

Gender Responsive Discipline and Sanctions Policy Guide for Women's Facilities

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Alyssa Benedict, CORE Associates
Becki Ney, Center for Effective Public Policy
Rachelle Ramirez, Center for Effective Public Policy

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Introduction

Purpose of the Guide

This guide, *Gender Responsive Discipline and Sanctions Policy Guide for Women’s Facilities* is designed to assist corrections professionals in revising discipline and sanctions policies and practices to more effectively manage women in their custody, and create safer facilities for staff and women alike. It builds on a growing body of research and practice that supports an approach to discipline and sanctions tailored to women. It also provides a synopsis of American Correctional Association (ACA) standards, and case law relevant to discipline and sanctions policies and practices for women.

The Guide outlines a process for corrections agency leaders, women’s facility wardens, managers, and staff to:

- Gain a greater understanding of the gender responsive, trauma-informed research and best practices, and their implications for discipline and sanctions policies and operational practices;
- Explore the relationship between discipline and sanctions and facility culture;
- Assess the strengths and challenges of current discipline and sanctions policies and practices;
- Gain a greater understanding of how to adapt ACA “discipline and sanctions” standards to women’s facilities; and
- Revise and implement discipline and sanctions policies and practices within women’s facilities.

The Guide is a new and innovative approach for applying what is known about women (i.e., research and practitioner experience) to discipline and sanctions policies and practices. Its primary purpose is to inform corrections work in this area, and contribute to the growing body of knowledge and research to achieve more successful outcomes with justice-involved women.

The Guide was developed specifically for use by executive management teams within women’s facilities that have been charged by the agency/facility leadership to conduct a policy review of

NRCJIW Wants to Hear From You!

Have you developed/implemented gender responsive approaches to discipline and sanctions with women in correctional facilities? The NRCJIW is collecting innovative policies, practices, data and research to inform our collective work in this area and to begin a national conversation about this important topic.

Please contact NRCJIW Project Director Becki Ney to share your efforts: bney@cepp.com.

The primary audience for the Guide is women’s correctional facility executive management teams.

discipline and sanctions. However, it can also be used as a resource by other staff, stakeholders, and any individuals who wish to incorporate gender responsive and trauma-informed strategies into their day-to-day work with women.

Section 2 outlines a suggested step-by-step process that executive management teams can use to conduct a thorough analysis of current policies and practices, and implement revised policies and practices. The steps include:

1. Committing to discipline and sanctions policy and practice changes that are anchored in a gender responsive and trauma-informed perspective;
2. Becoming more familiar with and knowledgeable about the research that supports a gender responsive and trauma-informed approach to discipline and sanctions (see Appendix);
3. Clarifying the facility’s values and goals for discipline and sanctions;
4. Engaging staff at all levels at all stages of policy review, development and implementation (see Section 2);
5. Gaining a greater understanding of the strengths, challenges and gaps of current policies and practices (see Sections 3 and 4);
6. Developing an implementation plan for revising policies and practices; and
7. Implementing the revised policies and practices and measuring the results.

How to Use this Guide

The Guide is organized into five sections and an appendix.

SECTION	TITLE	DESCRIPTION
Section 1 (pages 4-9)	Overview	Provides a rationale for revising discipline and sanctions in women’s facilities, including the benefits and challenges of engaging in this work.
Section 2 (pages 10-20)	Process	Describes a step-by-step process for reviewing and revising discipline and sanctions policies and practices. Includes ten components to consider when revising policies.
Section 3 (pages 21-37)	Research Implications	Provides implications for revising discipline and sanctions policies and practices based on research from multiple disciplines.
Section 4 (pages 38-81)	Integrating Research & Practice with ACA Standards	Reviews seven ACA standards regarding “Rules and Discipline” and how they can be adapted to meet the needs of women and women’s facilities. Each standard includes a set of self-assessment questions.
Section 5 (pages 82-87)	Legal Issues	Provides an overview of relevant case law pertaining to discipline and sanctions in women’s correctional facilities.
Appendix (pages AI-AXXXII)	Research Findings	Provides a discussion of the foundational research that forms the basis for the concepts and recommendations discussed throughout the Guide.

Users of the Guide may choose to review the materials in the order they are presented—as is suggested for facility executive management teams—or select one or more sections for review based on their particular area of interest. However, the content in the Appendix provides an important foundation for understanding the research implications (Section 3) and application of ACA standards (Section 4). Users are encouraged to become familiar with the research prior to their review of these sections

Section 1: Overview: The Rationale for Revising Discipline and Sanctions for Women

This section makes the case that evidence-based, gender responsive, and trauma-informed discipline and sanctions policies and practices can successfully address and prevent problematic behaviors—and ultimately, enhance facility and community safety. As corrections leaders and staff implement the process and changes suggested in this Guide, they should expect the culture of discipline in their facility to shift. For example, behaviors among women may be better understood and less criminalized; staff skills when intervening and responding to women’s behaviors may be enhanced; and, ultimately, fewer discipline reports may be written. Decreases in violations, fewer incidents of self-harming and mental health referrals, and less use of punitive segregation will become measures of success.

Discipline and sanctions is central to effective facility management.

Discipline and sanctions policies are essential to a facility’s core function to maintain order, safety, and security. How these rules and expectations are communicated and enforced can contribute to the climate or culture of the facility.

Despite the importance of discipline and sanctions to effective facility management, most women’s facilities have adopted policies and practices that were developed and implemented through a gender-neutral lens, without consideration of key gender differences. Such policies and practices can negatively impact a woman’s ability to participate in programming, receive visits from family and children, heal and recover from past trauma, or receive a positive parole review. Understanding these far-reaching effects suggests an integrated approach that incorporates both gender responsive and trauma-informed principles to discipline and sanctions.

Key Definitions

Evidence-based: Practices based on conclusions drawn from rigorous studies of gender-neutral correctional approaches (“what works”); and approaches that adhere to the risk, need, and responsivity principles, and include cognitive-behavioral and social learning approaches.

Gender responsive: Approaches guided by women-centered research; that are relational, strengths-based, trauma-informed, culturally competent, and holistic; and account for the different characteristics and life experiences of women and men, and respond to their unique needs, strengths, and challenges.

Trauma-informed: Approaches that incorporate the research on violence against women and girls and the impact of trauma; and changing or avoiding practices that can cause further trauma to women.

Relational: Approaches that recognize the importance of relationships as a target of intervention for women (e.g., building social capital, healthy connections, etc.).

Adapted from: NIC’s Gender-Informed Practices Assessment, 2011 and Benedict, 2014.

Discipline and sanctions is an emerging area of interest among corrections leadership and staff.

A survey of gender responsive policies in corrections conducted by the National Institute of Corrections (NIC) identified discipline and sanctions as one of the facility policy areas that was least likely to have been adapted for women.¹ In a recent national survey of local jails, administrators and staff identified discipline as one of the top three challenges when working with women in facility settings.² Studies of the experiences of justice-involved women, as well as anecdotal evidence, further suggest that correctional facilities across the United States struggle to maintain safe and productive environments for staff and women alike.³ Further, the use of traditional correctional sanctions such as segregation, strip searches, pat downs, and restraints, may re-traumatize women who are trauma survivors and may consequently have an adverse effect on facility safety by escalating problem behaviors exhibited by women.

Discipline and sanctions is relevant to Prison Rape Elimination Act (PREA) compliance.

Revising discipline and sanctions policies and practices may be timely for those who are engaged in efforts to comply with PREA standards to increase the sexual safety for all within correctional facilities. A review of these policies and practices can provide correctional agencies with a better understanding of the variables that influence safety in women's facilities, and revisions to discipline policies and practices can contribute to the creation of a safer facility on all levels (i.e., physical, psychological/emotional, and sexual).

Research and emerging practices support a gender responsive and trauma-informed approach to revising discipline and sanctions policies and practices.

A growing body of research and practice, and the experiences of women's facilities that have begun to make changes in staff interactions with and responses to women's behaviors, is instructive. Consider the following:

- Research suggests that interactions with staff can promote—or compromise—successful outcomes with women.⁴ That is, *how* staff intervene when problem behaviors occur matters. This includes how staff respond to both positive and challenging behaviors. Research indicates that corrections professionals are more likely to impact women's

¹ King & Foley, 2014. This exploratory study showed that only 8% of respondents had noted making changes to their disciplinary procedures.

² Fogg, 2014. This survey, conducted by the NRCJIW and American Jail Association, found that almost one third of the respondents noted disciplinary problems to be a critical concern of jail staff working with women.

³ See e.g., Benedict, 2010; McNabb, 2008. This is also supported by women's facility staff and women's surveys and focus group information collected under the NIC's Gender-Informed Practice Assessment (GIPA) initiative and the NIC-supported Gendered Violence and Safety Project, developed to support the implementation of PREA standards.

⁴ See Carey, 2010 for a review of the literature on effective interactions between correctional staff and individuals in custody.

behaviors when they provide encouragement and feedback, utilize a strengths-based approach, and help women mobilize their social supports.⁵

- Findings from focus groups conducted with women and staff in jails and prisons support the importance of the quality of the interaction between staff and women. McNabb concluded that while violence is not a dominant feature of life in women's facilities, the escalation of violent behaviors resulted from a number of factors, including the facility environment, interpersonal relationships among women and between women and staff, and staff actions (including responses to women's behaviors).⁶
- Additional research reveals the key role of trauma (i.e., physical, sexual, and emotional abuse) in women's criminal behavior, facility conduct, and responses to different types of treatment.⁷ This body of knowledge offers corrections professionals guiding principles and examples of trauma-informed practices that can be adopted and tailored for use in their facilities.
- By incorporating trauma-informed practices, the Rhode Island Department of Corrections Women's Facilities realized a significant reduction in women's assaults both on other women and on staff, and as a consequence, the use of force.⁸
- Exhibit 1 demonstrates the benefits realized by the Massachusetts Correctional Institution for Women at Framingham after adopting a trauma-informed approach. A few of the benefits included a significant reduction in women-on-staff assaults (62%), women-on-women assaults (54%), and fights, respectively (46%).⁹

Exhibit 1: Benefits of Implementing Trauma-Informed Approaches at MCI Framingham
Frequency of Incidents in 2011 and 2012

Type	2011	2012	Frequency Change	% Change
Women-on-staff assaults	65	25	-40	-62%
Women-on-women assaults	112	51	-61	-54%
Women-on-women fights	129	70	-59	-46%
Segregation placements	966	748	-218	-23%
Disciplinary reports	5830	5470	-360	-6%
Suicide attempts	30	12	-18	-60%
One-on-one mental health watches	147	98	-49	-33%
Petitions for psychiatric evaluation	44	37	-7	-16%
Crisis contacts	1536	1316	-220	-14%
Self-injury incidents	114	99	-15	-13%

Source: Bissonnette, 2013.

⁵ Deschenes, Owen & Crow, 2006; Millson et al., 2010; Salisbury, Van Voorhis, Wright, & Bauman, 2009; Wright et al., 2009. For more on the research findings that supports this approach, see the Appendix.

⁶ McNabb, 2008.

⁷ See Benedict, 2014 and the Appendix of this Guide for additional research on trauma.

⁸ SAMHSA, National Center for Trauma-Informed Care, 2011.

⁹ Bissonnette, 2013.

Discipline and sanctions and facility culture are mutually influencing.

The culture of a facility is multi-faceted, far-reaching, and often said to be “in the walls.” It includes the extent to which staff and those who are incarcerated feel physically and psychologically safe and respected. There are many things that facility staff and leadership can—and do—implement to influence the facility culture. For example, implementing and improving consistent professional and respectful interactions—with both staff and those in custody—can contribute to a positive facility culture.¹⁰

Facility culture might be described as how safe, productive, professional, and respectful the facility environment is perceived to be by both staff and those who are incarcerated.

Since discipline and sanctions practices are often rooted in, or mutually influenced by, the facility culture, it makes sense that a review and revision of these policies and practices would include a consideration of the larger facility culture. By focusing on culture as part of this review, facility leadership and staff may identify strategies that seem unrelated to discipline and sanctions, but which can impact women's negative behaviors. For example, addressing safety issues and promoting productive, effective interactions can decrease or prevent the need for various disciplinary actions and sanctions.

The development and implementation of gender responsive and trauma-informed discipline and sanctions policies and practices is challenging work.

While there are many benefits to revising discipline and sanctions policies and practices to be more gender responsive and trauma-informed, there are challenges to this work for corrections leadership and staff. Some of these challenges include:

- **Making changes within a larger corrections system.** Women's facilities are a small part of a much larger correctional system. Departments of Corrections' policies often are designed for all facilities (men and women) and consistency in policy and protocol across all facilities is often the norm.
- **Making improvements in a resource limited environment.** Undertaking any additional initiatives when staff, programs, and services already are stretched to the limits can be challenging; however, there are strategies that can be implemented at no or minimal cost. For example, at one facility the warden and executive staff began a series of conversations with unit staff about problem behaviors, how they were interacting with the women and the actual sanctions used for various behaviors. They noted a reduction in problem behaviors and misconduct reports just as a result of engaging staff about this issue.

¹⁰ Modified from Gender-Informed Practices Assessment (GIPA) Domain Descriptions, National Institute of Corrections. <http://community.nicic.gov/blogs/nic/archive/2012/04/04/assistance-available-to-conduct-a-gender-informed-practice-assessment-gipa.aspx>

- **Expanding the definition of discipline and sanctions.** In many corrections facilities, discipline and sanctions consists of identifying problem behaviors and utilizing specific punishments in response to those behaviors. However, helping women to recognize and understand the roots of risky behaviors, and working with them to identify new skills and coping mechanisms, can reduce problem behaviors.
- **Translating research into practice.** Understanding and translating available research on evidence-based, gender responsive and trauma-informed approaches into concrete policies and operational practices requires a shift in philosophy and the creation of new norms. It may require additional staff training and coaching, as well as changes in operational practices, to support and sustain them.
- **Addressing discipline policies, practices, and culture simultaneously.** Because discipline and facility culture are mutually influential, changing disciplinary policies without addressing necessary changes in the larger facility culture (especially from physical, psychological, and sexual safety perspectives) may hinder progress.

Making improvements to discipline and sanctions can result in more successful outcomes with women, and contribute to a positive facility culture and greater safety for all.

A gender responsive and trauma-informed approach to discipline and sanctions supports women's positive behavioral change, reduces reoffending, and enhances facility safety for all involved. Correctional leaders interested in making improvements in this area will find it worth the investment of resources, time, and effort. In addition to the many benefits for engaging in this work described in this section and elsewhere in the Guide, facilities may also experience:

"Prevention, through staff training, and good operational policies...is a primary strategy for ensuring safety for women (and staff)."

-Marianne McNabb (2008)

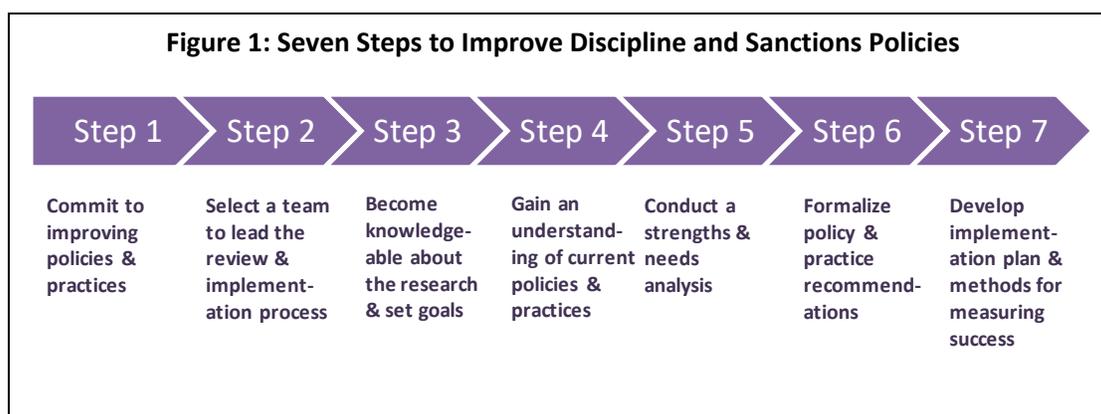
- **Increased engagement in treatment and services.** As women become less distracted by negative peer dynamics, they may become more focused on their personal growth and healing.
- **Improved effectiveness of programs, services and interventions.** When women are more engaged and focused on their personal growth and healing, and staff are more focused on reinforcing positive interactions among and with the women, treatment outcomes may also be enhanced.
- **Reduced violations.** As demonstrated within facilities in Rhode Island and Massachusetts, a gender responsive and trauma-informed approach to managing women can result in reduced violations, discipline and sanctions, and assaults.
- **More positive interactions between staff, staff and women, and women with one another.** When interactions are respectful and trauma-informed, even when discipline and sanctions are being imposed, it can be a more positive experience for all involved.

- **Enhanced staff knowledge, attitudes, skills, and job satisfaction.** Through training, skill building, and coaching, staff may feel better prepared to fulfill their job duties and realize greater satisfaction on the job.
- **Reduced staff injuries and absenteeism.** If staff are more content with their jobs and misconducts and assaults are reduced, then staff injuries and absenteeism may also be reduced.

In summary, revising discipline and sanctions policies and practices to better address women's unique needs and risk factors can lead to a safer and more productive correctional environment for both staff and women. It can also create fertile ground for positive behavior change, successful reentry, and safer communities.

Section 2: A Comprehensive Process¹¹ for Revising Discipline and Sanctions Policies and Practices in Women's Correctional Facilities

This section outlines a seven-step process for reviewing and revising discipline and sanctions policies within women's facilities (see Figure 1). The steps included in this section offer a framework that can be adapted for use based on the unique aspects of an agency/facility's structure and function. However, each step is essential to ensure that changes reflect the current needs and realities of all stakeholders. This process assumes that correctional leaders will take into account the realities of the current system, while seeking out opportunities to make revisions that can achieve better outcomes for women and staff.



Step 1: Commit to Improving Policies and Practices

Any significant policy change will require the support of leadership at the agency and facility levels. Leaders might consider the following questions as a place to start:

- Why does leadership have a desire for improvement in this area?
- Where are leaders likely to find support for improvements in discipline and sanctions?
- Where might they encounter resistance?
- What are the best methods to communicate with all levels of staff and all departments about leadership's commitment to improving discipline and sanctions within the facility?

¹¹ The process outlined in this section is a common planning process adapted for use for the conduct of gender responsive, trauma-informed policy and practice reviews. As such, it is a process that can also be used to review other facility policies and procedures.

Exploring the answers to these questions may lead to specific strategies to gain the full support and buy-in of staff throughout the review and revision process. For example, developing specific steps from the outset to address resistance may be an important strategy to achieve successful implementation later in the process.

Building basic awareness throughout the facility about gender responsive approaches to discipline and sanctions and keeping staff apprised of progress are strategies to consider. For instance, progress reports to staff can take place at staff meetings, in memos, or through a “kickoff” meeting to launch the effort. Additional tips for building staff and women’s awareness about the need for changes in discipline and sanctions policies and practices include:

- Discussing such changes at executive team meetings and soliciting ideas;
- Discussing gender responsive approaches at shift changes and unit meetings;
- Posting announcements about the effort in housing units;
- Conducting meetings with both staff and women to announce leadership’s plans;
- Developing opportunities for staff and women to provide input into the process; and
- Conducting a “kickoff” meeting to announce the effort.

“When we are having difficulty managing women under a certain policy, we get a variety of staff together—security, reentry, medical, mental health, for example—and discuss ways that we can work together to apply the policy in a way that makes sense for the women.”

-Lynn Bissonnette,
Superintendent,
MCI Framingham (2013)

The key is to generate energy and interest about the issue and encourage staff to think about the strengths and challenges of current approaches to discipline and sanctions.

Step 2: Select a Team to Lead the Review and Implementation Process

The selection of a team, or workgroup, charged with the review and implementation of revised discipline policies and sanctions is a proven strategy for accomplishing tasks. Effective teams are ones that have a clear charge and authority to act, and are accountable to facility leadership regarding their progress.¹² The following are some tips for forming a team tasked with reviewing current discipline and sanctions policies and practices:

- **How many people should be on the team?** The most effective and efficient teams tend to be moderate in size. If the group is too large, it will be more difficult to schedule meetings and assure that all members are included throughout the process. If the group is too small, it will not include the diverse perspective it needs to gain a balanced

¹² To read more on establishing a collaborative team for criminal justice, see [McGarry & Ney, 2006](#).

view of current practices. Ideally, a team composed of 6-12 individuals is the size that can accomplish its work effectively and efficiently.

- **Who should be on the team?** Team membership should include individuals from all functional areas of the facility to ensure that all perspectives are represented. Representative areas might include intake, assessment and classification, operations, security, and programs and services. Consideration should also be given as to whether the group would benefit from legal and/or union representation or other agency level representation.
- **Who should lead the team?** The team should have an identified chair or coordinator. This might include the warden, member of the facility executive team, or other manager. Persons responsible for providing administrative support to the team should also be identified and their responsibilities clarified regarding such tasks as creating a meeting schedule, sending out meeting announcements and reminders, and taking and distributing meeting records.
- **How should the team be structured?** The team's structure should be considered in light of the goals and objectives to be accomplished. For example, if the team plans to conduct several tasks to inform their process (e.g., determine what other states are doing, gather facility data regarding current use of discipline and sanctions, conduct focus groups with staff and women), they may want to consider forming subcommittees, or ad hoc working groups, to accomplish these tasks in a timely and efficient manner. Another approach to structuring the team is to allow it to proceed under formal mandate or charge from facility and/or agency leadership. Other considerations might include: How will the team communicate its progress to facility leadership? What is the team's authority? How will the team resolve problems and address barriers to progress?

The Rhode Island Department of Corrections Women's Facility convenes a standing steering committee composed of both central office and facility leadership and staff. The committee oversees the implementation of a multi-year strategic plan and regularly reviews and monitors improvements in the following areas: assessment, classification and case management, medical and mental health services, programming, staff training and support, facility culture, and offender management.

Once the team is established and officially given its charge, the following tasks should be completed:

- Establish a timeframe for completing the review process;
- Determine meeting dates, times and frequency;
- Clarify expected team products; and
- Address other items necessary for the effectiveness and efficiency of the team's process.

Step 3: Become Knowledgeable about the Research and Set Goals

There is a growing body of evidence to support a gender responsive approach to discipline and sanctions. Exhibit 2 provides a list of some of the notable research areas on justice-involved women. The Appendix also provides a summary of the primary research relevant to discipline and sanctions for women. Familiarity with the research will equip the team with information that can be used to inform the policies and practices review.

After reviewing the research, the team may want to consider the following questions:

- How closely do existing policies and practices align with the research?
- What potential benefits can be achieved by considering a gender responsive, trauma-informed approach to discipline and sanctions?
- What strategies could be incorporated into existing practice to advance the implementation process?
- What are (or should be) the goals of discipline and sanctions in the facility?

The answers to these preliminary questions should drive the subsequent policies and practices review (Step 4), and will be an important consideration during the conduct of the strengths and needs analysis (Step 5).

Exhibit 2: Notable Research Areas on Justice-Involved Women

- | | |
|---|---|
| • Principles of Gender Responsiveness | • Motivating Behavior |
| • Women’s Pathways to Crime | • Classification |
| • Trauma-Informed Approaches with Women | • Assessment and Gender Responsive Risk Factors |
| • Staffing and Operations | • Case Management |
| • Safety and Security | • Treatment, Interventions, and Services |
| • Management and Supervision | • Transition and Reentry |
| • Staff Interactions | • Quality Assurance and Evaluation |

Step 4: Gain a Greater Understanding of Current Policies and Practices

A primary task of the team is to conduct a review of current discipline and sanctions policies and practices. Begin with an exploration of how current policies and practices impact staff and women in the facility. An analysis of both quantitative and qualitative data can be conducted to inform this process and advance the review.

Quantitative Data

Quantitative data is information that can be measured and tallied. For example:

- How many infractions, or violations, were reported in the past year?
- What were the most common violations?
- What were the most common sanctions used to respond to violations?
- What trends can be observed about discipline and sanctions over time (e.g., are the number of violations increasing or decreasing; are the types of violations the same or different)?

Exhibit 3 provides some additional examples of quantitative information that can inform a review of current practices. Additional data in the form of relevant studies and reports can also be informative. These may be facility-specific, agency reports, reports from other states, or national studies. For example, agency-wide and facility evaluations or audits that include information on discipline, or reports that compare discipline and sanctions practices within and across facilities can be useful (e.g., are there notable differences in the occurrence of incidents at men's versus women's facilities?).

