constant disregard for female inmates' mistreatment and exploitation exemplifies the gender inequality in American prison systems. Men should not be the focus of attention when discussing the mass incarceration crisis. Female offenders face the same hardships as male offenders, and they should be treated equally in the criminal justice system. Reforming the prison system for women should be a top priority, not a last resort.

They discovered that states with a higher proportion of black than white residents in urban areas had higher black incarceration rates and lower white incarceration rates "(Williams et al., 2021). The fact that a specific group of women is disproportionately affected by the rise in female incarceration demonstrates the criminal justice system's blatant racism and systematic oppression. Women of color suffer the most due to their exclusion from policies and laws intended to protect offenders from harsh and unreasonable punishments. "...black women made up about 47.5 percent of female inmates, while black men made up only 29 percent of men in prison" (Gross, 2015). Women of color, rather than men, account for most of the increase in female inmates. Female incarceration plays a significant role in American prisons' current mass incarceration crisis. The over-incarceration of women exposes sexism and racial injustice in the criminal justice system.

Furthermore, because they must deal with the challenges of motherhood while imprisoned in a toxic environment that is far from family-friendly, imprisoned women face far more neglect than males. As a result of the rise in female incarceration, women are much more likely to be separated from their families. It has been reported that "64 percent of imprisoned

mothers had lived with their children before going to prison, compared to 47 percent of imprisoned fathers." Sixty-four percent of imprisoned mothers had lived with their children before going to prison, compared to 56 percent of those in federal facilities" (Kilgore, 156). Women are being forced to parent in deplorable conditions after being separated from their children in large numbers. Because they cannot properly handle the major parenting responsibilities that come with being a mother, female inmates face the enormous stress of not being present for their child (ren). "More than 60% of female prisoners were mothers of minor children, according to the Bureau of Justice Statistics (BJS), and approximately 150,000 American children currently have mothers in prison," according to the BJS (Proctor, 2001). Due to the justice system, mothers in prison cannot care for their children or other family members. While incarcerated, pregnant inmates are frequently subjected to the most inhumane treatment and practices.

Depression is common among black women. It's especially concerning because it's common among female criminal justice system inmates. Being a poor woman who has been convicted of a felony has a negative social impact. Depression rates have consistently been higher in women of lower socioeconomic status, both African American and white (Brock, 2018). It may have a physical effect on them as well. The majority of African American women in prison are sexually exploited and abused. Similarities can be drawn to their inhumane treatment while enslaved (Brock, 2018). The only difference is that the assailants are blackguards as well. I want you to understand the extent to which these women are abused. Any coercive or intimidating behavior (e.g., pressure, threats, and/or other forms of communication) perpetrated by one or more correctional officers or inmates are referred to as prison abuse (Dyer et al., 2019). In Michigan, male correctional officers work in all women's prisons. For example,

roughly 80% of the staff at Crane prison is male. Some officers' desks are even next to the bathrooms, and the bathroom doors must be kept open, which I believe is inappropriate because bathrooms require privacy. Body-shake downs, which allow officials to freely run their hands over the women's bodies, are also permitted by male employees. Her breasts, genitalia, legs, and thighs are all part of the package (Ocen, 2012).

Women report far more cases of mental, physical, and sexual abuse established in the prison system than men. No one is addressing the psychological issues acquired by the female population due to trauma before and after prison because the justice system disproportionately caters to male needs. As children, many female inmates were traumatized by physical or sexual abuse. "...estimates of the percentage of women in prison who have experienced violence, such as rape, sexual assault, child abuse, and domestic violence before incarceration range from 40 to 85 percent," according to reports (Patterson et al. 2021). Unfortunately, these patterns of abuse continue to exist in prison. Female inmates are sexually harassed far too frequently by their fellow inmates and correctional staff. "Recent national surveys in the United States estimate that 4% to 10% of prisoners experience sexual victimization while incarcerated...State-specific studies estimate that a higher percentage of prisoners (20%–25%) are victimized, with female prisoners reporting rates up to four times higher than their male counterparts" (Bowleg, 2020). According to multiple studies, correctional staff members are responsible for more than half of these incidents, but no justice or punishment is served for such immoral behavior. The negative effects of abuse on women's mental health following these traumas are why substance abuse is so common in female prisons. "Female prisoners have disproportionately worse mental health and substance abuse problems than male prisoners, both on remand and in prison" (Blankenship et al. 2018).

