
POWER, CONTROL AND PATRIARCHY:
APPLYING LESSONS LEARNED FROM THE DOMESTIC VIOLENCE
MOVEMENT TO WOMEN AND THE WAR ON DRUGS

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ABSTRACT

An estimated 140,000 women are behind bars in the United States with an expected increase of 8% annually (Richie, 2004). Almost half of these women are incarcerated because of drug offenses (Greenfeld and Snell, 1999, p 11). Guided by the grounded theory method, this research examines how the war on drugs affects women incarcerated for drug offenses by using qualitative content analysis of first person narratives. The 84 cases examined were retrieved from the public domain on The November Coalition's website, *The Wall*. Our findings indicate a parallel between the power and control exhibited over women in the war on drugs and the power and control exhibited over women in domestic violence. Social responsibility, awareness and political action are needed to change the injustice caused by the policies associated with the war on drugs.

INTRODUCTION

Between 1977 and 2001 the population of female prisoners in the U.S. grew by 592% (WPA, 2003, p. 1). Currently, an estimated 140,000 women are behind bars in the United States with an expected increase of 8% annually (Richie, 2004). Almost half of these women are incarcerated because of drug offenses (Greenfeld & Snell, 1999, p. 11). Incarceration for drug crimes costs around twenty thousand dollars a year; enforcement costs four times as much as treatment, seven times as much for consumption reduction, and fifteen times as much for societal reduction (Rydell & Everingham, 1994).

Minority women and women of lower socio-economic status are more likely to be incarcerated. According to the May 1994 report of Women's Economic Agenda Project, "80% of the women in prison report incomes of less than \$2,000 per year in the year before their arrest, and 92% report incomes under \$10,000" (prisonactivist.org). The disproportionate rate at which women of color are imprisoned is concerning. The Bureau of Justice Statistics estimates that 36% of African American women will be sent to Federal or State prison at least once in their lifetime compared to only five percent of white women (Greenfeld & Snell, 1999, p. 11). In New York State, 79% of all women in state prison are black or Hispanic while these two groups comprise only 33% of the state's total female population (Miller-Mack, Willmarth & Ahrens, 2005, p. 1). Nationally, 54% of women in prison are women of color (prisonactivist.org).

The Bureau of Justice Statistics Report conducted a survey of women in prison in 1991. From this survey, they compiled generalized characteristics of an incarcerated woman. Some of these characteristics included: "over age 30, members of a racial or ethnic minority, unmarried, mothers with children under age 18, daughters who had grown up in homes without both parents present. Before entering prison a large percentage of the women had experienced physical or sexual abuse" (Snell, 1991).

RESEARCH METHOD

This research on women incarcerated for drug offenses was conducted through a qualitative grounded theory method (GTM) research approach. The primary objective of GTM is "the development of theory out of the information gathered, rather than the testing of predetermined theories through a process of experimentation" (McNabb, 2002, p. 280). This research initially was guided by two questions: 1) How does the "war on drugs" affect women incarcerated for drug offenses? 2) In their own words, how do women describe their reality regarding the "war on drugs," incarceration and drugs?

Several terms are necessary to define as to how they are used in the context of this research. "Drug offenses" includes possession, conspiracy, intent to sell, intent to purchase and intent to manufacture. Incarceration includes local jail, state prison and federal prison. Testimonials refer to first person narratives written by incarcerated women.

DATA COLLECTION

In recognition that "marginalized groups are better positioned than members of socially dominant groups to describe the ways in which the world is organized according to the oppressions they experience" (Moe, 2004, p. 120), we aimed to validate voices of incarcerated women and expose the effects of the "war on drugs" by using their stories to ground our research. However, gathering of primary data from incarcerated women was not within the scope of this research. Secondary data, narratives by incarcerated female drug offenders, were collected. The primary source identified for these narratives is *The Wall* created by the November Coalition, a non-profit advocacy organization. *The Wall* is a collection of stories written by prisoners to create a "journey beyond statistics and into the lives of the victims of the failed drug war" (*The Wall*, 2005). By evaluating already posted information, we had greater access to first person information from this large research population (due to geographic distance and numbers of

incarcerated women) whose access is typically restricted with Human Subject Review applications.

There were 84 stories by women prisoners posted to *The Wall* used in this research. The narratives were gathered from first person testimonials posted on the November Coalition's *The Wall* as of January 22, 2006. Stories not in first person and news articles were excluded from the sample. Our spatial-temporal domain was confined to the personal narratives written by incarcerated women in the United States between the years of 2000-2005 (regardless of when the women were sentenced). While data rich, the testimonials published online were limiting due to the inability or authorization to follow up with the women to inquire about the specifics in their testimony.

The validity of emerging grounded theory is strengthened through the analysis of multiple data sources. As part of GTM, the need for additional data sources may emerge to reach theoretical sampling saturation. Additional resources were gathered from non-academic sites in the public domain. Specifically, SafePlace, a non-profit agency serving domestic and sexual violence survivors was approached for information regarding domestic violence. Academic journal databases (e.g. Jstor, ProQuest, and Echohost), and non-academic sites in the public domain were searched based on these keywords: women/female, prison, incarceration, narrative, drugs, and conspiracy.

THEORETICAL FRAMEWORK

This research examines the phenomenon of women incarcerated for drug offenses under the theoretical framework of critical and feminist research. Critical research allows for "a social critique that exposes harmful or alienating social conditions" (McNabb, 273). Though our research is guided by the critical feminist theory, as part of GTM, we were not attempting to create causal links, or identify any one over-arching solution. Rather, we will use critical feminist epistemologies were used to enhance theory regarding the increasing incarceration rates for women for drug offenses.

We are also working within the feminist framework, as we do in all of our research according to our mission.

