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***Denied, Disrespected, Doubted, and Discarded:  
Women's Criminal Convictions and Experiences of Discrimination\****

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**ABSTRACT**

This study surveyed more than 400 incarcerated women in a medium–maximum-security prison in the United States to assess their experiences of discrimination due to their criminal conviction. More than 60% of the participants indicated that they had been discriminated against because of their felon status. Binary logistic models revealed that discrimination based on felon status can occur both inside and outside of prison but varies by race and length of stay. Similarly, qualitative results showed that during and/or after their incarceration, these women reported being denied jobs, disrespected, and viewed as incapable of changing. Some women even anticipated that they would experience discrimination upon release.

**KEY WORDS** Women; Prisons; Social Stigma; Discrimination;  
Collateral Consequences

Mass incarceration affects the most vulnerable and marginalized individuals and communities in the United States (Dumont et al. 2012; Wildeman and Lee 2021). In 2023, approximately 170,000 women were incarcerated in state and federal facilities in the United States (Kajstura and Sawyer 2023). Although women represent less than 10% of the U.S. prison and jail population, their rate of incarceration increased more than 500% between 1980 and 2021 (Monazzam and Budd 2023). Incarcerated women, many of whom are mothers to young children, tend to be poor and undereducated and have histories of mental and physical illness and trauma (Kajstura and Sawyer 2023). After completing their sentences, these women will be released and expected to successfully reintegrate back into

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their families and communities. Unfortunately, more than half of these returning citizens will be arrested for a new crime within three years of release (Durose, Cooper, and Snyder 2014).

These returning women, the majority of whom are women of color (Carson 2021), might be at a higher risk for experiencing discrimination based on their race/ethnicity, sex, and involvement in the criminal justice system. This discrimination may worsen the women's health, already marred by incarceration (Massoglia 2008; Massoglia et al. 2014), and further contribute to negative reentry experiences for this vulnerable and sometimes invisible population (Braithwaite, Treadwell, and Arriola 2005; Kim 2003). From a community health perspective, these same women frequently return to some of the most socially disadvantaged communities that are often unable to address the needs of this population (Blitz et al. 2005; Simes 2019). Although extensive literature has explored the collateral consequences of incarceration (Kirk and Wakefield 2018), less work has focused specifically on the experiences of women. The objective of this investigation was to document and analyze the extent to which women perceived that they experienced discrimination as a result of their criminal convictions. This study focuses on both women incarcerated for the first time who report experiences of perceived discrimination due to their criminal convictions only while incarcerated and women incarcerated multiple times who may have perceived experiences of discrimination due to their criminal convictions while incarcerated and/or after their release from prison.

## LITERATURE REVIEW

Incarcerated women often confront pervasive and multifaceted forms of discrimination within the criminal justice system (Van Wormer and Bartollas 2021). One prominent facet of this discrimination in prison is the unequal allocation of resources and support, which can manifest in limited access to healthcare, mental health services, and educational programs (Covington and Bloom 2007). Moreover, women frequently encounter gender-specific challenges, such as inadequate accommodations for menstrual hygiene and pregnancy-related care (Baldwin, Sobolewska, and Capper 2020). Discrimination may also manifest in differential treatment by correctional staff, including instances of verbal abuse and sexual harassment (Buchanan 2007). In addition to experiencing discrimination while incarcerated, once released from prison, women may encounter discrimination because of their criminal convictions.

The expansive growth of the U.S. prison population since the 1980s has led to a significant number of previously incarcerated individuals returning to their communities after release. Estimates suggest that approximately 3% of the U.S. adult population has been incarcerated in prison and 8% of adults have a felony conviction (Shannon et al. 2017). These previously incarcerated individuals face a number of barriers as they try to reintegrate (Gwynne, Yesberg, and Polaschek 2020; Travis 2002).

One overriding obstacle to successful reintegration is the felon label. A felony conviction in many cases can permanently stigmatize the individual, leaving them with a criminal mark and few legitimate opportunities for employment upon release (Middlemass 2017; Pager 2003). Legislation and long-established narratives that those with criminal convictions are deplorable and irredeemable have resulted in the application of the negative

social construct of the “other” (Middlemass 2017). Individuals with a felon status or label are no longer viewed as full members of society; instead, they are saddled with a social disability. Federal- and state-level policies have resulted in what is often termed *collateral consequences*, a series of regulations and restrictions that limit the rights and privileges of individuals with criminal records (Travis 2002). For example, many individuals with prior justice system involvement and felony conviction labels are barred from serving on juries, voting, and owning or possessing firearms. Further, they may have limited eligibility to some public-assistance benefits such as federal student aid and housing assistance. Lastly, formerly incarcerated individuals may be prohibited from holding various jobs and may face overt and subtle bias from hiring managers that prevents employment opportunities (Kirk and Wakefield 2018; Petersilia 2003; Travis 2002).