Chapter 6

Aviram, H. (2019). Are Private Prisons to Blame for Mass Incarceration and Its Evils: Prison Conditions, Neoliberalism, and Public Choice. Fordham Urb. LJ, 42, 411.

Gottschalk, M. (2016). The prison and the gallows: The politics of mass incarceration in America. Cambridge University Press.

With the United States being among the countries with the highest numbers of incarcerated offenders, the increasing rates have turned into a lucrative economic opportunity for companies. According to Aviram (2019), the capitalistic economic structure has been a crucial element in propelling individual stakes for wealthy businesspersons and large-scale organizations interested in making more profits from the mass incarcerations witnessed in the country. This statement derives its rationale from the ideology that the above structure advocates for more wealth for those owning the means of production and have accumulated massive wealth for investing in such opportunities. The primary and most pertinent means through which businesses profit from mass incarceration is utilizing labor from the prisoners in manufacturing and food production industries. Gottschalk (2016) found that prisoners provide cheaper labor than ordinarily skilled employees. Either way, the prisoners are used in providing casual labor like packaging, cleaning, and watering the environment. As such, this utility mechanism reduces production costs for the companies because they acquire labor way cheaper than they could have from specialized job-seeking persons. This statement derives its rationale from the logic that companies generate more profits from their products with reduced production costs.

Additionally, the industries can avail affordable products, evading the risks of being priced out by rivals' products.

Besides the cheap labor the companies get from the prisoners, they are also exempted from paying the full tax credit to the government. Under the Work Opportunity Tax Credit, such companies get a tax relief of \$2400 for work-release inmates. The rationale behind this relief follows the provisions in the above statute, privileging such companies for hiring a certain group. In this context, the law treats the inmates hired by companies as a risky group. In addition to the benefits of this strategy, companies have advocated for more inmates to work for businesses to obtain skills that will be useful for them when they regain their freedom from prison (Aviram, 2019). Though this assertion has been the supporting back for hiring inmates, the working conditions and terms associated with the process are a concern. For instance, neither do the inmates who work for the companies have paid leave nor enjoy safety regulations like other ordinary employees. The poor working conditions and derogation of a typical employment contract make it easier for the business entities to control the inmates regarding their performance at work. For instance, incarcerated persons barely have the freedom to express themselves on any complaints against the harsh working conditions.

Another opportunity for businesses to profit from mass incarceration is the increasing demand for services and commodities for the higher number of prisoners. According to Gottschalk (2016), most opportunities emanating from the United States legal framework protect prisoners' rights and welfare while in the criminal justice systems' custody. For instance, prisoners are entitled to be put in inhabitable conditions, thus limiting their freedom without harshly punishing them, contrary to the Eighth Amendment of the United States Constitution. This amendment provides for the anti-cruel clause, prohibiting the federal government from

subjecting its citizens to unusual, cruel, and unduly harsh punishment. From the entitlements, businesses like the food supply companies have spotted opportunities from which they can generate more profits. Beyond utilizing prisoners' labor in packaging and cleaning cans for repackaging their products, the companies secure tenders to supply prisons with food (Aviram, 2019). The industry generates millions of dollars from the services, with reports estimating the average expenditure of food per inmate to be a daily cost of \$3.18. Some food supply companies have contracted various prisons in several states, increasing what serves as their market coverage. Additionally, there have been several complaints and riots by prisoners against poor quality foods, with some confessing to having been fed stale food while in prison. This statement represents prisons as the “dumping sites” for poor quality foods from large-scale food supply companies.

Another industry whose companies' booming growth has often been associated with mass incarcerations in the telecommunications and telemarketing call centers. Whereas many corporations have been accused of moving to less developed countries to get away with slave wages, American corporations dealing in telemarketing and call centers have found a way of obtaining cheap labor by utilizing the inmates. Reports from the USA Today indicate that since 2004, more than 2000 inmates have been working in call centers, with 80 of them being from Snake River Prison. Despite working as full-time employees, the companies paid the prisoners between \$120 to \$185 monthly. Marketing companies securing low-paying clients in need of product promotion, selling products, and customer-handling resort to working with prisoners because their wages are much lower than those of the typical employee specializing in virtual assistance. Aviram (2019) asserts that such business strategies contravene the widespread norm for corporations describing themselves as business entities believing in free-market competition.