There are many manifestations of feminist research and frameworks; most of them have a common theme. The feminist framework allows researchers to critically examine the patriarchal system of social and economic inequality and conduct gendered analyses of crime and justice (Arrigo, 1999, p. 30). For example, Smith, when speaking of the past marginalization of indigenous cultures states, "It is from within these spaces that increasing numbers of indigenous academics and researchers have begun to address social issues within the wider framework of...social justice" (2004, pg.4). bell hooks also discusses the impact feminism has made on the academy and the importance of marginalized people using their voice to contribute to social change (2003). "Often this speech about the "Other" is also a mask, an oppressive talk hiding gaps, absences, that space where our words would be if we were speaking, if there were silence, if we were there." (hooks, 1990, p.151). It is this gap we hoped to fill with the voices of women in prison for drug offenses. There is more to learn about how to better handle the problem of increasing female incarceration, and through GTM, we hope to contribute to the continuing knowledge.

RELIABILITY AND VALIDITY

Our research is **reliable** insofar as we worked within the critical feminist framework of research which values individual women's stories and validates the contribution women can make to solve the social injustices they face. Our research is replicable insofar as *The Wall* is in the public domain and can be accessed by other researchers. Kirk and Okazawa-Rey's (2001) use of Catharine MacKinnon's remarks helps portray why this research is **valid**, "It is common to say that something is good in theory but not in practice, I always want to say, then it is not such good theory, is it?" (2001, p.13). This research is valid because it is necessary, it is necessary because current systems are not working for women, else the rates of incarceration of women would be decreasing rather than increasing. According to the Bureau of Justice Statistics Report, half of women currently in prison had prior convictions, and "71% of all state female prisoners had served a prior sentence to probation or incarceration, including 20% who had served a sentence as a juvenile" (1991, Snell). Using the tenants of critical feminist theory, we can

evaluate if drug policies are working in practice, as they should in theory.

Ethics: McNabb states “two types of rights are included in ethics, legal rights and human rights” (p.31). Our research uses these rights to examine if the “war on drugs” has impacted the rights of incarcerated women. The methodology of our research aims to incorporate *research ethics* in the planning, evaluating, and reporting processes (McNabb, p.36) by evaluating the narratives individually and then reviewing them collectively to create consensus, and extract commonalities in the stories void of personal subjectivity.

ASSUMPTIONS AND BAISES

We acknowledge our bias that drug use should be treated as a public health issue, and not a criminal justice one. We believe that the current punitive system is not equitable in its distribution of justice. We also worked under the assumption that women who post their narratives about incarceration in the public domain are supportive of generating a broad understanding of the effects of drug sentencing policies and incarceration on them and their families. Based on our literature review, we assumed women incarcerated for drug offenses and their families may have experienced: 1) mental and other stressors caused by distance and location of jails, 2) financial burdens from lack of income, 3) sexual and/or physical abuse, and/or 4) unjust incarceration without sufficient evidence or for refusing to name conspirators in drug trafficking.

Reading the testimonials made us frustrated and angry at how our government is behaving and how our system functions. The anger also stemmed from the tactics used by the agents to coerce the women to fabricate stories or evidence that they may not have had knowledge of, including threatening life sentences. We experienced numbness to the stories as we continued reading through them and hearing the same stories over and again. There was a sense of hopelessness as we thought about how to get this situation acknowledged to “reach the unfeeling masses and make people care,” as Nancy Martz stated in her narrative (p. 73).

ANALYSIS

As data was gathered, we began the open coding and ‘memoing’ of data. The purpose of open coding is “to establish (or discover) categories and their properties” (McNabb, 2001, p. 311). Open coding and ‘memoing’ were initially conducted separately by each researcher and then discussed as a team to agree on core categories that narrowed the research questions. Team research using a grounded theory approach enables researchers to “engage in an on-going dialogue at all phases of the research project and helps facilitate a form of internal triangulation and peer review” (Babchuck, 1996). Memoing occurred throughout the coding process as common links emerge. Corbin and Strauss state that:

Since the analyst cannot readily keep track of all the categories, properties, hypotheses, and generative questions that evolve from the analytical process, there must be a system for doing so. The use of memos constitutes such a system. Memos are not simply “ideas.” They are involved in the formulation and revision of theory during the research process. (1990, p. 10, as cited by Pandit, 1996)

As core categories reach saturation (additional data no longer contribute new knowledge to a category), the memos were sorted to provide structure to the emerging theory (Dick, 2005).

The memo process entailed each researcher reading every story and memoing by documenting initial responses, themes, and thoughts. Each research member then created another memo that was an individual compilation of all the memos and documented our overall thoughts, themes and feelings. These individual memos were used as a discussion point between the researchers and a final compiled group memo was created that incorporated the themes and feelings of the team. (See Attachment B for Individual Memos and Individual Compilation Memos and *Attachment C* for the group Compilation Memo).

The testimonials of the women were very emotional and passionate; we needed to remain committed to keeping our subjectivity out of our analysis. We attempted

to avoid subjectivity by individually reviewing the testimonials based using the coding/memoing process described above.

After the group completed the initial read through and memo process with the narratives, we saw several commonalities. Part of our ongoing analysis was the continual exploration of these similarities thorough discussion within our research group. Some of the similar issues we then focused on included the embedded patriarchy in the legal system and the ways in which that system can parallel abusive relationships.

Using qualitative content analysis, we went through the narratives again, paying attention to language paralleling abusive relationships and the theme of power and control. We also reviewed characteristics of the abuser and abusive relationships in general to ensure that we were making a valid connection. The group reviewed the narratives again to search for key terms the women used to describe their situations that were similar to terms the literature uses to describe abusive relationships. In doing this, we ensured that we were creating a solid foundation for the connection between systemic, patriarchal abuse at the macro level with patriarchal abuse at the micro (or interpersonal

relationship) level. In addition, this method allowed us to stay aligned within feminist research methods, which examines social systems and gender issues.

