

## Women & The Drug War

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Please use the following links to access these sub-chapters Women and the Drug War:

Data - " [Women and the Drug War - Data](#) " *data the effects of the drug war on women ordered by data year and subject of the data in parentheses.*

Research - " [Women and the Drug War - Research](#) " *research studies concerning how the War on Drugs affects women.*

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Please use the following links to access these data tables:

" [Female Sentenced Prisoners by Race under State or Federal Jurisdiction](#) "

" [State Prisoners Sentenced for Drug Offenses](#) "

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1.

**(women - policies on treatment in prison)** "Federal and state laws prohibit rape and sexual assault and the policies of jail and prison authorities generally prohibit sexual conduct that is not part of the duties of staff. However, the duties of male guards include conduct that is not prohibited by law but which greatly distresses female inmates, in particular searches for contraband which require guards to touch their bodies, and guards' surveillance of them when they are undressed.

"Under anti-discrimination employment laws in the USA, prisons and jails cannot refuse to employ men to supervise female inmates (or women to supervise male inmates) and in many states there are few restrictions on their duties. A 1997 survey of prisons in 40 states found that on average 41 percent of the correctional officers working with female inmates are men. <sup>9</sup>

"The employment of men to guard women is inconsistent with international standards set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners. Rules 53(2) and 53(3) state that female prisoners should be attended and supervised only by female officers and that male staff, such as doctors and teachers who provide professional services in female facilities, should always be accompanied by female officers. The United Nations Special Rapporteur on Violence Against Women has called on all countries to 'fully implement the Standard Minimum Rules for the Treatment of Prisoners and ensure that protective measures are guaranteed in all situations of custody.' <sup>10</sup> "

Source:

Amnesty International, "Not Part of My Sentence: Violations of the Human Rights of Women in Custody" (Washington, DC: Amnesty International, March 1999), pp. 8-9.

<http://www.amnesty.org/en/library/asset/AMR51/019/1999/en/7588269a-e33d-...>

2.

**(women - rape and sexual abuse in prison)** "Many women in prisons and jails in the USA are victims of rape and other forms of sexual abuse including, commonly, sexually offensive language; male staff touching female inmates' breasts and genitals while conducting searches and male staff watching women while they are naked.

"Under international law, rape of an inmate by staff is considered to be torture. Other forms of sexual abuse violate the internationally recognized prohibition on cruel, inhuman or degrading treatment or punishment. Rape and sexual assault violate US federal and state criminal laws. In addition, 36 states, the District of Columbia and the federal government have laws specifically prohibiting sexual relations between staff and inmates. A number of the laws prohibit staff-inmate sexual contact regardless of inmate consent, recognizing that such sexual relations cannot be truly consensual because of the power that staff have over inmates. Fourteen states do not have laws criminalizing sexual relations between staff and inmates. <sup>7</sup> "

Source:

Amnesty International, "Not Part of My Sentence: Violations of the Human Rights of Women in Custody: (Washington, DC: Amnesty International, March 1999), pp. 7-8.

<http://www.amnesty.org/en/library/asset/AMR51/019/1999/en/7588269a-e33d-...>

### 3. Women and the Drug War - Data

#### (2009 - women - incarceration rates )

"□ Fewer females were imprisoned (down 1.0% or 1,187 prisoners) at yearend 2009 than at yearend 2008." [Editor's note: In 2009, 113,462 female prisoners were under the jurisdiction of state or federal correctional authorities. This represented a 22% increase over the 93,234 female prisoners under correctional jurisdiction in 2000.]

"□ Males had an imprisonment rate (949 per 100,000 U.S. residents) that was 14 times higher than the rate for females (67 per 100,000)."

Source:

West, Heather C.; Sabol, William J.; and Greenman, Sarah J., "Prisoners in 2009," Bureau of Justice Statistics, (Washington, DC: US Department of Justice, December 2010), NCJ 231675, p. 9.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p09.pdf>

### 4.

#### (2009 - women - incarceration rates by race )

"□ One in 703 black females was imprisoned, compared to about 1 in 1,987 white females and 1 in 1,356 Hispanic females."

Editor's note: The following table reflects the estimated number of sentenced female prisoners under state or federal jurisdiction by race and Hispanic origin, for December 31, 2000 and December 31, 2009.

#### **Female sentenced prisoners by race**

*Under State or Federal Jurisdiction*

**Year**

**Total  
White  
Black  
Hispanic**

2000

83,700  
34,500  
37,400  
10,000

Share

100.0%  
42.1%  
45.7%  
12.2%

2009

105,200  
51,200  
28,200  
17,500

Share

100.0%  
52.8%  
29.1%  
18.1%

% Change 2000-2009

+18.3%

+48.4%

-24.6%

+75.0%

Source:

West, Heather C.; Sabol, William J.; and Greenman, Sarah J., "Prisoners in 2009," Bureau of Justice Statistics, (Washington, DC: US Department of Justice, December 2010), NCJ 231675, Appendix Table 12, p. 27.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p09.pdf>

5.