The stigma of the felon label can be compounded as those formerly incarcerated individuals often struggle with financial debt and poor health and lack the relevant or necessary skills desired by employers (Massoglia and Pridemore 2015; Wyant and Harner 2016). The experience of incarceration can weaken important social bonds, coupled with the general lack of resources and limited formal education, disadvantaging many individuals as they attempt to successfully reintegrate into society. These challenges, paired with the collateral consequences of their felon status, create instability and act as obstacles for individuals as they transition from prison into communities (Gwynne et al. 2020; Pager 2003). Individuals ostracized by political discourse and legislative restrictions may increase the likelihood of additional involvement in the criminal justice system (Middlemass 2017; Petersilia 2003). Overall, the felon label and its associated disadvantages can reduce the likelihood of an individual desisting from crime and can thus contribute to higher levels of crime in neighborhoods (Whittle 2018).

The reentry experience for a justice-involved woman can be uniquely difficult, especially for a woman with a felony conviction. Despite some exceptions (e.g., Hersch and Meyers 2018; McConnell 2017; Richie 2001), research has often “ignored the context of women’s lives and that women offenders have disproportionately suffered from the impact of ill-informed public policy” (Bloom, Owen, and Covington 2004:31). Even as research on mass incarceration has grown, “women are rarely its focus” (Stubbs 2020:295). Women in prison, the vast majority of whom will be released at some point, come from and will return to communities that are more likely to have higher unemployment rates and few job prospects. Many of the women leaving prison lack a high school diploma or GED and, compared to men, have received fewer necessary services while incarcerated, further reducing their employment opportunities (Richie 2001; Sawyer 2019). Many incarcerated women have reported a history of physical and sexual abuse. Women’s past traumas (i.e., physical and sexual violence, substance use, and lack of access to adequate healthcare) may result in compromised mental and physical health as they attempt to successfully return to their communities (Harner, Wyant, and Da Silva 2017; Richie 2001). While incarcerated, these women often are not receiving the necessary support and services to address their underlying conditions. It is then common for the women to return to neglected communities, ones with few resources, a combination that is detrimental to their successful reentry (Richie 2001; Simes 2019).

The current work sought to extend research on the effects of incarceration by focusing on the more likely neglected experiences of incarcerated and post-release women, utilizing both quantitative and qualitative approaches. Compared to a monomethod approach, utilizing both quantitative and qualitative methods can offer a richer understanding of phenomena (Brent and Kraska 2010). Although selected work has examined the collateral consequences of women's criminal convictions, work has not studied if women perceived that they experienced discrimination while incarcerated based specifically on their criminal convictions. That is, while research has documented that incarcerated women face distinct challenges fueled by gender-based discrimination (Bartlett and Hollins 2018; Hunter 1984) and are victims of sexual assault (Calhoun and Coleman 2002; Smith 2022), verbal abuse, and complications accessing healthcare (Harner and Riley 2013) in prison, work has not explored if women perceived that they are being discriminated against during confinement specifically because of their criminal convictions. Considering the substantial growth of female imprisonment, combined with the distinct struggles that women face once released, the present study seeks to add to the literature on discrimination against women related to their criminal label. Study results can contribute to better understanding of the prevalence of discrimination against them during incarceration and after their release from prison, mistreatment that can lead to a number of negative effects on self-esteem (LeBel 2012) and to increased likelihood of reoffending and misconduct in prison (Morris et al. 2012).

## **METHODS**

Data on incarcerated women's experience of discrimination were obtained in the summer of 2010 from a cross-sectional descriptive exploratory investigation in a medium–maximum-security U.S. prison. As part of this comprehensive study, women completed a 20-page self-report questionnaire including questions about demographics, criminal record, and incidents in which respondents perceived they had been discriminated against because of their criminal convictions.

Approximately 1,000 women were housed in the study prison, but for security reasons, only adult women housed in the general population of the prison were eligible to participate. Excluded from the study were women on death row, institutional segregation (“the hole”), the secure mental health unit, and the diagnostic intake center. Women were informed about the study by posted flyers hung in the general-population housing units. The first author visited each housing unit in the general population and, in a community meeting, stated the purpose of the investigation and invited women to ask questions about the study. The first author clarified that participating in the study was voluntary, all data were anonymous, and no incentives were provided for participation. This investigation was approved by the institutional review board of the department of corrections and the academic institutions of the authors.

