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Not All Women Are Mothers: Addressing the Invisibility of Women Under the Control of the Criminal Justice System Who Do Not Have Children

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Abstract

Research has consistently shown that most women under the control of the criminal justice system are mothers. The robustness of this finding has been accompanied by a failure to consider the characteristics and needs of women without children. In this study, we examine data on 1,334 formerly incarcerated women. Findings indicate that while mothers and non-mothers share some characteristics, they differ on several others, most notably demographic profile, mental health, and timing of contacts with the criminal justice system. These results suggest a need to recognize the diversity among women offender groups, particularly when developing policies and programs need.

Keywords

women in prison, mothers, non-mothers, mental health, housing

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Before the emergence of feminist criminology in the 1970s, research on crime focused almost exclusively on men. Since that time, a large and growing body of literature has emerged on the relatively small but significant population of women engaged in criminal behavior. This research has yielded relatively consistent findings about everything from demographics and family history to outcomes in reentry. For example, we know that women involved in the criminal justice system are disproportionately low-income women of color: Hispanic women are incarcerated at one and a half times the rate of White women, and Black women are almost three times as likely to be incarcerated as their White counterparts (Guerino, Harrison, & Sabol, 2011). Women in prison are likely to be poor and to have histories of violent victimization and the associated problems with mental health and substance abuse (Bloom & Covington, 2009; Covington, 2006; Dodge & Pogrebin, 2001; Harwell & Orr, 2009; Tripodi & Pettus-Davis, 2013). The replication of these findings over time has been a powerful reminder that poor women of color with histories of abuse disproportionately are subjected to the control of the criminal justice system. However, the recitation of these well-worn facts masks the presence of women who do not fit these characteristics.

One example of this is the case of women who are not mothers. One of the most robust findings is that most women in prison (62%) are mothers of minor children and are far more likely than their male counterparts to have lived with at least one of those children before their incarceration (Glaze & Maruschak, 2008). Much scholarly attention is rightly paid to the challenges posed by and to incarcerated women and their children, from contact during incarceration to caregivers of children left behind, and the effects of separation on mothers and children (Celinska & Siegel, 2010; Glaze & Maruschak, 2008; McWey & Mullis, 2004; Michalsen, 2007; Michalsen, Flavin, & Krupat, 2010; Young & Smith, 2000). Far less is known about women who do not have children.

This study is motivated by a desire to consider the characteristics of under the control of the criminal justice system who are not mothers. To this end, we have undertaken a modest study comparing mothers and non-mothers' backgrounds, physical and mental health, and their histories of drug use and criminal justice system involvement. We use information on 262 women who do not have children (referred to here as "non-mothers") with 1,072 women who have children ("mothers") in the New York metropolitan area.¹ We then consider the import of our findings for future research, policy, and practice. Our findings highlight the need to look beyond the traditional portrait of a woman in prison, to consider other features of women's lives, and stress the need to remind ourselves that while women's experiences of crime and justice may be widely shared, they are not universal.

Statement of the Problem

The body of research that compares men and women's experiences of crime and criminal justice, or places women at the center of the research enterprise, has been less inclined to consider the diversity of backgrounds and experiences that exist *among* women.² Much scholarly attention has been given to the situation of women involved in the criminal justice system who have children (Arditti, 2005; Bernstein, 2005; Carlson & Shafer, 2010; Enos, 2001; Foster, 2012; Loper & Tuerk, 2011; Walker, 2011). However, what of women who are not mothers? The literature is overwhelmingly silent. The impact of parental incarceration on children is important and widespread. There are several reasons why our concern for incarcerated women should extend beyond an interest in the collateral consequences of their imprisonment on others' lives. First, in the absence of information, we cannot assume that the needs of women who do not have children are being met by programs and services developed to serve a population of women composed mostly of mothers of young children.