**(2009 - women - drug use male vs. female )** "In 2009, as in prior years, the rate of current illicit drug use among persons aged 12 or older was higher for males than for females (10.8 vs. 6.6 percent, respectively). Males were more likely than females to be current users of several different drugs, including, for example, marijuana (8.6 vs. 4.8 percent), psychotherapeutics (3.1 vs. 2.4 percent, for nonmedical use), and cocaine (0.9 vs. 0.4 percent). However, males and females had similar rates of past month nonmedical use of tranquilizers (0.8 percent for both) and methamphetamine (0.2 percent for both)."

Source:

Substance Abuse and Mental Health Services Administration. (2010). "Results from the 2009 National Survey on Drug Use and Health: Volume I. Summary of National Findings (Office of Applied Studies," NSDUH Series H-38A, HHS Publication No. SMA 10-4586 Findings). Rockville, MD., p 21.

<http://oas.samhsa.gov/NSDUH/2k9NSDUH/2k9ResultsP.pdf>

6.

**(2009 - women - alcohol use male vs. female )** "More males than females aged 12 to 20 reported current alcohol use (28.5 vs. 25.8 percent), binge drinking (20.5 vs. 15.5 percent), and heavy drinking (7.0 vs. 3.7 percent) in 2009."

Source:

Substance Abuse and Mental Health Services Administration. (2010). "Results from the 2009 National Survey on Drug Use and Health: Volume I. Summary of National Findings" (Office of Applied Studies, NSDUH Series H-38A, HHS Publication No. SMA 10-4586 Findings). Rockville, MD., p. 37.

<http://oas.samhsa.gov/NSDUH/2k9NSDUH/2k9ResultsP.pdf>

7.

**(2009 - women - substance dependence male vs. female )** "The rate of substance dependence or abuse for males aged 12 or older in 2009 was nearly twice as high as the rate for females (11.9 vs. 6.1 percent). Among youths aged 12 to 17, however, the rate of substance dependence or abuse among males (6.7 percent) was similar to the rate among females (7.4 percent)."

Source:

Substance Abuse and Mental Health Services Administration. (2010). "Results from the 2009 National Survey on Drug Use and Health: Volume I. Summary of National Findings (Office of Applied Studies," NSDUH Series H-38A, HHS Publication No. SMA 10-4586 Findings). Rockville, MD., p. 6.

<http://oas.samhsa.gov/NSDUH/2k9NSDUH/2k9ResultsP.pdf>

8.

**(2008 - women - arrests )** In 2008, there were a reported 2,622,694 arrests of women, of which 240,600 (9.17%) were for drug offenses. (Note: Arrests covered 11,713 agencies submitting 12 months of arrest data for 2008 with an estimated population of 230,897,506 Americans.)

Source:

Federal Bureau of Investigation, "Crime in the United States 2008," Uniform Crime Report, Washington, DC: Federal Bureau of Investigation, Sept. 2009), Table 40.

[http://www.fbi.gov/ucr/cius2008/data/table\\_40.html](http://www.fbi.gov/ucr/cius2008/data/table_40.html)

9.

**(2007 - race & prison - incarceration rates )** "At midyear 2007, the incarceration rate of black women held in custody (prison or jail) was 348 per 100,000 U.S. residents compared to 146 Hispanic women and 95 white women. With the exception of females ages 55 to 59, black women were held in custody at higher rates than Hispanic or white women across all age categories."

Source:

Sabol, William J., PhD, and Couture, Heather, Bureau of Justice Statistics, Prison Inmates at Midyear 2007 (Washington, DC: US Department of Justice, June 2008), NCJ221944, p. 8.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/pim07.pdf>

10.

(2006 - *women - incarceration for drug offenses* ) The table below shows the estimated number of male and female sentenced prisoners under state jurisdiction for drug offenses.

**State prisoners sentenced for drug offenses**

<b>Year</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>
2006	264,300	238,600	26,200
2007	273,600	247,000	26,600
2008	251,400	225,900	25,500

% Change 2006-2008  
-4.9%

-5.3%  
-2.7%

Source:

West, Heather C.; Sabol, William J.; and Greenman, Sarah J., "Prisoners in 2009," Bureau of Justice Statistics, (Washington, DC: US Department of Justice, December 2010), NCJ 231675, Appendix Table 16a, Appendix Table 16b, Appendix Table 16c, pp. 29-30.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p09.pdf>

11.