A statement was included on the front of each survey, acknowledging that study participation was voluntary and the information provided by participants would be anonymous. Women were instructed not to disclose any personal identifying information (e.g., name, date of birth, inmate number). Nine hundred (900) surveys were delivered in

unidentified and unsealed 8 ½" x 11" opaque envelopes to the individual housing units (overseen by the assistant to the superintendent). The first author was available at the prison for two weeks to supervise the survey distribution and answer participants' questions. After completing the survey, participants sealed their answers in the original envelopes and placed them into the secure prison mail system. Completed surveys were mailed internally to the attention of the assistant to the superintendent. The first author verified that all envelopes were sealed on receipt. Of the approximately 900 distributed surveys, 439 were completed (49% response rate).

### *Dependent Variable*

The dependent variable analyzed in this study is a dichotomous item that represents whether the participant answered *yes* or *no* to the question "Do you feel like you are discriminated against because you have been in prison?" When respondents affirmed discrimination based on prison status, they were asked to describe (in narrative format) their experience (Question 2: "If Yes, please describe").

### *Independent Variables*

Two sets of independent variables are considered for inclusion in the multivariate analyses. The first represents the participants' demographics and includes dichotomous items that denote whether each participant is of a particular ethnicity, including Black, Hispanic, or other. (White is the reference category for the ethnicity indicators.) Additionally, there is a dichotomous item that represents whether the participant had received some college credit or beyond, and a continuous item representing the participant's age at the time of the interview. A second set of independent variables represents criminal justice-related indicators, including dichotomous items denoting how long each participant had left on her sentence, including one to two years, three or more years, and life sentence. (Less than one year is the reference category.) Two additional dichotomous items measured whether the participant had committed a violent offense to become incarcerated and whether this was her first time in prison.

### *Analytic Plan*

The analysis began with a univariate analysis of each variable described above in order to learn more about the participants' characteristics. Next, bivariate analyses were conducted to ensure that there were no issues related to multicollinearity that would preclude any items from being entered into the multivariate model. Finally, in an effort to identify predictors of feeling discriminated against because of incarceration, binary logistic regression models were estimated due to the dichotomous structure of the dependent variable representing perceived discrimination. The first model included all of the predictors listed above to understand how demographics and criminal justice-related variables were related to perceived discrimination for being incarcerated. Then, to isolate

perceived discrimination while incarcerated, a second model removed the indicator representing whether it was the participants' first time in prison and included only the participants for whom the current incarceration was their first time in prison.

Responses to question two, which was open ended, were analyzed qualitatively using conventional content analysis (Hsieh and Shannon 2005). Investigators reviewed all responses in their entirety multiple times to gain an understanding of the overarching broad experiences of discrimination related to prison status. The investigation was informed by prior research on both discrimination broadly and literature on collateral consequences, but codes were drawn from the text, as we did not utilize specific a priori coding. Independently, the first and second author sorted each qualitative response into broad categories. After broad sorting, line-by-line coding of the data was used to identify categories and codes specifically focused on women's experiences of discrimination as a result of their prison status. Some initial codes included stereotyping and harassment. Multiple readings of the transcripts focused on a narrower range of issues, such as sexual harassment or being viewed as untrustworthy. Although our aim was to create mutually exclusive categories, we found that, at times, categories overlapped to some degree. We then reexamined and refined categories to create limited conceptual categories that emerged from the data. Results presented here reflect concepts and themes that became apparent from the women's accounts.

## RESULTS

### *Quantitative Results*

The results of the univariate analysis are shown in Table 1. Approximately 62% of the participants reported feeling discriminated against because of their felon status. Regarding ethnicity, 27% identified as Black, 3% as Hispanic, and 6% as Other, indicating that 64% were White. The mean age of the participants at the time of interview was just over 38 years old. Thirty-four percent (34%) responded that they had completed at least some college credit. In terms of criminal history, 39% of the participants had committed a violent offense to become incarcerated and 45% were in prison for the first time. Twenty-three percent (23%) of the participants had between one and two years left on their sentence, 25% had three or more years, and 15% were serving a life sentence, which indicated that the remaining 37% of participants had less than one year remaining on their sentence.

Bivariate analyses were conducted to be sure that each of the independent variables listed in Table 1 could be simultaneously entered into the multivariate models predicting correlates of perceived discrimination. Those results indicated that there were no issues of multicollinearity to consider when estimating the logistic regression models.

The results of the binary logistic model predicting the correlates of perceived discrimination due to incarceration are shown in Table 2. Odds ratios and confidence intervals for each predictor are reported to indicate the degree to which each predictor increased or decreased the odds of reporting that a participant experienced discrimination because of their incarceration. An odds ratio above 1.0 for a predictor indicates that the predictor is associated with an increase in the odds of experiencing discrimination, whereas

an odds ratio below 1.0 represents decreased odds of perceiving discrimination. Of the demographic variables, the results in Table 2 show that identifying as Black (OR = 0.52,  $p < .01$ ) and Hispanic (0.22,  $p < .05$ ) are associated with decreased odds of feeling discriminated against. Participants who identified their ethnicity as Other or who received some college credit were not significantly more or less likely to feel discriminated against, and the age of participants did not significantly make them more or less likely to feel discriminated against.