Second, principles of fairness demand that we address this gap in our knowledge. Citing the smaller numbers of women who commit crime relative to the numbers of men is a weak justification for excluding women from scholarly inquiry. So, too, is justifying our ignorance of women who do not have children on the grounds that most women under the control of the criminal justice system *do*. Along similar lines, considering the situation of women who do not have children encourages us to think more broadly about women beyond their status as mothers (Flavin 2004). Third, failing to consider the situation of women who do not have children reinforces hegemonic notions that women are supposed to be mothers and that to not have children is somehow to be less of a woman. Roughly 45% of women of childbearing age in the United States do not have children (Dye, 2008). Women may not become mothers for a variety of reasons, including infertility and a lack of opportunity (Kelly, 2009). Voluntary childlessness also seems to be increasing among younger women (Abma & Martinez, 2006; Dye, 2008). In 2002, 7% of 35- to 44-year-old women in the United States were voluntarily childless, up from 5% 20 years before (Abma & Martinez, 2006). This may be due to a number of factors and social trends, including access to reproductive technologies, increased professional opportunities for women, and changes in society's expectations for women (Kelly, 2009). The point is that the legitimacy of women's lives apart from parenthood should be respected and acknowledged in our scholarship, and in correctional policies and practices.

In this article, we review the small body of existing literature about mothers under the control of the criminal justice system and their non-mother

counterparts, and make tentative predictions about demographic characteristics, physical and mental health, and criminal justice system involvement. We describe our methodology, outline our findings, and discuss the implications of our findings for research, policy, and practice. Our findings represent an area that has yet to be explored and have far-reaching implications for how we may most effectively assess and address the needs of formerly incarcerated women. We present this study in the spirit of promoting research in this area, long overdue.

Review of the Literature

Very few studies consider in any depth women under the control of the criminal justice system who have not had children. Ann Loper (2006) undertook a study comparing mothers and non-mothers incarcerated in a maximum-security prison on demographic and criminal characteristics (e.g., offense type), as well as their adjustment to prison life. She found no significant differences between the women in terms of age, education, minority status, self-reported mental illness symptoms, or officially recorded misconduct. The two groups did vary in their marital status, with non-mothers being more likely to report having always been single. In terms of offending patterns, non-mothers were more likely than mothers to be convicted of violent offenses and less likely to have a current or prior conviction for a drug offense and correspondingly were sentenced more severely. Flavin's (2001) study of the sentencing of Black women and men drug offenders included an analysis of the impact of whether one had children and, if so, whether one lived with them. She found that even after controlling for legal factors such as prior record and offense seriousness, women who did not have or live with children were sentenced more severely than custodial mothers. Our predictions are also informed by what we know about women who are not involved in the criminal justice system. National statistics suggest that the growing population of women who do not have children or delay having children tend to be of higher socioeconomic status than those who have children (Waldfoegel, 1997; Weeden, Abrams, Green, & Sabini, 2006). Women who do not have children also are more likely to be White and non-Hispanic (Chancey, 2006). We predict similar findings for the current study.

Women's labor force participation in the United States has been changing dramatically for decades, including increasing rates of participation, compensation, and education. As of 2010, almost three quarters of mothers were in the labor force, with unmarried mothers and mothers with older children (6 to 17 years old) even more likely to be working. Women make up the majority of the "working poor" in this country, with poverty rates among Black and

Hispanic women particularly high: 14.2% and 13.6%, respectively (U.S. Bureau of Labor Statistics, 2011). If we add involvement in the criminal justice system to this picture, we find that women in prison not only report a lack of education but also report high rates of unemployment leading up to arrest (Women's Prison Association, 2003). On reentry, the stigma of criminal justice system involvement has real implications for employment prospects: Travis, Solomon, and Waul (2001) found that two thirds of all employers in five major cities were unwilling to hire people who had been incarcerated, and that 1 year after release, 60% of formerly incarcerated people remained unemployed. Given their near universal lack of education, and the power that a history of criminal justice system involvement has to erode employment opportunities, we predict that mothers and non-mothers are equally likely to be unemployed.

Our predictions for housing situation, including stability, and "ever" leasing a home or having utilities in one's own name, are less straightforward. On one hand, women who do not have children may be able to devote more time to pursuing an education and a career, and do not need to spend part of their income on children. Therefore, one would expect them to be in a better position to rent their own apartment, pay utilities, and so on. At the same time, we need to take into account that our study was undertaken in New York City, which has a severe shortage of affordable housing. For a variety of reasons, living situations of non-mothers could reasonably be expected to be less stable than those of mothers. Mothers may be more likely to reside with someone else, including a partner or a family member. Many single income earners cannot afford to rent an apartment of their own. Non-mothers may be less likely to obtain public housing because they do not have a child. Furthermore, family members may be more inclined to agree to house a woman who has children out of concern for those children. Many women released from prison or jail in New York City live in homeless shelters (Freudenberg, Daniels, Crum, Perkins, & Richie, 2005), either alone or with children. Mothers and families tend to receive priority over other people, including single non-mothers. The Department of Homeless Services in New York City divides its shelters into single adult shelters and family shelters. In New York City, women make up less than a third (30%) of individuals living in single adult shelters. Single-mother families make up the majority of the population of family shelters (Smith, Flores, Lin, & Markovic, 2005).