Exhibit 3: Examples of Quantitative Data that Can Inform a Review of Current Discipline and Sanctions Practices

- Number and types of violations reported
- Number and types of sanctions used
- Most commonly occurring violations and sanctions
- Frequency of and most common reasons for use of segregation
- Trends in discipline and sanctions by shift/unit/area of the facility
- Frequency of assaults on staff and between women
- Trends in self harming behaviors/suicide attempts
- Number and types of psychiatric and mental health referrals/requests

Qualitative Data

Qualitative, or descriptive, data can provide different but complementary information to inform the review process. The team may conduct a detailed examination of incident reports to gain a deeper understanding of the prevalence and nature of discipline behaviors and responses. Alternatively, the team may decide to conduct interviews, town hall or unit meetings, focus groups and/or surveys to learn more about how staff and women perceive existing discipline policies and practices. Exhibit 4 provides some examples of focus group questions to consider for discussing these issues with those who work and reside in the facility.

Policy Review Considerations

A review of current policies, by definition, should also include an analysis of written policies, protocols and procedures. For example, what do current policies state about:

- Specific types of behaviors;
- Penalties for these specific behaviors; and
- The reporting and hearing processes?

Exhibit 4: Example Focus Group Questions

- What do you think about the current discipline process? Is it fair? Timely?
- Do you feel sanctions are used consistently for similar types of violations?
- Do you think that most of the time disciplinary actions are too lenient, too severe, or just right?
- What violations seem most serious? Less serious?
- Do you think that women – and staff – have a clear understanding of the rules?
- Do women know what to expect if they break a rule?
- Are rewards used for following the rules? If yes, what kinds of rewards are given?
- Are there times when informal strategies, rather than official sanctions, are used to respond to violation behavior? If so, what are some examples?

As the team conducts its review of discipline and sanctions policies and practices, they may discuss what their analysis has revealed about what works well currently and what doesn't work well. Based on the team's understanding of the research (Step 3), they may consider how current policies could be revised to be more gender responsive and trauma-informed. If there is quantitative and qualitative data that can inform the team's analysis of current policies, it should be considered at this time as well.

A last task the team may undertake during the policies and practices review process is an exploration of whether current practices are consistent with American Correctional Association (ACA) standards relevant to discipline and sanctions. Section 4 of this Guide discusses how to adapt seven ACA discipline and sanctions standards for women's facilities.

Step 5: Conduct a Strengths and Needs Analysis

A strengths and needs analysis¹³ involves summarizing the data and information collected by the team (in Steps 3 and 4) and using it to identify strengths and gaps in current policies and practices. This process will likely include additional discussions about what the research says about effective practices with women, as well as the facility's vision, values, and goals.

Important questions to consider include:

- What is the vision and values for an improved approach to discipline and sanctions?
- Will the goals (developed in Step 3 above) help the facility accomplish the vision? Do they need to be revised?

¹³ Content has been adapted from Stroker, 2010.

- What are the facility's strengths with respect to current policies and practices (in the context of the facility's vision and goals)? How can we build on these strengths?
- What are the facility's challenges, barriers, and gaps with respect to current policies and practices (again, in the context of the facility's vision and goals)?
- How can existing policies and practices be revised to reflect a gender responsive and trauma-informed approach to discipline and sanctions?

The self-assessment checklists included in Section 4 of the Guide can also help the team in assessing the strengths, challenges, and gaps in current policies and practices. Once the strengths and needs analysis is completed, a revised approach to discipline and sanctions can begin to take shape.

Step 6: Formalize Policy and Practice Recommendations

After conducting a strengths and needs analysis, the team may be asked to make recommendations to facility and agency leadership. Exhibit 5 provides some example policy and practice recommendations that may result from this analysis. While developing policies specific to women is ideal, that is not always possible. Other possibilities may include adding women-specific qualifiers to gender-neutral policies and/or using Standard Operating Procedures (SOP's) that are specific to women's facilities. The team, in conjunction with facility and agency leadership, can identify whether new policies should be written or existing policies revised to achieve the team's vision for a revised approach to discipline and sanctions. Finally, a host of other variables are important to consider including statutory and other legal requirements, policy vetting, and the approval process.

Exhibit 5: Example Policy and Practice Recommendations

- New gender responsive disciplinary policy statements and/or revisions to current disciplinary codes and policies
- New tools, protocols, procedures and/or documents to support a new/revised approach to discipline and sanctions
- New operational practices to achieve the facility's vision and goals for discipline and sanctions
- Training and coaching for facility staff and leadership regarding change strategies

Figure 2 suggests ten components that the team might consider when developing recommendations for changes to discipline and sanctions policies. It provides examples of content that might be included in revised and new policies to ensure they are comprehensive and easily understood by staff and the women.

Figure 2: Ten Components to Consider when Developing/Revising Gender Responsive and Trauma-Informed Discipline and Sanctions Policies and Practices in Women’s Facilities	
POLICY COMPONENT	SUGGESTED CONTENT FOR INCLUSION
Guiding Principles	<ul style="list-style-type: none"> • Main themes from the research on women and how they relate to discipline and sanctions • Purpose statement (of the discipline and sanctions policy) • Some important concepts may include: <ul style="list-style-type: none"> • Maintain safety and security • Maintain humane and respectful environment • Maintain an orderly and productive environment • Maintain accountability • Promote learning • Provide opportunity to repair harm (restorative) • Promote rehabilitation • Ensure policy is not capricious, retaliatory, corporal • Ensure objective, fair, timely, and consistent application of the policy based on credible evidence and due process
Definitions	<ul style="list-style-type: none"> • Some terms to define clearly may include: <ul style="list-style-type: none"> • Physical safety • Psychological safety • Sexual safety • Direct aggression • Indirect aggression • Gender responsive • Trauma-informed • Evidence-based • Over-disciplining • Rapport building • Appropriate/inappropriate behaviors <p>Informal/formal responses to behaviors</p>
Rules and Expectations	<ul style="list-style-type: none"> • List of behaviors that are expected (e.g., respect for self, respect for others) • List of behaviors that are common among women (e.g., relationships, hugging, touching, sharing property)

Staff Education and Support	<ul style="list-style-type: none"> • Procedures regarding the development, updating, and distribution process of a staff handbook • Staff training requirements regarding effective discipline with women (e.g., trauma and its effects, collaborative problem solving, de-escalation techniques) • Annual review of training topics • Ongoing staff coaching and supervision
Education	<ul style="list-style-type: none"> • Procedures regarding the development, updating, and distribution process of a handbook for women • Procedures regarding the orientation process (e.g., what orientation includes and how it is facilitated) • Procedures regarding the frequency of conducting staff reviews of facility/unit rules and expectations • Procedures regarding basic skills development • Procedures regarding visual postings of information or expected behaviors (e.g., posters, signs)
Rights	<ul style="list-style-type: none"> • Basic rights of women that should be upheld through discipline and sanctions process
Prevention and Active Supports	<ul style="list-style-type: none"> • Expectations regarding the use of specific strategies within the facility that are designed to increase emotional regulation (e.g., community/unit meetings) • Expectations regarding the use of motivation strategies (e.g., staff utilization of affirmations, reinforcers, encouragers) • Expectations regarding the use of gender responsive incentives, privileges and motivators • Description and expectations regarding the use of formal mechanisms to reward pro-social behaviors and achievements • Procedures for communication within and between shifts regarding disciplinary actions that have been taken and any needed support or follow up
Behaviors and Responses	<ul style="list-style-type: none"> • Behavior “matrices” defining violation behaviors and sanctions or responses, including the use of qualifiers from minor to moderate to severe • Procedures regarding documentation for the various disciplinary responses, including formal and informal disciplinary responses • Expectations regarding the communication of sanctions to women • Procedures regarding the formal involvement of mental health staff at various points in the disciplinary response process • Expectations for parameters regarding: <ul style="list-style-type: none"> • Segregation • Loss of privileges (e.g., recreation, visits, commissary, phone) • Cell/room restriction • Loss of good time and/or furloughs • Increased custody level

	<ul style="list-style-type: none"> • Referral to law enforcement
Disciplinary Reports	<ul style="list-style-type: none"> • Instructions regarding when an incident report should be prepared • Purpose of preparing an incident report • Content of incident reports • Process for filing reports • Due process procedures
Disciplinary Hearing	<ul style="list-style-type: none"> • Criteria for prehearing actions such as adjustments and dismissals • Expectations for training and education of the hearing officers • Procedures for hearings including scheduling timeline and hearing process/agenda • Criteria for hearing decisions • Protocol for hearing record • Procedures for review and appeal • Procedures for involvement of mental health staff (e.g., in creation of a hearing process, in designing effective disciplinary responses, for follow up with women after decisions have been rendered)

Step 7: Develop an Implementation Plan and Methods for Measuring Success

A detailed implementation plan can serve as a “roadmap” for operationalizing improvements to discipline and sanctions policies and practices. To build an implementation plan, the team may consider:¹⁴

- Involving additional staff to assure the plan is realistic;
- Determining any tools and/or procedures that may need to be developed to support implementation;
- Developing a timeline for implementation that considers the logical sequencing of key implementation steps and allows for enough time for strategies to be implemented effectively; and
- Identifying person(s) who can lead and monitor implementation.

Implementation Tips

- ✓ Focus on high priority or short-term goals first
- ✓ Report progress to the team and facility leadership on a regular basis
- ✓ Review and update the plan periodically or as needed
- ✓ When challenges or issues arise, discuss solutions as a team and adjust the plan as needed
- ✓ Monitor the impact of the plan and document outcomes

¹⁴ Content has been adapted from Stroker, 2010.

In addition, the team may wish to consider “small” steps that can be taken to lay the groundwork for successful implementation. These steps may include: sharing the plan with facility staff and discussing its implications; conducting training to inform staff about what the team has learned regarding the research and how the implementation plan reflects evidence-based practices; or conducting focus groups with staff and women in the facility to solicit feedback about the plan.

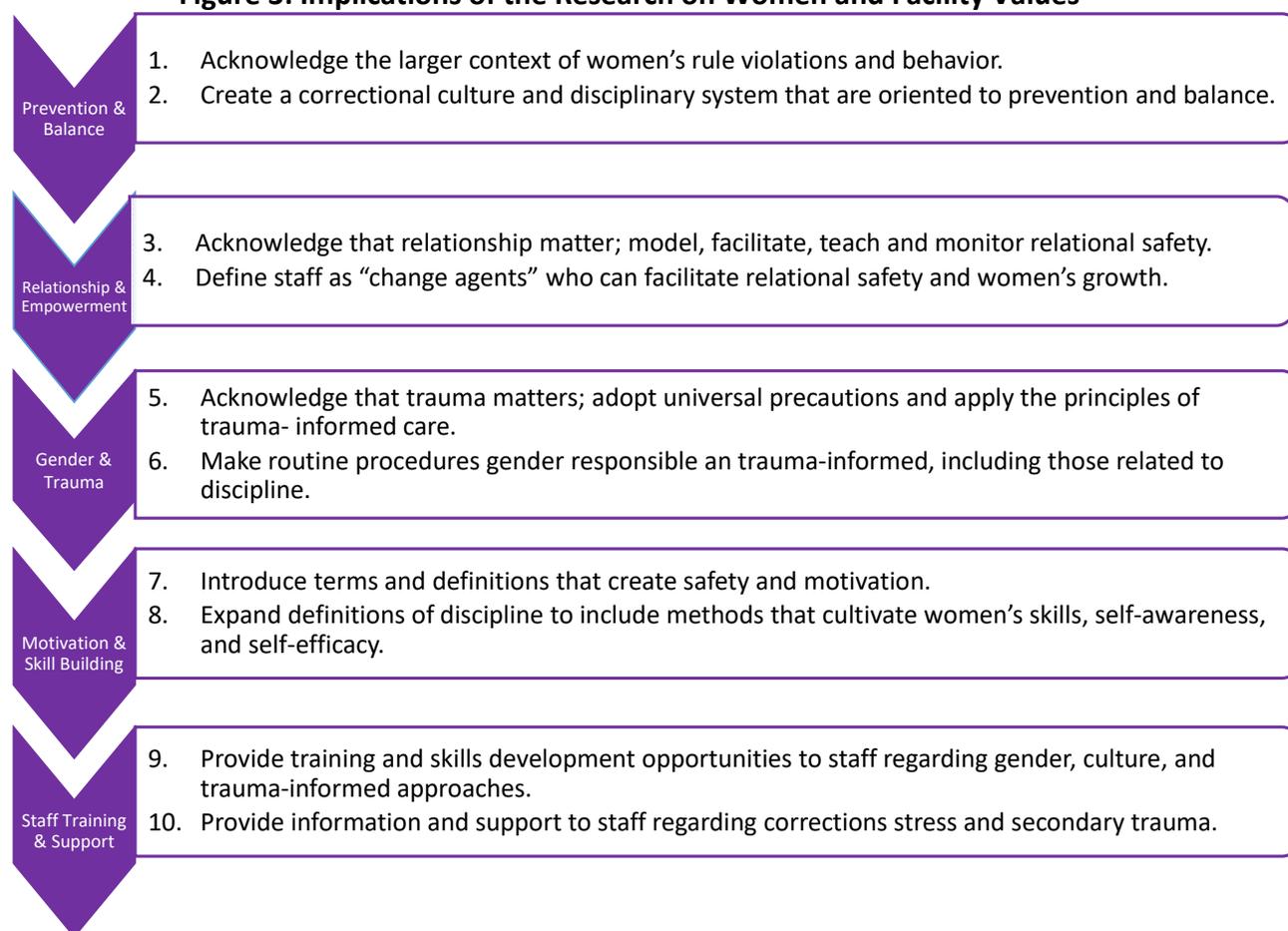
Performance Measures

Lastly, it is critical that the team set targets and establish measures to monitor progress as goals are achieved. In terms of the implementation process, has the team established “benchmarks” or deadlines for implementing key aspects of their recommendations (e.g., staff training, introduction of new/revised sanctions, modifications to disciplinary hearing process) and how will they track whether new/revised policies and practices are being implemented as envisioned by the team? In terms of outcomes, has the team discussed key measures they feel are important to track and discussed methods for gathering data and information to inform those measures? At a minimum, data such as the number and type of violations recorded (e.g., assaults, fights), number and type of sanctions used in response (e.g., loss of privilege, segregation placements), and various behaviors observed (e.g., self-injury, suicide attempts) should be tracked. Establishing measures will help the team identify the data and information they want to collect going forward, gauge implementation progress, and ultimately determine if outcomes are being achieved.

Section 3: Ten Implications of the Research on Women for Discipline and Sanctions¹⁵

Multidisciplinary research provides critical information that can guide the review and revision of policies and practices regarding discipline and sanctions with women. This section summarizes ten implications from that research and connects them to important facility values: prevention and balance; relationships and empowerment; gender and trauma; motivation and skill building; and staff training and support (see Figure 3). Leadership and staff can create safer facilities if they attend to these values.

Figure 3: Implications of the Research on Women and Facility Values



¹⁵ Readers are encouraged to read the Appendix of the Guide for a review of the research on which these ten implications are based.

Prevention and Balance

1. Acknowledge the larger context of women’s rule violations and behaviors.

Research shows that early traumatic experiences and the mental health challenges tied to those experiences can lead to criminal activity, as well as emotional and behavioral difficulties within facilities.¹⁶ When these behaviors are addressed without consideration of past victimization, women can experience further disconnection, trauma, and associated mental distress, and ultimately continue to engage in maladaptive behaviors. To stop this cycle, the following strategies may promote women’s learning and growth, enhance facility safety, and improve the overall facility culture.

- Work collaboratively with women to address risks, strengths, and needs as part of disciplinary practices, not just in the context of assessment and classification protocols.
- Reframe women’s behaviors as their best attempts to: (1) survive the circumstances of their lives, including those related to trauma and oppression; (2) overcome the challenges and disruptions of incarceration; and, (3) exercise their need for safety, connection, and healthy control over their lives.
- Avoid making distinctions between women that have “behavioral” problems and those that have “mental health” problems/needs. All behaviors reflect an underlying psychological and physiological state, including those that involve manipulation, defiance, and aggression.¹⁷
- Ensure that all women have access to services, interventions, and disciplinary approaches that support mental health, not just those who may be housed in a specialized mental health unit.
- Acknowledge that behavior patterns do not change overnight, that “relapse is part of recovery,” and that discipline is designed to impart skills and encourage healthy, effective, and supportive behaviors over time.
- Use gender responsive, trauma-informed, culturally responsive and evidence-based approaches to motivate and respond to women’s behaviors.

“There is a need for a holistic understanding of [women’s] experiences and needs which encompass physical, emotional, psychological, spiritual and material needs, as well as a need for relationships and connectedness to families. If needs are not understood in the context of past, present, and future life experiences, if a woman is not seen and treated as a total person, programs and policies designed for [women] will continue to be inadequate...” (Kelly Hannah-Moffat in Carlen, 2002, p. 206)

¹⁶ For a review of this research, see the Appendix.

¹⁷ Benedict, 2010.

- Use a multidisciplinary approach to discipline: engage custody, mental health, medical, assessment, case management, and program staff.

2. Create a correctional culture and disciplinary system that is oriented to prevention and balance.

One of the best ways to approach facility discipline is to create an environment—or facility culture—that meets women's needs for *safety, healthy connections, and self-control*. This includes creating a facility environment that is prevention-oriented and designing a disciplinary system that prevents problems, versus responding or reacting to problems after they occur. It focuses on creating safety (physical and psychological), motivating behavior, building skills, and encouraging self-management. Creating a culture of encouragement and motivation in times of relative stability and crisis does not mean that women's accountability is an afterthought. It does mean that staff members motivate women before challenges arise and while holding the women accountable through gender- and trauma-informed disciplinary methods.¹⁸ For example, it is not uncommon for the facility culture to shift when one or more new women are admitted. This can create anxiety and threaten existing friendships and already formed alliances. In this case, prevention can involve staff talking with women about the fact that one or more new women will be entering the facility, encouraging adherence to rules and expectations, and providing them opportunities to share any concerns they may have.

Disciplinary methods work best when they exist upon a foundation of prevention and skill building. One strategy for creating a safe and motivating environment for both staff and women is to adopt the CORE Principles of Facility Safety and Behavior Motivation¹⁹ shown in Exhibit 6.

Principle 1 involves implementing routine procedures and practices that help women experience safety, and healthy connections with self and others. An example of this principle is having regular morning meetings (or morning announcements) that provide important information and inspiration to women in the facility. Staff can create an environment that cues the very behaviors they want to see and creates opportunities throughout each shift to build women's skills and resilience. Principle 2 involves facilitating interactions within the environment that create safety—interactions between women and between staff and women—in a manner that is gender, trauma, and culturally responsive. An example of Principle 2 is the use of conflict resolution techniques to resolve a minor argument. Principle 3 involves responding to all behaviors—those that are rule violations/unsafe as well as those that are safe—using a gender responsive and trauma-informed behavior motivation approach.

¹⁸ Benedict, 2010.

¹⁹ Adapted from Benedict, 2010.

Exhibit 6: Prevention Strategy: CORE Principles of Facility Safety and Behavior		
<p>CORE Principle 1:</p> <p>Actively create an environment that meets women’s underlying needs.</p>	<p>PREVENTION</p> <p></p>	<p><i>Proactively create daily living experiences that provide opportunities for women to learn about themselves, make healthy connections with others, and experience safety and stability.</i></p> <p><i>Examples:</i> Unit meetings where women can interact in healthy ways with staff and peers; procedures that are specifically designed to facilitate regulation and motivation.</p>
<p>CORE Principle 2:</p> <p>Facilitate interactions that meet women’s underlying needs.</p>	<p>PREVENTION/ INTERVENTION</p> <p></p>	<p><i>Facilitate interactions that are trauma-informed, relationship-centered, strengths-based, holistic, and culturally responsive.</i></p> <p><i>Examples:</i> Population debriefs after a critical incident; staff-women interactions that are safe and calming; concrete supports for those who are struggling; mechanisms for women to communicate strong feelings effectively.</p>
<p>CORE Principle 3:</p> <p>Respond to women’s safe and unsafe behaviors using a gender responsive and trauma-informed approach.</p>	<p>INTERVENTION</p> <p></p>	<p><i>Respond to safe and unsafe behaviors using methods that create safety, regulation, and resilience.</i></p> <p><i>Examples:</i> Temporary removal of privileges in response to an unsafe behavior while also engaging a woman in relevant skill building; reinforcement of healthy behaviors with recognition and/or access to additional privileges.</p>

When disciplinary systems underutilize prevention and early intervention strategies, staff may spend more time on responding when problems arise or escalate. Additionally, successful behaviors may not be reinforced. Therefore, improving discipline and sanctions in women’s facilities requires equal attention to all three principles in policies and practices. This will allow leadership and staff to create a culture wherein women can:

- Get basic needs for safety and connection met;
- Cultivate awareness of personal strengths and challenges (including trauma triggers); and
- Develop adaptive coping strategies that can be implemented to prevent problems, and respond appropriately to challenges, when they arise.

This type of facility culture leads to self-management—an essential ingredient for success upon release.

Finally, enhancing traditional approaches to discipline and sanctions requires that staff adopt a balanced approach. A common misconception about both gender responsive and trauma-informed approaches is that they involve being “soft” with women and not holding them accountable. Staff do not have to choose between holding women accountable (e.g., setting limits, delivering a consequence) or being supportive (gender responsive and trauma-informed). Providing women with support and not holding them accountable when necessary can be ineffective; similarly, holding women accountable without also providing support can be equally ineffective. For example, when staff administer a consequence without exploring the underlying dynamics of the situation, the opportunity to work with the woman to solve the problem is lost and her psychological safety can be further compromised. In the absence of staff support, a woman may attempt to regain a sense of safety using the only survival skills available to her, and ones that may threaten facility safety and security.

Opening the dialogue and exploring the roots of a woman's behaviors can lead to important insights that pave the way toward useful problem solving. Often, simple, helpful conversations are enough to encourage the compliance staff expect and are seeking.

Support and accountability are best seen as interwoven concepts.²⁰ Staff can communicate a consequence (e.g., loss of recreation for that shift) with support and encouragement versus judgment and criticism. If a woman needs to be escorted to a time out space, staff can reassure her that she will be safe, and use calming/grounding and encouraging words and phrases. In this way staff can ensure that safety continues to be a priority even when a problem behavior is being addressed. Instead of lecturing a woman about why she is on cell restriction, a staff member can encourage her to reflect and remind her of the past behaviors she exhibited that were safe and helpful. Some strategies to consider include:

- Respond to safe and unsafe behaviors using a gender, trauma, and culturally responsive approach.
- Integrate support and accountability; design disciplinary responses that hold women accountable while also addressing risks, strengths, and needs.
- Respond to all violations swiftly and fairly.

²⁰ Benedict, 2010.

- Use positive reinforcement and implement the 4:1 rule; give four affirmations/reinforcers for every correction or sanction.²¹
- Use interventions that hold women accountable while also providing supports that are essential for behavior change (e.g., time to process with staff, clinicians, or case managers).

Relationships and Empowerment

3. Acknowledge that relationships matter—model, facilitate, teach and monitor relationship safety.

Barbara Owen's pioneering book on women in prison, *In the Mix*²², captures the complex dynamics that can exist in women's prisons. These dynamics are easily oversimplified and often pathologized; women can be viewed as more difficult to work with because they are women. In reality, the various behaviors women exhibit develop in the context of their life experiences and the specific characteristics of their life in prison. At any given moment, incarcerated women may be experiencing fear, including psychological and physiological distress related to past traumas; concerns about physical, emotional, and sexual assaults from other women and staff; distress related to separation from children and loved ones; and confusion about how to navigate the complexities and relational demands of prison life. Their behaviors, and their dynamics with one another, are rooted in this larger context.

Simply stated, relationship safety is feeling safe (psychologically and emotionally) and respected within relationships with others (i.e., with other women and with staff).

In correctional facilities, staff can view relationships between women as negative or as a threat to facility safety and security. This is understandable given the complexities of correctional environments. For instance, staff are often managing large numbers of individuals with various personalities and behaviors, often with limited space and resources. The use of concepts such as "connection" and "relationship" in a correctional environment can be challenging for staff, who are trying to maintain safety and security as well as professional boundaries. However, "relationship" and "connection" are concepts that govern all human interactions. They are operating at all times at multiple levels, and they have a significant impact on the form and function of a facility environment. They can be healthy or unhealthy; safe or unsafe; supportive or unsupportive; effective or ineffective. They exist between the women, between staff, and between staff and women. Ultimately, the quality of relationships that exist in a facility among and between all its members has a huge impact on safety and security.