**Table 1. Descriptive Statistics (n = 439)**

	Mean	SD	Min	Max
<b>Dependent variable</b>				
Discrimination (Yes = 1/No = 0)	0.62	0.68	0	1
<b>Independent variables</b>				
<i>Demographics</i>				
Ethnicity/race (Black = 1)	0.27	0.44	0	1
Ethnicity/race (Hispanic = 1)	0.03	0.17	0	1
Ethnicity/race (Other = 1)	0.06	0.24	0	1
Age	38.3/37.5 (M)	10.93	20	85
Education (some college or more = 1)	0.34	0.48	0	1
<i>Criminal History</i>				
Time left (1–2 years = 1)	0.23	0.42	0	1
Time left (3+ years = 1)	0.25	0.44	0	1
Life sentence (yes = 1)	0.15	0.36	0	1
Violent offender (yes = 1)	0.39	0.49	0	1
First time in prison (yes = 1)	0.45	0.50	0	1

Table 2 also shows that several of the criminal history indicators are significantly related with increased or decreased odds of feeling discriminated against. Participants who were in prison for the first time (0.46,  $p < .01$ ) and violent offenders (0.56,  $p < .01$ ) were significantly less likely to feel discriminated against because of their incarceration. In contrast, individuals with more time left on their sentence, including three or more years (2.02,  $p < .05$ ), and those serving life sentences (5.51,  $p < .001$ ) experienced significantly increased odds of experiencing discrimination.

Table 3 shows the results of the second binary logistic regression model. This model includes only those who indicated it was their first time in prison, in order to demarcate between discrimination existing solely inside the prison and discrimination experienced upon release from prison. The same variables, with the exception of the indicator representing participants who were in prison for the first time, predicted whether the participants who were in prison for the first time at the time of interview felt discriminated against because of their incarceration. The resulting model reduces the  $n$  from more than 400 in Model 1 to 196 in Model 2. In this model, only two variables are

significantly linked with increased odds of perceiving discrimination: serving a sentence of three years or more (3.28,  $p < .05$ ) and serving a life sentence (8.61,  $p < .01$ ).

**Table 2. Binary Logistic Regression Model Estimating the Effects of Demographics and Criminal History on the Likelihood of Experiencing Discrimination**

Items	Odds Ratios
<i>Demographics</i>	
Ethnicity/race (Black)	0.52 (0.32–0.84)**
Ethnicity/race (Hispanic)	0.22 (0.06–0.79)*
Ethnicity/race (Other)	0.53 (0.22–1.25)
Age	0.99 (0.97–1.00)
Education (some college or more)	1.57 (0.99–2.50)
<i>Criminal History</i>	
Time left (1–2 years)	1.34 (0.76–2.33)
Time left (3+ years)	2.02 (1.09–3.75)*
Life sentence	5.51 (2.27–13.37)***
Violent offender	0.56 (0.33–0.97)**
First time in prison	0.46 (0.29–0.74)**

\* $p < .05$  \*\* $p < .01$  \*\*\* $p < .001$

**Table 3. Binary Logistic Regression Model Estimating the Effects of Demographics and Criminal History on the Likelihood of Experiencing Discrimination for First-Time Incarcerated**

Items	Odds Ratios
<i>Demographics</i>	
Ethnicity/race (Black)	0.61 (0.30–1.28)
Ethnicity/race (Hispanic)	0.14 (0.14–1.41)
Ethnicity/race (Other)	0.27 (0.05–1.39)
Age	1.01 (0.98–1.04)
Education (some college or more)	1.08 (0.56–2.09)
<i>Criminal History</i>	
Time left (1–2 years)	1.52 (0.55–4.25)
Time left (3+ years)	3.28 (1.18–9.09)*
Life sentence	8.61 (2.46–30.16)**
Violent offender	0.53 (0.23–1.22)

\* $p < .05$  \*\* $p < .01$  \*\*\* $p < .001$

### *Qualitative Results*

Women's written descriptions of discrimination based on prisoner status were coded into four themes: (1) denied, (2) disrespected, (3) doubted, and (4) discarded. A brief review of each theme is provided below. Key exemplar quotes from participants, identified by their participant code number, are included as an appendix.