After our evaluation of the women's testimonials from *The Wall*, our research methodology and data collection technique was reinforced by their personal stories and first person accounts of the consequences of the drug war. The intimate details of arrest and incarceration, as experienced by these women, are not always present in other literature sources. The women's testimonials have exemplified the effects of the "conspiracy" and "intent to manufacture/distribute" drug charges. Many of these women were incarcerated with no evidence of drug possession or use, yet in many cases they received sentences of a decade or longer. Reviewing the testimonials from *The Wall* has encouraged us to examine the similarities between abusive interpersonal relationships and the experiences of women incarcerated for drug offenses. The women's testimonials revealed the physical, psychological and emotional abuses caused by incarceration. This harm caused by incarceration is not only inflicted on the women, but also their families.

RESEARCH FINDINGS

The language of power and control that the women use in their narratives to describe the legal system and their incarceration experience, is similar to experiences of survivors of domestic violence. From the personal narratives posted on *The Wall*, paralleling trends among drug laws and domestic violence emerged from the women's experiences as a result of being arrested and incarcerated for drug charges. Historically society has turned a deaf ear to cries of victims of domestic violence; the patriarchal United States society values the voice of the man over the woman. The criminal justice system likewise attempts to silence women's voices; it ignores cries of innocence, values an informant's testimony over the indicted women, uses distorted evidence and lies in court, and appoints incompetent attorneys who encourage women to plead guilty.

The domestic violence movement fights to change social norms that label domestic violence as a personal or couple issue, and not the business or responsibility of others outside of the relationship. Similar parallels can be drawn between domestic violence and the silencing and the shaming of incarcerated women for drug crimes. Society now labels prisoners, both women and men, as criminals, violators of the law, and personally responsible for their incarceration and their bad behaviors that put them behind bars. Similar to domestic violence, female incarceration is viewed as the fault of the woman, a personal issue, a family problem, and not the responsibility of the society at large.

Domestic violence is about power and control. Abusers gain power in another person's life and use that power to control them. Abuse can have many forms, for example, financial control, psychological control (which can take the form of destroyed self-esteem), physical control and emotional control. All of these forms of abuse are exemplified in the personal narratives from *The Wall*. Our emerging theory falls within the overarching framework of abuse in which sub-topics emerged that substantiated the correlation between the power and control exerted in domestic violence and the abusive policies of the drug laws and the criminal justice system. Four emerging themes include 1) the

legal system's use of power to coerce, contradict and incarcerate women, 2) the **abduction of motherhood**, which represents how abuse and isolation cause physical and emotional harm to the women and their families, 3) the **coping skills and language** similarities in the women's narratives with regard to their experiences, and 4) the **self-actualization** demonstrates the realization by the women that the war on drugs is failing.

THE LEGAL SYSTEM

Contradicting women: Informants

The criminal justice system gives more validity and weight to an informant's testimony than the indicted woman. Similar to an abuser, the criminal justice system refuses to listen to the woman, denies her experience and reality by contradicting her thought, perception, or experience and by discrediting her messages and opinions (Evans, n.d). This is symbolically and literally showing that the women's testimonies are not valid and not worth as much as the informants. An overview of the testimonies from *The Wall* reveals that a large majority of the women were convicted based on hearsay evidence from informants. Convictions were made without any evidence to back the charge. Sharanda Jones explains, "*At trial, not one shred of physical evidence connected me to drug trafficking with four codefendants... (yet) the jury found me guilty of one count of conspiracy. Later, I was sentenced to life in prison*" (p. 99). Yolanda Reyes writes of her informants, "*I was charged with conspiracy based on testimony(ies) traded for years off their own sentences and in some cases even no time whatsoever*" (p. 47). Under "conspiracy laws," informants and the DEA can implicate an individual for conspiracy to commit a crime in the future, such as conspiracy to sell, or conspiracy to purchase, though there is no physical evidence.

Using male privilege

Another parallel to domestic violence is the influence of men in incarcerating the women. Almost all of the informants mentioned were men; only one woman stated that her informant was a woman. One woman stated that more than 80% of women are incarcerated

because of their boyfriends (p. 94). Women sometimes became victims of the war on drugs without even knowing the informant, but in the majority of cases they knew and trusted the informant as a boyfriend or male friend. Male dominance and control is exerted through the judiciary branch and within the DEA by use of laws and policies that allow women to be indicted for their relationships with men under investigation. Often women became defendants after the DEA or law enforcement went after their husbands or boyfriends, and then became implicated after being labeled as co-conspirators. Many of the women's narratives explained that they had no involvement with drug sales or other illegal activity but were implicated in the accusations due to current or previous relations or when they turned into informants. The experience of Zulima Buitrago is exemplary of this phenomenon repeated in many of the narratives:

Unbeknownst to me, he then conducted a drug deal in my garage. When he got in trouble with the law, he turned into an informant in order to receive a lower sentence. I was the ticket for his lower sentence...The judge sentenced me, with no criminal history, to 24 years in prison followed by five years supervised release. (pp. 6-7)

Informants most commonly received time reductions from their sentences or were paid for their convicting testimony. Some informants continue to work for the government and be protected as they set up more people for drug crimes. A thought provoking is Zulima's explanation of the unjust incarceration laws:

Mandatory minimum sentencing serves only to punish the innocent and/or minor drug offenders. The real drug conspirators and drug lords either remain free because they have the connections and money to buy their freedom, or, if they are apprehended, they have information to trade for a substantial reduction in their sentence. (p. 30)

Another woman, Cynthia Dickerson sentenced to nine years, sums up the system by stating "*the Big Guy walks by snitching on everyone he/she knows. It is the 'trickle down effect.'* The little guy goes to prison. Go figure" (p. 76). Male informants and conspiracy laws exert power and control over these women.