**(2005 - women - male vs. female incarceration rates )** "Since 1995 the total number of male prisoners has grown 34%; the number of female prisoners, 57%. At yearend 2005, 1 in every 1,538 women and 1 in every 108 men were incarcerated in a State or Federal prison."

Source:

Harrison, Paige M. & Allen J. Beck, PhD, Bureau of Justice Statistics, Prisoners in 2005 (Washington DC: US Department of Justice, Nov. 2006), p. 4.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p05.pdf>

12.

**(2005 - women - growth in the female prison population )** "Female state prison population growth has far outpaced male growth in the past quarter-century. The number of women serving sentences of more than a year grew by 757 percent between 1977 and 2004 – nearly twice the 388 percent increase in the male prison population."

Source:

Frost, Natasha A.; Greene, Judith; and Pranis, Kevin, "HARD HIT: The Growth in the Imprisonment of Women, 1977-2004," Institute on Women & Criminal Justice (New York, NY: Women's Prison Association, May 2006), p. 9.

<http://www.wpaonline.org/institute/hardhit/HardHitReport4.pdf>

13.

**(2005 - women - incarceration rates by race )** "Female incarceration rates, though substantially lower than male incarceration rates at every age, reveal similar racial and ethnic differences. Black females (with an incarceration rate of 156 per 100,000) were more than twice as likely as Hispanic females (76 per 100,000) and over 3 times more likely than white females (45 per 100,000) to have been in prison on December 31, 2005. These differences among white, black, and Hispanic females were consistent across all age groups."

Source:

Harrison, Paige M. & Allen J. Beck, PhD, Bureau of Justice Statistics, Prisoners in 2005 (Washington DC: US Department of Justice, Nov. 2006), p. 8.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p05.pdf>

14.

**(2005 - women - male and female incarceration rates )** "During 2005 the number of females under the jurisdiction of State or Federal prison authorities increased by 2.6% (table 5). The number of males in prison rose 1.9%. At yearend 2005, 107,518 females and 1,418,406 males were in prison. Since 1995 the annual rate of growth in female prisoners averaged 4.6%, which was higher than the 3.0% increase in male prisoners. By yearend 2005 females accounted for 7.0% of all prisoners, up from 6.1% in 1995 and 5.7% in 1990."

Source:

Harrison, Paige M. & Allen J. Beck, PhD, Bureau of Justice Statistics, Prisoners in 2005 (Washington DC: US Department of Justice, Nov. 2006), p. 4.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p05.pdf>

15.

**(2005 - women - male and female incarceration rates )** "Relative to their number in the U.S. resident population, males were over 14 times more likely than females to be incarcerated in a State or Federal prison. At yearend 2005 there were 65 sentenced female inmates per 100,000 females in the resident population, compared to 929 sentenced male inmates per 100,000 males."

Source:

Harrison, Paige M. & Allen J. Beck, PhD, Bureau of Justice Statistics, Prisoners in 2005 (Washington DC: US Department of Justice, Nov. 2006), p. 4.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p05.pdf>

16.

**(2005 - women - incarcerated by drug law violations )** The most serious offense for 65% of women in federal prisons and 29.1% of women in state prisons is violation of drug laws.

Source:

Bureau of Justice Statistics, "Compendium of Federal Justice Statistics, 2003," (Washington, DC: US Dept. of Justice, Oct. 2005), p. 108, Table 7.10

<http://bjs.ojp.usdoj.gov/content/pub/pdf/cfjs03.pdf>

Harrison, Paige M. & Allen J. Beck, PhD, Bureau of Justice Statistics, Prisoners in 2005 (Washington DC: US Department of Justice, Nov. 2006), p. 9, Table 13.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/p05.pdf>

17.

**(2003 - women - LSD and marijuana )** "Our results indicate that this population of sexually active female adolescents and young adults have similar rates of lifetime use of LSD (13%) as reported in other surveys, <sup>1,30</sup> and half of these young women report using LSD one or more times in the last year. Prior data suggests that the use of hallucinogens by African Americans is virtually nonexistent across all ages of adolescents and young adults. <sup>2,9</sup> In fact, we found that none of our African American young women reported using LSD. However, the proportion of African Americans who reported using marijuana was much greater than either caucasian or Mexican American women."

Source:

Rickert, Vaughn I.; Siqueira, Lorena M.; Dale, Travis; and Wiemann, Constance M., "Prevalence and Risk Factors for LSD Use among Young Women," Journal of Pediatric and Adolescent Gynecology (Washington, DC: North American Society for Pediatric and Adolescent Gynecology, April 2003) Volume 16, Issue 2, p. 72.