The body of literature on parenting and health (including medical care, mental health, and substance use) is surprisingly limited, probably because of the complicated nature of health (Mirowsky, 2002). Research has shown not only that parenting can encourage a lifestyle conducive to good health but also that the economic hardships, interpersonal conflicts, and role strains

parenting may engender can be detrimental to parent health (Mirowsky, 2002). Hewitt, Baxter, and Western (2006) found that being a working mother was detrimental to self-reports of health, but that being mother who did not work outside the home was beneficial to health. More recently, Ogle, Tyner, and Schofield-Tomschin (2011) found that expectant parents adopted a “duty to be well ideology,” for which they engaged in health-promoting behaviors for the benefit of their children. In addition to parents’ increased monitoring of their own health, Ogle et al. (2011) found that parents were subject to increased surveillance of their health behaviors by the community, which may result in more healthful behaviors. In turn, we expect mothers to report a higher quality of health, as evidenced by self-evaluation of health and number of recent hospitalizations. In addition, in that the constellation of resources may be higher for children and their caretakers, we expect that this may positively affect the health of mothers. Finally, Pap tests and breast exams are routine part of intake screening at New York correctional facilities. Because most of the women in our sample have all experienced some incarceration, it can reasonably be expected that most of the women in our sample will have undergone these exams, irrespective of whether they have children.

Findings with regard to mental health are also mixed. Some studies have shown that mothers have enhanced mental health and social networks compared with their non-mother counterparts (e.g., Helbig, Lampert, Klose, & Jacobi, 2006; Holton, Fisher, & Rowe, 2010), others that there are no significant differences (e.g., Wethington & Kessler, 1989), and still others that show that motherhood has a negative effect on women’s mental health (e.g., Evenson & Simon, 2005). When it comes to women with criminal justice system involvement, Loper (2006) found no differences in incarcerated mothers’ and non-mothers’ self-reported mental illness symptoms. Women without children may experience better mental health than women with children because they do not have to care for others and can focus on their own health. Then again, having responsibility for minor children may give a woman more access to services and programs that permit her to enjoy better health.

Finally, women without children are expected to have greater criminal justice system involvement than women with children for two reasons: One, the presence of children provides some informal social control that may encourage desistance from criminal behavior (Michalsen, 2011). Two, women without children will not be the recipient of any possible protective “chivalry” or “paternalistic” effect that might be extended to women who have children (Crew, 1991; Spohn & Beichner, 2000). Thus, we expect women without children to have a longer criminal history, to be more likely to have criminal convictions, and to be involved in the criminal justice system at an earlier age than custodial mothers.

Data and Method

The Women's Prison Association (WPA) provided the data used in this study. Founded in 1844 and based in New York City, WPA is the oldest and largest service organization in the United States working with women with criminal justice system involvement. Each year, WPA provides direct assistance to approximately 2,500 women and their families in the New York City area. WPA's service and advocacy efforts are focused in six areas: livelihood, housing, family, health and well-being, fulfilling criminal justice mandates (e.g., probation and parole), and social and civic connections. WPA operates from three community sites: two on Manhattan's Lower East Side, and one in East New York, Brooklyn. WPA also has facility-based offices at Riker's Island jail and at Taconic and Bedford Hills Correctional Facilities.

On entry into one of WPA's programs, women are interviewed by trained workers using an intake instrument. Informed consent is obtained from all interviewees. The intake instrument includes about 200 questions about a woman's profile, history, needs, and resources, and takes approximately 1 hour to administer. Most of these questions are close-ended. In addition to basic demographic and contact information, the 42-page intake instrument collects information on women's criminal justice system involvement, family ties, housing, work history and income, education, health, HIV and TB risk assessment, mental health, substance use history, service history, and service needs. Data are collected from almost all of WPA's clients including women who are currently incarcerated in jail or prison, as well as those who reside in the community. This study used only those data collected from women who were not incarcerated at the time of the interview. The data that were collected cover more than an 8-year time period extending from January 1, 2002 to November 1, 2010.