Accusation, blame and guilt

Also shocking in the narratives, is the number of women who plead guilty to crimes they did not commit based on advice from their court appointed lawyer, through coercion from police without a lawyer present, and due to false promises of reduced time sentences. The women are often encouraged by their court appointed lawyer to plead guilty to crimes they did not commit. One woman stated that in 90% of federal cases, the accused takes a plea bargain because they are threatened with lengthy sentences (p. 16). Terry Anderson is one example of this common occurrence; she states:

I plead guilty to two counts of a six count Federal Indictment only after continuous pressure from my court appointed Defense Counsel, as he was afraid of the US Attorney's threats of life enhancements... I was terrified into pleading for 30 years and lost the right to appeal. (p. 37)

Threats and coercion

Many of the tactics used by the DEA to get confessions of guilt resemble similarities to tactics used by abusers. The DEA uses threats commonly used in domestic violence to coerce testimony from women, real and imagined (WSCADV, 1-29), such as life in prison and threats to take away children. Threats can be direct or implied, with words or actions that tap into the woman's worst fears (Evans, n.d.). To gain power and control, abusers use threats and coercion. In the stories told by the women on *The Wall*, power and control from law enforcement often came through the use of threats and coercion of a mother's child. Danielle Metz states, "*They threatened me by saying that I would never be with my kids again if I did not tell them what they thought I knew*" (p. 39).

Similar to perpetrators in domestic violence cases, the police authority asserts power over the women by using emotional abuse, which erodes the woman's sense control over her own life and shifts that control to the prosecuting authority (adopted from WSCADV, 1-28). Feeling a loss of control, and under council from appointed lawyers, many women plead guilty to the accusations though they were not actually guilty. Similar to domestic violence, demands are made to

exhaust the women and diminish her energy to seek alternatives or resist (Joerger, n.d.).

Another similarity to domestic violence is name-calling. Many women stated that they were called names, such as the “ring leader” or “kingpin’s girlfriend” to put them down and play mind games to make them feel as though they are guilty by association. Police attempted to coerce Darlous Presley into telling the police what they wanted to hear to indict her son:

They offered me home confinement if I would testify against him, but he is my son, and I couldn't do that anymore than I could do anything else that would harm my children. When I refused to testify against Ricky in exchange for home confinement, the police got made and said I was the drug kingpin and that my family was selling drugs for me. I think this was the only way they could justify, or try to justify, arresting a 72-year-old woman who sold eggs for a living. (p. 84)

Many of these women were pressured to commit perjury, lie and/or become informants to help the DEA convict someone else. Sometimes the women did not even know the accused; often the prosecutors wanted the women to testify against their own family members. Ruth Carter, sentenced to fifteen and-a-half years, puts in words this experience, “*the government, unknown to me, was building a case against my boss, a County Prosecutor, for drug charges... When I wasn't able to provide any information and was unwilling to lie, I was indicted for a drug conspiracy*.” (p. 100) Because the women did not know anything about the drug accusations, they were convicted for not “cooperating” or charges against the women were fabricated as punishment for not “cooperating”. This is analogous with an abused woman being told that they will be punished, beaten or killed if they do not “cooperate” with the abusers and lie about their experiences. Similar to an abuser, the DEA will punish the women for resisting their control.

Numerous women wrote that their involvement with drugs was grossly overstated, and often wholly fabricated, by the DEA, prosecuting attorneys, and informants. Renea Darby, convicted to twenty-two years behind bars, explains “*The people that testified in my case were working with the US attorney and were known drug users, and they told lies in my case to get out of their own trouble. No evidence was submitted or proved to*

a jury..” (p. 119). There are many incidences where the evidence to support their innocence was not presented in court. Yarida Guanipa’s narrative replicates a similar situation:

For picking up a package for a friend, I was indicted for drug conspiracy. I exercised my constitutional right to go to trial, where I was convicted with convicted with inaccurate government testimony and altered evidence, and sentenced to 12 years in prison. (p. 11)

Perjury is condoned, encouraged and fabricated by the prosecuting attorneys and the DEA. The experience of being forced or coerced into lying echo similar domestic violence situations in which the abusers tell the women to lie about her abuse. False explanations about abusive relationships and injuries are condoned, encouraged and fabricated by the abusers themselves. Similar to an abused woman, women arrested for drug abuses are punished with incarceration, increased prison sentences, and threatened with scare tactics for not “cooperating” with the DEA.

ABDUCTION OF MOTHERHOOD

Isolation of mothers from children and siblings from siblings

Within the domestic violence movement, it is believed that the abuser uses isolation to gain power and control over their partner. The abuser may isolate her¹ from social networks such as family, friends, and co-work in order to maintain control and power over the woman. We also found the theme of isolation predominant throughout the stories posted on *The Wall*. Like the abuser in a violent relationship, the criminal justice system maintains power and control over the women through isolation.

Within the stories posted on *The Wall*, isolation is represented primarily through the physical distance the women are placed from their families. The majority of incarcerated women come from low-income families, and the financial resources necessary to visit loved ones in prison is difficult, if not impossible, when they are placed across the state or across the country. Hundreds of miles away from her children, Nancy Simmons states:

Every day when my children are spread apart from each other, someone is preparing their daily meal at dinner time. About 400 miles away, their mother is sitting on a bunk bed, listening to music, crocheting, reading, writing a letter, or just relaxing...something is terribly wrong with this picture. (p. 36)

Lillian Lee, who has not seen her son in the eight years she has been incarcerated, expresses the hardship isolation, has on not just her but also her son:

Now, how do I explain to my child that his prayers don't matter and his faith doesn't count because I will still be spending my Christmas over 1,500 miles away, behind bars? I have tried to explain that this is my "discipline from God," but he is determined to move this mountain – with his faith and his prayers. This Christmas will be spent in lonely solitude with heart-breaking pain, knowing that my son's pure and perfect child-like faith is to be shattered by the injustices of this system. (p. 67)

Similarly, Diana Lopez-Mesa, sentenced to twelve years, explains that "it has been 8 years since we have seen each other, since I cannot kiss him or hug him and is very hard not only for me but for him" (p. 69).