*Denied.* Overwhelmingly, women surveyed who had prior conviction(s) expressed that their criminal conviction resulted in them being denied access to important opportunities necessary for successful reintegration upon release. Most women shared that they would be unable to obtain employment as a result of the “stigma” associated with their criminal history and of “doing time.” Related to employment, having a felony was “like having a scarlet letter.” Women described that people “don’t want to hire an ex-con” and have a general distrust of “felons.” While multiple women described the moment during an employment interview when they realized they would not be hired as a result of their criminal records, others recounted being offered a job but then having the offer rescinded when employers learned of their criminal records. Although the majority of women communicated their frustration with being denied opportunities upon their release, 10 women serving life sentences focused on their lack of access to services inside prison. For example, these women indicated that “being a lifer, you are discriminated against” and are not given the same opportunities—including access to educational opportunities, jobs in prison, and timely access to healthcare—as other incarcerated women.

Many women for whom this was their first incarceration were aware of the challenges they might face upon release. One woman shared, “This is my first time in prison, people will react to me differently.” Fear and anticipation of discrimination based on prisoner status was common among women in this study, with one participant sharing, “I’m afraid that my background will stop me from getting a good job in the field.” For some women, the challenges associated with obtaining legal employment (a “real job”) with a criminal history proved to be too difficult. As a result, these women continued to engage in “criminal activities” in order to make ends meet. One participant commented, “No one wants to hire ex-convicts so you have no choice but to resort to criminal activities to take care of basic necessities like home, hygiene, and food.”

Women expressed concerns about their ability to secure safe and affordable housing upon release from prison. In particular, they described being denied eligibility for low-income housing assistance as a result of their criminal convictions. On her inability to obtain housing as a result of her criminal conviction for drug-related crimes, one participant shared, “People don’t like anyone that has been in prison for anything. They think they are better than you are. But you need a place to live, and people make mistakes.” Another woman stated, “I am also afraid that it will be difficult for me to find acceptable and affordable housing because I can’t apply for subsidized housing due to my record.”

*Disrespected.* Women described experiencing a general level of disrespect as a result of their criminal convictions. Often, this disrespect was experienced in their interactions with correctional officers. Women described being “talked to like three-year-

olds,” being referred to by their “con numbers” (inmate identification numbers) rather than by their names, and being “made fun of” by officers because of their addiction histories.

A number of women noted how the intersection of their criminal convictions and gender contributed to discriminatory treatment. One participant described how they were “talked down to by officers, as are many females in the program. . . . I know that the women are treated worse . . . they degrade us here as a woman.” A few women specifically reported experiencing harassment. For example, one woman stated, “Male officers think they have power and make sexual comments.”

*Doubted.* Women reported they were rarely trusted by correctional officers as a result of their prisoner status. Participants expressed that they “are treated like liar[s] all of the time” and that, “until you prove yourself, it is assumed that you do not know how to tell the truth.” Women were similarly distrusted when (and if) they were hired after their release. In these instances, women felt as if they were constantly being scrutinized or were “always being watched” by their employers and other employees who knew about their criminal histories. Women felt that employers did not trust them, kept “a closer eye” on them, and were “just waiting” for them “to mess up.”

Potentially contributing to experiences of being doubted was a tendency for women to be deindividualized. Women described that common stereotypes about incarcerated women were often applied broadly to all women in prison. Women disliked when they were not treated as individuals but rather as part of the larger population of women in prison. Women charged with what, to them, equated to less severe crimes, stated that they were treated as if they “were guilty of all crimes,” not just the crimes for which they had been convicted. In particular, women who were not convicted of murder resented being treated as if they were guilty of committing such a crime.

Women reported experiencing discrimination from prison medical staff as a result of their criminal convictions. They experienced this discrimination in the form of doubt and dismissal from medical staff when the women asked questions about their health or raised concerns about their treatment. One of the first participants to respond shared that several nurses became “defensive” and “unprofessional” with her when, on several occasions, she identified that she had been given the wrong medication.

*Discarded.* Women shared that they were automatically deemed “bad people” as a result of their prisoner status. One respondent commented, “I feel that people look at me like I’m this big bad person and they are afraid to give me a job and let their children around me because I’ve been in prison.” Similarly, one woman shared, “People see you different. They see you as a bad person. Because, of course, only bad people go to jail.” Multiple women described trying to improve themselves or “better themselves” while in prison. Despite improving themselves, however, they found it difficult, if not impossible, to be seen as anything other than “bad” because of their prisoner status. One participant commented, “Some people perceive me as a bad person. It makes me feel ashamed. I made a terrible mistake and I am trying very hard to better myself and learn from my mistakes. Unfortunately, to a lot of people, that doesn’t matter.” Women felt that many people, including family members and friends, believed that women in prison were incapable of

changing and that they should not be given a “second chance.” Relatedly, women described being treated “like animals” and “less than human,” and being made to feel like they were “less than a person” as a result of their criminal convictions. For these women, part of being treated as less than human included being treated as if they had no feelings.