The rationale behind this assertion follows the ideology that most will adopt extra and unethical miles to rig the competition or entirely avoid the competition, securing a monopoly through market dominance.

Finally, it is noteworthy that the healthcare and clothing companies have also staked their share in the mass incarceration rates in the country. Whereas decent healthcare services are hard to come by inside American prisons, private healthcare companies have secured exclusive contracts with various federal and state prisons to provide healthcare services to the inmates and prison workers (Gottschalk, 2016). This practice disregards the fact that most prisons are public facilities, and thus, the government should utilize its healthcare institutions in providing similar services to the prisons. For instance, Corizon, an organization specializing in prison healthcare, is estimated to be making an annual \$1.4 billion profit despite the widespread complaints about dire health situations inside the prison facilities. This statement derives its rationale from the increasing death rates among prisons suffering from various ailments, some associated with the poor hygiene in the prisons and inhumane working conditions the other business entities hiring prisoners for cheap labor subject the inmates. Clothing manufacturers also have a huge stake in making profits from the mass incarcerations in the United States. Aviram (2019) highlights that there are a lot of skills incorporated within the vocational training programs in the prisons, including tailoring and clothing cutting skills. Therefore, clothing manufacturing industries source cheap labor from the prisons.

In addition to the labor-sourcing benefits and supplying goods and healthcare services to the prisons, private investors have spotted an opportunity to establish private institutions to cater to the growing numbers of inmates (Gottschalk, 2016). Private corporations construct detainment facilities to accommodate the increasing number of inmates. The rationale behind the feasibility

of such businesses emanates from the habitable prison conditions entitled as rights to prisoners through the United States legal framework. Therefore, the criminal justice system, through its correction units, will violate the laws if they overcrowd the prisoners. From this loophole and booming venture with the increasing rates of mass incarcerations, investors with private prisons enter into a contract with the government, detailing payments for their services. Various factors are considered when bargaining for the payment scheme with the government. These factors include but are not limited to the prison's size and monthly set amount. However, in most cases, the government opts to pay annually based on a prison's capacity; the number of prisoners it can hold (Gottschalk, 2016).

Chapter 7

Kim, M. E. (2018). From carceral feminism to transformative justice: Women-of-color feminism and alternatives to incarceration. Journal of Ethnic & Cultural Diversity in Social Work, 27(3), 219-233. <https://doi.org/10.1080/15313204.2018.1474827>

Roberts, D. E. (2019). Abolition constitutionalism. Harv. L. Rev., 133, 1.

https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=3357&context=faculty_scholarship

From the preceding chapters, it is indisputable that there is a need for the government and other relevant stakeholders to initiate changes in fighting against the mass incarceration of black women. This statement derives its rationale from the ideology that the practice is discriminatory and defies constitutional and statutory provisions within the American legal framework. Additionally, the intervention engages government departments, especially the criminal justice system, because it is directly involved in incarcerating African American women. Kim (2018) highlights that beyond the availability of adequate resources for the government to undertake initiatives supporting their subjects' best interests, governance systems are mandated to facilitate progressive development and social integration among their citizens. For instance, highlighting the American people's commitment to achieving a united country concerning the rule of law, the country's constitutional preamble emphasizes that the American people established the Constitution to achieve a law-abiding society associated with progressive elements. These elements include but are not limited to justice dispensation, promoting the general welfare, formation of a perfect union, promoting the common defense, securing blessings of liberty, and ensuring domestic tranquility (Roberts, 2019). From the discriminatory elements, mental torture, and racial intimidation associated with mass incarceration against African American women, the practice contravenes all the above aspirations of the American people through their introductory section to the Constitution.