²¹ For a review of the research that supports the 4:1 rule, see the Appendix.

²² Owen, 1998.

The dynamics of incarcerated women are often different than those observed in men's facilities. Sometimes women's behaviors reflect great resiliency and resourcefulness, while others involve replicating behaviors that they have been socialized to exhibit (e.g., competition, dependence, mistrust of other women, putting others first). For example, a woman who may have endured years of emotional abuse as a child may have organized her communication with others around those experiences; every interaction may pose a threat, and her communication and behavior with others may reflect the survival skills she has developed. Providing her with the opportunity to develop and practice healthy communication and interaction skills is important, and can make a difference in her interactions within the facility and upon her release. Because of this, women need the opportunity to talk about and understand relational safety, as well as learn and practice healthy communication and interaction skills.

Some strategies to consider include:

- Introduce practices and programs that help women cope with their disconnections from the loved ones and supports (e.g., children, partners, community) that incarceration produces.
- Define and support safe and healthy interactions between women, between staff, and between women and staff.
- Expand definitions of facility safety to include relationship safety—feeling safe and respected within relationships (i.e., between women, among staff, and between staff and the women).
- Implement programs that offer structured time for women to connect with one another and staff in healthy ways (e.g., team building and other activities that can develop skills and meet basic needs for connection).
- Ensure that various components of safety (relational, physical, psychological/emotional and sexual) are well defined, understood through staff training and education for women, and represented in discipline systems (e.g., policies, handbooks, behavioral).
- Explicitly define what safe, professional interactions are; provide training and coaching to staff; and provide skills training to women regarding healthy relationships and communication.
- Define physical, psychological and sexual boundaries.
- Teach skill-based communication to staff as part of orientation and skills training.
- Use terms such as “respect,” “civility,” and “rapport building” that may be more easily applied in a correctional environment if there is a concern about using terms such as “relationship” and “connection.”
- Provide relational supports as part of women's accountability (e.g., time to process with officers, clinicians, or community providers).

- Acknowledge the importance of independence and interdependence as healthy traits for women.
- Ask women about the relationships that are important to them and offer opportunities for women to discuss, define and practice healthy relationships and boundaries.
- Avoid withholding contact with family and key supports as part of sanctioning unless a clear safety issue has been identified.

4. Define staff as “change agents” who can facilitate relational safety and growth in women.

New research (including emerging research on brain function) and a better understanding of the importance of relationships in women's lives²³ offer an important and exciting opportunity to expand the traditional role of staff in women's correctional facilities. This has significant implications for how corrections staff relate to the women and requires a departure from “command and control tactics” as the primary method used to maintain institutional safety.

Women often define safety in relationship terms. That is, they correlate safety with how psychologically and emotionally safe and respected they feel with those in their immediate life space. Therefore, security must include an emphasis on “relational safety.” Relational safety—feeling respected and psychologically safe in interactions with other human beings, including those in a position of authority—is an important complement to physical safety. In fact, relational safety can impact physical safety in women's facilities. Consider the following examples: A woman has concerns about a newly admitted woman and, when she informs staff, is told “don't worry about it”; she subsequently “acts out” aggressively as an act of self-protection. Another woman feels targeted by a staff member; she does not inform anyone and engages in self-injurious behaviors as a way to relieve anxiety. In both these examples, relational safety is a core issue to identify and address skillfully.

Staff members have the power to create relational safety. An atmosphere of relational safety engages and motivates all human beings and encourages them to try new behaviors.

In many cases, simple, skillful staff interventions can increase relational safety and, in turn, facility safety and security. For example, starting the shift with control tactics such as yelling, lecturing, and reminding women that they are subject to staff authority can create fear and anxiety. Depending on the woman, this fear and anxiety can turn into withdrawal, aggression, self-harm, or other negative behaviors designed to help them cope. Starting the shift with a

²³ For a review of this research, see the Appendix.

clear reference to rules and expectations, as well as an invitation to learn and have a safe and productive day or evening, sets a very different tone and has a very different impact on the minds and bodies of both the women as well as the staff. Exhibit 7 provides some examples about how staff can facilitate relationship safety.

Exhibit 7: Facilitating Relationship Safety		
Concept	Example of Women’s Behaviors	Staff Do’s and Don’ts
The need for connection is a powerful factor for women, and their behavioral violations within facilities are often related to relationships and disconnections.	A woman refuses to go to group to avoid another woman that has been bullying her.	Do: Explore underlying issues while imposing any necessary rules. Don’t: Administer a consequence without exploring the underlying dynamics of the situation.
The disconnections women experience in facilities (i.e., from family or loved ones, peers or staff) can be traumatic and precipitate rule violations.	A woman becomes upset and increasingly angry about not having more time on the phone with an intimate partner.	Do: Acknowledge her frustration and help her cope with the disconnection she feels. Don’t: Impose a rule or threaten her to “calm down.”

Actively facilitating, teaching, and monitoring physical and relational safety in the facility is an important time investment that can reap many benefits for staff and women alike. Additionally, staff need to experience relational safety in their interactions with one another and facility management. Therefore, creating a culture where healthy interactions are taught and modeled at all levels creates consistency and stability in the facility culture.

Finally, creating relational safety requires that staff work with women in a way that will allow them to experience a healthy sense of personal power and control. Experiencing healthy power and control have been identified consistently as essential aspects of recovery from trauma. When staff offer women healthy choices and options within the parameters of facility safety and security, they are helping them to cultivate a sense of empowerment that is essential for success within and outside of the facility. For example, while staff manage movement within the facility, they can invite a woman to announce the next activity and where it will be occurring. Simple acts like this can have far reaching positive effects on the women and the facility culture.

Gender and Trauma

5. Acknowledge that trauma matters; adopt universal precautions and apply the principles of trauma-informed care.

Experts recommend that all systems (e.g., medical, mental health, corrections) be trauma-informed, and that professionals in these systems adopt “universal precautions” when working with individuals. The notion of universal precautions requires that we assume a trauma history is present and interact with all individuals in a trauma-informed manner.²⁴ The principles of trauma-informed care offered by FalLOT and Harris²⁵—Safety, Trust, Choice, Collaboration and Empowerment—have important applications in all correctional settings, and are essential prerequisites to the experience of safety within facilities. Exhibit 8 provides examples of how trauma-informed principles can be used to promote women’s growth and positive behavior.

Exhibit 8: Implementing Trauma-Informed Principles in a Correctional Setting	
Principle	Example Strategies
Safety	<ul style="list-style-type: none"> Review the facility environment for potential trauma triggers and make a plan to address them. Introduce operational practices such as regular unit meetings that are designed to foster physical and psychological safety and women’s self-regulation.
Trust	<ul style="list-style-type: none"> Maintain basic regard and professionalism in administering discipline and sanctions. Establish rapport and respect (which translates into trust and reduced resistance).
Choice	<ul style="list-style-type: none"> Offer women opportunities for healthy control and choice whenever operationally feasible, even when administering a disciplinary response (e.g., “Would you like to sit in your cell?”). Develop Individualized Behavior Plans with women that address their specific needs and include personalized self-regulation techniques.
Collaboration	<ul style="list-style-type: none"> Ask women what policies or practices would increase their sense of safety. Facilitate discussion about women’s safety and accountability, as well as how staff can be more helpful, especially when women are struggling.
Empowerment	<ul style="list-style-type: none"> Introduce comfort items (e.g., stuffed animals, stress balls) that can be used for de-escalation and relaxation. Give women a voice in programming and other decisions that affect their lives in the facility.

²⁴ For more information see Benedict, 2014.

²⁵ FalLOT & Harris, 2006.

Correctional practices that apply the principles in Exhibit 8 increase women's coping skills, capacity to self-manage/regulate, and ability to view herself and others positively. This creates an environment that can reduce the number of violations and fuel the development of more trauma-informed responses when incidents occur.

Some trauma-informed strategies include:

- Identify and reinforce women's strengths.
- Use trauma-informed de-escalation techniques (e.g., maintain an even and respectful tone, use women's names, use short encouraging phrases such as "you can do this" and "you were so skillful last week").
- Process with women after a restraint, room search, or other event has occurred that might be traumatic.
- Train staff on trauma-informed interactional skills that create stability and avoid trauma triggers (e.g., using tone of voice effectively, avoiding words and sounds that can function as triggers).
- Ensure that staff know how to respond skillfully when an individual discloses to them privately or in a group context.
- Utilize interventions that hold women accountable while also minimizing trauma triggers.
- Use restraints and seclusion as a last resort and only after other interventions have been attempted; when restraints are used be sure that the protocol utilized minimizes trauma and when seclusion or segregation is used ensure that the time is very limited.
- Offer psycho-education on trauma and recovery groups for women who are interested in exploring trauma and its effects more deeply.
- Provide opportunities for women to practice coping and self-regulation skills (e.g., practice relaxation breathing at the beginning of each shift).
- Assess trauma triggers that preceded behaviors/violations, including the relational context within which the negative behaviors occurred.

6. Make routine procedures gender responsive and trauma-informed, including those related to discipline.

Creating safety as part of day-to-day facility operations can prevent women from becoming triggered, and as a consequence prevent them from resorting to unsafe and ineffective behaviors that may help them regain a sense of safety but possibly lead to sanctions. For example, it is common for correctional facilities to search women's rooms

Trauma-informed care in correctional environments can provide essential stability for women and staff.

for contraband and weapons. For safety and practical reasons, these searches are often conducted unannounced. The simple act of reaffirming the women's safety, ideally before and after staff members enter women's rooms, can bolster psychological safety. Virtually all correctional procedures, including the wide variety of disciplinary responses, can be delivered in a gender responsive and trauma-informed manner. Exhibit 9 includes some elements of a gender responsive and trauma-informed procedure that can be used in multiple situations.

Exhibit 9: Elements of a Gender Responsive and Trauma-Informed Procedure for Individuals and Groups

1. Tell her what procedure needs to take place and why.
2. Briefly describe what the procedure entails (e.g., order of tasks). If there are different ways the procedure can be done safely, offer choices.
3. Reassure her that you will conduct the procedure in a way that maximizes her safety and comfort.
4. Invite her to ask any questions and answer them before you begin.
5. Let her know that you would like to begin.
6. Conduct the procedure with trauma in mind; use verbal cues along the way such as "Now I am going to place the items from your purse onto the table."
7. Let her know that the procedure has been completed.
8. Ask her how she is doing.
9. Thank her for her cooperation.
10. Let her know what the next activity is.

Source: Benedict, 2013

Some additional strategies that correctional professionals can utilize to encourage women's safety and effective behavior include:

- Implement routine procedures such as searches, pat downs, movement within the facility, and change of shift protocols in a more gender responsive and trauma-informed manner.
- Introduce procedures that promote women's safety and avoid "triggering" or "re-traumatizing" women who have survived traumatic events (e.g., ways to say goodbye to someone who is being released).

- Work with women to create a “community” mission statement or set of community values that outline and promote self-respect, effective interactions with peers and staff, and personal responsibility and growth.
- Hold regular unit meetings to start and end the day; ensure that these meetings are productive. For example, staff can talk with women about safe boundaries and focus on the importance of healthy and skillful interactions and boundaries within the facility and in the community upon release.
- Create a “Women’s Council” where women can connect with each other in healthy ways with staff support (e.g., they can share ideas about correctional programs or plan holiday observances).
- Introduce “Peer Support” initiatives to encourage healthy and skill-building interactions.
- Implement protocols that cultivate a productive reporting culture.

Motivation and Skill Building

7. Introduce terms and definitions that create safety and motivation.

The effects of negative socialization messages and trauma are ever present for women. Removing disempowering terms from disciplinary language and practices can set an important tone of safety for women; this translates into engagement and growth. Terms such as “inappropriate” and “negative” can be limiting and lacking in cultural sensitivity. For example, if a woman tends to talk so loudly that other women are intimidated, asking her to “reduce her volume” to “create safety” may be more effective than telling her that using a loud voice is “inappropriate.” It may be that this is exactly how she and her family and friends talk in her community, and the volume reflects excitement about the topic, not any intent to cause harm. Using words such as “safety” allows staff to address the behavior without using judgmental terms. Additionally, when implementing procedures or administering a consequence, it is important to avoid terms that trigger the abuses that so many women have experienced.

To introduce terms and definitions that create safety and motivation, consider the following:

- Use descriptive terms to describe women’s behavior, such as “safe” (versus unsafe), “effective” (versus ineffective), “skillful” (versus not skillful), and “supportive” (versus unsupportive).
- Use empowering terms to discuss consequences and privileges, such as “earning” and “working toward” (versus losing or taking away).
- Avoid terms that have violent undertones or connotations (e.g., “lugging” someone; “shaking down” a cell; “throwing” someone “in the hole”; “booking” someone). Say “You need some time away from the group” versus “I am kicking you out of the group.”

- Use terms to describe women that encourage staff (and others) to avoid damaging stereotypes and view women as individuals capable of self-efficacy versus “needy,” “manipulative,” or “catty.” Such language can undermine relational safety and effective interventions, and worsen problem behavior.
- Use terms to describe facility spaces that promote safety and engagement such as “community room.”
- Consider using terms such as “women’s motivation” internally at staff meetings, debriefings and shift changes; such terms encourage effective approaches to discipline versus traditional punishment strategies.

8. Expand definitions of discipline to include methods that cultivate women’s skills, self-awareness and self-efficacy.

Given the research on punishment and its limited impact on behavior change²⁶, corrections professionals should consider expanding discipline and sanctions in women’s correctional facilities to include the following additional components:

Discipline comes from the Latin word “disciplinare,” which means to teach.

- **Teach and reinforce skills and strategies:** Identify and harness existing skills, and teach new ones, including those that are particularly important for women. Teaching new skills can occur during organized groups and unit meetings, or in the midst of a challenging situation. Skill development is particularly important when administering a consequence. For example, if a woman needs to be removed from the general population for seriously unsafe behavior, officers can remind her of a skill she can use to manage her current situation.
- **Increase self-awareness:** The more self-aware women are, the more they will be able to navigate their own internal experiences, the complex environments of facilities, and the communities to which they will return. Using *productive consequences* as part of discipline and sanctions is an excellent way to build women’s self-awareness. Productive consequences are those that encourage women to reflect on the situation, develop insights about their thoughts, feelings and behaviors, and hone important life skills. They can include completing thinking and feeling reports, creating an action plan, or processing an incident with staff.
- **Build self-efficacy:** Because self-efficacy is built upon belief and successful action, a woman must not only believe that she can change, but have opportunities to make and practice change. Providing women with opportunities to build self-efficacy is an important part of enhancing both the facility culture and discipline and sanctions. Even a series of failures should not be viewed as cause to abandon belief in the practice

²⁶ For a review of this research, see the Appendix.

opportunities provided to her and her ability to change. Rather, failures should be expected as part of the overall process of change. Building women's skills and self-efficacy go hand in hand.

Some strategies for expanding definitions of discipline include:

- Emphasize strengths as part of day-to-day interactions; celebrate small and large successes; display empowering messages about women.
- Adopt a strengths-based approach to discipline and sanctions by building on women's existing skills and teaching new skills.
- Recognize (e.g., in policy, handbooks, training) the limitations of punishment-oriented strategies.
- Make rules and expectations clear, and state them in a positive manner (e.g., "build healthy relationships" versus "no gossip"). Use rules/expectations to address concepts that are particularly important for women in and out of the facility, such as "build healthy relationships/rapport"; "maintain safe boundaries"; "practice assertiveness"; and "practice self-advocacy."
- Work with women to design real and effective solutions to problems (so that they are not left to design their own solutions). This enhances facility safety and offers women the very experience of personal value and capability that their socialization likely did not provide.

Staff Training and Support

9. Provide training and skills development opportunities to staff regarding gender, culture and trauma-informed approaches.

Staff members should have the opportunity to become familiar with the research on justice-involved women²⁷ and learn the skills and strategies necessary to work effectively with them. Often, staff may be unclear on what types of women's behaviors are safe versus unsafe; therefore, providing the time to discuss and therefore understand women's behaviors in the larger context of their psychosocial development and life experiences can be extremely helpful. It can also help staff to classify appropriately gender-specific behaviors, determine the best responses to those behaviors, and create opportunities to teach and reinforce healthy behaviors. Ultimately, staff education in its various forms is

A facility that acknowledges corrections stress, secondary trauma and burnout and provides clear support strategies will experience greater staff health and productivity.

²⁷ See Appendix.

critical to the implementation of enhanced approaches to discipline and sanction with women. Some staff development strategies include:

- Provide leadership and staff with sufficient training on women's pathways to offending; women's risks, strengths and needs; and skillful approaches and interventions.
- Ensure that staff members receive regular supervision, coaching, mentoring and professional development opportunities.
- Ensure staff communication through meetings, emails, and memos.

10. Provide information and support to staff regarding corrections stress and secondary trauma.

It is essential to support staff as they do this incredibly challenging and important work. In the field of corrections, the term "corrections stress" has emerged as an important phrase that captures some of the unique impacts that working in a corrections environment can have on all staff. Corrections stress and secondary (or vicarious) trauma are very real, different from "burnout," and can impact managers and staff at any time.

- **Corrections stress** can result from giving high levels of energy and/or consideration to those who are suffering, often without experiencing the positive outcomes of seeing individuals improve.²⁸ Staff may experience various behaviors and emotions (e.g., anger, hopelessness, apathy) that arise from knowing about others' traumatic histories, and/or working with traumatized persons and the behaviors that stem from their trauma (e.g., aggression, self-harm).²⁹
- **Secondary trauma** is a state of tension and preoccupation with the traumatic experiences or reactions of an individual or individuals. It can manifest in one or more ways (e.g., re-experiencing the traumatic events, avoidance) and can combine with the added effects of cumulative stress or burnout.³⁰
- **Burnout** is a response to chronic emotional and interpersonal stressors on the job and can include exhaustion, depersonalization, and diminished feelings of self-efficacy in the workplace. It reflects a form of "energy depletion".³¹

Indeed, most managers and staff experience some form of corrections stress and/or burnout and many have or will experience secondary trauma. All are natural byproducts of working in complex environments with individuals who have trauma histories. For the health of staff, the health of the women with whom they work, and the health and effectiveness of facilities, there is a critical need to prevent and respond to corrections stress, secondary trauma, and burnout. They are silent factors in corrections work, and many staff are not even aware that they are struggling.

²⁸ See McHolm, 2006.

²⁹ See Figley, 1995.

³⁰ See Figley, 1995.

³¹ See Meichenbaum, n.d.

Creating a safe, efficient and productive environment for all staff, and teaching staff essential self-regulation skills, can go a long way to preventing and attending to corrections stress, secondary trauma, and burnout. Such skills can help staff to navigate the realities of working in facilities with greater effectiveness, including their work with and recovery from high intensity situations.

Corrections stress and burnout also may affect the quality of interventions provided to the women, contribute to high turnover, and impact the safety of the facility.³² Building and strengthening individual staff coping strategies and strengthening work environments makes a difference. A facility that acknowledges corrections stress, secondary trauma, and burnout, and provides clear support strategies, will experience more staff health and productivity and improved outcomes with women.

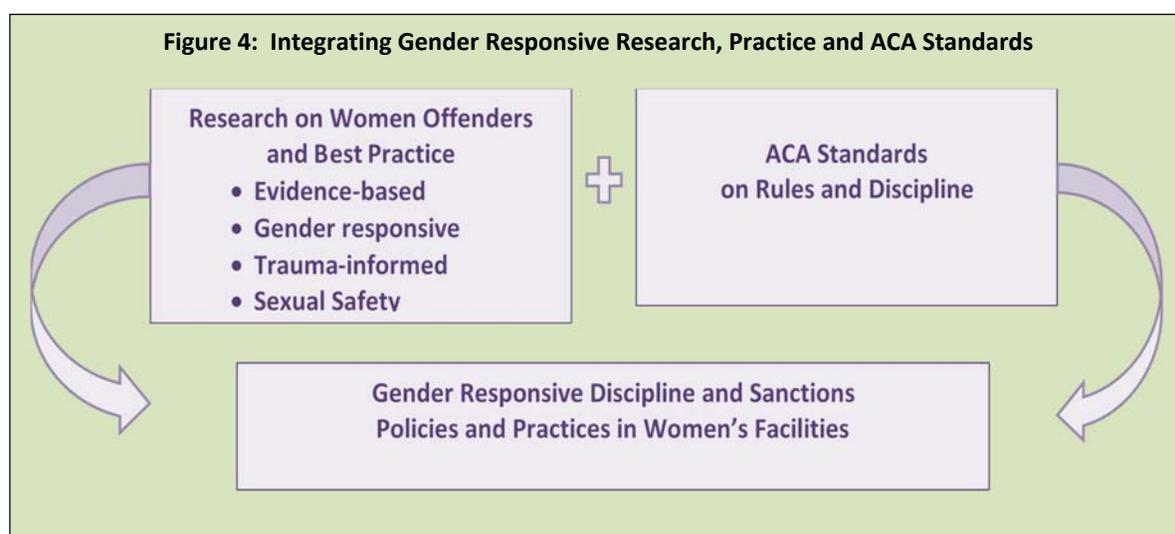
Some strategies for addressing staff stress, secondary trauma, and burnout include:

- Orient toward improved facility functioning and organization so that staff have a safe and predictable work environment (e.g., sufficient staffing, designated office space, interdepartmental collaboration).
- Define, discuss, and assess corrections stress, secondary trauma, and burnout as part of staff supervision.
- Encourage staff to create self-care plans to prevent and effectively deal with corrections stress, secondary trauma, and burnout.
- Have employee assistance protocols (e.g., relationships with an organization that can provide on or offsite support and counseling).
- Address the realities of corrections stress, secondary trauma, and burnout as part of staff orientation and training; make sure staff members have a clear sense of what support options are available.
- Provide staff with the stress management and self-regulation skills that will be essential for effective work in a corrections setting.
- Ensure that staff have opportunities to discuss (with confidentiality) any level of corrections stress, secondary trauma, or burnout they may be experiencing.
- Create opportunities for staff to de-escalate as part of routine practice; offer staff sufficient breaks and debrief after a critical incidents.

³² See Brower, 2013.

Section 4: Integrating Gender Responsive Research and Practice with Selected ACA Standards for Rules and Discipline in Women's Facilities

This section of the Guide is designed to assist corrections professionals as they translate research into practice. It couples the research findings about “what works” with women to reduce their recidivism³³ and best practices in this area with selected American Correctional Association (ACA) standards³⁴ so that discipline and sanctions policies and practices can be revised to meet the specific needs of women and goals of women's facilities (see Figure 4).³⁵



The rationale for utilizing ACA standards as a framework for applying gender responsive, trauma-informed practices in day-to-day facility operations is:

- Corrections professionals are typically familiar with the standards;
- The standards provide a place to start discussions about discipline and sanctions; and
- Knowledge about and familiarity with the standards provide a common frame of reference about discipline and sanctions.

³³ The research applications discussed in this section are based on a summary of the research findings provided in the Appendix that highlights each of the following areas: Women's Pathways to the Criminal Justice System; Women's Psychological Development; Trauma and its Effects on Women's Behaviors; Evidence-based Strategies that Motivate, Build Skills and Create Behavioral Success with Women.

³⁴ ACA standards are presented with permission. The authors also reviewed guidance, standards, and policies on gender responsive principles, and discipline and sanctions from a variety of other sources including the International Community Corrections Association, the Prison Rape Elimination Act, and fifteen state departments of corrections, to inform the policy and practice considerations in this Guide.

³⁵ A process for conducting a comprehensive review of discipline and sanctions is discussed in Section 2 of this Guide.

In this section, seven ACA standards have been selected for purposes of demonstrating how to revise discipline and sanctions policies and practices to more effectively manage women. Each standard includes:

- Steps that can be taken to implement the ACA standard in a gender responsive, trauma-informed and evidence-based manner in a women's correctional facility; and
- A self-assessment checklist that can be used to help identify the facility's strengths, challenges and gaps in current approaches to discipline and sanctions with women. Key discussion questions for consideration are also provided as part of the checklist.

All of the ACA standards that follow have been taken from the *Association's Standards for Adult Correctional Institutions*.³⁶ These standards were derived from the following ACA Principle:

The institution's rules of conduct and sanctions and procedures for violations are defined in writing and communicated to all...disciplinary procedures are carried out promptly and with respect for due process.