The dislocation from families results not only in physical isolation but also the psychological isolation that comes from families not being together day to day. Wenselada Reyes' physical and psychological isolation from her children, who moved to Mexico after her incarceration, has her questioning whether she is still a mother to her children:

After my arrest they confiscated my home and everything I owned making my husband and children homeless...it has been 9 years since I have seen my boys. Am I really still their mother after all? After all these years have elapsed – am I a mother just in name only...or am I just the number the government gave me when they separated me from my boys? (p. 70)

Not yet half way through her eleven-year sentence, Ivonne Gnozalez explains how the physical distance has created a psychological isolation between her and her daughter:

For my daughter I am a voice on the phone who checks in once in a while and says the special words "Hi, how are you?" and after that its like we have nothing to say

or talk about... To her I am just a picture, a letter, and a voice because I have not seen her in 5 years. (p. 77)

Ivonne's daughters have also been isolated from each other, she continues by stating:

They were close and Laurie filled that emptiness that Giselle had in her heart because of my absence. Due to circumstances, today Giselle and Laurie are separated and being taken care of by two different families. These two families live far apart and that makes it harder for them to see each other. (p. 77)

The prison system not only isolates mothers from children but also results in children being separated from their siblings. Debbie Mendes stated,

Most of all my children are suffering. They lost their father to cancer eight years ago, their mother one year later, and at the same time lost each other by having to live in separate homes, hundreds of miles away (p. 31).

Behavioral impact on children: Acting out and withdrawal

When children witness domestic violence, they are affected in many different ways. For example, it is common for some children to act out and for some children to become withdrawn. The women's stories on *The Wall*, reported behaviors of their children similar to behaviors reported by mothers who have survived domestic violence.

Saira Florez, for example, says,

Since my arrest, my overweight son has been suffering with depression, anxiety, and eating disorders. He cannot concentrate during school and adjusts poorly at home. This situation is really painful for me, but there is so little that I can do from prison (p. 34).

Another woman, Lora Howard, states that

My children are having a hard time dealing with me being away. It has come to the point of self-mutilation. I would like to do anything possible so other children do not have to go through what my children are going through (p. 52).

While Lora Howard's child has become violent to itself, Sandra Hendrix's son has become violent to others:

Zafir was born with brain damage and is a special needs child. As a result of my absence, Zafir has become violent, causing serious harm to other children (p. 112).

Like mothers who have watched the effect of domestic violence on their children, these mothers see the effect of incarceration on their children. “Our children are being hurt, becoming full of anger and resentment. At the present rate of incarcerations, there are going to be countless embittered children” (Lillian Lee, p. 67).

Abuse in front of the children

Becoming isolated due to incarceration is traumatic for children to experience. Unfortunately, some children also experience additional trauma from being present when their mother’s are arrested.

The police came and busted our house; knocked out windows, kicked in doors, held guns to my children’s heads, and told them if they moved they would fire. They had to hold their arms out the side of their beds...an air conditioner fell on my one-year-old grandson’s head, and he had to be taken to the hospital...My children became angry and bitter after my arrest, and acted accordingly. One is now in a group home due to her anger and outbursts of rage. (p. 49)

Witnessing the arrest of a parent is similar to the experience of children who witness domestic violence. Andrea Asch’s three small children were also home when the police arrived: “While officers searched my house two agents tried questioning me. They cursed and yelled, and put me in handcuffs when I didn’t tell them what they wanted to hear” (p. 50). Witnessing the abuse of a parent through power and control, whether by police or in a domestic violence situation, is a scary experience for children, as explained by Deborah White:

My little boy was scared to death and ran into the house to hide. I asked if I could please go find him and was told, “no.” I was then handcuffed and made to sit on one of my picnic tables outside. About five minutes later my son ran out of the house even more scared of the police. (p. 59)

COPING AND LANGUAGE

This section examines the theme of power and control and the language the women use to cope with their realities. This analysis illustrates a parallel between the legal system as abusive to women and the patriarchy that supports domestic violence in our society. In taking into account these themes, the research is staying aligned with the feminist research methods, which examine social systems and gender issues. The language that many of the women use to describe their situation parallels abusive relationships in two major ways:

1. Some women describe a hopeless feeling of not ever getting out of prison as many women feel that getting out of their abusive relationships is a hopeless feat.
2. Some women describe their situations in hopeful ways and see themselves as survivors, rather than victims.

The implications of these two main coping reactions by the women support our theory about the connection between domestic violence and the prison system. Women in these narratives either fell into the first category listed above, which would parallel the ‘victim’ in domestic violence theory, or the second category, which describes the ‘survivor’ mentality. Based on their narratives, the women dealt with being in prison by feeling hopeless and expressing a lack of belief in justice, or by fighting back, writing to Congress, the November Coalition and expressing determination to be with their families again.

Abusive experiences

There were many instances in which the women either were in abusive relationships or had experienced some type of trauma in their lives. How these women cope with their experiences is an important factor to consider. For example, as a young girl, Diana Gonzales Buchanan (p. 2) was witness to a murder-suicide when her father shot and killed her mother then himself. Her coping mechanism was to become numb; she states, “after that, I cared about no one” (p. 2). Several life circumstances followed that eventually led her to an unhealthy marriage. Diane was also raped as an adult and she coped with that by keeping a gun in her house, “After that, I swore I would not be a victim again” (p. 3).