Because these data are drawn from a service organization, they are subject to a number of shortcomings. For example, the instrument is administered by direct service staff members who, despite training, may skip questions due to time restraints or lack of comfort with the client. In addition, these data are collected to fulfill the needs of the organization, not with research standards in mind. As such, the data for this study present the issue of missing information, but we do not believe that this poses a substantial problem for the variables used in this study. The amount of missing data ranged from 1% to 22.7% for the various items. Roughly 80% of the variables had less than 10% missing data.

In addition, the data from this instrument are, of course, subject to the traditional pitfalls of self-report data. In particular, both mothers and non-mothers may fear that answering some of the questions honestly may reflect poorly on them in the interviewer's eyes. The temptation to give socially

desirable answers to questions may be particularly acute for the women who were mothers since they are held to an ideal of “maternal” behavior. Women who are mothers may face the additional fear that, for instance, admitting engaging in sex work or recent drug use may jeopardize their eligibility for services or have repercussions for their continuing custody of their children.

These data are not drawn from a randomly selected sample and may not be representative of all women in the New York or New York City criminal justice system. However, as of 2009, New York had the 13th largest population of incarcerated women in the United States (West, 2010). WPA offers services to roughly one in three women in the New York state prison system and New York City jails. Therefore, while not a representative sample, these data do provide useful information that might inform correctional policy and practice at least in New York City.

The original data set included 96 women who were incarcerated. These individuals were excluded from the analysis. To avoid the effects of age being confounded with the effect of not having children, a decision was made to exclude any woman older than 62 years of age from the analysis.³ The final study sample of 1,334 women who were not incarcerated included 262 women (19.6%) who do not have children and 1,072 women who had given birth to at least 1 child. This distribution echoes national statistics reported for incarcerated women, including women with children of any age (including adult children). The main independent variable in this study was defined using women’s answers whether they had given birth to at least 1 child. Women who responded affirmatively to this question are not necessarily living with their children, or even the primary caretakers of their children.

Analysis and Findings

Our analysis focused on comparing mothers and non-mothers on 35 variables. Comparisons were made between these two groups of women by calculating a chi square for nominal-level variables and *F* values for interval-level variables. The tables report percentages of nominal-level variables and means and standard deviations for interval-level variables. Table 1 presents background characteristics. Table 2 presents information on the women’s physical and mental health, including substance use. Finally, Table 3 summarizes aspects of criminal justice system involvement.

Background Characteristics

As noted, around two thirds of the women in the sample were mothers of minor children. Table 1 presents some demographic and other background

Table 1. Background Characteristics.

| Characteristic | Non-mothers (n = 262) | Mothers (n = 1,072) | Test statistic λ^2 or F value |
|--|--------------------------|------------------------|--|
| Race/ethnicity | | | |
| Black | 72.6% | 76.8% | |
| White | 21.4 | 15.5 | |
| Other | 6.0 | 7.7 | 5.01* |
| Ethnicity | | | |
| Hispanic | 19.6% | 26.3% | |
| Non-Hispanic | 80.4 | 73.7 | 5.01** |
| Marital status | | | |
| Single | 77.1% | 62.1% | |
| Widowed/divorced | 14.0 | 22.7 | |
| Married/domestic partner | 8.9 | 15.2 | 20.6*** |
| Education | | | |
| <High school | 61.5% | 67.9% | |
| HS grad or equivalent | 13.7 | 14.0 | |
| Some college or more | 24.8 | 18.1 | 5.54* |
| Currently employed? | | | |
| Yes | 12.2% | 12.3% | |
| No | 87.8 | 87.7 | 0.00 |
| Average age in years (SD) | 34.5 (10.5) | 36.5 (9.4) | t: -2.792** |
| Residence | | | |
| Homeless/in shelter | 24.4% | 18.6% | |
| Temporary housing ^a | 59.1 | 47.1 | |
| Stable housing | 16.5 | 34.4 | 30.47*** |
| Ever had utilities in own name? | | | |
| Yes | 55.3% | 74.5% | |
| No | 44.7 | 25.5 | 34.94*** |
| Ever leased home in own name? | | | |
| Yes | 44.9% | 70.6% | |
| No | 45.1 | 29.4 | 57.81*** |

^aIncludes women who are living with family and friends temporarily.