ACA Standard: There is a written set of disciplinary procedures governing rule violations. These are reviewed annually and updated if necessary.³⁷

Steps At-a-Glance

- ✓ Ensure approaches to discipline are connected to and consistent with the facility's overall mission and goals.
- ✓ Ensure that approaches to discipline are prevention- and safety-oriented.
- ✓ Revise agency/facility policies and procedures to account for gender and trauma.
- ✓ Conduct an annual review process that includes an assessment of progress in achieving gender responsive goals.

Ensure that approaches to discipline are connected to and consistent with the facility's overall mission and goals.

Revising discipline and sanctions policies and practices with women provides facilities with an opportunity to revisit their mission and goals. Because corrections systems have been designed with the dominant population in mind (i.e., men), a facility mission that is specific to women can clarify for staff what they are trying to achieve via their work with women. The facility's

³⁶ American Correctional Association (2003). Section C: Rules and Discipline. *Standards for Adult Correctional Institutions, Fourth Edition*. Pages 63-68.

³⁷ ACA Standard 4-4227.

mission (and the goals that operationalize it) sets an important tone for the facility culture and can also function as an anchor for the discipline system, offering a reference point for staff as they implement disciplinary procedures.

Gender responsive mission statements and goals can “open the door” to important concepts and terms that can be used throughout the facility culture and when administering disciplinary interventions. For example, if a mission statement emphasizes physical and psychological safety, staff can talk with women about behaviors that support or detract from safety. Gender-specific mission statements and goals can also function to encourage and motivate women. A mission statement that acknowledges women's inherent strengths can be very encouraging, while positively stated goals (e.g., build effective communication skills) offer women important things to focus on while in the facility. In fact, the discipline system can be viewed as a combination of operational practices (e.g., rulebooks, the orientation process, visual displays, and interactions with staff) that can help women's facilities achieve their overall mission and goals.

The Women's Village* Mission:

Encourage and foster an atmosphere of change in our community by harnessing our unique strengths, together as individuals, to create a new culture based on the pursuit of excellence.

*The Women's Village was created in 2011 by longer term residents and staff of the Washington State Correctional Center for Women who were interested in creating a safe and positive environment in which to live. Three hundred and fifty women now participate.

Ensure that approaches to discipline are prevention- and safety-oriented.

A prevention- and safety-oriented disciplinary system creates and reinforces a safe facility culture. It focuses on creating safety (physical and psychological), motivating positive behavior, and encouraging women's self-management. Creating a culture or “climate” of encouragement and motivation (in times of relative stability AND crisis) does not mean that women's accountability is an afterthought. It does mean, however, that staff members motivate women before challenges arise AND while holding the women accountable through gender responsive and trauma-informed disciplinary methods.

The best violation is the one that doesn't happen—because it was prevented.

Provide women with alternatives to rule violating behaviors as part of prevention.

It is important to teach women alternatives to rule violating behaviors before such behaviors are displayed in order to: (1) enhance facility safety and security, and (2) build adaptive skills that contribute to positive outcomes in and outside of the facility.

Attend to relationships and the Prison Rape Elimination Act (PREA).

Significant numbers of documented rule violations within facilities are related to women's peer dynamics and relationships. Women's attempts to create connections with other human beings can become complex as a function of incarceration and lead to disciplinary actions. For example, attempts to connect with or show support to other women through common gestures used outside of the facility (e.g., holding hands, hugging) may be seen as rule violations within the facility. All this can be very confusing to women and staff alike. In the wake of the high prevalence of sexual misconduct in facilities across the country, it is easy to view various interactions as sexual violations under PREA. Making distinctions between behaviors that are PREA violations and behaviors that are not, even if they are not permissible in the facility, is important. In the absence of such distinctions, it is easy for staff to misinterpret behaviors that tend to be common among women both in and out of facilities. At a minimum, staff and women alike should be made aware of PREA requirements. Relationship violations and traumatic experiences related to PREA violations can create survival behaviors (e.g., trading food or commissary for sex) that lead to facility rule violations. Regular, productive discussions about healthy relationships and zero tolerance can help create an atmosphere of safety and rule adherence.

A preventive approach to women's relationships and PREA may include the following: (1) establishing clear definitions of safe and unsafe interactions among women; (2) modeling healthy relationship/interactions skills; (3) offering programs that focus on building social competence; and, (4) creating opportunities for women to practice safe, effective and supportive interactions with one another and staff. For example, staff can discuss facility rules and expectations regarding acceptable interactions at orientation, at unit meetings, and in counseling sessions. Acknowledging that it is healthy—and normal—to want to connect and build rapport with others is essential, and offering safe alternatives for doing so can be reaffirming and calming.

Acknowledge trauma.

Many rule violating behaviors have their roots in traumatic experiences and are best understood as coping or survival behaviors. Acknowledging some of the difficulties women have had in their lives, and how the behaviors that will not be tolerated in the facility may be the very behaviors that helped them feel safe in other environments, is as important to communicate to women as clarifying the rules and expectations. This includes some "survival behaviors" that can really challenge staff in their day-to-day work, such as verbal and relational aggression (e.g., a woman rolling her eyes at staff to create relational distance and, in turn, a sense of safety). Additionally, women who have a history of trauma can adopt unhealthy relational styles that create safety concerns for staff and other women in the facility. Enforcing the rules of conduct in a neutral, non-judgmental manner can be an effective way to address these behaviors.

Revise agency/facility policies and procedures to account for gender and trauma.

Written discipline and sanctions policies and procedures can be enhanced to be more gender responsive and trauma-informed, and should prescribe how discipline and sanctions should be applied successfully with women. Depending on a variety of factors, including agency level policy, women's facilities may or may not be able to develop a separate policy for women. If a separate discipline policy regarding women cannot be developed, there are at least three options to consider:

- Add language to the gender-neutral policy that addresses gender responsive and trauma-informed approaches with women.
- Add subsections to the gender-neutral policy that include applications that are specific to working with women.
- Develop facility/building/unit-specific procedures regarding work with women. Such procedures can support newly revised, gender responsive agency or facility policy, or be used in place of such language to represent a gender responsive approach with women.

In some cases, women's facilities have been able to develop Standard Operating Procedures (SOP's) specific to their facilities, or identify critical areas where gender responsive and trauma-informed approaches should be specified. For some agencies, this may involve adding language within a gender-neutral policy. Alternatively, they may choose to add subsections that include applications that are specific to working with women. Agency policy (with or without additional language that addresses issues related to gender and trauma) can also be supported by facility-specific protocols or procedures for women.

Conduct an annual review process that includes an assessment of progress in achieving gender responsive goals.

Annual reviews provide facility leadership and staff with an opportunity to assess the past year's progress in achieving gender responsive and trauma-informed goals, and strategize for the coming year. Because each corrections agency has different approaches and requirements regarding the review and modification of various policies and procedures, it will be important to determine the best approach for a particular facility.

Ideally, revising discipline and sanctions policies and practices with women will encourage gender responsive and trauma-informed enhancements to other policies as well (e.g., classification and assessment, and case management). That is, as leadership and staff gain a greater understanding of women and effective approaches with them, other opportunities to improve facility safety and security, staff satisfaction, and women's outcomes, may present themselves.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
FACILITY MISSION AND GOALS				
What do we hope to accomplish in our work with women?				
What do the women hope to accomplish?				
1. Is there a gender responsive, facility specific mission statement?				
2. Does the facility mission statement specify goals and objectives regarding work with women?				
3. Is the gender responsive mission statement reviewed as part of staff training?				
4. Is the gender responsive mission statement included in the facility handbook?				
5. Is the gender responsive mission statement posted in the facility where staff and women can view it?				
PREVENTION AND SAFETY ORIENTATION				
What types of interactions (with and among women and staff) can create safety and stability?				
How can we make these interactions more consistent throughout the facility?				
6. Do discipline and sanctions policies include strategies for the prevention of women’s rule violations?				
7. Have existing procedures and routines been reviewed to determine how they can be enhanced to be more gender responsive and trauma-informed?				
8. Are there existing/new procedures in place that were implemented to create safety and stability for the women?				

9. Does a formal protocol exist to identify women’s existing skills and teach new skills at the beginning of their incarceration that will help them exhibit safe behaviors and avoid rule violations?				
10. Are women’s existing skills identified and reinforced as part of routine practice? Are new skills taught as part of routine practice?				
11. Have staff been trained to respond to women’s behaviors in ways that create stability?				
12. Are unit meetings and other mechanisms used to encourage and motivate women to adhere to facility rules and expectations?				
13. Are there opportunities to teach women alternatives to rule violating behaviors (e.g., during orientation, programs)?				
<p>GENDER AND TRAUMA IN POLICIES AND PROCEDURES</p> <p>How is gender and trauma currently accounted for in discipline and sanctions policies and procedures?</p> <p>What gender responsive and trauma-informed language should be included in discipline and sanctions policies and procedures?</p>				
14. Does the facility have an SOP and/or policies and procedures that outline gender responsive and trauma-informed approaches with women?				
15. Do discipline and sanctions policies reflect gender responsive and trauma-informed terminology?				
16. Do discipline policies acknowledge the importance of healthy relationships in women’s behaviors?				

ANNUAL REVIEW PROCESS				
<p>How is gender and trauma incorporated into an annual review of discipline and sanctions policies and procedures? If not, how can it be?</p> <p>What process can be put in place to review regularly progress made towards gender responsive and trauma-informed goals?</p>				
17. Does the facility/agency conduct an annual review of discipline and sanctions policies and procedures?				
18. Does the annual review include an assessment of gender responsive and trauma-informed goals?				
19. Are the review process findings shared with staff across all functional areas?				

ACA Standard: Written rules of conduct specify acts prohibited within the institution and penalties that can be imposed for various degrees of violation; the written rules are reviewed annually and updated if necessary.³⁸

- Steps At-a-Glance**
- ✓ Determine which behaviors represent rule violations and which behaviors do not.
 - ✓ Determine which sanctions and supports should be available to respond to which violations.
 - ✓ Utilize extremely punitive sanctions (and segregation) sparingly.
 - ✓ Balance the use of sanctions with incentives and rewards.
 - ✓ Collaborate with mental health and other key staff/departments to develop and administer discipline and sanctions policies and practices.

³⁸ ACA Standard 4-4226.

Determine which behaviors represent rule violations and which behaviors do not.

Discipline policies and practices in women's facilities should provide clear guidance to staff on how to respond to the behaviors that are common among women. In the absence of discussions about the research on women and what it means for discipline, approaches to discipline can include unnecessarily harsh penalties for certain behaviors, while others may fail to address certain behaviors that do pose serious safety risks. The goal is to capture those behaviors that are common among women, and develop consensus about the risks such behaviors may or may not pose to facility safety and how to respond when they occur.

The following steps can help corrections professionals explore the degree to which their policies account for behaviors that are common among women:

- Generate a list of frequent or common problematic behaviors (see example list provided in Exhibit 10).
- Scale the list of behaviors from least to most serious. Answer the questions: Which behaviors have a minor, moderate or serious impact on safety and security? Which do not impact safety and security?
- Cluster behaviors into minor, moderate or serious behavior categories. Check to be sure that:
 - Behaviors are appropriately classified. (i.e., whether some currently classified as serious should be considered minor and vice versa).
 - Sexual abuse incidents are categorized according to PREA.

Using distinctions such as “minor,” “moderate,” and “serious,” can help staff evaluate the seriousness of a variety of concerning or problematic behaviors and encourage consistency. These distinctions may or may not overlap with existing behavioral categories/codes (e.g., Class I, II, III). The goal is to effectively categorize behaviors along a continuum so that appropriate responses can be applied. Check to see if existing categories are sufficient; delete categories or add additional categories or sub-categories as needed. Exhibit 11 provides an example of a Staff Response Matrix that can be used to scale behaviors according to seriousness.

Exhibit 10: Common Behaviors

- Arguing
- Complementing another person's appearance
- Disobeying an order
- Fighting
- Gossiping
- Group hugs
- Handholding
- Hugging
- Kissing
- Name calling
- Out of place
- Passing and receiving notes, food and other items
- Putting an arm around someone else's shoulders
- Theft

When defining behaviors, be as clear as possible. Being more precise about behaviors increases clarity, reduces subjectivity, and enhances the overall gender responsiveness of the policy. For example, verbal arguing may be a minor behavior, fighting a moderate behavior, and physical assault a serious behavior. If these terms are not clearly defined, arguing could be interpreted by staff as “fighting”—a violation that could carry a more severe penalty.

Because of the federal requirements for all facilities to implement a zero tolerance policy for sexual abuse,³⁹ the implications of PREA must also be considered when determining which behaviors constitute violations and the severity of such behaviors. Disciplinary policies should adhere to the definitions of state laws and the federal definitions under the PREA Standards to guide sanctioning while integrating the research on sexual safety in women’s facilities.⁴⁰ This may include a discussion of which behaviors displayed by women violate criminal law (see ACA Standard 4-4231). To achieve this, a review of prior cases referred to law enforcement might be conducted to see if categories of offenses that are being referred are categorized appropriately as criminal acts.

Exhibit 11: Staff Response Matrix⁴¹			
Severity Scale	Behaviors	Sanctions	Supports
Minor			
Moderate			
Serious			

Determine what sanctions and supports are available to respond to the range of problematic behaviors.

Once the behaviors that are common have been clarified, along with the degree to which they threaten facility safety, consider the range of possible responses—including sanctions/penalties and essential supports. ACA states, “The rules should specify the range of penalties that can be imposed for violations”.⁴² Clarifying both informal and formal responses can be helpful in this regard. That is, those gender-specific behaviors that do require a staff response, but not

³⁹ See PREA Prisons and Jails Standard 155-11.

<http://www.prearesourcecenter.org/sites/default/files/library/prisonsandjailsfinalstandards.pdf>

⁴⁰ For research on sexual safety, see Owen et al., 2008.

⁴¹ Matrix adapted from CORE Gender-specific Behavior Motivation Model (Benedict, 2005, 2010).

⁴² ACA Standard 4-4226.

necessarily a sanction, should be identified, as well as those behaviors to be sanctioned through a more formal discipline process.

Sanctions

Some of the sanctions commonly used in corrections can actually function as barriers to women’s motivation and growth, especially when misused or overused. For example, a common sanction for women’s discipline behaviors is the loss of visits with loved ones, including children. However, given that contact with children can be stabilizing and motivating for women, removing visits may actually result in the unintended consequence of destabilizing them.

When considering the range of responses to women’s behaviors, remember that discipline means “to teach.” So it is important to answer the questions: How can responses to women’s behaviors be more than simply punishment? How can they be crafted to actually *teach* women to harness strengths and change targeted behaviors? By exploring the opportunities to better align existing sanctioning practices with the research, discipline and sanctions can become a more meaningful reinforcer of facility safety, a gender responsive culture and positive growth. Exhibit 12 provides a list of some common sanctions used in women’s (and men’s) facilities to respond to a range of behaviors alongside a list of sanctions that may be more effective in motivating women to change their behavior.

Exhibit 12: Common Sanctions and Sanctions that can Reinforce Motivation and Change	
Common Disciplinary Sanctions	Sanctions that Reinforce Motivation and Change
<ul style="list-style-type: none"> • Use of force • Restraints • Punitive segregation or isolation • Loss of privileges (e.g., visits, phone, recreation) • Restricted privileges (e.g., cell confinement) • Loss of good time or earned credits • Transfer • Removal of personal items 	<ul style="list-style-type: none"> • Journaling assignment (structured or unstructured) • Practice using relevant skills introduced in core programs (e.g., mindfulness, emotional regulation, problem-solving) • Participate in a social action project • Complete a thinking report or action plan (i.e., a written statement about her perceptions of what occurred prior to the incident, who was involved, what she was feeling or thinking at the time, and what she could do differently should the situation occur in the future) • Development/review/update of a maintenance or safety plan that prepares her to respond more adaptively when faced with similar circumstances • Restorative actions (e.g., working with her to determine a safe way to apologize for any harm she may have caused)

Follow the same steps to enhance and expand responses to behaviors as was used to identify and scale behaviors (see chart above). Consider getting input from both staff and women to inform the development/revision of both women’s behaviors and staff responses.

- Generate a list of available sanctions.
- Scale the list of sanctions from least to most serious and cluster them into minor, moderate, or serious response categories.
- Review the list and identify opportunities to change how existing sanctions are used (e.g., revisit the length of time women may lose privileges or be placed in segregation and consider incremental privilege losses).
 - Check to be sure that there is a sufficient range of sanctions/responses and that the sanctions’ length of time is not excessive and is commensurate with the behavior.
 - Consider the impact of sanctions on the woman's future beyond the immediate situation, such as her future opportunities for growth, safety, and reentry (e.g., how will sanctions impact her parole release eligibility, program participation, and/or housing?).
- Determine which sanctions should be reduced or eliminated based on research and best practices, and which sanctions can be added to achieve better outcomes with women.
- Once this review has been completed, match the completed list of women’s behaviors with the sanctions and responses. A structured behavior response matrix should be developed by management and staff to guide their decision making.

A second column can be added to the Staff Response Matrix to scale sanctions according to seriousness (see Exhibit 13).

Exhibit 13: Staff Response Matrix⁴³

<i>Severity Scale</i>	<i>Behaviors</i>	<i>Sanctions</i>	<i>Supports</i>
Minor			
Moderate			
Serious			

⁴³ Matrix adapted from CORE Gender-specific Behavior Motivation Model (Benedict, 2005, 2010).

Supports

A list of supports can be offered to women as part of sanctioning and/or responding to women who may be struggling but not necessarily violating facility rules. Such supports can be integrated into the final Staff Response Matrix (see Exhibit 14). Ideally, supports include skill-building opportunities/requirements and staff-interventions that are specifically designed to facilitate stability and self-regulation. For example, a woman who threatens a peer may receive a sanction (e.g., suspension of recreation privileges for a specific period of time), but also can be engaged in a required skill-building activity. This can consist of a formal group or one-on-one intervention, or be as simple as assigning her to answer worksheet questions or journaling. Another woman may be making negative comments after a difficult visit with family. A staff member can encourage her to use skills that will help her to calm her emotions and make effective choices during the next activity. The objective is to move toward more planned, documented, and purposeful contact with women whether they have received a formal sanction or not.

Explore opportunities to offer supports that will help women to understand their behaviors, build on existing strengths, and develop and practice new skills needed for success. This can happen when a sanction is or is not required.

Exhibit 14: Staff Response Matrix⁴⁴

<i>Severity Scale</i>	<i>Behaviors</i>	<i>Sanctions</i>	<i>Supports</i>
Minor			
Moderate			
Serious			

A Word about Consistency

Consistency in staff responses to women’s behaviors is essential to creating safety, security, and stability for both staff and women. Yet both facility staff and women frequently identify inconsistency within and between shifts as a barrier to facility safety and productivity. For example, staff members often have very different views about the seriousness of behaviors. One may think that touch between women is not permitted under any circumstances; while

⁴⁴ Matrix adapted from CORE Gender-specific Behavior Motivation Model (Benedict, 2005, 2010).

another may believe a handshake is acceptable. Additionally, when staff do agree that a behavior requires a response, they may not always agree on what that response should be. One staff may verbally redirect a woman for hugging a peer, while another may take away some privileges.

On a daily basis, staff respond to a range of behaviors. When a basic level of consistency does not exist between and within shifts, problems can occur. Therefore, agreeing on how to respond to various behaviors is both practical and preventive. Including staff in discussions about effective responses can also reveal additional sanctions and supports that can be added to the Staff Response Matrix. A structured matrix like the one discussed above can go a long way toward achieving staff consistency when responding to a range of problematic behaviors.

In 2011, the United Nations Human Rights Council report on torture and other cruel, inhuman, or degrading treatment or punishment recommended that "...prolonged solitary confinement, in excess of 15 days, should be subject to an absolute prohibition." (p. 23)

Utilize extremely punitive sanctions (and segregation) sparingly.

Despite the emerging research on the effects of long periods of isolation on those who are incarcerated (e.g., negative psychological effects, behavioral problems, increased mental health and trauma symptoms)⁴⁵ as well as the newer research on trauma, segregation is a common sanction in both men's and women's facilities. Further, it is not uncommon for segregation to be meted out in time increments—30, 60, or even 90 days—that can be overly long and poorly scaled to the severity and nature of the violation.

As such, segregation (including solitary confinement) should be used sparingly and only on occasions when women display behaviors that present a severe danger to other staff. When possible, it should be used as a last resort after other responses have failed to create safety. Importantly, segregation should not be viewed as a mechanism for behavior modification (i.e., as an intervention that changes behavior) but rather as a short, temporary response to behavior that may be required to ensure the immediate safety of one or more persons.

Balance the use of sanctions with incentives and rewards.

Evidence-based research on behavior change strongly states that reinforcement, rewards, and incentives for positive behavior achieve better results than punishment.⁴⁶ Incentives and rewards can include a range of privileges such as additional recreation time, increased responsibility for co-facilitating a unit meeting with staff, or serving as a peer mentor. Importantly, many privileges and responsibilities function as opportunities for women to build the skills and self-efficacy that are essential to success within and outside of the facility. Exhibit 15 provides a few examples of privileges and responsibilities. While offering these

⁴⁵ For more information on the impact of segregation, see the Appendix.

⁴⁶ For more information on rewards and incentives, see the Appendix.

opportunities can be challenging from a staffing and operations perspective, doing so can have great benefits (e.g., improved stability, reduced incident reports).

Exhibit 15: Example Privileges and Responsibilities	
Privileges	Responsibilities
<ul style="list-style-type: none"> • Access to certain/extra commissary items • Permission for certain room contents • Extra phone time • Extra free time • Later bed time 	<ul style="list-style-type: none"> • Co-facilitate a unit meeting with staff (e.g., review the shift schedule, take notes) • Co-facilitate transitions • Serve as a member of a Women Council • Serve as a Peer Orientation Leader • Serve as a Peer Mentor • Serve as a facility Tour Guide • Help plan a holiday party

Even with minimal staffing, correctional facilities can provide women with worksheets and other activities to help them process events and come up with ideas for possible solutions. In one Connecticut facility, for example, the implementation of a phased system, including earned privileges and responsibilities relative to safe behavior, led to significant reductions in the following:

- Reduced isolation time
- Reduced mechanical and chemical restraints
- Reduced worker compensation claims
- Improved sense of safety/quality of life among staff and women
- Improved stability
- Changed and enhanced services offered (gender responsiveness)
- Reduced “returns” to higher security settings
- Reduced incident reports

Some routine correctional practices offer great opportunities for women’s motivation and reinforcement. For example, during unit meetings staff members can compliment women who have been actively practicing new skills, women who may have done something supportive during the shift, and women who are, maybe for the first time, participating in the meeting. Staff can also reinforce large groups of women (e.g., during physical movement between facility spaces, after room checks, specific pods or units) by saying “Great job, everyone” or after an event-free group meeting by saying, “You all did an excellent job in group.”

Document Responses to Positive Behaviors

Facilities typically have very clear documentation of violations, but often do not have a system for documenting rule adherence and women's growth. While some facilities have recognition systems for "pro-social behaviors," it is not the same as clearly documenting positive behaviors and responses. Revising discipline and sanctions policies and practices should also include the creation of a clear and documented *Motivation and Reinforcement Protocol*. The protocol should include a comprehensive list of motivators and reinforcers that staff can utilize during each shift to reward positive and safe behavior and growth. It can also specify how and when reinforcers should be delivered. For example, recognition through such methods as verbal praise and certificates can be given on a weekly or monthly basis to women who are exhibiting consistently safe, supportive and/or effective behavior, as well as to women who are showing improvements (e.g., a woman who is able to participate in group safely or a woman who is able to participate in a unit meeting for the first time).

Collaborate with mental health and other staff/departments to develop and administer discipline and sanctions policies and practices.

In many facilities, discipline is used to respond to complex and often acute mental health needs (for example, suicidal or self-harming behaviors and serious acting out behaviors). Involving and engaging mental health staff as early as possible can offer critical support for staff (who may not be trained to deal with these kinds of behaviors) and can prevent women's behaviors from escalating.