Kim (2018) argues that following the understanding that mass incarceration is a systemic and institutional problem, one of the most effective solutions in addressing the issue is adopting the abolitionism doctrine. This theory advocates for a social construction where society is free from imprisonment and policing. From an in-depth perspective, the doctrine revolves around dismantling incarceration systems within the correctional service units (a departmental institution

within the criminal justice system) like prisons, detention facilities, immigration restriction centers, psychiatric institutions, state surveillance, and jails. The rationale behind the feasibility of getting away with incarceration facilities follows the ideology that the restructuring responds to restoring humanity and fair practices for victims, including their integrity and dignity.

Arguably, eradicating an institutional practice that imposes malicious and unfair treatments against a section of the American population qualifies as an adherence to the Equality Protection Clause in the Fourteenth Amendment of the United States Constitution. This clause provides that the state shall be prohibited from denying any individual within its jurisdiction the equal protection of its laws. This provision aligns with the antidiscrimination assertions, often along with religion, political affiliations, gender, and race. In this context, abolishing incarceration for the government to adopt better and fairer alternatives underpins the Eighth Amendment, prohibiting the federal government from subjecting any individual to unduly harsh and unusual punishments (Roberts, 2019). Additionally, Article 1 of the Universal Declaration of Human Rights provides that "every person is born free and equal in dignity and rights." this international instrument expresses the global human rights standards applying to all individuals.

Historically, abolitionist reforms facilitated the appropriate treatment of African Americans within the prison walls. The abolition movements in the 1920s were triggered by convict leasing against African Americans to the industrializing regions where the convicts provided forced and free labor as part of their punishment (Kim, 2018). Though the practice was forced penal labor, opponents and civil societies understood it as an extension of slavery practices at the expense of the black race within the United States. Similar movements should dominate the mass incarceration of black women because they are retrogressive and counterproductive to society's goodwill. Like any other systematic restructuring, the criminal

justice system, especially its correctional department, should adopt alternatives to foster a progressive and more equal correctional service in American Society (Roberts, 2019).

Alternatively referred to as probation corrections, community corrections are intended to keep the offender as part of the community but with limited freedom and obligations. Conditions often attached to probation include but are not limited to regular meetings with the probation officer, engaging in community services, and participating in mental health drives. Suppose an offender fails to comply with the probation rules. In that case, the correction service officers may employ more stringent supervision rules such as increasing the person's probation term and restricting her freedom of movement (Kim, 2018). Varieties of this alternative include parole and intensive supervisory probation. These supervisory officers meet with the offenders more often and monitor their daily engagements, ensuring that society members are protected. This practice derives its rationale from the ideology that another person's freedom should not be a threat to the rights and fundamental freedoms of other society members.

From the above paragraph, the supervisory officers should watch the person's improvement and recommend continued probation or early release (parole) if the offender portrays effective correctional elements. Another type of community correctional is the daily reporting system in which, rather than the supervising officer monitoring the offender's routine, the offenders should regularly report to a certain location. The reporting could be daily or weekly, depending on the gravity of the offense and the offender's progress in recovering, especially if she was engaged in a crime with mental or drug abuse issues. For instance, offenders with mental issues may be subjected to daily drug tests and be required to inform the supervisors about their daily plans, including their search for employment and other social-oriented engagements.

Prioritizing payment of fines and restitution plays a significant role in preventing the offenders from serving jail terms, increasing fairness in treatments met against convicts. However, there is a need for the judicial structures and legislative stakeholders to collaborate in defining appropriate and proportionate fines that should attach to an individual conviction of a particular case. This measure's rationale is that judicial officers restrict themselves to the statutory provisions under the judicial restraint doctrine with a properly and unambiguously constituted legal framework. This doctrine restricts judicial officers to the laws, limiting their judicial discretion because the latter is relative and advances subject concepts while adjudicating on a matter. Therefore, clear statutory provisions on fines attached to particular crimes, torts, or contractual breaches and reflecting the degrees of the offenses establish an effective alternative to incarceration (Roberts, 2019).

Halfway houses are effective systems for the correctional service units, especially when dealing with less serious offenses. They serve as residential reentry centers for individuals who though convicted, their cases attach much weight to the mitigating factors or are engaged in minor offenses that do not necessarily require imprisonment (Kim, 2018). On the other hand, the system has also been used as a probation institution for prisoners released before their jail term lapses or have expressed improvements in the rehabilitation process. This structure serves as an alternative to the incarceration processes because they are less associated with such injustices as convict leasing and unjust sentencing processes. Their leniency in keeping the offender as part of society plays a critical role in ensuring that they are a reduced form of prison. A person is freed from hard labor punishments in prisons and can also be freed easily.

