

Unfair treatment assignment

Law



Running Head: UNFAIR TREATMENT Is There Unfair Treatment for Women in Prison? LaSonja Johnson Kaplan University CM223: Effective Writing II for Criminal Justice Majors Professor Vineski September 1, 2009 Women are thought to be gentler sex and the softer side of our humanity. But some women do commit crimes, and when they do, we want to know why. What drove them to commit those crimes? Was it an abusive husband? Was it drugs? Was it envy... fear... lust? With all questions still unanswered more and women are being imprisoned for more issues.

The “ typical” female inmate is minority, aged 25 to 29, unmarried but has one to children, a likely victim of sexual abuse as a child, a victim of physical abuse, has a current alcohol and drug problem, has multiple arrests, first arrested around 15, a high school dropout, on welfare, has low skills, and has held mainly low-wage jobs. Women in prison face gender issues within our criminal justice system everyday. Dealing with legal aspect of there lives, for some, is non-existence. In most states there is no legal aid program.

Given that there are very few experienced and accomplished jailhouse lawyers, it is difficult for a women prisoner to pursue legal remedies in their own cases or in relation to legal issues that arise in the course of imprisonment. Access to the legal community outside is further hampered by the restrictions on phone calls. All calls are restricted to a pre-approved phone list. And for legal visits they have to be pre-arranged and any documents the lawyer has can only be brought in with prior clearance. The incarceration of women leaves a whole in the family because child care and the custody of the child need to be handled.

Women are usually the ones primarily responsible for their children. There are not any facilities to aid or support women in their legal struggles to maintain the integrity of their family structure or to ensure their children's rights to a safe, healthy environment. Even for those whose children are fortunate enough to live with a family member, trying to obtain aid to families with dependent children is difficult from inside. If other issues arise, such as abuse, getting legal aid is virtually impossible. Besides a lack of legal aid, there is no financial aid available for children to travel to visit their mothers.

Most women never see their children. Women inmates depend on guards for the minimal comforts of prison life and, in some cases, their very survival. Guards provide food and safety, help insure the women inmates receive proper medical attention and guarantee timely visits and packages from relatives. Guards have unlimited access to women inmates and their living environment, including where they sleep and where they bath. With such an imbalance to of power, the likelihood of sexual abuse increases. Sexual abuse in prison can range from forcible rape to the trading sex for certain privileges.

In the United States, sexual abuse by guards in women's prisons is so notorious and widespread that it has been described as " an institutionalized component of punishment behind prison walls. " Women in prisons across the United States are subjected to diverse and systematic forms of sexual abuse: vaginal and anal rape; forced oral sex and forced digital penetration; quid pro quo coercion of sex for drugs, favors, or protection; abusive pat

searches and strip searches; observation by male guards while naked or toileting; groping; verbal harassment; and sexual threats.

Women who survives a sexual assault and then have to navigate the health care system to receive adequate counseling and reproductive medical attention is daunting enough for those who walk freely on the outside, for women in prison, the hurdles can seem insurmountable. Unfortunately, sexual assault is a fact of life for many incarcerated women. Guards and prisoners openly joke about prisoner “ girlfriends” and guard “ boyfriends. ” Women prisoners become pregnant when the only men they have had contact with are guards and prison employees; often they are sent to solitary confinement—known as “ the hole”—as punishment for having sexual contact with guards or for getting pregnant. 4 Such open and obvious abuses would seem relatively easy for a prison administration to detect and prevent if it chose to do so. According to Joanne Belknap, the study of women in the “ crime processing” system is the study of the invisible woman. Belknap uses the term “ crime processing” system rather than “ criminal justice” system because she feels that there is nothing just or fair about the way women are treated in prison.

When imprisoned, women tend to become depressed or to seek solace in a personal relationship with another prisoner. Women prisoners face different circumstances during their incarceration and, thus, have different priorities and ways of challenging their conditions than their male counterparts.

Mainstream ideas about prisoners are gendered masculine: the term “ prisoner” usually calls forth an image of a young, black man convicted of a violent crime such as rape or murder.

Politicians seeking votes, as well as media seeking specific audiences play on this representation, whipping the public into hysteria to get tougher on crime and build more prisons. The stereotype of the male felon makes invisible the growing number of women imprisoned under the various mandatory sentencing laws passed within the past few decades. Because women do not fit the media stereotype, the public does not see them and are not then aware of the disturbing paradoxes of prisoners as mothers, as women with reproductive rights and abilities, and as women in general.

Women constitute the fastest growing segment of the United States' prison population, but the disparity in sentencing is contributing factor. The disparity in sentencing has had a profound effect on the population as a whole. Women have been wrenched from their homes and children for 5, 10, or 15, years for mere possession. Women who refuse to "cooperate" or snitch receive very long sentences, because they are related to a man who is the main tie. Women prisoners are viewed as incapable of being good mothers and thus not automatically deserving of the same respect and treatment accorded to mothers on the outside.

While this may be the case in some instances, such a sweeping generalization ignores the fact that many inmate mothers were single heads of households, the sole provider for their children and may have been forced to rely on illegal means to support and protect their family. Prison and social service authorities rely on the notion that inmate mothers are somehow unfit and unworthy to legitimize over-reaching policies regarding the children of imprisoned parents. Women prisoners are even more overlooked by mainstream society than their male counterparts.

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They have not passively accepted their conditions. Women inmates have both individually and collectively struggled to improve their health care, abolish sexual abuse, maintain contact with their children and further their education. These actions are often ignored or dismissed by those studying the prison-industrial complex, prisoner rights activists and outside feminists, making documentation and research all the more important in giving women inmates a voice in the discourse.