Begin by identifying behaviors such as self-harm or medication noncompliance (e.g., "cheeking" medications), and determine appropriate methods to deal with them. By coordinating with medical and mental health staff, custody staff can develop the most effective responses to these and other behaviors, rather than having to deal with them through discipline and sanctions policies or procedures. Rule violations can be viewed as symptoms of underlying challenges that can be addressed through mental health services such as case management, psycho-educations, and treatment. It is essential therefore that disciplinary staff, mental health staff, and others coordinate their efforts and inform one another's decisions, policies and practices. Finally, it can be helpful to involve mental health staff strategically in interventions before, during, and after episodes. For example:

- Proactively, when a woman is exhibiting a challenging behavior (e.g., threatening to hurt herself) or if staff need to perform an invasive task (e.g., cell extraction)
- During (e.g., check in with a woman during segregation)
- After (e.g., a difficult family visit)

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
DETERMINE VIOLATION BEHAVIORS <ul style="list-style-type: none"> • What problematic behaviors are commonly displayed by women in the facility? • How are behaviors currently categorized? 				
1. Do discipline policies identify acts that are commonly displayed by women? <ul style="list-style-type: none"> • Arguing? • Fighting? • Gossiping? • Hair touching and styling? • Hand holding? • Hugging? • Kissing on the cheek? • Passing and receiving notes, food and other items? • Theft? • Others? 				
2. Do discipline policies specify which behaviors commonly displayed by women constitute rule violations and which behaviors do not?				
3. Among those behaviors identified as rule violations, do discipline policies specify degrees of severity (e.g., minor, moderate, serious)?				
4. Among the behaviors identified as rule violations, do discipline policies distinguish between those behaviors that should result in an informal and/or supportive response, and those that should result in a sanction?				
5. Are violations that constitute criminal acts (i.e., PREA) clearly defined and distinguished from rule violating behaviors?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
DETERMINE SANCTIONS AND SUPPORTS <ul style="list-style-type: none"> • What sanctions are currently used/can be changed or added? • What supports are currently used/can be changed or added? • How can women’s existing skills be reinforced and new skills developed as part of sanctioning? 				
6. Do discipline policies identify a range of sanctions in response to violation behaviors?				
7. Do discipline policies identify sanctions that are minor, moderate and serious?				
8. Do discipline policies specify which sanctions should be used for various categories of women’s behaviors?				
9. Do discipline policies identify responses/ interventions for non-rule violating behaviors?				
10. Do discipline policies include incentives and rewards that reinforce and motivate positive change, in addition to sanctions for violations?				
11. Are supports identified and offered to women as part of sanctioning?				
12. Are staff consistent in their use of sanctions and supports when responding to behaviors?				
LIMIT EXTREMELY PUNITIVE SANCTIONS <ul style="list-style-type: none"> • How often is segregation used as a discipline sanction? Cell confinement? Loss of privileges? • What types of behaviors result in segregation as a sanction? Cell confinement? Loss of privileges? • What are some strategies for reducing the use of extremely punitive sanctions? 				
13. Are severe punitive actions or responses commonly used to sanction behaviors?				
14. Do discipline policies specify clear alternatives to segregation?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
15. Do discipline policies include specific procedures for implementation of those sanctions that are likely to be trauma triggers?				
16. Do discipline policies outline a process to reduce segregation time based on women’s behavior?				
17. Is each segregation placement reviewed by the Warden or designee to assure that it is being used only when absolutely necessary to assure safety and according to clear criteria?				
18. Are restraints used to create immediate safety according to pre-determined criteria?				
19. Do discipline policies recognize the importance of family contact and key supports, and prohibit such contact only when it poses a clear risk to safety and security?				
20. Are efforts to prevent segregation and isolation documented?				
USE INCENTIVES AND REWARDS <ul style="list-style-type: none"> • What types of behaviors are safe, effective and/or positive? • What privileges and responsibilities are currently offered to women in the facility? • What additional strategies can be implemented to reinforce more consistently safe, effective and/or positive behaviors? 				
21. Do discipline policies outline privileges and/or responsibilities that are relevant to women?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
22. Is there a clear process by which women can access privileges and responsibilities as they demonstrate adherence to rules and expectations?				
23. Are unit meetings and other mechanisms used to encourage and motivate safe, effective, and/or supportive behavior?				
COLLABORATE WITH MENTAL HEALTH AND OTHER STAFF/DEPARTMENTS <ul style="list-style-type: none"> • What mental health needs are common among women in the facility? • How and when can we engage mental health staff and others as part of discipline? • In what interventions should mental health staff and others be involved proactively? Prior to? During? After an incident? 				
24. Do discipline policies identify situations in which staff are expected to consult with mental, medical health (e.g., self-harm, suicidality) and/or other staff?				
25. Do discipline policies distinguish between those behaviors that should result in a response/sanction and those that should result in a mental and/or medical health referral (e.g., refusal of a strip search, refusal to take medication, refusal to complete hygiene)? <ul style="list-style-type: none"> • Before a sanction is given? • In addition to a sanction? 				

ACA Standard: There are written guidelines for resolving minor infractions, which include a written statement of the rules violated, and a hearing and decision within seven days, excluding weekends and holidays, by a person not involved in the rule violation; those accused of a violation may waive their appearance at the hearing.⁴⁷

Steps At-a-Glance

- ✓ Use clear criteria to define which violations are to be handled formally and which should be handled informally.
- ✓ Ensure that informal responses to violations are consistently implemented and reflect gender responsive, trauma-informed and evidence-based practices.
- ✓ Ensure that written statements are informative and include contextual information to encourage a thoughtful, productive, and fair hearing process.
- ✓ Ensure that the disciplinary hearing process is gender responsive and trauma-informed as well as fair, productive, and timely.

Use clear criteria to define which violations are to be handled formally and which should be handled informally.

Parallel to the process of creating categories for violations (i.e., minor, moderate and serious),⁴⁸ within the category of “minor” behaviors, facility leadership and staff may consider utilizing two response tracks to address behaviors:

- An “informal” track that allows staff to implement an immediate, effective response that does not involve a formal hearing.
- A “formal” track, that while involving an immediate response, may also include a formal hearing.

It is important to be sure that staff are clear on what behaviors can be handled informally, and what behaviors should be handled through a more formal process. Exhibit 16 illustrates how the Staff Response Matrix presented above can be adapted to include informal responses for minor behaviors.

If there is a need to deviate from agreed upon, documented responses, staff should follow a written protocol for doing so. This protocol may require that staff obtain written permission from a supervisor, clearly document the reason for their decision, and communicate that decision through shift changes.

⁴⁷ ACA Standard 4-4230.

⁴⁸ See previous discussion on ACA Standard 4-4226.

Exhibit 16: Staff Response Matrix⁴⁹

<i>Severity Scale</i>	<i>Behaviors</i>	<i>Sanctions</i>		<i>Supports</i>
		<i>Informal Responses</i>	<i>Formal Responses</i>	
Minor				
Moderate				
Serious				

Ensure that informal responses to violations are consistently implemented and reflect gender responsive, trauma-informed, and evidence-based practices.

When empowering staff to resolve certain behaviors informally, it is important that methods are in place to ensure consistency among staff. It is also essential to include a range of options that staff can use. These can include consequences such as early bed time, time outs, and limited recreation for the day. Where possible, responses should be used to encourage women to reflect on their behaviors and build new skills. For example, women can be asked to complete a worksheet or develop a plan geared toward preventing the problem behavior in the future. Having more than one option is helpful and can allow staff to tailor an informal response to the situation.

The disciplinary process also should consider whether a woman’s mental disabilities or mental illness contributed to her behavior when determining what type of informal response, if any, should be used. This is particularly important considering that staff will want to respond in a way that does not exacerbate mental health problems or re-traumatize her. While a hearing process can and should consider extenuating circumstances (e.g., mitigating and aggravating factors), it is important to identify and respond to such circumstances as early as possible, whenever possible.

Ensure that the disciplinary hearing process is gender responsive and trauma-informed, as well as fair, productive, and timely.

Gender and trauma-informed approaches can be incorporated into the hearing process as well. For example, consider including multidisciplinary perspectives (i.e., medical, mental health, security) into the hearing process. Explain the hearing process to her ahead of time, assure that

⁴⁹ Matrix adapted from CORE Gender-specific Behavior Motivation Model (Benedict, 2005, 2010).

she understands what is happening during the hearing, and talk to her about what happened after the hearing is completed.

Any decision to dismiss, decrease, or increase sanctions (e.g., mitigating and aggravating circumstances) should be identified, documented, and supported by clear, written criteria. Those circumstances should be clearly defined and include attention to mental health, trauma, gender responsiveness, and individual strengths and challenges. A word of caution: If mitigating and aggravating circumstances are used frequently to adjust sanctions, this can mean that the existing sanctions and/or the timeframes associated with such sanctions may need to be adjusted.

In many facilities, the time between the incident, filing of a report, and the disciplinary hearing can be weeks or months. The resolution of a case may depend on a variety of factors, including administrative processes, staff resources, and the amount of time it takes to investigate the incident. Hearings and decisions should take place within a reasonable timeframe and accompanying sanctions should be administered immediately thereafter. They should be viewed as an extension of a discipline process that is gender responsive, trauma-informed, and evidence-based. They also can be used as opportunities to create safety, acknowledge a woman’s strengths, and teach (or encourage) her to utilize new skills. Lastly, hearing officers and others involved in the discipline process should have adequate training in gender responsive and trauma-informed practices to ensure that the decisions made are appropriate, and that the hearing process itself is safe and productive for women and staff alike.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
DEFINE INFORMAL SANCTIONS				
<ul style="list-style-type: none"> What types of rule violations can be handled informally? 				
1. Do discipline policies specify behaviors that should be handled informally by staff?				
2. Do discipline policies clearly differentiate between formal and informal discipline behaviors/sanctions?				
3. Are informal responses to rule violations documented?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
REALIGN INFORMAL SANCTIONS TO BE GENDER RESPONSIVE, TRAUMA-INFORMED, AND EVIDENCE-BASED, AND USE THEM CONSISTENTLY <ul style="list-style-type: none"> • What are some strategies for ensuring consistent use of informal versus formal responses for the same behaviors among staff? Across shifts? • What opportunities exist to communicate effective informal responses to rule violations across shifts? • How can informal responses to behaviors be improved to be more gender responsive and trauma-informed? 				
4. Are informal responses to minor violations gender responsive and trauma-informed?				
5. Are creative, informal responses to minor violations encouraged?				
6. Do informal responses account for a woman’s cognitive state, mental status, or disability?				
7. Is the facility consistent in the use of informal versus formal responses for the same behaviors?				
WRITTEN DOCUMENTS <ul style="list-style-type: none"> • How can written documents be enhanced to communicate information more effectively and in a gender responsive and trauma-informed manner? 				
8. Are written statements regarding rule violations informative?				
9. Do written statements regarding rule violations: <ul style="list-style-type: none"> • Include contextual information with regard to gender and trauma? • Acknowledge women’s strengths (e.g., making an apology, asking for staff support)? • Identify special circumstances with regard to gender and trauma for consideration? 				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
10. Do written statements regarding rule violations facilitate a productive and fair hearing process for women?				
THE DISCIPLINARY HEARING PROCESS <ul style="list-style-type: none"> • What are some strategies that can be implemented to enhance the discipline hearing process to be more gender responsive and trauma-informed? 				
11. Has the facility conducted a review of the disciplinary hearing process to assess how gender responsive and trauma-informed it is?				
12. Are there clear, written criteria regarding the disciplinary hearing process?				
13. Are there clear, written criteria for dismissing, increasing, and decreasing sanctions?				
14. Does the disciplinary hearing process occur in a timely fashion?				
15. Are women in segregation for an extended period of time during any phase of the discipline hearing process? <ul style="list-style-type: none"> • Awaiting an investigation? • Awaiting a hearing? • As a sanction? • Awaiting an appeal? 				
16. Are mental health, ability/disability and trauma considered during the hearing process?				
17. Are mental health staff involved in the hearing process?				
18. Have disciplinary hearing officers been trained in gender responsiveness and trauma-informed care?				

ACA Standard: Written policy, procedure, and practice provide that when rule violations require formal resolution, staff members prepare a disciplinary report and forward it to the designated supervisor.⁵⁰

Steps At-a-Glance

- ✓ Clearly define and distinguish between incident reports, discipline reports, and reports of sexual abuse/misconduct, and their corresponding protocols.
- ✓ Ensure there is a clear gender responsive protocol in place regarding the supervision and support of accused women and alleged victims.
- ✓ Document rule violations, both formal and informal, in order to better gauge the level of gender responsiveness of the discipline and sanctions system.

Clearly define and distinguish between incident reports, discipline reports, and reports of sexual abuse/misconduct, and their corresponding protocols.

Corrections policies and procedures are designed to ensure facility safety and security, due process, protect the legal rights of victims and the accused, and facilitate compliance with state and federal laws. Documentation is an important part of complying with laws and assuring rights. Within correctional facilities, there are various reporting mechanisms for documenting alleged incidents and abuses, and their level of seriousness. For example, incident reports may be formal or informal and incidents may be documented in a formal report, a chronology log, and/or a woman's case file. Discipline reports are typically formal reports that document serious rule violations. According to PREA, reporting protocols for instances of alleged sexual abuse/misconduct should be specified, a supervisor should sign off on these reports, and a shift commander should approve the report as well as initiate the facility's investigation protocol. Clearly defining each type of report, and its purpose and the protocol for using it, can also contribute to their consistent use by staff.

Ensure there is a clear gender responsive protocol in place regarding the supervision and support of both accused women and alleged victims.

Protocols that support staff and women to resolve incidents in a gender responsive and trauma-informed manner can contribute to safety. For example, how an accused woman is supported during an incident can contribute to the de-escalation of the incident, or make it worse. Protocols should include the sanctions, consequences, and safety measures that can be imposed; steps custody staff can take to resolve and de-escalate incidents; the consequences and sanctions that can be imposed before a formal hearing process takes place; and the appropriate role of peer advocates and mentors. Similarly, a clear protocol regarding the supervision and support of alleged victims is equally important.

⁵⁰ ACA Standard 4-4232.

Document rule violations, both formal and informal, in order to better gauge the level of gender responsiveness in the discipline and sanctions system.

While addressed earlier in this section, it is important to emphasize the importance of defining categories of rule violation behaviors (e.g., minor, moderate, serious) and how staff are expected to resolve them (e.g., formally, informally, through mental health). While staff are often required to prepare an official report for formal rule violations, it may also be beneficial to document informal resolutions as well. By doing so, supervisors can track what is happening with respect to staff decision making, offer any needed staff training and coaching regarding discipline and sanctions with women, and better evaluate the effectiveness of gender responsive and trauma-informed interventions. In addition, by tracking report data over time, facility leadership and staff can gain a greater understanding of trends in violation behaviors in the facility, their use of sanctions, how consistent staff is in responding to violations, and what outcomes are realized as a result of the process. Important issues and challenges may emerge as a result of reviewing trends in discipline and sanctions that can also lead to further analysis and strategies to address them.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
DISTINGUISH REPORT TYPES <ul style="list-style-type: none"> • What type of discipline/incident reports and protocols are currently in use? • How can they be enhanced to be more gender responsive and trauma-informed? 				
1. Is each discipline/incident report clearly defined?				
2. Is there clear direction regarding when each report is to be used and its accompanying protocol?				
3. Does the facility have a specific policy, report, and protocol for reports of sexual misconduct and abuse?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
SUPPORT ALLEGED VICTIMS AND THOSE ACCUSED OF RULE VIOLATIONS <ul style="list-style-type: none"> How does the facility currently support women involved in incidents? <ul style="list-style-type: none"> For those who have been accused of incidents and violations? For those who may be victims of incidents and violations? 				
4. Are there clear protocols that articulate how staff can support women during and after incidents?				
5. Does the facility have advocates or peer mentors who can participate in a supportive process surrounding incidents or violations?				
6. Are services offered to alleged victims during or after incidents?				
DOCUMENT VIOLATIONS <ul style="list-style-type: none"> What information should the facility track regarding violations (e.g., trends in number, type of incidents and responses over time)? Are there specific gender responsive or trauma-informed measures that should be tracked? How should they be documented? 				
7. Are rule violations documented?				
8. Is data and information regarding rule violations reviewed on a regular basis? <ul style="list-style-type: none"> Number and types of violations? Most frequent types of violations? Informal versus informal violations? Sexual misconduct and abuse violations? Use of punitive sanctions? Most frequent types of violation responses? 				

ACA Standard: A rulebook that contains all chargeable offenses, ranges of penalties, and disciplinary procedures given to each facility resident and staff member is translated into those languages spoken by significant numbers of residents. Signed acknowledgement is given when a literacy or language problem prevents an individual from understanding the rulebook, a staff member or translator assists the incarcerated individual in understanding the rules.⁵¹

Steps At-a-Glance

- ✓ Revise rulebooks for women so that they include language and examples that are relevant to their experiences and encourage buy-in to clearly stated rules and expectations.
- ✓ Ensure that rulebooks for women include gender responsive terminology and definitions.
- ✓ Use handbooks as a tool to build women's self-efficacy, empower staff, and create a safe, supportive, and productive facility culture.
- ✓ Communicate with women early in their incarceration about rules and expectations in a manner that encourages buy-in and rule adherence.

Revise rulebooks for women so that they include language and examples that are relevant to their experiences and encourage buy-in to clearly stated rules and expectations.

Communicating concepts in facility rulebooks in a manner that promotes buy-in is important. Women need to understand why some of the behaviors that helped them feel connected and safe in their homes and communities are no longer acceptable in a facility setting. For example, if threatening others kept a woman safe in her community, it is reasonable for her to think that that same behavior will help her achieve safety in a correctional setting. Communicating the rules and the reasons for them, verbally and in writing, can contribute to a greater understanding and respect for facility rules by women; how this is communicated can create rapport and psychological safety, both of which facilitate regulation and engagement.

As referenced in other sections of this Guide, the language that staff use also can make a difference. Whether such language is spoken or written, words and phrases can create safety and motivation with women, or inspire a range of difficult thoughts (e.g., "Staff don't understand me, why should I even listen to them?") and feelings such as anger, fear, and hopelessness. Rulebooks, or Handbooks, should identify the behaviors that are encouraged and expected, as well as the ones that will not be tolerated and may result in consequences.

⁵¹ ACA Standard 4-4228.

Ensure that rulebooks for women include gender responsive terminology and definitions.

The description of rules, sanctions, and supports should be explicit, and employ terminology and examples that are grounded in women’s experiences and contribute to motivating positive behavior. The Guide’s Appendix provides the research and rationale for including gender responsive terminology—the importance of acknowledging relationships and connections, the impact of trauma on women’s behaviors, and the strengths that form the foundation of safe and effective behaviors within and outside of the facility. Exhibit 17 outlines some key elements to consider in developing a handbook for women.

Exhibit 17: Gender Responsive Handbook Elements	
Handbook Element	Gender Responsive Commentary
Expectations and Goals	<ul style="list-style-type: none"> • List expected behaviors that are safe, supportive, and effective. • Convey that every woman has strengths that can be used to overcome challenges and create success.
Privileges and Responsibilities	<ul style="list-style-type: none"> • Provide a list of privileges, incentives, rewards, and responsibilities, and how they can be accessed and when.
Behaviors that are Not Allowed	<ul style="list-style-type: none"> • Provide a list of behaviors that will not be tolerated, including rule breaking behaviors. • Acknowledge how difficult it might be for some women to adhere to facility rules, especially those that prohibit behaviors that they have relied on in the past. • Acknowledge that learning new behaviors can be very challenging.
Disciplinary and Rule Violation Responses and Supports	<ul style="list-style-type: none"> • Provide a list of sanctions as well as supports. • Clarify information on ways women can access support in general and when struggling with a rule(s). • Invite women to ask for support before problems arise or get worse.
Disciplinary Hearing and Appeals Process	<ul style="list-style-type: none"> • Provide information about the hearing process and what to expect.
Skills for Successful Living	<ul style="list-style-type: none"> • Describe important skills for successful living in a facility environment. • Where possible, connect those skills to successful life outside of the facility.
Schedules	<ul style="list-style-type: none"> • Clarify information about schedules. • Clarify both weekday and weekend schedules, including a general sense of why such schedules may vary.
Policies	<ul style="list-style-type: none"> • Clarify information on policies, including those regarding contact with family and other supports (via visits, phone calls, and letters). • Let women know what they can do if they are concerned about a policy.

Exhibit 17: Gender Responsive Handbook Elements	
Handbook Element	Gender Responsive Commentary
Staffing	<ul style="list-style-type: none"> • Provide information on the various types of staff that work in the facility and what their primary functions are. • Let women know who they will have contact with and how often.
Programs and Services	<ul style="list-style-type: none"> • Provide information on available programming and services and their purposes, as well as how decisions are made about women’s participation.
Routine Facility Procedures	<ul style="list-style-type: none"> • Describe routine procedures that women will experience, especially those that may function as trauma triggers. • For those that can be particularly challenging (e.g., pat downs), emphasize how staff will maximize safety and comfort during such procedures.
Grievances, Suggestions and Ideas	<ul style="list-style-type: none"> • Clarify grievances and the grievance process. • Include information as well on a process for submitting ideas and suggestions.
Women’s Rights	<ul style="list-style-type: none"> • Provide information on women’s basic rights and emphasize staff members’ commitment to upholding them.
PREA	<ul style="list-style-type: none"> • Include Information on PREA, zero tolerance behaviors, the policy for PREA violations, and descriptions of the various reporting mechanisms for reporting sexual and physical abuse. • Include available supports for alleged victims and perpetrators.

Handbooks can include a lot of information that can be overwhelming and difficult to digest. Consider including an encouraging statement or paragraph as a conclusion to the handbook.

Use handbooks as tools to build women’s self-efficacy, empower staff, and create a safe, supportive, and productive facility culture.

Frequently, although handbooks in institutions may be widely available, there are limited efforts to help women to understand and apply the content. Involving women in discussions about handbook content can be helpful. For example, women can offer suggestions about important content and language that is motivating for them. Additionally, engaging them in a process to revise the handbook is a way to build their self-efficacy. Handbooks should also be developed with input from staff representing major functional areas within the facility (e.g., medical, mental health, security, discipline, food service). Involving staff from various functional areas offers them an opportunity to provide guidance on important content areas, as well as become familiar with, and feel ownership of, the structure and content of the handbook. When completed, the handbook can be used for staff training and development, and in orientation and unit meetings with women. Lastly, handbooks should be updated regularly with input from staff and women and be available in common areas. Positive and encouraging messages that reflect content can also be posted in common areas.

Communicate with women early in their incarceration about rules and expectations in a manner that encourages buy-in and rule adherence.

In addition to providing each woman with a copy of the handbook, a comprehensive Orientation Process can contribute to buy-in and rule adherence. A comprehensive orientation process might include:

- Working with women individually or in small groups to review the handbook as a whole, including facility rules and expectations;
- Discussing rules that may be particularly challenging to follow; and
- Helping each woman to identify adaptive coping strategies and resources.

Peer led orientation groups can be effective if leaders are properly trained and supported by staff, and if such groups are complemented by individual discussions with staff in which women can disclose concerns and needs that are of a more private nature. In some facilities, women identify personal trauma triggers with staff and make concrete plans for coping with difficult situations. Involving mental health personnel in this process (who can work proactively with women to deal with trauma triggers and build coping skills) can also be effective. Planned, informative conversations with women (when they first arrive and strategically throughout their incarceration) can go a long way toward creating facility stability by doing everything possible to avoid, or prevent, problematic behaviors from occurring.