## **DISCUSSION**

The majority of women in this investigation described experiencing discriminatory actions and behaviors as a result of their prison status. The self-reported discrimination occurred both inside and outside of prison. Focusing on the quantitative findings, we see that Black and Hispanic participants were less likely than White women to report discrimination based on their prison status. Although this might seem counterintuitive, prior research supports this finding. Winnick and Bodkin (2009) found that White individuals perceived higher levels of incarceration-related stigma, arguably because individuals of color are less likely to report discrimination because it is more prevalent in their lives. (For a review of incarceration and stigma, see Feingold [2021].)

Those with longer sentences experience more discrimination. For example, those with sentences of 3+ years have more than 200% increased odds of reporting discrimination, while those serving life sentences have 5.5 times increased odds of reporting discrimination. Those with longer sentences therefore reported experiencing more discrimination. Those with longer sentences might also bear a greater stigma, one that makes reintegration more challenging. Women incarcerated for the first time were less than half as likely to report discrimination. These results could reflect fewer opportunities for discrimination, as the women could experience discrimination only during their current sentence and had not yet been released. Our findings mirror prior work that highlights how a criminal conviction may limit or prohibit an individual from certain governmental benefits, voting, housing, and employment opportunities (Kirk and Wakefield 2018; Mungo and Klonowski 2022).

When modeling only those who were incarcerated for the first time, only longer sentences (three or more years) and life sentence were related to reporting discrimination, and both increased the odds of reporting discrimination significantly. These findings align with prior work that found that women who were sentenced to life and/or who committed violent crimes and had associated long sentences faced additional hardships in prison (Harner and Riley 2013) and could be viewed as “minorities within the minorities in the criminal justice system” (Jose 1985:2); therefore, despite all incarcerated women sharing a criminal label, there was variation in who reported experiencing discriminatory actions and behaviors.

Women in this investigation described discrimination experiences after their convictions that left them feeling dehumanized, distrusted, doubted, and discarded. These experiences can further alienate and punish women in prison and those who leave prison to return to, often, disenfranchised communities, and the experiences are at odds with successful reentry. Narratives provided by many of the women paralleled work that has underscored women in prison reporting being treated with contempt and antagonism and being dismissed by staff (Irwin and Owen 2013; Kruttschnitt 2013). Discrimination based

on a felon label is not reserved for only those who are released from prison but is also experienced by those still incarcerated. Mistreatment, whether via discrimination due to criminal sanctions or other motives, contributes to a noxious prison environment that has been found to be associated with a greater likelihood of recidivism after release (Listwan et al. 2013).

In addition to reporting the prevalence and experiences of discrimination both inside and outside of prison, some women indicated what we are terming *anticipatory discrimination* based on their prison status. That is, even those who were incarcerated for the first time expected or anticipated that, once they were released, they would be discriminated against because of their felon label. The process of anticipating challenging circumstances and impending threats of discrimination can lead to stress that has been found to be associated with a litany of negative outcomes, including poor physical health and psychological distress (Lee and Turney 2012; Schmitt and Branscombe 2002). Travis (2005) has noted that many individuals are not aware of the many collateral sanctions they face if convicted of a crime. The current results do not contradict those findings but help identify an earlier stage in which some individuals become cognizant of the collateral sanctions they will encounter. Further, research has found that disadvantaged groups are more likely to experience both discrimination and stress related to an expectation of future discrimination (Pearlin and Bierman 2013); continued exploration of anticipatory stress with those while incarcerated seems warranted.

Quantitative results demonstrated high levels of perceived discrimination for those incarcerated for the first time; additionally, participant narratives highlighted numerous instances of perceived discrimination from correctional officers. The professionalism of correctional officers is imperative in promoting a fair and equitable correctional environment (Stinchcomb 2000). Prison administrators should work to ensure that correctional officers have the necessary screening, training, and education, all of which have been found to prevent misconduct (Arrigo and Claussen 2003; Russo et al. 2018; Stohr and Collins 2013). Correctional officers should receive training on gender sensitivity and on topics such as trauma-informed care to better address the specific needs and goals of incarcerated women (Jewkes et al. 2019).