According to Roberts (2019), restructuring the prison systems and judicial structures to accommodate fairness and fostering socially progressive measures such as eradicating mass

incarceration against African American women takes time. This finding derives its logic from the understanding that incarcerations involve complex elements in an institutionalized and systemic correctional mode. For instance, abolishing prisons and jails requires that the government adopt better infrastructure for alternative solutions. In addition to the costly and complicated infrastructure that requires time and resources, there is also a need for the governing authorities to align the legal framework with the social fairness policies and incorporate legal-based alternatives to incarceration. These changes to the legal framework may require political lobbying from the public, especially when changes are to be made regarding the constitutional provisions, with the need to respect participatory democracy and people's superiority in defining the country's legal framework. From the understanding that mass incarceration gravely affects the victims, the government may adopt short-term changes to its policies to ensure that it provides a solution to the mass incarceration of African American women within the United States.

Indisputably, the gender disparity between employment for males and females in prison reveals the logic behind such happenings as mass incarceration of African American women. Kim (2018) argues that one of the factors highly associated with crimes and civil offenses is the lack of employment, which tempts individuals into engaging in crime. Additionally, poverty-stricken areas comprised of low-income society members are more prone to higher crime rates than the upper socioeconomic classes. This statement denotes that low employment rates among African American women are one of the major reasons behind their involvement in crimes, resulting in higher incarceration rates. Therefore, the government should adopt employment policies encouraging fair recruitment procedures or favoring an increased intake of African American women in the workplace. The primary policy should be a law-adherent initiative

addressing racial and gender discrimination against American Women in the workplace. These forms of discrimination disadvantage the African Woman because she is of the black race and a woman seeking her position in a male-dominated society. Roberts (2019) found that African American women face systematic obstacles in getting goods despite the improved labor market within the American society. Therefore, policies should facilitate fair remuneration processes by prohibiting any undue or unreasonable recruitment rejection with discriminatory traces. In addition to the prohibition, the government should formulate executive policies levying hefty fines for persons found guilty of such illegalities.

Chapter 8

From the preceding chapters, this paper concludes that mass incarceration continues to rank as one of the contemporary issues affecting the correctional service units. Mass incarceration adversely affects the entire criminal justice system because it affects service delivery and sentencing processes. Additionally, overcrowded risks failure to realize sentencing objectives such as rehabilitation. This statement derives its rationale from the ideology that mass incarceration makes it difficult for the correctional programs to effectively train the prisoners on skills that will help them when they finish serving their sentences. Another crucial concept revolving around the issue is the surging rates of mass incarceration of African American women, which has raised hotly debated discussions along racial lines. Despite the advanced criminal justice system in the United States, black feminists have been in the lead, accusing the system of criminal profiling against black women within the country. As such, there is a need for

the criminal justice system to collaborate with civil organizations and other government institutions like the legislative arm in adopting a legal framework effective in addressing the problem. For instance, formulating progressive policies for enhancing employment opportunities for African American women will be crucial in reducing their propensity towards criminal behaviors.

This paper concludes that balancing socioeconomic and the politics around the criminal justice structure within the United States plays a crucial role in understanding the trends in mass incarceration in the United States. The logic behind the conclusion is that an interdependent governance system should consider socioeconomic and political elements while ascertaining a certain issue and formulating appropriate solutions. For instance, the legal framework guiding apprehension, adjudication, and sentencing revolves around the political sphere from which the country derives its laws. On the other hand, the economy serves as a stakeholder in incarceration practices. From the previous chapters, it is indisputable that beyond generating profits from constructing private prisons and contracting the government to offer detainment facilities for the overcrowded prison units, investors benefit from cheap labor and supplying goods and services to the prisons. For instance, obtaining cheap labor from the prisons reduces a company's production costs, increasing its profits and economic stability because it makes it difficult for rival organizations to price its products out of the market.