* $p < .10$. ** $p < .05$. *** $p < .01$.

information for the 1,334 non-incarcerated women. Significant differences were found between the 2 groups on 8 of the 9 background characteristics examined. The majority of the women in the sample were Black and non-Hispanic. However, as predicted, non-mothers were more likely than mothers to be White and non-Hispanic, although this relationship is weak. On average,

Table 2. Physical Health, Mental Health, and Substance Use.

| Characteristic | Non-mothers | Mothers | λ^2 or <i>F</i> value |
|--|-------------|---------|-------------------------------|
| Health (self-evaluation) | | | |
| Fair/poor | 32.3% | 29.5% | |
| Good | 46.8 | 52.6 | |
| Excellent | 21.0 | 17.9 | 2.88 |
| Hospitalized in past year for medical reasons? | | | |
| Yes | 22.2% | 21.2% | |
| No | 77.8 | 78.8 | 0.11 |
| Ever had a Pap test? | | | |
| Yes | 91.4% | 91.8% | |
| No | 8.6 | 8.2 | 0.05 |
| Ever had a breast exam? | | | |
| Yes | 80.8% | 80.1% | |
| No | 19.2 | 29.9 | 0.06 |
| Ever had a mammogram? | | | |
| Yes | 41.2% | 45.6% | |
| No | 58.8 | 54.4 | 1.38 |
| Ever felt sad/blue for prolonged period of time? | | | |
| No, never | 36.0% | 43.3% | 7.88*** |
| Ever | 31.8 | 31.7 | |
| In past month | 20.7 | 14.2 | |
| Right now | 11.6 | 10.8 | |
| Ever talked to a mental health professional regularly? | | | |
| Yes | 63.9% | 58.1% | |
| No | 36.1 | 41.9 | 2.69* |
| Ever prescribed medication for mental health? | | | |
| Yes, ever | 35.5 | 30.9 | |
| No, never | 64.1% | 68.2% | 2.38 |
| Ever hospitalized for mental health reasons? | | | |
| Yes | 17.4% | 15.0% | |
| No | 82.6 | 84.5 | 2.02 |
| Ever attempted suicide? | | | |
| Yes | 22.6% | 18.8% | |
| No | 77.4 | 81.2 | 1.8 |
| Ever used alcohol? | | | |
| Yes | 82.6% | 73.3% | |
| No | 17.0 | 25.7 | 9.59*** |
| Ever used drugs? | | | |
| Yes | 76.1% | 76.5% | |
| No | 23.5 | 22.9 | 0.28 |

(continued)

Table 2. (continued)

| Characteristic | Non-mothers | Mothers | λ^2 or <i>F</i> value |
|---------------------------|-------------|---------|-------------------------------|
| Drug use in past year | | | |
| Yes, in past 3 months | 14.5% | 12.6% | |
| Yes, >3 months ago | 49.6 | 52.1 | |
| No | 36.0 | 35.2 | 1.04 |
| Ever used marijuana? | | | |
| Yes | 59.8% | 54.9% | |
| No | 39.3 | 44.8 | 3.47 |
| Ever used crack? | | | |
| Yes | 33.2% | 41.7% | |
| No | 66.4 | 58.0 | 5.46* |
| Ever used powder cocaine? | | | |
| Yes | 29.6% | 27.2% | |
| No | 69.9 | 72.5 | 0.65 |
| Ever used heroin? | | | |
| Yes | 20.6% | 24.4% | |
| No | 79.0 | 75.3 | 1.47 |

* $p < .10$. ** $p < .05$. *** $p < .01$.

non-mothers were younger than mothers and more likely to be single. While at least 60% of all women reported less than a high school education, non-mothers were slightly more likely to report higher education, more non-mothers had spent some time in college, and mothers were less likely to have finished high school. As predicted, no differences were found between the two groups in terms of employment history: Most of the women had been employed at some point in their lives, and the vast majority was not employed at the time of intake.

Despite their higher levels of education, non-mothers overall had less stable housing situations. Having children seems to increase the likelihood that a woman will have a stable housing situation and to have her own place to live. About a quarter of the non-mothers were homeless, compared with around one fifth of the mothers. One third of the mothers reported stable housing, compared with less than one in five of the non-mothers. Women who did not have children were also significantly less likely than mothers to report having had utilities or leased a home in their own names. It may be the case that housing programs and family members are more likely to prioritize the housing needs of women who have small children.