Lizette Calderon was also in an abusive relationship. In her narrative, she speaks of her father being incarcerated, and refers to her situation as a “nightmare” (p. 8). There may be a connection between the incarceration of her father and the relationship she ended up in that eventually led to her incarceration. Yolanda Reyes was also involved in what one would describe as an unhealthy relationship. “*I was guilty of being a small time, street level drug dealer who got involved with the wrong people, and a man I thought loved me*” (p. 46). Sandra Patterson describes her trouble starting when she “*went through a bad divorce and then went out of control*” (p. 61). Her problems continued when she met a man who “*said all the right words to me*” and supplied her with drugs.

Describing the legal system

Christine describes a level of control in the prison system that is difficult to imagine. Christine Taylor, sentenced to twenty years, states

I have seen so many harms done to women in prison, and it gets worse every year. We are demoralized and shamed almost daily by guards and prison administrators. BOP employees habitually think that just because we are in prison that we must also be stupid (pp. 1-2).

It is this kind of description that sounds similar to the behavior of an abusive partner. In fact, in an educational handout from SafePlace, a domestic and sexual assault service agency in Olympia, WA, warning signs of abusers are described. These warning signs include: (SafePlace, n.d.)

- Frequently putting a partner down
- Trying to exercise control over a partner
- Belittling your partners fears or concerns about the relationship
- Destroying or threatening to destroy your partner’s belongings
- Threatening to hurt your partner, her family members, friends or pets
- Checking up on your partner frequently
- Forcing sex

These and more characteristics are part and parcel of the system of corrections that is run in this country. Similar to many of the women in this set of narratives who are mothers, Yraida Ganuipa describes the impact of losing her ability to be a mother because of the prison

system. “*I am hundreds of miles from my sons...the pain and the suffering from this long separation from my sons is just unbearable*” (p.12). How she can cope with these issues, and whether the prison system is equipped to deal with the kind of grief that a mother must face is not addressed in these narratives, but is an important question.

Mary Ames clearly describes the experiences she has experienced as abusive. “*This is my first taste of being a prisoner of war and I only hope I can stay whole and keep my sanity throughout this experience of abuse, inhumane treatment and cruelty of every imaginable means*” (p. 40). She follows this statement with a poem that describes immense pain and loss of control over her own life.

Health problems are issues in both domestic violence, and as the narratives from *The Wall* demonstrate, in the prison system as well. Karen Horning describes her experiences and how the prison administration was keeping her from medical treatment.

The new warden, Lucy Mallisham, has recently reported to my family I have been refusing treatment. This is entirely untrue. She is attempting to protect herself from liability, and obstruct my access to medical care. By doing so, she is jeopardizing my life (p. 42).

Karen also describes an extreme isolation in which

being left alone for long periods of time, in a tomb-like space, can be alienating. I often felt as if I had died and this was the afterlife...I was dead to the world outside. No contact with anyone I used to know...There was no place for me to go. NO one was waiting for me (p. 44).

It is this type of treatment that must be questioned with regard to treatment policies versus punishment for drug abuse problems. The ways in which these women cope with the losses they experience while in prison is important for acknowledging whether or not the war on drugs and the current method of dealing with those who get caught up in it, accurately or not, is efficient from a public administration standpoint. But the impact on children and the ability to be a mother is not the only loss that these women experience while in prison.

SELF-ACTUALIZATION

The experience of incarceration is very similar to domestic violence trauma. The criminal justice system treats the women prisoners like servants, do not allow them decision-making authority, and use isolation to control what a woman does, who she sees and talks to, and where she is able to go (WSCADV, 1-29). However there *are* differences in the “victimization” of women incarcerated for drug crimes and domestic violence survivors. Advocates for survivors of domestic violence work with women to allow them to see that they are not responsible for the abuse and violence, and to reclassify domestic violence “victims” as survivors. Alissa Joerger reports that “by the time physical abuse begins, the victim’s self-esteem has often been worn away to the point that she has little will to resist, and may even believe that she deserves to be beaten” (*Emotional Abuse Also a Problem*). This differs from many of the women’s narratives which revealed that they were already cognizant and recognized that their incarceration was not just, deserved or appropriate. Even women who admitted to having an addiction or being a small time dealer, expressed dismay and anger at their lengthy incarceration. The majority of the women know that their “*harsh sentencing isn’t just*” (p. 117).

Through the testimony of the women on *The Wall*, it is clear that the women have a profound understanding of how the war on drugs is failing and that their incarceration is having no impact on the level of drugs in our communities. One woman explains that “*the war on drugs has filled the prisons and jails with non violent offenders*” (p. 37). Paula Strothers, sentenced to 15 years, explains the “*war is really on minorities, and taxpayers that finance this farce*” (p. 55). Another woman concurs by explaining:

Drugs are a problem in America, but the mandatory minimum sentences of 10 years to life or ‘three strikes you are out’ are not the answer. How many billions of dollars of the tax payer’s money is America going to waste while the problem continues unaddressed and unsolved? (p. 6)

Lizette Calderon concludes, “*I’ve learned many lessons in this social war and I’m eager to be part of the consciousness-raising of our society*” (p. 8).

RECOMMENDATIONS

We cannot be satisfied with simply critiquing the injustices of a situation, we must seek solutions or find mechanisms that promote and generate social justice? (Arrigo, 1999, p. 17)

The drug policy and prison reform movements should work with and take lessons from the domestic violence movement to aid in making this issue a social, rather than individual, problem.

The Domestic Violence movement started with small groups of women secretly sheltering other women in their homes. It was a volunteer movement and was closely tied with the feminist movement in the 60s and 70s (*A Herstory of Domestic Violence, SafePlace*). The Domestic Violence movement has been successful in getting exposure to their issues at a national level with National policy such as the Violence Against Women Act, which provides funding to shelters and programs across America. We believe that the drug and prison reform movements could benefit from the knowledge and foundation already in existence. By recognizing the various ways in which power and control are systemic in women's lives, these movements can connect to create a more powerful front to policy makers. Some examples of how these two movements could work together are:

– *Change the laws/policies so that a person cannot be jailed based on informant testimony alone.* This relates to the domestic violence movement because it forces the legal system to listen to the voices of these women and find true evidence of a crime before they can put them in prison and take away any control they may have had over their own lives.