Offering a comprehensive and interactive orientation process can set an important tone as well as become a forum for basic skill-building. What is covered as part of orientation and how it is covered matters.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
MAKE RULEBOOKS/HANDBOOKS RELEVANT TO WOMEN AND ENCOURAGE THEIR BUY IN TO RULES AND EXPECTATIONS <ul style="list-style-type: none"> • What is the purpose of a rulebook/handbook? • How can the rulebook/handbook communicate rules and expectations in a way that conveys safety and support? 				
1. Does the facility have a rulebook or handbook that has been specifically designed for women?				
2. Does the rulebook/handbook include examples and explain how rules and expectation are relevant to women in and outside of the facility?				
HANDBOOK TERMINOLOGY AND LANGUAGE <ul style="list-style-type: none"> • How can the current handbook be revised to make it more gender responsive? 				
3. Does the rulebook/handbook include encouraging language, terminology, and definitions that are relevant to women?				
4. Does the rulebook/handbook cover content that is required by the PREA and accompanying standards?				
5. Does the rulebook/handbook acknowledge women’s strengths and assets?				
6. Does the rulebook/handbook address and acknowledge the importance of relationships in women’s lives?				
7. Does the handbook address the importance of trauma and its impacts?				
HANDBOOK DEVELOPMENT AND USE <ul style="list-style-type: none"> • How was the current handbook developed? 				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
<ul style="list-style-type: none"> • How is the current handbook used? • What are some strategies for using the rulebook/handbook more fully (i.e., in staff trainings, unit meetings, or during orientation)? 				
8. Is the handbook used to create a safe, supportive, and productive facility culture?				
9. Do staff from all functional areas inform the handbook content?				
10. Do women inform the handbook content?				
11. Is the handbook used regularly to review rules and expectations?				
12. Is the handbook used as a staff training and development tool?				
ORIENTATION <ul style="list-style-type: none"> • What is the current orientation protocol? • What are opportunities within the facility to communicate with women early in their incarceration about rules and expectations? 				
13. Is there a formal orientation process for new admissions?				
14. Is the orientation process designed to be gender responsive? Trauma-informed?				
15. Are rulebooks/handbooks distributed during the orientation process?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
16. Are mental health staff involved in the orientation process?				
17. Does the orientation protocol involve one-on-one or small group discussions with women about the rulebook/handbook?				
18. Do women have the opportunity to assist with orientation protocols as appropriate and according to pre-established criteria?				

ACA Standard: Disciplinary reports prepared by staff members include, but are not limited to, the following information: Specific rule(s) violated; a formal statement of the charge; any unusual behavior; any staff witnesses; any physical evidence and its disposition; any immediate action taken, including use of force; reporting staff member’s signature and date and time of report.⁵²

- Steps At-a-Glance**
- ✓ Ensure the disciplinary report form includes information regarding women’s needs and strengths, and the circumstances surrounding the disciplinary sanction.
 - ✓ Review incident reports on a regular basis.
 - ✓ Strive for consistency in report content.

Ensure the disciplinary report form includes information regarding women’s needs and strengths, and the circumstances surrounding the disciplinary sanction.

In addition to the information suggested by this standard, a gender responsive and trauma-informed approach to preparing disciplinary reports might include additional details. For example: Provide a summary of a woman’s cognitive and/or mental health status/needs, trauma triggers, and strengths (e.g., was the woman receptive to staff intervention? What strategies did she respond to? How quickly did her behavior improve?). Also, consider eliciting information on her perceptions of what occurred prior to the incident, who was involved, what

⁵² ACA Standard 4-4233.

she was feeling or thinking at the time, and what she could do differently should the situation occur in the future. By documenting needs and strengths in addition to problem behavior within formal disciplinary reports, hearing officers and others who utilize and act on information in these reports can take a more strengths-based approach to investigations, the hearing process, and other steps conducted once a discipline report is completed.

Review incident reports on a regular basis.

As mentioned above, tracking discipline and sanctions can provide facility leadership and staff with important information about their current practices. Some facility leadership teams meet regularly to review discipline reports. By taking time to review certain types of reports (e.g., reports of sexual misconduct/abuse, reports involving use of force), facility leadership can ensure that staff are reporting and responding to critical incidents in a manner that is expected, and that report content is accurate and consistent. Taking time to review discipline reports also provides facility leadership and staff an opportunity to discuss whether incidents could have been prevented or de-escalated, and develop strategies for making the process more gender responsive and trauma informed.

Strive for consistency in report content.

Conveying a lot of information in a timely and concise manner can be very challenging, especially if the report is to convey the specifics of the incident as well as the circumstances of the woman involved. Several strategies have been offered throughout this section for achieving greater staff consistency in the use of discipline and sanctions (e.g., use of shift commands, logbooks, training), which may also apply in striving for consistency in report content.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
DISCIPLINE REPORT CONTENT <ul style="list-style-type: none"> • What information is currently documented in the discipline report? • What benefits might be accrued by documenting women’s needs and strengths in the discipline report? 				
1. Have disciplinary report forms been developed/revised for use specifically with women?				
2. Are women’s needs, strengths, and circumstances of the incident documented in the discipline report?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
3. Are the root causes for women’s violation behavior explored (via documentation and during the hearing)?				
REVIEW REPORTS REGULARLY <ul style="list-style-type: none"> How can a regular review of discipline reports and sanctions assist facility leadership and staff in their work with women? 				
4. Are trends in violations reviewed on a regular basis?				
5. Do disciplinary reports provide facility leadership with information about the handling of formal violations?				
STRIVE FOR CONSISTENCY <ul style="list-style-type: none"> What are some strategies for assuring consistency in discipline reporting and documentation? 				
6. Is discipline report content accurate and consistent across staff and shifts?				
7. Is there a mechanism in place to regularly review discipline report content for accuracy and consistency?				

ACA Standard: All personnel who work with those in custody receive sufficient training so that they are thoroughly familiar with the rules of conduct, the rationale for the rules, and sanctions available.⁵³

Steps At-a-Glance

- ✓ Ensure that training includes essential gender responsive topics so that each staff person has an understanding of the women population and effective strategies for working with them.
- ✓ Ensure that staff members have access to facility-specific training on the application of rules and sanctions with women.
- ✓ Ensure that the discipline policy is supported by consistent staff communication.
- ✓ Ensure that the discipline policy is supported by formal and consistent staff supervision, and reflected in performance reviews.

Ensure that training includes essential gender responsive topics so that each staff person has an understanding of the women's population and effective strategies for working with them.

Training on gender responsive practices provides the foundation of knowledge and skills that become essential tools for staff as part of their day-to-day work with women. Staff who work in women's facilities should receive additional training to supplement basic requirements. Also, any professional who has contact with the women (e.g., volunteers, clergy, and transportation personnel) should receive basic training on effective work with women and how to support the disciplinary system at the facility. For example, volunteers should have a basic understanding about women before they are permitted to work with them, and an understanding of: (1) the goals of the women's facility and its culture; (2) the goals of the discipline and sanctions system in the facility; and (3) what they are expected to do to support it. This creates safety and stability for women and staff. Finally, it is essential that supervisors receive the same training as their subordinates so that they can provide guidance and supervision on the practical application and integration of topics. The following list includes some of the essential gender responsive topics to consider for training staff who work with women.

- Female development and pathways to offending (including risk, strengths, protective factors and needs)
- Gender responsive practices
- Trauma-informed practice, including trauma-informed communication, responding to disclosure, and identifying and responding to triggers

⁵³ ACA Standard 4-4229.

- Culturally responsive practice
- Dealing with complex mental health needs and symptoms
- Working with women with diverse cognitive and developmental profiles
- Supporting the growth and safety of women
- Staff self-care, including preventing and dealing with burnout, and vicarious or secondary trauma
- Women peer dynamics and relationships

Ensure that staff members have access to facility-specific training on the application of rules and sanctions with women.

Staff may also benefit from specific training regarding the application of the facility rules. Training should focus on the rationale for particular rules and sanctions to provide staff with a greater understanding of the facility's priorities, and appropriate responses for specific rule violations. This can also lead to greater consistency among staff and across shifts in the application of the rules. Some facility-specific training topics to consider may include:

- Building a correctional culture that is gender responsive and trauma-informed
- PREA, understanding sexual safety, and the implications for the women's facility
- Gender responsive operational practices with women (e.g., orientation, searches and pat downs)
- Prevention and intervention strategies
- Effective communication and problem-solving strategies
- Establishing and maintaining healthy boundaries
- The goals and objectives of discipline
- Balancing accountability and support
- Effective application of rules, sanctions, and supports
- Appropriate use of segregation and restraints
- Staff expectations and accountability regarding discipline

Ensure that the discipline policy is supported by consistent staff communication.

Ongoing staff communication, and supervision and accountability regarding effective approaches with and responses to women, helps facilities to improve implementation of the discipline policy on a continual basis, and achieve greater consistency across staff. There are several types of communication that can ensure an effective discipline process with women. Three will be discussed herein: shift changes, logbooks, and staff meetings.

Shift Changes

Often due to resource and time constraints, many facilities have a brief shift change process that does not provide much information to the oncoming shift about the various women's characteristics and needs. However, with a small investment of time, shift changes can be structured to flag issues and facilitate regular tracking and monitoring of key dynamics, and other features of the facility culture that are impacting women's behavior. If staff are more aware of problematic situations ahead of time, they can actively prevent or address them before they worsen. Exhibit 18 provides some examples of areas that can be explored by staff during shift changes to facilitate effective discipline.

Exhibit 18: Examples of Additional Content Staff Can Communicate During Shift Changes

- Individual women's strengths and challenges
- Important disciplinary interventions that occurred (including sanctions and supports)
- Important disciplinary interventions that need to occur (including sanctions and supports)
- Ideas for enhancing stability, safety and support in the facility

The shift change is also an opportunity to discuss the strengths of the population and of individual women so that staff can utilize reinforcement strategies to encourage ongoing success. Given the dynamic nature of facilities, not all staff will be present for shift change. Because of this, it is important to have a mechanism whereby those who were not present, but will be working during a particular shift, can access information about the prior shift, current shift goals, and other information that can impact the success of the next shift.

Consider centralizing documentation of shift changes, including population strengths, proactive plans to address situations identified by the prior shift, and recommendations for the oncoming shift.

Logbooks

Logbooks are another basic communication and documentation tool used in facilities. They can be combined with other forms of information to facilitate seamless and effective communication of shift-to-shift decisions about discipline. Forms and documentation can also function as quality assurance and supervision tools. Improving discipline with women is an opportunity to revisit documentation protocols and make enhancements that will facilitate the effective functioning of the discipline system.

Staff Meetings

Staff meetings are frequently underutilized in facilities. Day-to-day operational requirements, staff availability, and the overall business of correctional facilities can make it extremely challenging to hold staff meetings. However, staff meetings can serve as a forum to identify discipline strengths and challenges, increase awareness of important policy and practice changes, provide staff with a forum to discuss the strengths and challenges of implementing gender responsive and trauma-informed approaches to discipline, and give supervisors a forum to articulate and reinforce general or project-specific goals and objectives. Daily, weekly or monthly memos and surveys are also alternatives to the difficult scheduling of in person staff meetings.

Supervision practices should include documented meetings, and regular review of the “core competencies” required for effective work with women. Ideally, the core competencies are derived from staff trainings, documented in a staff handbook, and reviewed at staff meetings.

Finally, effective discipline with women requires consistent communication between different functional units within the facility. For example, regular, clear, and formal communications between mental health and custody staff that will: (1) allow each to communicate women's strengths and challenges; (2) how women are responding to interventions; and (3) exchange ideas that staff can implement to encourage meaningful growth and success among the women. Supervisors and managers can shepherd this process and shift change can be a vehicle for such communication. Cross-functional communications is also a forum wherein staff can educate one another about salient issues, especially those that are impacting women's behaviors. For example, custody staff can inform medical staff that high numbers of women are experiencing uncomfortable side effects of medications; mental health staff can alert custody staff to the fact that a woman might be dealing with a significant loss; custody staff can alert mental health staff about a crisis that occurred on the unit or about how a newly admitted woman is adjusting. Of course, confidentiality procedures must be adhered to as part of these communications.

Ensure that the discipline policy is supported by formal and consistent staff supervision, support, and accountability.

Supervisors should be trained in gender responsive, trauma-informed approaches. In addition, they should be provided with additional training to ensure that they can model, supervise, and coach staff in working effectively with women.

Regular, formal, documented supervision of staff is also important, especially when implementing new practices with women. Supervision should be supportive, include communication of expected practices, and be focused on staff's application of gender responsive and trauma-informed practices with women. Supervision sessions provide an opportunity for supervisors to check in with staff about the progress and challenges they are experiencing in regards to implementing discipline policies and practices.

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
TRAIN STAFF IN GENDER RESPONSIVENESS AND TRAUMA-INFORMED CARE <ul style="list-style-type: none"> • How can staff training content be improved to better prepare staff for working with women? • What topics should be covered for all staff who work with women? 				
1. Does the Training Academy include gender responsive practice with women as part of new-hire training and annual staff training requirements?				
2. Is training content consistent with PREA Standards?				
3. Do all staff who do or will work with women receive core training on gender responsive and trauma-informed approaches with women?				
4. Does training include classroom and on the job training?				
5. Are supervisors trained/prepared to conduct staff supervision and on-the-job coaching?				
6. Do staff from specific functional departments receive additional training relevant to their specialty?				
7. Is there ongoing or booster training on topics that are particularly important to the management of women?				
8. Do mental health and medical staff have opportunities to provide in service training or education to staff regarding gender - specific topics?				
TRAIN STAFF IN FACILITY SPECIFIC RULES AND EXPECTATIONS <ul style="list-style-type: none"> • What additional facility specific topics would be beneficial to staff? For certain departments? • What type of gender responsive training should volunteers receive? 				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
9. Do staff receive specific training on the application of operational practices with women (e.g., searches)?				
10. Do staff receive specific training on the application of rules and sanctions with women?				
11. Do staff receive training on facility mission, goals, rules, and expectations?				
STAFF COMMUNICATIONS <ul style="list-style-type: none"> • What are the current mechanisms for staff communication (written and oral)? • How can staff communications in the facility be enhanced? 				
12. Are there clear communication mechanisms (written and verbal) to support the smooth functioning of the facility’s discipline and sanctions system?				
13. Is there a formal, documented shift change?				
14. Are formal custody staff meetings held regularly and documented?				
15. Are staff meetings used to provide staff with a forum to: <ul style="list-style-type: none"> • Discuss the strengths, challenges, and opportunities regarding discipline with women? • Articulate and reinforce goals and expectations regarding discipline with women? 				
16. Do staff communicate cross-departmentally regarding effective discipline with women?				
17. Are mental health and medical staff members included in custody staff meetings?				

Self-Assessment Checklist				
QUESTION	YES	NO	NOT CLEAR	DISCUSSION NOTES
18. Does the facility leadership and staff meet to problem-solve difficult issues and make plans to reinforce effective skills and practices?				
STAFF SUPERVISION AND SUPPORT <ul style="list-style-type: none"> • What staff supervision and support mechanisms are currently in place? • How can staff supervision and support mechanisms be enhanced? 				
19. Do staff receive supervision regarding effective disciplinary practices with women? <ul style="list-style-type: none"> • On the floor supervision? • Regular, formal, documented supervision? 				
20. Have staff core competencies been defined?				
21. Do supervisors use core competencies in performance evaluations? To support staff in developing needed competencies?				
22. Are staff accountability processes clear regarding effective disciplinary practices with women?				

Section 5: Legal Issues Related to Discipline and Sanctions in Women’s Correctional Facilities⁵⁴

STRATEGIES FOR PREVENTING POTENTIAL LEGAL CHALLENGES TO DISCIPLINE AND SANCTIONS IN WOMEN’S CORRECTIONAL FACILITIES

- ✓ Ensure that changes to discipline and sanctions policies and procedures for women align with the state’s broad correctional goals (e.g., safety and security, achieving successful outcomes).
- ✓ Document how such changes will enhance the agency’s efforts to meet their goals.
- ✓ Document local data and national research studies that support changes in discipline and sanctions policies and practices.

Treating men and women in correctional custody “differently” is equitable as long as correctional managers can show appropriate means to accomplish legitimate objectives.⁵⁵

Correctional administrators should strive to achieve broad “parity” regarding critical issues that might impact both men and women. Broad “parity” does not require that every aspect of correctional management be identical. Where there are differences, corrections administrators should be able to explain why these differences exist, and there must be more than just some general assumptions about the differences between men and women. The research or information that supports different approaches should be available to demonstrate the rationales for these variations in management.

“Because litigation is always a possibility, proactive administrators must be able to articulate a reasonable basis for their decisions based on specific circumstances. They need not fear that doing something new will have worse legal consequences than doing nothing... Doing nothing may ultimately pose more legal difficulties for officials.”

Raeder, 2003, p. 108.

Courts tend to give “considerable deference to the professional judgment of corrections administrators, who bear a significant responsibility for defining legitimate goals of correctional systems and for determining the most appropriate means of accomplishing them.”⁵⁶ Goals often articulated by corrections officials include safety, security, and rehabilitation.⁵⁷ It has also been recognized that two of the essential tools used by corrections administrators are to punish violation behaviors and to offer various incentives for positive, or compliant, behaviors.⁵⁸

⁵⁴ This section was authored by Richard Stroker, Senior Manager, Center for Effective Public Policy.

⁵⁵ See also, Raeder, 2013 for a discussion on legal issues related to pregnancy, prenatal health care, visitation, and child-related issues among justice-involved women.

⁵⁶ *Overton v. Bazzetta*, 539 U.S. 126, 2003.

⁵⁷ See, e.g., *Beard v. Banks*, 548 U.S. 521, 2006.

⁵⁸ See, e.g., *McKune v. Lile*, 536 U.S. 24, 2002.

In pursuing the legitimate correctional goals of safety, security, and rehabilitation, correctional administrators have the ability to develop rules and regulations. Again, the courts afford administrators wide latitude in determining the nature and language of these rules. Two acknowledged legal limitations on these rules are that they should be: (1) reasonably related to legitimate penological interests and not exaggerated responses to their objectives⁵⁹ and; (2) officials should not act in ways that violate an individual’s constitutional protections. These protections include the right to be free from cruel and unusual punishment⁶⁰; free from the deprivation of life, liberty, or property without due process of law⁶¹; free from the imposition of “ex post facto” laws⁶²; and the right to equal protection of the law⁶³.

Section 1 of the 14th Amendment indicates, in part, that “No State shall... deny to any person within its jurisdiction the equal protection of the laws.” This might lead a corrections administrator to believe that—in order to be in compliance with the law—all individuals must be treated the same. While this might be laudable in some respects, it may also be true that treating men and women differently, in certain respects, might actually increase the ability of administrators to achieve their legitimate objectives.

Corrections administrators should consider that while men and women have some things in common, there are also significant differences. They were both convicted of crimes and sent to prison. They both forfeit certain freedoms (e.g., movement, property) consistent with their confinement. They must both abide by prison regulations. However, research indicates that they have different medical and mental health needs; are different in the number and/or types of crimes they have committed; pose different risks in terms of violence or escape; and may possess different attitudes, aptitudes, family responsibilities, and reentry needs. When corrections administrators treat men and women in their facilities “exactly the same,” they are acting without regard to all of the differences that exist. From a legal perspective, courts generally do not expect men and women to be treated “exactly the same.” What the courts do expect is that there will be some “parity” between the programs, services, and opportunities afforded to each group.⁶⁴

Key Questions to Consider

When corrections administrators choose to treat women and men differently – in a facility disciplinary context or otherwise – there are two questions that they should be prepared to answer:

1. What is the important and legitimate correctional goal that the state seeks to achieve?
2. What is the evidence, research, or information that is being relied on to support their actions to achieve these important and legitimate goals?

⁵⁹ See, e.g., *Turner v. Safely*, 482 U.S. 78, 1987.

⁶⁰ U.S. Const. amend. VIII.

⁶¹ U.S. Const. amend. XIV.

⁶² U.S. Const. art. I, § 9; U.S. Const. art. I, § 10.

⁶³ U.S. Const. amend. XIV.

⁶⁴ See, e.g., Harvard Law Review Association, 1998.

*West v. Virginia Department of Corrections*⁶⁵ provides an excellent example of how a court might examine a case under the equal protection clause when there is no “parity” of programs or services. The State of Virginia created a “boot camp” program that was limited to young men. The State indicated that it planned for this to be a “pilot” and that it might create a boot camp for women in the future. If a man participated in a boot camp program he could substantially reduce the amount of time that he would be incarcerated for his offense, and reduce the length of time before parole consideration might occur. Women were clearly “disadvantaged” because they could not participate in the program.

The court in *West* established the method by which such cases would be reviewed. Clearly, the State was acting in a way that treated men and women differently. Gender-based classifications are given “heightened” scrutiny by the courts. This is an intermediate level of scrutiny: State actions that might classify by race or national origin are given “strict scrutiny” (the highest level of scrutiny) while economic or non-suspect classifications are subjected to the lowest scrutiny, called the “rational basis” test. In order to meet this “heightened” or intermediate level of scrutiny, a State must be able to show that the classification they developed was substantially related to an important governmental objective.⁶⁶ Under this test, a State may be able to justify a gender-based classification but it must be based on more than stereotypical or generalized concepts about men and women.⁶⁷ In other words, the State must be able to identify its important objective, and demonstrate the evidence or information upon which it relied to create the different classification or treatment of men and women.

In the *West* case, the State could not meet this burden. The court was not persuaded by the fact that more men were in prison than women; that having a male-only boot camp would have a larger impact on reducing the prison population; that men might be more generally accustomed to a boot camp environment; or that, for fiscal reasons, the state wanted to have a “pilot” program that might later be expanded to include women. What the court concluded was that the State was offering a program to men that would allow for their release from custody much sooner than might otherwise be possible, and it was not offering this same alternative to women. That was the essence of the equal protection violation.

For the past twenty years, women in custody have brought a variety of equal protection clause cases to numerous federal courts, with mixed results. In cases like *West*, where the different treatment of men and women had a substantial impact on issues such as the length of incarceration time, courts have been more sensitive to the equal protection arguments of the women. A similar result occurred in *Walker v. Luther*⁶⁸ where the issue of differences in parole eligibility triggered equal protection claims.

⁶⁵ *West v. Virginia Department of Corrections*, 847 F. Supp. 402 (W.D. Va., 1994).

⁶⁶ See *Reed v. Reed*, 404 U.S. 71 (1971); *Clark v. Jeter*, 486 U.S. 456, 461 (1988); *Bukhari v. Hutto*, 487 F. Supp. 1162, 1171 (E.D. VA. 1980).

⁶⁷ See, e.g., *Craig v. Boren*, 429 U.S. 190, 1976.

⁶⁸ *Walker v. Luther*, 644 F. Supp 76; 830 F.2d 1208 (CT, 1986).

Further, where critical medical and mental health needs are apparently not being met for women—and where services for men are superior to those of women—courts have also been more inclined to find an equal protection issue. For instance, in *Casey v. Lewis*⁶⁹ a U.S. District Court in Arizona found that the medical and mental health needs of women were not “in parity” with the services provided for men—and that they should be. In *Flynn v. Doyle*⁷⁰ the U.S. District Court in Wisconsin found that the absence of inpatient mental health services program for women at the Taycheedah facility (while such services existed for men at other prisons) constituted sufficient equal protection concerns to overcome the State’s motion for summary judgment. Similarly, in *Women Prisoners of D.C. v. District of Columbia*⁷¹ the lack of medical, mental health, and various program services in its women's facilities, when compared to men's facilities, gave rise to equal protection violations.

The standard that courts tend to apply in these equal protection cases does not appear to be “exact similarity” of programs or services, but instead substantial or at least sufficient “parity,” especially where significant ramifications are possible.⁷²

However in other, perhaps somewhat less critical areas—particularly where they deal with issues that are deeply imbedded in common correctional operations—courts have been less likely to find equal protection violations. For instance, in the Nebraska case of *Klinger v. D.O.C.*⁷³, the court—while noting that programs and services in twelve different areas were not roughly equivalent to what was offered at men’s prisons—did not find an equal protection violation. In fact, the court in *Klinger* found what several other courts have concluded—that men and women in correctional settings are not actually “similarly situated”—and therefore not required to be treated “equally” by the State.

The notion that men and women are not “similarly situated” was also found in the Nebraska case of *Timm v. Gunter*⁷⁴ and the Texas case of *Oliver v. Scott*⁷⁵. These courts found the differences in such factors as the nature of the crimes committed, average age, average length of sentence, frequency of escape, and having contraband or other facility disciplinary violations, to be significant. In finding that access to prison industry programs for men and women were quite different, a Missouri court in *Keevan v. Smith*⁷⁶ found no equal protection violation. The court's decision was based on the same rationale offered by the courts in *Klinger*, *Timm*, and *Oliver*⁷⁷— women and men were not “similarly situated.”

⁶⁹ *Casey v. Lewis*, 834 F. Supp. 2479, 1993.

⁷⁰ *Flynn v. Doyle*, 672 F. Supp. 2d 858, (D. Wis., 2009).

⁷¹ *Women Prisoners of D.C. v. District of Columbia*, 899 F. Supp. 659 (D.D.C.1995).

⁷² See, e.g., *Pargo v. Elliott*, 69 F.3d. 280 (8th Cir. C.A., Iowa, 1995; cert. den. 519 U.S. 831); *Glover v. Johnson*, 138 F.3d. 229 (6th Cir. C.A. Mich, 1998).

⁷³ *Klinger v. D.O.C.*, 31 F. 3d 727 (8th Cir. C.A., 1994).