Table 3. Criminal History.

| Characteristic | Non-mothers | Mothers | λ^2 or F value |
|---|-------------|-------------|------------------------|
| Most recent conviction | | | |
| None | 11.1% | 21.8% | |
| Drug offenses | 34.6 | 34.7 | |
| Property and other | 28.0 | 25.1 | |
| Violent | 26.3 | 18.5 | 17.92*** |
| Open criminal case? | | | |
| Yes | 17.1% | 13.2% | |
| No | 82.9 | 86.8 | 2.56 |
| Are you currently on state parole? | | | |
| Yes | 24.4% | 22.1% | |
| No | 75.6 | 77.9 | 0.59 |
| Are you or have you ever been a sex worker? | | | |
| Yes | 15.2% | 17.2% | |
| No | 84.8 | 82.8 | 0.58 |
| Age at first contact with police | 21.1 (8.6) | 23.5 (9.6) | 12.09*** |
| Age at first arrest | 22.3 (8.7) | 24.3 (9.5) | 9.12*** |
| Age at first time in jail | 24.1 (9.4) | 25.7 (10.0) | 4.81** |
| Age at first time in prison | 23.8 (11.3) | 26.1 (11.8) | 6.55** |

* $p < .10$. ** $p < .05$. *** $p < .01$.

Physical and Mental Health and Drug Use

In general, there were few significant differences observed in physical and mental health of the 2 groups of women (see Table 2). More than half of all of the women indicated that their health was “good” or “excellent” with around one third indicating that it was fair or poor. Around 1 in 4 women had been hospitalized in the past year for medical reasons. More than 90% of all the women in this study had had a Pap test, and around 8 in 10 reported having had a breast exam. This finding is not surprising, because these exams are commonly offered on admission to jail or prison. Most women, however, had not had a mammogram.⁴

While the two groups of women were similar in features of their physical health, those who were not mothers were more likely to report mental health concerns. Significantly more non-mothers reported having ever felt sad or

blue for a prolonged period of time, with just over 1 in 10 indicating they felt that way “right now.” Non-mothers were also significantly more likely to have ever spoken to a mental health professional regularly. Although the majority of women had never attempted suicide, about one fifth of both mothers and non-mothers had. Very few women in the entire sample reported ever having been hospitalized for mental health reasons (about one sixth of each group), and about one third of both the mothers and non-mothers had ever been prescribed medication for mental health reasons. Bear in mind, however, that mothers may be less likely to answer questions about mental health problems honestly for fear that such disclosure might affect the custody of their children (Busch & Redlich, 2007).

About three quarters of each group of women reported “ever” using drugs. Non-mothers and mothers both reported that their drug use had happened more than 3 months ago. The most commonly reported substance ever used was alcohol (used by significantly more non-mothers than mothers), with about half of all women reporting marijuana use, and between one in three and four reporting having ever used powder cocaine and heroin. Mothers and non-mothers did differ in reporting having “ever” used crack: Around 33% of the women without children reported using crack, compared with 42% of the mothers. It is also possible that custodial mothers are less likely to report the use of such drugs for fear of having their children removed from their care.

Criminal Justice History

Table 3 presents frequency distributions and descriptive statistics on 8 criminal justice history variables. Six differences emerged between the two groups of women. Their offense profiles echo national patterns with around one third being most recently convicted of drug offenses, and another one third being convicted of property offenses. However, non-mothers were more likely to have been convicted of a violent offense, and mothers were more likely to report no recent convictions. The vast majority of all of the women did not have an open criminal case at the time of the intake, and most were not currently on state parole. The majority of all of the women had not been sex workers.

Differences were found in age at first contact with police, first arrest, first time in jail, and first time in prison. Overall, the average age for these contacts was in the early to mid-20s for the entire sample. On average, non-mothers tended to experience these contacts 2 years earlier than mothers. It may be the case that being a mother may provide some sort of informal social control that delays involvement with crime. Alternatively, there may be some sort of reluctance on the part of criminal justice system actors to stop, arrest,

or incarcerate mothers. Indeed, past research has shown that judges sentence parent offenders more leniently than their non-parent counterparts (e.g., Daly, 1987, 1989; Flavin, 2001; Spohn, 1999). Recently, in line with Flavin's (2001) findings, Freiburger (2011) found that it was not just parental status, but parents (particularly women) who lived with their children and provided emotional and financial support to those children who were significantly less likely to be incarcerated. These findings have consistently also shown to be true only for specific crimes: For example, mothers with drug convictions (stereotyped as "bad mothers") are not shown such leniency, while drug offenders providing child support, but not as intensely involved in their children's lives, did benefit. Echoing Daly (1987, 1989), Flavin (2001) attributes such variation in sentencing to what they call child-based social control, which they have found varies inversely with sentence severity. Indeed, their findings showed that custodial mothers were subject to less severe penalties than non-custodial mothers or fathers. In a blatant reflection of patriarchal attitudes, the system's highest penalties are reserved for the women who do not fit the "woman-as-mother" mold: childless, living alone, or living as a non-custodial parent (Flavin, 2001).