- *Redirect resources to find innovative ways of dealing with the issue and address these women's issues in a holistic way.* The domestic violence movement has obtained funding for programs from shelters to education and prevention. The drug reform and prison reform movements can take from this work and create change in the way their problems are addressed.
- *Build a coalition.* By working with other groups and movements, the drug and prison reform movement can create more of a united front and bring more attention to the issues they address.
- *Change social norms through strong policy alliances.* The issues of drug and prison reform are largely seen as personal or individual issues, rather than societal issues. By building alliances and changing policy, both movements can work to change social norms so that drug policy and prison reform is seen as a social issue that is of concern to everyone. This mirrors the domestic violence movement in that domestic violence started as a *private matter* that did not belong outside the home, but has since become a social problem that is dealt with both at a national, state and local level in a variety of ways. It is our hope that drug policy and prison reform can reach the same status and receive the same attention in society as a social problem.

CONCLUSION

The drug policy and prison reform movement could benefit by using the Domestic Violence movement's knowledge of affective methods for raising awareness, bringing publicity to the issue, and creating policy change. The Domestic Violence movement has been successful in getting exposure to the issue of interpersonal violence at the national level. The drug policy and prison reform movement can take from the domestic violence movement to validate the voices, experience, and testimony of women accused of drug crimes. National domestic violence policy, such as the Violence Against Women act, expanded knowledge and advocacy around violence and availability of funding for shelters and services across America are examples of how the Domestic Violence movement has gained social awareness.

The American populous needs to:

- See the injustices caused by the incarceration of these women,
- Understand the fallacies of the war on drug policies,
- End the use of informants and coercive testimony for convicting women to jail.

The stories of the women on *The Wall* highlight the injustices of the women incarcerated for drug offences. By recognizing the various ways in which power and control are systemic in women's lives, these movements can connect to create a more powerful front to policy makers. A building block to do this is to work with the Domestic Violence movement to:

- Build alliances and coalitions
- Develop action steps and strong policy recommendations
- Advocate for these policies with a united voice to end violence and abuse, caused by both the criminal justice system and abusers.

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APPENDIX

LITERATURE REVIEW

A report by the Bureau of Justice Statistics (BJS) on incarcerated parents finds that incarcerated women are more likely than men to be parents and to have been the primary caregiver of their children prior to their arrest (Mumola, 2000). The rising rate of incarceration of women as a result of the “war on drugs” also results in a rising number of children separated from their mothers. The geographic distance between a parent’s residence and where they are imprisoned exasperates the separation of mothers from their children. The BJS estimates that 84% of parents are placed in prison over 100 miles from their last residence, including 43% of parents placed more than 500 miles away (p. 5). It is not surprising then that 42% of mothers in federal prison, the majority from low-income households, have never had a personal visit by their children (p. 5). Additionally, the disruption on a child’s life tends to be greater when a mother is incarcerated versus the incarceration of a father. When a father is incarcerated, 90% of their children typically continue living with their mothers. However, when a mother is incarcerated, a child’s grandparent is most likely to become the caregiver (p. 1).

The impact of separation between mothers and children can be difficult for the mothers, children, and caregivers of the children left behind. Myers, Smarsh, Amlund-Hagen and Kennon’s (1999) review of literature on children with incarcerated mothers find that children’s lives become greatly disrupted, with most children showing emotional and behavioral problems. The authors find that children’s experience with the incarceration of their mother differs based on who cared for them prior to the arrest. The lives of children not living with their mothers at the time of arrest are less impacted than children who were living with their mothers. However, they find that even if mothers were not the primary caregivers prior to arrest, the children still had frequent contact with their mother and do not go unaffected. The majority of children who lived with their mothers prior to arrest experience a dramatic disruption in their life. Myers, et al., find that the type of impact the disruption has on the child depends on

the age, the care giving arrangements and the course of the mother’s incarceration. Children with incarcerated mothers are more likely to experience fear, withdrawal, depression, anger, fighting, substance abuse, and have increased rates of school failure and criminal activity.

Kirk and Okazawa-Rey’s textbook *Women’s Lives: Multicultural Perspectives* examine feminist theory and its impact on research and the academy. They also use their text as a space for women’s voices and include many personal accounts of what women experience in the U.S. This text provides a detailed description of feminist research, and describes feminist research as an academically rigorous form of analysis. About traditional research, Kirk and Okazawa-Rey state, “The problem is not that theories are value-laden or biased, but that the values and biases of many theories are hidden under the cloak of “scientific objectivity” (p. 9).

As there are significantly more men incarcerated than women, images of “drug felons” too often focus solely on men. Literature on women drug users has increased but as Hirsch (2001) indicates, it is typically focused on pregnant women or specific drug treatment issues. Hirsch notes that little emphasis has been placed specifically on incarcerated women and that “there is no reason to assume that women with felony convictions have had similar experiences to the broader population of women with addiction or in drug treatment programs” (p. 160). By focusing specifically on women incarcerated for drug offenses, GTM provides the space for a theoretical study of the women’s experiences grounded in their own voices.

Within the field of criminology there is disagreement relating to whether traditional theories of crime need to be redeveloped within a specific gender analysis. Proctor (2004) tested three traditional criminology theories (Agnew’s Extended Strain Theory, Sutherland’s Differential Association Theory, and Hirschi’s 1969 Social Control Theory) to explain women’s involvement in crime. Proctor found that Agnew’s Extended Strain Theory, which connects crime as a way to deal with negative social relations and the consequential

psychological states, was the best traditional theory for predicting female criminality. However, Proctor's study suggests that sexual and physical abuse specifically informs Agnew's 'negative social relations' when predicting women's criminality, thus highlighting the need for further theoretical understanding and continued gendered analysis of women's experience with criminality.