⁷⁴ *Timm v. Gunter*, 917 F. 2d 1093, cert. den. 501 U.S. 1209 (1990).

⁷⁵ *Oliver v. Scott*, 276 F. 3d 736 (5th Cir. C.A., 2002).

⁷⁶ *Keevan v. Smith*, 100 F.3d 644 (1996).

⁷⁷ *Supra*.

While several of these courts made decisions in different jurisdictions (and therefore were not bound to follow each other's rulings), it does seem that some commonalities can be found among these decisions that may assist corrections administrators in developing and implementing gender responsive policies and practices. Where the "inequality" between men's and women's programs or services touches on issues such as the length of stay in prison, opportunities for parole consideration, or having critical medical or mental health needs met, courts may be more sensitive to the equal protection issues that are presented. However, when the equal protection claims involve access to other types of programs, facility jobs, or routine facility administration issues, courts may be more inclined to grant corrections administrators the broad leeway often afforded them in managing correctional systems.

A gender responsive, trauma-informed approach to discipline and sanctions in women's facilities is legally supportable.

The parameters for treating men and women differently with respect to discipline and sanctions appear to be as follows:

- **Women and men do not have to be treated exactly the same in all situations.** What is required is some level of substantial parity in terms of programs or services that can impact significantly their well-being or opportunities for release.
- **Women and men may have different needs, present different risks, and pose different concerns from a programmatic, security, or custody perspective.** Informed corrections professionals may take these differences into account when developing or implementing systems designed to help achieve legitimate agency and facility goals.
- **Rules or programs that are different for women and men should be supportable.** When rules or programs are created that intentionally treat men and women differently, corrections administrators should be able to document the specific data, information, or research that led them to believe that these different rules or programs would help them to better achieve legitimate correctional objectives.
- **Defining legitimate correctional goals and the best way to accomplish them is important.** In determining the programs or services that are offered, or policies that are instituted or enforced, corrections administrators are afforded broad leeway to identify legitimate correctional goals and the best ways to accomplish those goals.
- **Not all rules—or responses to rules—have to be the same for men and women.** However, if these different rules or responses potentially impact sentence length or eligibility for parole consideration, then these differences should be eliminated or at least minimized.
- **Determining punishments or creating incentives are recognized by the courts as fundamental components of correctional management.** Courts give correctional officials broad latitude to determine the goals and methods used to achieve those goals.
- **Corrections administrators can design discipline and sanctions for women consistent with legitimate correctional objectives.** Consistent with all appropriate due process

considerations, 8th amendment requirements (i.e., no cruel and unusual punishment), and no *ex post facto* applications of the law, corrections administrators can identify the methods, goals, and procedures to be followed in their disciplinary systems to help achieve legitimate correctional objectives such as promoting institutional order, ensuring safety, and fostering rehabilitation.

To be legally supportable, a gender responsive, trauma-informed approach to discipline and sanctions in women’s facilities should state the reasons for the difference in approach (from that in men’s facilities), and the evidence that supports it.

The case law and discussions in this section are intended to highlight the fact that when known differences between women and men are factored into approaches, programs, services, discipline, sanctions, and incentives used by corrections professionals—for the purpose of increasing facility safety, promoting rehabilitation, or other appropriate reasons—those decisions can be defended by corrections administrators. The information provided here can be used to help respond to any legal challenges brought regarding these differences. Since individuals can and do bring lawsuits for any number of reasons, correctional administrators need to be knowledgeable and sensitive to issues regarding the “equal” treatment of men and women. While general “parity” is appropriate, exact duplication is not necessarily required (and in fact, could actually be a disservice to women in particular). What is important to consider is the reason for the differences, and the evidence that supports those reasons.

“Although the goal is to provide parity of treatment for all prisoners, regardless of gender, administrators may not be required to provide the same level of facilities and services to men and women if they can justify the differences. Penological goals may justify gender-specific treatment.”

Raeder, 2003, p. 110

Corrections administrators should not ignore pertinent and meaningful information about women when designing or implementing disciplinary systems for fear that they might be accused of treating justice-involved men and women “unequally.” Instead, they should pursue appropriate correctional goals armed with available information, evidence, and research, so that correctional goals can be better achieved.

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Appendix: Research Findings¹

The following synopsis provides a discussion of the foundational research findings that form the basis for the concepts and recommendations discussed throughout the Guide. Specifically, four areas of research are discussed:²

- Women's Pathways to the Criminal Justice System
- Women's Psychological Development
- Trauma and its Effects on Women's Behaviors
- Evidence-based Strategies that Motivate, Build Skills and Create Behavioral Success with Women

These research areas have contributed to innovations and improved outcomes in the areas of assessment and classification, case management, and intervention for women (for a review see Ney, Ramirez, & Van Dieten, 2012). This information can also be used to guide the development of discipline and sanctions policies and practices. Taken together, they tell an important story about women and provide a clear rationale for realigning discipline and sanctions in women's facilities in order to achieve more successful outcomes, including improved facility safety and security.

Women's Pathways to the Criminal Justice System

The research on women's psychosocial development reveals the significance of relationships in women's lives.³ This is an important context for understanding women's offending patterns, including the range of behaviors and violations that occur within correctional facilities. The body of research on women's pathways suggests that relational disruptions can catalyze a woman's trajectory into crime. Such disruptions can include abuse and/or neglect, often by family members or trusted persons, and difficulties with interpersonal relationships may persist into adulthood (e.g., Benda, 2005; Dehart, 2005; Lanctot, Cernkovich, & Giordano, 2007; Salisbury & Van Voorhis, 2009). Given the pivotal role relationships play in healthy female development, disruptions in them can have a variety of consequences, such as feelings of disempowerment, guilt, and low self-esteem (Miller, 1986). As a result, women may engage in maladaptive coping behaviors that can help them to manage difficult thoughts and feelings in the moment, but that

¹ To engage in an informed and robust policy analysis process (see Section 2), readers are encouraged to become familiar with and conversant about the research findings discussed herein *first* before proceeding to Sections 3 and 4 of the Guide.

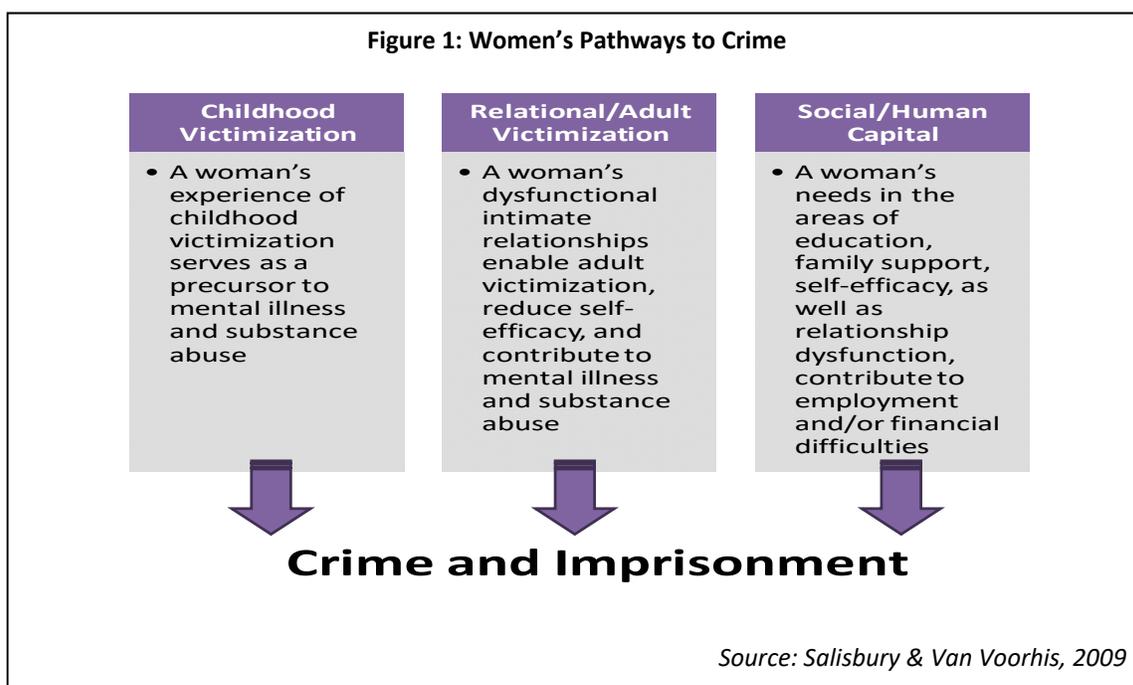
² The implications of the research findings for reviewing and revising discipline and sanctions policies and practices are contained in Section 3 of the Guide.

³ For more information, see below, Women's Psychological Development.

may also cause more long term problems (e.g., substance abuse and criminal justice involvement). This section reviews important research on women's pathways to offending which can guide the improvement of discipline policies and practices.

Women have life experiences that create different pathways to crime.

Pathways research shows that a common trajectory into crime for women starts with abuse and is followed by self-preservation behaviors (e.g., quitting school, prostitution, drug trafficking, and other criminal behaviors such as theft) that can lead to additional victimization, accompanying mental health problems, and entrenchment in the criminal justice system (Blanchette & Taylor, 2009; Jones, 2011; Salisbury & Van Voorhis, 2009; Van Voorhis et al., 2010; Veysey & Hamilton, 2007). Figure 1 illustrates three pathways that women might follow that lead them into crime and eventually the criminal justice system. The factors that impact women's trajectories into crime also affect the behaviors they exhibit in facilities. Research shows that misconduct in women's facilities is influenced by time, place, culture, interpersonal relationships, and staff actions (Owen et al., 2008). "Ongoing tensions and conflicts, lack of economic opportunity, and few therapeutic options to address past victimization or to treat destructive relationship patterns, contribute to the potential for violence in women's facilities" (Owen et al., 2008, p. iv). Belknap (2010) notes that deficient responses to incarcerated women have existed historically and persist today, and explanations for criminal offending must be considered in the proper context. This context, informed by pathways research, shows that women's criminal offending occurs within adverse socio-economic conditions, extreme poverty, and devastating traumatic experiences (Belknap, 2010).



The behaviors that emanate from these experiences, though problematic in correctional facilities, are being reframed as survival behaviors, and this new perspective is transforming services in corrections and mental health (Benedict, 2014; Miller & Najavits, 2012). This shift can lead to the design and delivery of disciplinary interventions that acknowledge and focus on assets and protective factors as much as deficiencies and risk factors.

Women tend to be less violent than men.

Women typically enter the criminal justice system for nonviolent crimes, and are much less likely than men to be arrested for crimes against persons such as murder, robbery, or assault (Deschenes, Owen, & Crow, 2006; FBI, 2010; Greenfeld & Snell, 1999; West et al., 2010). The nature and context of violent crime committed by women frequently differ as well. Relative to men, when women do commit aggressive acts, these incidents typically involve assaults of lesser severity that are reactive or defensive in nature, rather than calculated or premeditated (Mordell, Viljoen, & Douglas, 2012). Within facility settings, women are less likely to meet the objective criteria for assignment to maximum security housing, and incidents of violence and aggression committed by incarcerated women are extremely low (Wright, Van Voorhis, Salisbury & Bauman, 2009). Women are less violent in communities and facilities compared to men; however, many disciplinary policies and practices do not account for their unique behavior patterns and administer harsh penalties for behaviors that are not well understood (e.g., arguing, defiance, gossiping).

Women tend to have substance abuse problems and mental health needs that are linked to traumatic experiences.

Women are more likely to be incarcerated for a drug related offense than a violent crime (FBI, 2010; Greenfeld & Snell, 1999; West et al., 2010). Women are more likely to have used drugs, and are more frequent users of drugs, than men (Snell, 1994). A 2006 Bureau of Justice Statistics (BJS) study indicated that over 60% of women reported a problem with drugs in the year preceding their incarceration (Mumola & Karberg, 2006). In addition, women are more likely to have mental health needs. A BJS special report showed that women in state and federal correctional facilities had much higher rates of mental health problems than men (James & Glaze, 2008). Estimates suggest that 25% to 60% of incarcerated women require mental health services (Owen et al., 2008). In fact, trauma and mental health issues are often associated with the onset of crime (Lynch, et al. 2013).

Oftentimes, substance abuse problems and mental illness co-occur in justice-involved women. Seventy-five percent of women who suffer from mental illness also have a substance abuse disorder (Bloom, Owen, & Covington, 2003). Several researchers suggest that women's mental health and substance use issues are interrelated, and often tied to past abusive and traumatic experiences (Bloom, Owen, & Covington, 2005; Lynch et al., 2013; Miller & Najavits, 2012). Incarcerated women with the greatest mental health needs have experienced the greatest levels of violence as children, and have had few social supports (James and Glaze, 2006; Lord, 2008).

Researchers, practitioners, and advocates note that adequate mental health and substance abuse services for women are either lacking or, where they exist, are not gender responsive. Additionally, such services may not be coordinated despite the fact that both substance use and mental health challenges are often tied to early—in many cases, ongoing—abusive experiences in women’s lives. Research suggests that there is a need to coordinate mental health services and other correctional interventions for women, especially when applying discipline and sanctions (Lord, 2008). Women who struggle with difficult mental health and/or addiction symptoms may have great difficulty adhering to facility expectations (Lord, 2008; Miller & Najavits, 2012). For example, in one correctional facility for women, about 80% of all unusual incidents involved individuals who were on mental health caseloads, and many of these incidents involved self-harm or disruptive behavior (Lord, 2008). Self-harm and disruptive behaviors can easily be viewed as intentional acts of defiance. Often, these and other problematic behaviors that women display in correctional facilities formed long before they were incarcerated (Benedict, 2014; Lord, 2008; Miller & Najavits, 2012). To maximize their effectiveness, disciplinary interventions can be designed to help women make modifications to behaviors that have kept them safe in their communities and other programs and systems they have been involved with.

In many ways, the dynamic aspects of women’s mental health and mental illness are just beginning to be understood. As more and more research looks specifically at women’s experiences, findings suggest that mental health services and diagnoses need to be applied differently than they are for men (e.g., the role of PTSD in women needs to be understood). Likewise, ongoing multidisciplinary discussions of the types of facility supports that are needed to maintain safe, humane, and effective environments for women in custody and staff are long overdue.

A focus on protective factors and strengths improves outcomes with women in correctional facilities and the community.

The literature on criminal desistance is an important complement to pathways research. It emphasizes the importance of identifying strengths such as pro-social bonds and optimism regarding one’s ability to lead a productive life in an effort to facilitate pathways out of crime (Jones, 2011). These strengths are also called “protective factors” because they interact with one or more risk factors to reduce the probability of a negative outcome (Jones, 2011).

The underlying premise of a strengths-based approach is that all women—regardless of history, experience, level of risk, or crime committed—have strengths that can be mobilized to enhance positive outcomes. Werner and Smith (1992) have demonstrated that protective factors can serve as buffers to mediate the impact of adversity, and may have a more profound influence

A strength is that which helps a person to cope with life or that which makes life more fulfilling for oneself or others (Smith, 2006).

on criminal justice outcomes than specific risk factors. A recent monograph written by Smith (2006) provides a comprehensive exploration of the history and theory underlying a strengths-based approach. She defines a strength as *that which helps a person to cope with life or that which makes life more fulfilling for oneself or others*.

Strengths-based approaches and resiliency models have become increasingly popular in corrections, and have been integrated into standardized risk need assessments (Barnoski, 2004); case planning and reentry models (Robinson, Millson, & Van Dieten, 2010; Van Dieten & Robinson, 2009); and are often used in conjunction with Cognitive-Behavioral interventions to enhance treatment readiness (Moyers & Houck, 2011). Finally, a number of strengths-based treatment approaches have emerged such as the Good-Lives Model (Ward, 2010). The Good Lives Model is premised on the belief that by working with the individual to build capabilities and strengths, corrections professionals are more likely to reduce their risk of reoffending. Sorbello, Eccleston, Ward, and Jones (2002) argue that an emphasis on criminogenic needs may fail to capture many of the real-life issues faced by justice-involved women. They suggest that by focusing on the enhancement of strengths, corrections professionals can better assist a woman to lead a more fulfilling and balanced life. For example, as a woman's ability to engage in meaningful interactions with others increases, she is more likely to thrive in the community, which in turn reduces recidivism.

The use of a strengths-based approach may be particularly important in working with justice-involved women who are also more likely to have mental health issues and a history of victimization and trauma (Cloitre, Cohen & Koenen, 2006; Covington, 2003). The intervention model developed by Cloitre and her colleagues (2006) requires the professional to acknowledge that trauma, abuse, and negative environmental factors such as poverty can have an adverse impact on the lives of women. It also encourages the professional to view behavioral and emotional reactions typically labelled as non-adaptive from a strengths-based lens. Once staff members understand why a woman engages in maladaptive or harmful behaviors they can work in collaboration with her to explore, mobilize, and build more adaptive responses. They can also work to reinforce and affirm all efforts to use alternative strategies.

Women's Psychological Development

Historically, the research on psychological development focused on males and did not account for the unique experiences and developmental pathways of women and diverse cultural groups. Decades of research has led to a more comprehensive understanding of women's experiences, strengths and needs. Awareness that relationships and societally-created barriers play a unique role in female development and offending can help improve approaches to discipline and sanctions in women's facilities.

Relationships are a focal point for women, and their behaviors are often linked to relationship violations and disconnections.

Relationships play a key role in women's healthy development and healing from challenging life circumstances (Belenky et al., 1997; Brown & Gilligan, 1992; Gilligan, 1993; Gilligan, Ward & Taylor, 1998; Jordan, 1997; Jordan et al., 1991; Miller, 1986; Robb, 2007). Women's growth is optimized in a relational context that includes mutuality, empathy, and empowerment, and is stunted when relationships are abusive or non-mutual (see Cozolino, 2014; Jordan, 2009; 1997; Jordan et al., 1991; Miller, 1986). Relationships are also a dominant theme in women's criminal offending as many of the crimes that women commit are linked to the dynamics of their relationships with significant others. Women often enter facilities with deep relational wounds that are the result of the multiple relationship violations they have experienced as children and adults (Bloom, Owen, & Covington, 2005; Chesney-Lind & Pasko, 2004; Institute for Health and Recovery, 2011). These violations can create profound feelings of disconnection from one's self and others and are often experienced as traumatic. Further, being in a facility places automatic limitations on the connections women can have with loved ones and supports, and introduces them to a complex environment wherein it is very difficult to meet basic needs for connection and support. This can cause problems in women's facilities. For example, in an attempt to fulfill basic psychological needs, women may seek out connections with others, even if such connections are risky. Further, they may be punished for attempts to connect and not given any behavioral alternative. The following are some examples of the tension that exists between women's psychological needs and the requirements of correctional facilities:

The relationships and connections that facilitate healthy human development have often been sources of personal violation for justice-involved women.

- Connections with others are important for women, yet the forming of healthy relationships among women can be stunted by traditional security policies (e.g., no talking during movement, prohibition of casual touching like handshakes).
- Physical contact is a primary part of a woman's interpersonal relationships with her family members, especially children, yet being in a correctional facility often restricts such contact in general and as part of visits and phone calls.
- The power differentials women have experienced in their communities are often replicated in facilities (e.g., staff have power over women), thus reinforcing negative and disempowering socialization messages.

While some facility practices that conflict with women's developmental needs are necessary, others are either not necessary or can be adapted to be more gender responsive while upholding requirements for safety and security. New gender responsive interventions that actively address relationships and connections have been developed and implemented with growing success in some facilities (e.g., peer support programs, collaborative case

management)⁴. These interventions acknowledge and address the importance of relationships in the lives of women and employ methods that create relational safety and offer opportunities for healthy relationship building. Consequently, they facilitate opportunities for growth and positive behavior change.

Negative societal messages about women can complicate women’s growth and recovery, and impact staff attitudes.

While negative societal messages about women can limit their self-esteem and growth (i.e., women are of a lesser value than men and have limited capabilities), the effects may be compounded for women who are likely to have experienced trauma or relationship violations in their lives, and are likely to be of minority status (e.g., ethnicity, socio-economic class, sexual orientation). Furthermore, women are socialized to be nurturers and are encouraged to have relational competence, yet they are often criticized for the emphasis they place on relationships (Jones, 2011). As a result, women may be pathologized as inherently needy, overly emotional, and dependent (Broverman et al., 1970; Gilligan, 1993; Jordan et al., 1991; Miller, 1976; Miller & Stiver, 1997).

Within correctional facilities, traditional facility policies and practices unwittingly may punish women’s healthy attempts to connect, and correctional professionals may miss opportunities to help women cultivate healthy personal, relational and interactional skills. Research conducted in both juvenile and adult settings reveals that certain behaviors are viewed as more severe when displayed by women (Belknap, 2001; Chesney-Lind & Pasko, 2004; Chesney-Lind & Sheldon, 1998). For example, a woman who spreads a rumor about a new admittee may be labeled as “catty,” “petty,” or “mean.” However, it may be that the woman felt threatened by statements made by the new person—statements of which the staff was not aware. Spreading a rumor may be a way for the woman to maintain alliances with others and keep herself safe.

Women are much more likely to be the primary caregivers of their children. Because of this, they tend to focus on their children’s safety and care, sometimes ahead of their own needs. This focus can easily be interpreted as dependent and inappropriate; however, in the context of women’s psychosocial development, it makes perfect sense.

As staff members introduce intentional operational practices to create safety for women (e.g., procedures for introducing a new woman into the correctional culture), women will feel less compelled to create safety on their own terms (Benedict, 2010). Furthermore, as the research

⁴ See e.g., [Engaging Women in Trauma-Informed Peer Support: A Guidebook](#) and the [Women Offender Case Management Model](#).

specific to women increases, corrections professionals will better understand women's behavior and be able to capitalize on the importance of relationships to facilitate their engagement in programs and positive community networks both within the facility and upon release.

Brain research shows that connection is a basic human motive, and essential for growth and change.

Brain research (i.e., research in neuroanatomy, neurophysiology, and neuropsychology) describes connectedness as a basic human motive (Cozolino, 2014; Schore, 2009; Siegel, 2008; Siegel, 2007), and supports the notion that healthy human development occurs in relationship with others. Psychologist Louis Cozolino (2014) notes, "...relationships impact the functioning and growth of the brain's neural circuitry" (p. 13). In fact, practitioners' verbal and nonverbal behavior can shape the thoughts, feelings and behaviors of those they are trying to help (Schore, 2009). Taken together, this research suggests that interactions between staff and women that are built upon safety and respect may produce changes in the brain that are important for healthy development and growth. Therefore, in correctional terms, "behavior change," "positive growth," or "rehabilitation," occurs in healthy relationships with staff, as well as other women.

Trauma and its Effect on Women's Behaviors

The research on trauma, including emerging information regarding trauma's impact on the brain and body, is transforming how services are provided in a variety of fields, including corrections. Studies like the Adverse Childhood Experiences (ACE) Study⁶, pioneering brain research, and a plethora of research on women and trauma is informing correctional practices. For example, research reveals that understanding what trauma is and how it impacts human beings can help explain why women often behave the way they do, and can help corrections staff to employ interventions that achieve improved outcomes with them. This section reviews important research on trauma, including its impact on brain function and body physiology, which can guide the improvement of discipline policies and practices.

Trauma is prevalent among women in correctional settings.

Justice-involved women are more likely to report victimization in childhood, and much more likely to report violent victimization, than non-incarcerated women (Owen et al., 2008). This finding has been replicated in studies of probation, jail, and prison populations (Bloom, Owen & Covington, 2003; McClellan, Farabee & Crouch, 1997; Owen, 1998; Owen et al., 2008; Pollock, 2002; Snell, 1994). The likelihood of victimization in adulthood is also higher among justice-involved women than among women in the general public (Battle et al., 2002; Blackburn et al.,

⁵ For more information on trauma see the NRCJIW publication: [Using Trauma-informed Strategies to Improve Safety and Security in Female Correctional Facilities](#).

⁶ See www.acestudy.org.

2008; Raj et al., 2008; Zlotnick et al., 2003). Consider the following (see Owen et al., 2008 for review):

- In a sample of 150 New York women under correctional custody, 59% had been sexually abused and 70% had been physically abused as children; 49% had been raped as an adult; and 70% had experienced severe intimate partner abuse (Browne, Miller & Maguin, 1999).
- Other researchers have reported that about a third of incarcerated women have experienced violent trauma and exhibit signs of Post-Traumatic Stress Disorder (PTSD), and that women who have experienced abuse are about twice as likely to exhibit signs of mental illness (Jordan et al., 1996; Powell, 1999).
- Researchers who surveyed women in jail report similar findings (Haywood et al., 2000; Veysey, 1998). For instance, Green et al. (2005) found in their jail sample that 98% of women had experienced trauma exposure at some point in their lives, 36% reported some current mental disorder, and 74% had some type of drug/alcohol problem.