Women in prison are fighting to maintain a sense of self within a system that isolates and degrades; one which attempts to teach submission to authority through the constant exercising of power, in both serious and petty ways, over prisoners. What is generated is not obedience but anger, and since a prisoner risks punishment such as being sent to segregation if she directs her anger at the system that's hurting her, that anger often gets directed inward or at other prisoners. From the beginning, prisons in the United States were designed for men, with little consideration for women and their specific needs.

Although the numbers of women in U. S. prisons continue to grow, programs and policies responsive to the needs of women prisoner has not kept pace. This lack of policy and research attention only continues the tradition of neglect and inattention that characterize the history of prisons for women.

References Austin, J. , & Irwin, J. (2001) " It's about time: America's imprisonment binge. " 3rd Edition, edited by Thomas Blomberg and Stanley Cohen. Aldine de Gruyter. Banks, C. Women in Prison: A reference handbook Belknap, J. (2001), The Invisible Woman: Gender, Crime, and Justice, 2nd ed. , Wadsworth, Belmont, CA, Belknap, J. 2007), The Invisible Woman: <https://assignbuster.com/unfair-treatment-assignment/>

Gender, Crime, and Justice, 3rd ed. , Wadsworth, Belmont, CA, Muraskin, R. (2005) Key Correctional Issues. Pearson Prentice Hall Pollock, J. M. (2002)

Women, Prison, and Crime Zaitzow, B. H. and Thomas, J. (2003) Women in Prison: Gender and Social Control UNIT 9 PROJECT RUBRIC: The Final Draft

(130 Total Points) | | CONTENT | ORGANIZATION | WRITING STYLE |

MECHANICS | | A | Includes a strong thesis statement, | Should be very well-ordered. Appropriate to the assignment, | Project is free of serious | | 130-117pts | introduction and conclusion. Shows | Internally, each section must | fresh (interesting to read), | errors; grammar, punctuation, and| | | original thought. Supports arguments | have a strong internal | accurate (no far-fetched, | spelling help to clarify the | | | well (no logical flaws; outside sources | organization.

Transitions found | unsupported comments), precise | meaning by following accepted | | | used to support arguments). Develops | between and within sections must |(say what you mean), and concise | conventions. Sources are cited; | | | main points clearly. Skillfully refutes | be clear and effective. |(not wordy). | an attempt at APA citation was | | | counter-arguments and does not ignore | | | made. | | data contradicting its claim. Refers to | | | | | at least five outside sources in the text| | | | | and references page, two of which are | | | | | academic sources.

Meets page | | | | | requirements. | | | | | B | Includes a good thesis statement, | Should be well-ordered. | Should generally be appropriate | Contains some generally minor | | 116. 99-104 pts | introduction and conclusion that need | Internally, each section must | to the assignment, accurate (no | grammatical and punctuation | | | some revision.

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Shows original thought. | have a good internal | far-fetched, unsupported | errors. Few misspellings. | | Supports most arguments concretely | organization. Transitions found | comments), precise (say what you | Sources are cited; an attempt at | | (outside sources supporting most claims). | between and within sections are | mean), and concise (not wordy). | APA citation was made. | | Develops the main points clearly. | mostly clear and effective. | | Refutes counter-arguments and does not | | | | ignore data contradicting its claim, | | | | though the refutation may need tightening | | | and additional support.

Refers to a | | | | | minimum of five outside sources both | | | | | in-text and in the references page, two | | | | | of which are academic sources.

Less than | | | | | a page short of the requirement. | | | | C | Includes a thesis statement that needs | The organization has a few | Appropriate in places, but | Numerous grammatical and | | 103. 99 - 91 pts | revision. The introduction and | problems.

Sections lack | elsewhere language is vague | punctuation errors.

Misspellings | | conclusion do not set up or close the | transitions, and several | and/or inappropriate. | are more frequent, but they are | | | paper very effectively. Shows too little | sentences may be monotonous or | | the sort spell checkers do not | | original thought. Main points are | confusing. The overall structure | | catch, such as " effect/affect. | | | adequately defined in only some areas of | of the assignment is not | | Sources are cited. | | | the paper; points may be over emphasized | effective. | | | | or repeated. Some

arguments are supported| | | | | with outside research, but others may not| |
| | | | be.

Relies too heavily on personal | | | | | experience or one or two sources.
Some | | | | | obvious counter-arguments are ignored or | | | | | not well-
refuted.

The paper is largely | | | | | informative with little persuasive claim. | | | | |
Contains references to 3-4 outside | | | | | sources, only one of which is
academic. | | | | | One to two pages short of the | | | | | requirement. | | | | | D
| The thesis statement identifies a topic | The organization has multiple |
Inappropriate and vague writing | Many serious and minor grammar or| | 78 -
90. 99 pts | but no claim and needs major revision. problems. Most sections
lack | interferes with the development | punctuation errors; frequent | | | The
introduction or conclusion is poorly | transitions, and sentences are | and
clarity of the main points. | misspellings, including those | | | developed. The
essay's main points are | often monotonous or | | that should have been
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Many obvious | structure of the assignment is | | are not cited. | | | counter-
arguments are ignored and go | not effective. | | | | un-refuted. Relies too
heavily on | | | | | personal experience. The paper does not | | | | | meet
many of the source requirements. | | | | | There are too few in-text citations
or | | | | | one or two sources are relied on | | | | | exclusively; the
references page may be | | | | | missing.

The paper is largely | | | | | informative with little persuasive claim. | | | | |
Three or more pages short of the | | | | | requirement. | | | | F | It meets no or
few of the assignment's guidelines. | | 0-77. 99 pts | The components
outlined for a ' D' paper are not met. | | | It may be plagiarized. |