Discussion and Conclusion

Our analysis reveals that mothers and non-mothers shared many characteristics. No significant differences were found, for instance, on many of the variables related to health and substance use. Differences were found between the two groups, however, on 17 of the 34 characteristics examined including most of the demographic variables, two of the mental health variables, alcohol and cocaine use, and several indicators of criminal history. These findings, while preliminary, support the idea that important differences exist between non-mothers and mothers, and that there is a need for providing support—particularly with regard to housing, substance use, and mental health—to non-mothers that heretofore has gone unacknowledged, and thus unmet. The differences suggest that non-mothers are more likely than mothers to have been convicted of violent offenses and to have earlier involvement with the criminal justice system. While non-mothers are more likely than mothers to be White and to have at least a high school education, they also are less likely to have stable housing.

The findings concerning housing, in particular, deserve more attention. The majority of the entire sample of women reported being homeless or in a temporary housing situation. Non-mothers in particular are less likely than mothers to report a stable housing situation. The lack of housing may also be related to our other findings. For example, non-mothers were more likely to

have a history of mental health concerns and recent drug use; this may affect their eligibility for housing as well as their ability to secure and keep stable housing.

Non-mothers with substance abuse and mental health problems, however, may have an easier time finding services compared with mothers because they do not have the additional responsibility of children. Indeed, a search for substance abuse programs with beds for clients' children showed only 11 residential treatment facilities within 50 miles of New York City, compared with 42 for women without the need for housing children.⁵ The absence of facilities able to accommodate children makes treatment even more difficult for mothers.

The needs, backgrounds, drug use, and criminal justice histories of non-mothers deserve more scholarly and programmatic attention than they have received to date. By taking a different focus than that set by decades of research, we are not only acknowledging the differences between women in the system but are also breaking up the monolith of what has thus far been considered. While the negative effects of the system are more keenly and commonly experienced by poor mothers of color, no doubt, a diversity of experiences exists among and across groups of women. The findings also beg the question of what other important facets of women's lives have gone unnoticed. Indeed, mothers have some very specific and important concerns. However, we suggest that recognizing these needs does not justify overlooking other dimensions of the lives of women, mothers and non-mothers alike.

Future research should consider how differences in background between mothers and non-mothers may shape offending and drug use patterns, criminal justice treatment, and access to services and programs. Research also should include comparisons between more specific subgroups of women, including non-mothers, mothers who live with their children, and those who have children but do not live with them. This can help us determine the extent to which women's roles as mothers (as opposed to their status) may explain differences in criminal justice processing and the extent to which women may be sanctioned in a legal or social sense by not being mothers or being perceived as "bad" mothers (see Flavin, 2001). Future research should sample women not engaged in services such as those offered by WPA. Our methodology may have excluded a number of important segments of the population of women in reentry: those who return home to sufficient resources, or who have achieved sufficient resources on reentry, and those who need services but remain on the streets. In sum, our study's findings establish that identifying and acknowledging the diversity of women's backgrounds and experiences are worthy endeavors, with important implications for policy and programming.

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Notes

1. A note on terminology: Terms such as *childless* and *non-mothers*, although offering the advantage of brevity, imply that the typical woman is one who has had children and that women's status and role as a parent trumps any other she might occupy. Although mindful of this and other shortcomings of the terms *mothers* and *non-mothers*, we have opted to use them here because they offer the twin benefits of being succinct and readily understood.
2. Notable exceptions to this exist, such as Beth Richie's (1995) study of how race, violence, and other characteristics shaped the lives of incarcerated women.
3. Reproductive years are widely considered to be between 15 and 44. A woman who had a child at 44 could be expected to raise a minor child until she was 62.
4. Given that the average age of women was the mid-30s, this is not entirely remarkable. In general, at the time these data were collected, women who were not at high risk of breast cancer were advised to have a baseline mammogram at age 40.
5. The Substance Abuse and Mental Health Services Administration (SAMHSA) substance abuse treatment facility locator: Retrieved May 1, 2014, from <http://findtreatment.samhsa.gov/>.

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