The high prevalence of trauma among women in correctional facilities can pose a significant challenge to staff and their implementation of operational practices. Past trauma also challenges women's coping capacities and can contribute to complex responses and relational dynamics between women, and between women and staff. Understanding the struggles and needs of women survivors can help corrections professionals to create a stabilizing facility culture and offer trauma-informed services and supports as part of discipline and sanctions practices.

Trauma creates changes in the brain and body that are designed to keep survivors safe.

Exposure to traumatic events—those involving threat of significant personal harm and helplessness—change the brain-body's typical stress identification and response system (Cloitre, 2009; Cloitre et al., 2009; Emerson & Hopper, 2011; Van der Kolk, 2005). After a traumatic event(s), the nervous system has difficulty resetting itself and can remain in a consistently depressed or "hyper-vigilant" state. Further, various events can be experienced as triggers (reminders) of a traumatic event, and create the same neurobiological reactions that were present at the time of the original trauma. These reactions are normal—they are the brain-body's way of protecting us from harm—but they take a toll on the mind and body and, in correctional facilities, these reactions can create safety problems. Victims of trauma frequently

A traumatic event is a stressful occurrence that would be markedly distressing to almost anyone (Levine, 1997). What is considered traumatic can be influenced by a number of variables, including one's gender and culture. Part of what makes an event traumatic is the lack of predictability, lack of control, and lack of safety that surrounds it.

feel unsafe in relation to others, as well as within their own bodies. This can lead to additional trauma. Further, victims' cognitions and emotions are self-perceived to be chaotic and out of control. This holds true for survivors of many different types of traumatic events, including combat veterans, battered women, and rape survivors (Salisbury & Van Voorhis, 2009).

Because trauma survivors are easily triggered into a psychological state of self-protection, it is important to create facility environments that minimize triggers. The experience of basic safety within one's own mind and body and within the surrounding environment creates stability and facilitates engagement in services and interventions. Yet several trauma triggers are routinely present in a correctional environment, such as the banging of doors, loud voices, unfamiliar persons, and various disciplinary practices. As a result, many women live day to day somewhere along a continuum of a depressed or heightened state of nervous system activity. Further, women's traumatic responses to stressors in correctional facilities are often unconscious. For example, a rape survivor may carry a network of neurons that are prepared to respond to the perception of any cues that were present during the rape. If she experiences one or more of these cues, she will experience the same cascade of neurochemicals that were triggered during the actual event (Lisak, 2002). Unconscious responses are designed to keep us safe; they are governed by the brain's fear-response system and allow us to respond to a threat quickly and without thinking (Levine 1997; Lisak, 2002). It is therefore important to avoid routine disciplinary practices that, though designed to change behavior, can actually trigger survival behaviors. It is also important to have clear strategies that facilitate women's safety and stability when they are triggered.

Traumatic histories are often embedded in women's behaviors; these behaviors represent their best attempts to cope with the effects of trauma.

The trauma and victimization that so many women have experienced overwhelms their neurophysiological response systems and psyches, creating what Levine (1997) calls "an unresolved impact" (p. 129). The challenging behaviors so often displayed by women—from isolating to aggressing—are often linked to this response. Trauma can trigger women's survival behaviors that are easily misinterpreted as pathological if their cause is not apparent (Benedict, 2013; Root, 1992; Salisbury & Van Voorhis, 2009). Exhibit 1 provides some examples of the types of behaviors and coping skills exhibited by incarcerated women in response to the traumatic events to which they have been exposed.

Becoming knowledgeable about trauma and its impact can help correctional facility staff to gain a greater understanding of and appreciation for the kinds of behaviors they observe in the women they manage. Maeve (2000) explains that incarceration can recreate trauma and aggravate the symptoms of PTSD. For example, routine procedures in correctional facilities such as pat-downs and strip searches can trigger memories of childhood sexual abuse and sexual assault for women. In fact, research shows that women's violence, dissociation, depression, and self-harming behaviors can be predicted based on their prior trauma histories (Maeve, 2000). Individuals who have experienced trauma (Emerson & Hopper, 2011):

- Learn that the world is dangerous;
- Operate in self-defense mode and have great difficulty shifting from defensive reactions; and
- Experience threat as omnipresent (e.g., everyone in the environment is viewed a potential threat to one’s physical or psychological safety).

Exhibit 1: Common Coping/Survival Behaviors Among Justice-Involved Women (Benedict, 2013)	
Behaviors Observed Among Women Prior to Incarceration	Behaviors Observed Among Women During Incarceration
<ul style="list-style-type: none"> • Substance abuse • Self-injurious and suicidal behaviors • Compromised social and interpersonal functioning • Mistrust of others • Aggression • High risk sexual behavior • Trouble coping with stress • Vulnerability to further abuse • Compromised intellectual performance • Prostitution 	<ul style="list-style-type: none"> • Defiance • Fighting • Withdrawal/isolation • Arguing • Sexual misconduct • Indirect aggression • Manipulation • Over compliance; subservience to staff and/or peers • Mood instability • High levels of attention seeking

Perceived dangers may be real or not, and can include environmental and relational dangers and internal distress. At any given point in time, women may be struggling with one or more of these dangers. Unable to speak about them, survival behaviors are triggered that can cause problems in a correctional setting. Exhibit 2 illustrates how women’s behaviors may be triggered by past trauma.

Exhibit 2: Examples of How Women’s Behaviors Might Result from Trauma-Influenced Responses		
Perceived Danger (a person or event that may or may not be dangerous)	Woman’s Trigger (thought and feeling; may or may not be consciously experienced)	Woman’s Behavior (trauma-influenced response)
Environmental During group, a woman notices that a door is open in the dayroom.	<i>That door is never open. What or who is in there?</i>	During group the woman says, “This group is stupid; I’m leaving.”
Relational During recreation time a woman notices that two other women are holding hands while watching television.	<i>I don’t want anybody touching me in here.</i>	When a woman comes to sit next to her, she shoves her away.
Internal After a visit with her mother a woman has cycling thoughts about the abuse she endured from her father.	<i>I feel agitated and unglued. I don’t want to be in that cell again tonight.</i>	The woman refuses nighttime hygiene. As staff react she escalates and becomes more aggressive.

In sum, traumatic histories can influence how women respond in certain situations and may explain some behaviors which would otherwise be misunderstood. Knowing that there are some correctional practices or elements of the facility environment that may act as trauma triggers, correctional leadership and staff can take steps to minimize re-traumatization and ultimately contribute to her healing and growth.

Women’s traumatic responses can be affected by how others respond to them and the availability of ongoing support and resources.

The psychological effects of trauma can be worsened by post trauma interactions with others, such as how staff respond to disclosure, how staff respond to hyper-vigilance, and other behaviors that are linked to traumatic experiences. The environment and access to support and resources can render trauma more or less intense and complex, and create barriers to or facilitate positive behavior and growth. Research shows that emotional and psychological support makes a difference, and that disclosures of trauma should be followed by non-blaming, accepting, and non-stigmatizing responses (Herman, 1997; Klein, 2012). Trauma expert Judith Herman notes that relationships can be powerful tools for healing, and emphasizes how important it is to create safe and protected spaces with survivors. “Creating a protected space where survivors can speak their truth is an act of liberation” (Herman, 1997, p. 246). This means that staff interactions have the capacity to create safety and stability for women with trauma histories.

Evidence-based Strategies that Motivate, Build Skills and Create Behavioral Success with Women

National research and feedback from corrections professionals indicate that there is a need to enhance discipline practices with women in correctional settings. There is a growing awareness that traditional approaches do not achieve desired results, and that gender responsive, trauma-informed, evidence-based practices can be used to improve facility safety, security, and effectiveness. This section offers information on the limitations of approaches currently used in many correctional facilities, and proposes alternative strategies that can be used to enhance discipline and sanctions with women.

“...the belief that harsh treatment [is] good for offenders is simply untrue...reducing resistance has the potential to provide criminal justice workers with skills that could increase the effectiveness of their interactions with offenders and improve the climate of the criminal justice system...” (Miller & Rollnick, 2002, p. 356)

Punishment-oriented approaches are limited and can have unintended consequences.

In corrections, “discipline” is typically equated with “punishment,” which often results in sanctions. Punishment may include the removal of something (e.g., loss of privileges, contact with others, recreation, freedom of movement), which is a common form of discipline in correctional facilities. However, sanctions—without an accompanying intervention to address criminogenic needs—do not change behavior or reduce recidivism (Andrews, 2007; Gendreau, Goggin, & Cullen, 1999; Gendreau, et al., 2001; Lipsey & Cullen, 2007; Smith, Goggin & Gendreau, 2002). In reality, the use of punishment can result in unwanted side effects, including an increase in other undesirable behaviors and a decrease in desired behaviors. Discipline and sanctions systems that have a punitive orientation often produce the following unwanted side effects (Dr. Michael Nietzel’s testimony from *Canterino v. Wilson*, 1982):

- Fear and tension/anxiety (resulting in sleep disturbance and depression)
- Learned helplessness (apathy, loss of will to change)
- Resentment
- Escape and avoidance behaviors
- Viewing staff as antagonists
- Aggression (anger, jealousy, friction)
- Underground behavior (complying with rules while authorities are present, than undermining the system when unobserved)

Punitive and isolating behaviors tend to be associated with a significant increase in negative behaviors and significant decrease in positive behaviors.

Source: Natta et al., 1990; Papolos & Papolos, 1999

These unintended outcomes may compromise population management and growth, and facility safety and security. Research and evaluations that have focused specifically on women's correctional facilities have shown that discipline and sanctions systems are often not gender responsive (Carlen, 2011). Many of these systems have been in existence for many years, and were originally designed to deal with a largely men's population. As mentioned previously, men and women have different pathways into the criminal justice system and have different experiences and needs within the system; approaches to discipline and sanctions should account for these differences. Many discipline and sanctions systems are also not trauma-informed. However unwittingly, these systems tend to trigger traumatic reactions that can lead to problems at the individual and facility levels. Finally, many discipline and sanctions systems do not reflect basic principles of behavior modification, such as:

- Clear and consistent expectations for behavior;
- Strategies specifically designed to prevent problems before they arise;
- Positive reinforcement;
- Skill-building opportunities; and
- Timely responses to problem behavior.

Further, these systems:

- Are primarily punitive in their orientation;
- Rely primarily on external controls to maintain compliance versus implementing methods that prepare women for effective actions in and outside of the facility;
- Overuse confinement/segregation as a tool to change behavior;
- Produce frustration among staff and women alike;
- Are weakened by excessive subjectivity;
- Are inconsistently implemented;
- May not account for mental health needs;
- Often remove basic human needs (e.g., contact with family and other supports); and
- Can create either disdain for authority and retaliatory behaviors, or withdrawal behaviors, both of which can be accompanied by a range of complex symptoms and reactions that complicate facility supervision and management.

Cassandra Newkirk, MD, vice chair of the American Psychiatric Association's Council on Social Issues and Public Policy, who has worked in several men and women's correctional facilities, noted that working with women was "a big eye-opener...We worked with several women who I thought were suffering from bipolar disorder but were really suffering from posttraumatic stress disorder, and many of the things we did re-traumatized them, such as locking them in a single room. Many of them had a history of being locked in closets and sexually abused. We're much more sensitive to that now." (Sherer, 2006, as quoted in Lord, 2008, p. 939)

Overuse of segregation, solitary confinement, and restraints can cause mental and physical distress in women, impair the social interactions that motivate effective behavior, and create safety and security problems.

Research shows that segregation can lead to various negative outcomes for all individuals; not just those who have clear distress responses when placed in segregation (ACLU, 2014; Smith, 2010; Smith, 2006).⁷ Women are more likely to harm themselves than to harm others, and the overuse of segregation, solitary confinement, and restraints can have unintended and sometimes detrimental consequences (see e.g., ACLU, 2014; United Nations General Assembly, 2011). Facility-based research (see Hardyman & Van Voorhis, 2004) reveals overall lower rates of major, violent misconducts by women compared to men, yet greater use of major sanctions. Female development research has shown that relationships are significant for women, and healthy interpersonal interactions can be a source of personal development and growth. Overuse of segregation, solitary confinement, and restraints removes opportunities for healthy interactions with staff, peers, and family that can stabilize and motivate behavior; the research on trauma and its effects suggests that segregation and solitary confinement can be palpable triggers for survivors of trauma (Huckshorn, 2010; NETI, 2005).

According to the National Seclusion/Restraint Reduction Initiative (NSRRI), the prevention of conflict and a reduction in the use of seclusion and restraint is an important outcome to be achieved. Facilities throughout the U.S. are demonstrating that they can reduce these responses considerably without additional resources. Instead, leadership, commitment, motivation, and use of best practice strategies have been significant drivers (NETI, 2005).

The following negative psychological and behavioral effects of segregation have been documented (Huckshorn, 2010; NETI, 2005; Sailas & Fenton, 2000; Smith, 2010; Smith, 2006):

- Health problems
- Depression
- Anxiety
- Stomach and muscle pains
- Inability to concentrate

⁷ The Vera Institute's [Segregation Reduction Project](#) works with states to decrease the number of people they hold in segregation, provides recommendations tailored to their specific circumstances and needs, and continues to assist them while they plan and implement change. Also, SAMHSA's [Promoting Alternatives to Seclusion and Restraint through Trauma-Informed Practices](#) project provides technical assistance to reduce or eliminate the use of seclusion and restraint in systems serving people with mental illness and substance use disorders.

- Self-harming behavior
- Psychiatric morbidity
- Increased psychopathological symptoms

It is important to note that these reactions are the same as those reported by individuals who have suffered from trauma. Additionally, while these negative effects begin with the women, they reach into the facility culture as well (Browne, Cambier & Agha, 2011). Women may cope with these adverse psychological and physical experiences by interacting with others in ineffective ways and exhibiting additional misconduct.

While the multitude of behaviors that can lead to segregation or solitary confinement are often thought to be initiated by women, studies have illuminated the role of the environment in cueing many more problem behaviors than previously thought (Cooke & Johnstone, 2012; Duxbury, 2002; Richter & Whittington, 2006). According to Gadon and her colleagues (2006, p. 9), "human behavior does not occur in a vacuum..." Research suggests that much of the conflict in facility settings occurs as a result of interpersonal interactions (e.g., between staff and the women, and between the women) and staff attitudes (NETI, 2005). The corrections research on sexual violence in women's facilities and the Prison Rape Elimination Act (PREA) support the notion that the facility environment plays a significant role in the development and continuation of various behaviors (McNabb, 2008; Moss, 2007; Owen et al., 2008). Facilities that acknowledge this, develop improvement plans, and implement changes, have realized reductions in restraints and seclusions (NETI, 2005).

Using more rewards than sanctions, and adopting core behavior modification principles is more effective in reducing women's rule-violating behaviors.

There is growing attention in corrections regarding the importance of applying evidence-based practices in correctional settings. A set of core correctional practices identified in the research includes the appropriate use of authority, modeling and reinforcing pro-social behaviors, teaching problem solving skills, and establishing a positive, professional relationship with justice-involved individuals, among others (Dowden & Andrews, 2004; Millson, Robinson, & Van Dietsen, 2010; Orbis Partners, 2006). Key findings on the use of

Within the typical correctional facility environment, maintaining safety, order, and structure are paramount, and the use of external controls to accomplish that is important and necessary. However, these controls do not produce lasting effects on public safety when used in isolation. Success over the long term depends heavily upon justice-involved individuals being internally motivated to make attitudinal and behavioral changes.

rewards and sanctions,⁸ which is supported by the gender-neutral and gender-informed research, indicate that (adapted from Carey, 2009):

- **Letting individuals know which behaviors are desired and not desired is important.** People are more likely to adhere to expectations when they know the rules and consequences ahead of time. Further, they are less likely to resist the consequences when the rules are broken and a sanction is imposed.
- **The consistency of responses to rule violating behaviors is critical.** Staff should make attempts to respond in some way to every rule violation (Grasmack & Bryjak, 1980; Nichols & Ross, 1990; Paternoster, 1989). This does not mean that all rule violations require the same response or that all violations require a sanction. It does mean that some response is necessary so that people can learn and be clear about the rules. Ignoring rule violations sends the message that rules are not taken seriously and can encourage more violations, however unintentional they may be (Carter, 2010).
- **The quality of responses to rule violations matters.** While responses are indeed important, the quality of the response is equally important and can either facilitate or inhibit positive behavior. As stated above, responses can include respectful reminders, taking a moment to teach a new skill, and/or communicating a consequence. While some violations may require more significant responses, and may even need to include a consequence or sanction, respectful interactions and skill building should also be present (Andrews, 2007; Orbis Partners, 2006).
- **Responses to rule violations should be prompt.** Responses to violations should occur respectfully and as soon as possible in order to improve adherence to facility expectations (Rhine, 1993). In fact, swift and certain responses are more effective than severe responses in changing behavior. Research demonstrates that responses are most effective when they are delivered quickly and when they seek to positively change behavior, rather than punish (Carter, 2010).
- **Responses should be proportionate to the seriousness of the behavior.** In other words, responses to behaviors should not be more punitive than necessary (Von Hirsch, 1993).
- **Similar behaviors should be responded to similarly across staff and shifts** (Paternoster et al., 1997). It is important for staff to have a shared knowledge about what types of behaviors require what types of responses. This ensures that a stable and predictable environment is created for staff and residents. Staff might utilize a decision making instrument, like violation decision making matrices used by probation officers or staff intervention protocols in facilities, to produce more consistent results (see Carter, 2010 and Benedict, 2010, respectively).

⁸ This research originates from the growing body of knowledge on developing effective responses to probation and parole violations.

Importantly, these same rules apply when utilizing rewards to reinforce effective behaviors. Research indicates that, in order to change behavior, positive reinforcement and incentives should be utilized more than negative reinforcement or sanctions (Andrews & Bonta, 2006; Flora, 2004; Gendreau & Goggin, 1996; Wodahl et al., 2011). Positive reinforcement is much more likely to produce desired outcomes and experts recommend that correctional staff utilize a 4:1 ratio of positive or affirming statements/responses for every sanction or expression of disapproval (Wodahl et al., 2011). Rewards are best facilitated through a positive relationship between the individual and staff, and collaborative work with those who are justice-involved improves outcomes (Burke 2004; Orbis Partners, 2006). Ultimately, the use of incentives can enhance motivation among individuals in meeting a variety of goals (Andrews & Bonta, 2006; Orbis Partners, 2006). Gender-informed evidence supports these notions and also incorporates practices that have been specifically designed to improve approaches with justice-involved women, given their unique developmental pathways, risks, strengths, and needs.⁹

Staff can be successful in impacting women’s behavior through the quality of their interactions.

Research has shown that the rapport between staff and the person with whom they are interacting has a significant impact on behavior change (Andrews & Bonta, 2006; Corsini & Wedding, 2011; Dowden & Andrews, 2004; Miller & Rollnick, 2002). Dowden and Andrews (2004) suggest that the qualities in a working relationship between correctional staff and justice-involved individuals should include mutual respect, openness, empathy, genuineness, flexibility, and be solution-focused. Research has also shown that these characteristics are more likely than individual traits to predict outcomes (Castonguay & Beutler, 2006; Miller & Rollnick, 2002).

A positive working relationship, or “helping alliance,” is one of the factors consistently associated with positive outcomes (Asay & Lambert, 1999, cited in Corsini & Wedding, 2011). In fact, many studies support the notion that while authoritative interactions increase resistance, collaborative interactions motivate (Ginsberg et al., 2002; Hubble, Duncan & Miller, 1999; Miller & Rollnick, 2002; Millson et al., 2009; Rollnick, Mason & Butler, 1999; Tomlin & Richardson, 2004). Carl Rogers (2013; 1957; 1951) revolutionized psychological interventions with human beings in all settings when he asserted that a practitioner who

“The core components of behavior change are produced through a series of interactions that provide the recipient with the opportunity to learn about his/her behavior patterns, to acquire new skills to address problematic issues, and develop the self-maintenance tools to ensure long-term success. The role of [staff] is to facilitate this change process” (Taxman, Shepardson, & Byrne, 2004, p. 4).

⁹ See e.g., the [process](#) and [outcome](#) evaluations on the Women Offender Case Management Model.

expresses attitudes of unconditional positive regard and empathic understanding within a genuine relationship will catalyze personality change. Showing respect and understanding requires that we hold at least two beliefs:

Every person deserves respect and has inner resources for growth and change in spite of apparent impairments or environmental limitations (Corsini & Wedding, 2011).

- If we genuinely engage every person and strive to understand their experiences and feelings, and what they mean to the person, we can achieve more positive outcomes.

These two maxims have enormous implications for corrections and the management of women in correctional facilities. According to Miller and Rollnick (2002), “the overarching culture that exists within [many] criminal justice systems often hinders motivation” (p. 355). Many within and outside of the correctional field believe that punishment reduces recidivism. This belief is often reflected in the severity of sanctions used by agencies and the confrontational style employed when sanctions are administered. Yet the research suggests that more promising results can be achieved when a balanced approach based on respect (i.e., establishing a working alliance) and responsibility (i.e., holding individuals accountable) is established (Andrews & Bonta, 2006; Robinson, Van Diemen & Millson, 2012).

Cultivating intrinsic motivation, skills, and self-efficacy impacts women’s immediate and long-term behavior.

Women are less likely to adopt behaviors that are externally controlled versus behaviors that are internally motivated (Miller & Rollnick, 2002; Ryan & Deci, 2000). To increase motivation, women need to feel that they can control their own behavior, that others value their thoughts and feelings, and that they are succeeding in achieving desired outcomes. Correctional staff can be “change agents” who can create environments that support intrinsic motivation by attending to the following basic human needs (Carlen, 2011; Miller & Rollnick, 2002):

- **Personal control:** The need to experience one’s behavior as under one’s own control rather than under the control of external forces.
- **Healthy relationships:** The need for relatedness or believing that others value one’s thoughts, beliefs and feelings.
- **Self-efficacy:** The need for competence or believing that one’s behavior is efficacious in producing desired outcomes.

Self-efficacy refers to one’s belief about being able to perform certain tasks or achieve certain goals (Bandura, 1998).

Attending to these needs among women helps to create intrinsic motivation and the potential for behavior change, both of which can contribute to facility and community safety. Finally, one of the most important findings from research on justice-involved women is that self-efficacy

impacts recidivism (Orbis Partners, 2006; Van Voorhis et al., 2009). This is an important distinction. It is not enough for women to have positive attitudes about themselves; they also need opportunities to experience and build success while incarcerated. Corrections research focusing on women shows that there is a significant correlation between lower self-efficacy and new charges and new convictions post discharge, and that women with higher self-efficacy are less likely to recidivate (Sperber, n.d.; Van Voorhis et al., 2009). This has significant implications for women's correctional facilities which, by design, de-emphasize personal agency in an effort to manage large groups of women. The challenge, then, is to build opportunities for women to enhance self-efficacy while incarcerated. This is one of the principle outcomes of intervention strategies such as the Women Offender Case Management/Collaborative Case Management Model (Orbis Partners, 2006) and cognitive-behavioral programs like Seeking Safety (Najavits, 2002; Zlotnick et al., 2003) and Moving On (Gehring, Van Voorhis & Bell, 2010). Other opportunities to build self-efficacy can be realized through vocational programs, work details, and the like.

Creating opportunities to build women's skills and self-efficacy is essential to positive behavior change. Women can begin to heal from negative and disempowering experiences when provided opportunities to build their self-efficacy. An approach that promotes self-efficacy requires that staff view women as capable individuals, with important insights and ideas about the solutions to their problems (Case & Fassenfest, 2004; Morash, Bynum & Koons, 1998; Schram & Morash, 2002; Wright, Salisbury, Van Voorhis, 2007). Psychological data clearly indicates that when individuals are given opportunities to exercise choice and action in their environment, they move out of old behavior patterns into new ways of being that facilitate personal and interpersonal success (Corsini & Wedding, 2011). Conversely, coercion and force, for example, while appearing on the surface to extinguish negative behaviors, elicits change that is often temporary (Carter et al., 2007). Further, they are more likely to deepen the problems and increase their frequency.

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