Recent policy developments might reduce some of the formal collateral consequences. For example, “ban the box” laws prohibit employers in certain states and cities from inquiring about past criminal convictions on an initial job application (Avery and Hernandez 2018). The goal of this legislation is to increase the likelihood that a returning citizen has a fair chance of obtaining employment, identified as vital to women’s successful reentry (Schram et al. 2006).<sup>1</sup> Similar efforts have been seen in higher education. In an effort to reduce the stigma associated with having a criminal record, the Common Application organization eliminated the criminal record question from their admissions application (Jaschik 2018). Ideally, supported by the quantitative and qualitative results here, policymakers should give special consideration to not excluding women from programming while they are incarcerated and should continue to consider the negative impacts of barriers placed on those who are released. Although the public might view them as the least deserving of services (Sparks 1996), those with longer prison sentences appear to have the greatest risk of experiencing discrimination. Finally, in an effort to give voice

to returning citizens, there has been a push to eliminate felony disenfranchisement policies and to reinstate voting rights for returning citizens. Despite some opposition primarily from Republican lawmakers, various state-level reforms have resulted in a restoration of voting rights to many people convicted of felonies and to an overall decline in the number of people disenfranchised (Valilogambros 2021). These policies can improve the lives of individuals and families involved in the criminal justice system, as well as the impoverished communities that have borne the burden of mass incarceration.

Like incarceration, reentry is a gendered phenomenon that must be guided by evidence-based, gender-responsive strategies (Brown and Bloom 2009). Although policy reform might mitigate some informal collateral consequences, without a focus on gender, these consequences, including shame, stigma, and strained social ties, will remain key barriers to women's reentry (Burton et al. 2014; Collica-Cox and Furst 2018; Covington and Bloom 2007). Specifically, pre-incarceration risk factors, now coupled with incarceration and post-conviction experiences of disrespect and dehumanization, can damage justice-involved women's mental health, independence, confidence, and sense of agency, all of which compound their ability to navigate reentry. Additionally, prevention efforts must address both the individual factors associated with incarceration and the structural and policy factors that cause poor communities to suffer the greatest burden of incarceration (Burch 2017). For example, primary prevention efforts must ensure access to safe schools in high-risk neighborhoods, secondary prevention efforts must make available addiction treatment programs that address the gendered aspects of addiction, and tertiary prevention programs must mediate the long-term physical and mental health problems experienced by women serving long and life sentences (Bloom, Owen, and Covington 2003).

## **LIMITATIONS**

This investigation has several limitations. Although the response rate for self-completed surveys in this study does not differ significantly from response rates reported in academic and organizational research (Baruch 1999; Baruch and Holtom 2008), just under half of the surveys distributed were returned. This response rate may (in part) be the result of a few factors. Because the survey was written in English, non-English-speaking women might have had difficulties completing the survey. Additionally, prison populations tend to have elevated rates of illiteracy. Next, only women housed in the general population were eligible to participate in the study. As such, findings might not be generalizable to women housed in the other prison units. Further, there is the possibility of systematic differences between those who chose to participate and those who did not; however, age and race of the survey respondents very closely matched those of the overall prison population.

The analyses conducted here were based on data that were more than a decade old. Despite a number of state legislatures recently passing laws to address the collateral consequences of a criminal conviction, those currently in prison and those who have been released from prison face a similar pattern of bias and exclusion as in 2010 (Friedrich 2021; Kimble and Grawett 2021). For those with prior incarceration experiences, it was not possible to distinguish if their perceived discrimination occurred while they were incarcerated, after, or both. Additionally, we were unable to analyze the duration of time

already served for their current or prior sentences. Finally, because this investigation consisted of anonymous survey data, there was no opportunity to follow up with women to further explore their responses.

## CONCLUSION

To assume that mass incarceration affects “the masses” is a fallacy, as poor, socially disadvantaged communities and their inhabitants are disproportionately affected by mass incarceration (Blankenship et al. 2018; Wacquant 2010). Because most incarcerated individuals will be released from prisons and jails, policymakers and practitioners—especially those working with poor and marginalized populations—must better understand the health and social issues that predate women’s incarceration as well as the formal and informal collateral consequences that these returning citizens experience upon release. Gender-responsive programming should address not only the unique gender roles, risks, and challenges faced by women in prison and as returning citizens but also the impact of formal and informal collateral consequences of criminal conviction on women’s successful reentry. Policy choices and prisons act as a source of stratification. Moving discriminatory policies and focusing on the realities of women’s lives creates a more equitable criminal justice system and can provide long-term benefits such as reduced reoffending.

## ENDNOTE

1. These well-intended policies should be carefully evaluated to ensure that they do not harm the job prospects of racial and ethnic minorities who might be discriminated against as some employers assume they have a criminal record, lacking information to show otherwise (Agan and Starr 2018; Holzer, Raphael, and Stoll 2006).

