Gender and the Financialization of the Criminal Justice System

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Background

Despite being the fastest growing incarcerated population, women remain an understudied aspect of the criminal justice system.

- Low-income and African-American women are overrepresented
- Incarcerated women are more likely than men to:
  - Live in poverty before incarceration
  - Suffer from mental health conditions and trauma
  - Experience unemployment and homelessness post-incarceration
- Financialization of the criminal justice system, 1980s-now
  - Increase in fines, costs, and fees
  - Privatization of prison functions
  - Burden low-income defendants

Research Questions

1. What does the financialization of the criminal justice system look like?
2. What’s driving the increase in women’s incarceration?
3. What are the challenges formerly incarcerated women face compared to those of men?
4. How do women experience the financialization of the criminal justice system?

Findings

Cost points in the criminal justice process

- History of financial struggle
- Child support
- Cash bail
- Court and sheriff fees
- Commissary
- Mandatory drug treatment
- Restrictions to housing and employment
- Supervision fees
- Trauma
- Inability to meet basic needs

Life Pre-Arrest

- "...bills [were] never on time...I had to get extensions or get help."
- "I never had money to bail myself out. I never had support on the outside to get bailed out."
- "How when men get locked up and they come home, they get all these reentry programs for men, but very few for women."

Incarceration

- "No one goes to jail in Philadelphia for fines and costs. So that makes Philly different than every other county, basically."

Probation and Reentry

- There are less resources for women than men in reentry.

Methods

- Courtroom observations in Philadelphia and Lebanon County, PA
- Semi-structured interviews with criminal justice experts
- Semi-structured interviews with formerly incarcerated women

Penalties for nonpayment vary by county.

Trouble paying fines, fees, and costs.

Lack of resources for women in reentry

Inability to meet basic needs

*This team is grateful for funding for this project made possible by the Penn Institute for Urban Research Colloquium for the Spring 2020 Semester.

ACKNOWLEDGEMENTS: Andrea Marple Coloma, PhD, Mira Addo, BS, Gillian Tiley

REFERENCES