In *Criminology*, Slocum, Simpson and Smith explore the General Strain Theory (GST) as a potential explanation for crime and life strain (Nov. 2005). Robert Agnew developed GST in 1992 (p. 1068). It has three main components that include strain as a factor in criminal activity. These components of strain are "1) actual or anticipated failure to achieve positively valued goals, 2) removal of positively valued stimuli, and 3) presentation of noxious stimuli" (p. 1068). The authors specifically explore the female prison population and struggle with the issues of drugs and crime; specifically, whether using drugs increases the potential for criminal behavior or whether an involvement in criminal behavior makes one more likely to become involved in drugs. Through their study of 271 imprisoned women, they found that drug use was a significant factor in all of the women's lives, even if it was not the reason they were in jail. Though the authors examined violent and non-violent crime, and they did factor drug use into their considerations.

Glaser and Holton (2004) examine different approaches that researchers have used when applying Grounded Theory (GT). They discuss possible errors and concerns that can arise when using Qualitative Data Analysis (QDA) methodologies. Glaser and Holden provide an overview of the "essential elements of classic GT methodology" to guide researchers interested in using GT (2004, p.1).

Caught in the Net (2004) is a collaborative publication authored by individuals from the American Civil Liberties Union (ACLU), Break the Chains (an advocacy organization for communities of color), and The Brennan Center at NUY School of Law. The publication provides a detailed historical account of the war on drugs, and the impact of incarceration and drug policies on women and their families. The contributing authors explain how the widening net of drug offenses catch women and convict them to lengthy

sentences based on conspiracy charges and hearsay from informants. Especially provoking is the analysis and description of the suffering the families and children of incarcerated women endure.

Bruce Arrigo (1999) and contributing authors provide a comprehensive analysis of social justice and criminal justice informed by the critical criminology approach in the text *Social Justice/Criminal Justice*. The various essays attempt to understand the relationship between social justice and criminal justice, and assess if the relationship is compatible, incompatible or irreconcilable (p. 3). Arrigo explains that critical criminology refers to an elaboration or reconceptualization of Marxist theory as applied to the sociology of crime and delinquency (p. 4). The contributing authors use a Marxist-informed analysis to question social change, inequality, capitalism, repression, etc. Arrigo concludes that one overarching undercurrent in the authors' essays is the persistence of patriarchy in creating and sustaining institutions to suppress women and minorities. Another common theme is the affect one's social and economic status can have on their ability to influence the court's decisions. For example, one's status as an addict, inmate, female or working poor, determines how their rights will be honored in the criminal court. Though the authors do not directly discuss the theories of drug policies, their analyses of the court system, punitive policies and institutions, and laws that create unequal sociological and psychological disparities, are transferable to current policies instituted by the "war on drugs".

Klein, Miller, Noble and Speigman (2004) use an interpretative approach to examine the drug policy implementation plans and treatment services enacted under California State Proposition 36, passed in 2000. Proposition 36 mandates courts to offer treatment in lieu of incarceration for adults convicted of drug possession. Klein et al. assert, "Proposition 36 is opening important, previously concealed fault lines between public health and criminal justice approaches to policy" (p. 749). Proposition 36 gave power to the counties to develop effective implementation and treatment strategies. The authors develop a case study of eight counties to examine the variations in implementation strategies used by county policymakers. The authors identify major differences between counties and future areas of research for assessing the effectiveness of Proposition

36. One difference among counties occurred with client management services. When treatment functions were assigned to probation officials instead of health officials, the recommendations to court officials were more punitive and did not favor continual treatment options. Other differences occurred with the rates of court referrals and wait time for treatment. The authors identified the need to redefine success outcomes with treatment programs, stating that strict assessments based on abstinence from drug use and avoidance of arrest is too narrow (pp. 749-750). Additionally, Klein et al. acknowledge that, "individuals charged with drug possession are commonly charged with other offenses as well, which may render them ineligible for Proposition 36" (p. 747), such as conspiracy and intent to distribute charges. The authors encourage researchers to assess this and other barriers to access, and success of treatment.

The hearing titled *The Decriminalization of Illegal Drugs*, 106th Congress (7/13/99) examines the issues that would be involved in legalizing or decriminalizing drugs. Those who testified before the subcommittee on criminal justice, drug policy and human resources ranged from a former DEA Chairman, the President of NORML, a recovering addict, and a mother who lost her son to drug use. This document provides insight into differing stakeholders views of the issue of drug use, and decriminalization and provides extremely important insight into the current social and political climate surrounding drug use. It is important to recognize the stigmatization that is associated with drug use at all levels of society, including Congress. This document offers an illustration of the environment within which our research is conducted, and within which women are incarcerated.

Meier discusses his hypothesis that states have more of an impact on drug laws and enforcement in *The Politics of Drug Abuse: Laws, Implementation, and Consequences* (March, 1992). One of the major factors Meier found is that race plays a distinct role in drug arrests and penalties. This seemed to be most prominent with states with the highest black and Hispanic populations; those states have the highest arrest rates for possession, sale and use of drugs. This is significant because many of the narratives from *The Wall* are from women in states with higher minority populations.

His hypothesis that states are more stringent on drugs than the federal government may be outdated due to the data he was tracking from the early eighties. Many of the stories in *The Wall* were pursued more fervently by the federal government. Meier discusses political factors and interest groups in the creation and level of implementation of drug laws. Though there are some contradictions in Meier's writing and the current time, his research provides a foundation and history with which to examine drug laws.