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162 *Midwest Social Sciences Journal* Vol. 26 (2023)

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## APPENDIX: DATA EXEMPLARS

### Theme: Denied

- The employer see's [sic] I've been convicted of a crime and is bothered by it. Also, the gap in my history of work. She/he asked truthfully to explain why [there was a gap in the work history]. You could see them shut down and not want to hire you. (p. 193, violating probation)
- As soon as you list your criminal charges the employer all of a sudden is no longer interested in your application. You always hear, "I'm sorry I can't hire you with felonies that you have." (p. 184, drug-related crimes)
- Lifers are discriminated against in job opportunities, schooling, and groups even though many of us are still in the appeal process and may yet be set free. (p. 352, serving a life sentence for murder)

- People hear “felon” and don’t listen to anything more. Especially job wise. I obtained a great job and when confronted about my past tried to explain the situation but was cut off. (p. 362, burglary)
- I think it’s unfair to take away someone’s license for CNA over a drug charge. They never hurted [sic] anyone in the process. So what does it [the drug charge] have to do with helping someone old who needs help? Or working for the state prison or in the jail as a guard or a nurse in a hospital? Long as you did your time in jail and paid for your mistakes. (p. 304, drug-related crimes)
- I am afraid it will be difficult for me to find acceptable and affordable housing because I can’t apply for subsidized housing due to my record. (p. 84, drug-related crimes)
- As a convicted felon I feel people don’t want to rent to you . . . because people don’t think convicts can change and are scared we will be a problem. (p. 305, drug-related crimes)
- Because once I got back into society I will have a very hard time finding a job because of my record that I had made for myself by getting into trouble for the first time ever in my life. I feel I will be discriminated against. (p. 54, aggravated assault)

**Theme: Disrespected**

- Guards feel that they can treat you anyway because you’re an inmate. . . . I feel like even though we are inmates we still should be treated with decency and respect. We get it [respect], we’ll return it [respect]. You never know who’s going to get out and be your neighbor. Most of us are in here trying to better ourselves and when were [sic] treated a certain way it discourages us. Makes us angry and upset. Just a little more respect would be nice. Less name calling and smart comments. It’s not necessary. (p. 273, robbery)
- From the way I have been treated from C.O.s (correctional officers) during my incarceration. Their empowerment. Talking down to me being that I am an inmate. A lot of the men C.O.s make smart comments thinking their [sic] being funny when they end up offending and demeaning women. A lot of women have been battered. (p. 80, murder)
- When officers or staff members talk or treat you badly, they try to justify it by saying, “Don’t come to jail and don’t commit crimes.” A perfect example is an officer told me to “Stand back and let the real people go.” She made me feel like she thought I was less human because of the [prisoner identification] number on my shirt. (p. 82, drug-related crimes)
- The guards treat you like a piece of dirt. I’m here as a non-felon DUI though I’m treated as a murderer. There’s no respect at all. (p. 366, violating probation)
- A lot of the men C.O.’s make smart comments thinking their [sic] being funny when they end up offending and demeaning women. A lot of women have been battered. (p. 80, endangering the welfare of a child)

**Theme: Doubted**

- The officers are trained to discriminate against inmates just because we are inmates. Case-in-point—”Never believe anything an inmate says. They always tell lies.” (p. 434, serving a life sentence for murder)
- Even in here, the nurses and doctors don’t listen to us. They talk to us any way, degrading, and disrespectful even yelling and putting down. Making us feel as if we really aren’t sick or that we don’t have a right to expect good medical care. Or that when we tell them what is wrong. Tylenol is always their answer. Nothing is wrong especially when it’s our bodies. Yes, it is, or we wouldn’t be saying it was. (p. 221, driving under the influence)
- “Free” people lump all incarcerated people into one category, assuming everyone is a liar, manipulator and a thief. (p. 347, serving a life sentence for murder)

**Theme: Discarded**

- I feel my whole life I’ve been judged, rejected etc. but no one truly knows who I am because they don’t care to know. It seems like all the stuff I’ve gone through don’t mean nothing cause all people know how to do is think or speak negative about me. I’m tired of feeling alone or like I don’t do nothing right. . . . I was wrong for what I’ve done. I knew better but I acted out of my childhood that I never had. I know I was wrong. I’m grateful for being locked up for a min [minute] cause I grew up so much. (p. 59, conviction unknown)
- Because I have a life sentence the DOC [department of corrections] feels it’s a waste of time to educate me in a lot of other things beside a basic education. I am always placed at the bottom of the list for a lot of groups. (p. 398, serving a life sentence for murder)
- People believe all people in prison deserve to be there. We are a waste of life. You’re not looked at as a human and most down talk to you because they feel superior. We bleed. (p. 188, serving a life sentence for murder)
- I don’t feel human. I feel disliked and looked at only as a troubled inmate, who everybody wishes I would just die because I feel they feel I’m trouble and no good. I feel looked down on because I made horrible choices and made a mistake. That I’m truly, truly sorry for. (p. 355, aggravated assault)