[http://www.beckleyfoundation.org/bib/doc/bf/2003\\_Rickert\\_11457\\_1.pdf](http://www.beckleyfoundation.org/bib/doc/bf/2003_Rickert_11457_1.pdf)

18.

**(2000 - women - specialized drug treatment programs )** "Facilities offering special programs or services for women were more likely to provide a variety of treatment services than facilities that did not offer such programs or services (Figure 1). These included transitional employment (with the largest difference, 42 percent vs. 25 percent), relapse prevention (83 percent vs. 67 percent), transportation assistance (42 percent vs. 26 percent), family counseling (83 percent vs. 69 percent), and pharmacotherapies (46 percent vs. 36 percent). Some 97 percent of facilities with women's programs or services offered individual therapy compared with 91 percent of facilities without special women's programs or services. In addition, 91 percent of facilities with women's programs or services offered group therapy compared with 84 percent of the other facilities."

Source:

"Facilities Offering Special Programs or Services for Women," The Dasis Report (Washington, DC: Dept. of Health and Human Services, Substance Abuse and Mental Health Services Administration, Office of Applied Studies, Oct. 11, 2002), p. 2.

<http://www.oas.samhsa.gov/2k2/FemServices/FemServices.pdf>

19.

**(2000 - women - specialized drug treatment programs )** Of the 13,573 treatment facilities that responded to the 2000 N-SSATS [National Survey of Substance Abuse Treatment Services], 60 percent reported that they provided at least one of the special programs or services for women. Almost one third of the facilities (33 percent) provided one program or service, 17 percent of the facilities provided two programs or services, 8 percent of the facilities provided three, and 3 percent provided all four programs or services (data not shown). Of the facilities providing programs or services for women, 63 percent reported providing programs for women only, 56 percent reported services addressing domestic violence, 34 percent provided programs for pregnant or postpartum women, and 16 percent offered on-site child care services."

Source:

"Facilities Offering Special Programs or Services for Women," The Dasis Report (Washington, DC: Dept. of Health and Human Services, Substance Abuse and Mental Health Services Administration, Office of Applied Studies, Oct. 11, 2002), pp. 1-2.

<http://www.oas.samhsa.gov/2k2/FemServices/FemServices.pdf>

20.

**(2000 - women - children of incarcerated women )** "More than 70 percent of women in prison have children. Even before a mother's arrest and separation from the family unit, many children will have experienced emotional hardship associated with parental substance abuse and economic instability. While she is incarcerated they suffer additional trauma, anxiety, guilt, shame and fear. <sup>30</sup>

"More than half of mothers in prison have no visits with their children for the duration of their time behind bars. <sup>31</sup> Children are generally subject to instability and uncertainty while their mothers are imprisoned."

Source:

Frost, Natasha A.; Greene, Judith; and Pranis, Kevin, "HARD HIT: The Growth in the Imprisonment of Women, 1977-2004," Institute on Women & Criminal Justice (New York, NY: Women's Prison Association, May 2006), p. 26.

<http://www.wpaonline.org/institute/hardhit/HardHitReport4.pdf>

21.

(1996 - *women and violence in prison* ) Women are the fastest growing and least violent segment of prison and jail populations. 85.1% of female jail inmates are behind bars for nonviolent offenses.

"Ironically, women represent both the fastest growing and least violent segment of prison and jail populations. Women made up 3% (12,927) <sup>10</sup> of state prisoners in 1978, a figure which grew to 6.3% (79,624) <sup>11</sup> by 1997. While only 27.6% of male jail inmates are violent offenders, an even smaller 14.9% of female jail inmates are in for violent offenses. <sup>12</sup> Sixty-four percent of male jail inmates have not been arrested for an act of violence on either their current or any prior offenses. That's true for 83.1% of female jail inmates. <sup>13</sup> "

Source:

John Irwin, Ph. D., Vincent Schiraldi, and Jason Ziedenberg, *America's One Million Nonviolent Prisoners* (Washington, DC: Justice Policy Institute, March 1999), pp. 6-7.

[http://www.justicepolicy.org/images/upload/99-03\\_REP\\_OneMillionNonviolen...](http://www.justicepolicy.org/images/upload/99-03_REP_OneMillionNonviolen...)

22.

(1999 - *women - in prison with children* ) "Of the Nation's 72.3 million minor children in 1999, 2.1% had a parent in State or Federal prison. Black children (7.0%) were nearly 9 times more likely to have a parent in prison than white children (0.8%). Hispanic children (2.6%) were 3 times as likely as white children to have an inmate parent."

Source:

Mumola, Christopher J., Bureau of Justice Statistics, "Incarcerated Parents and Their Children" (Washington, DC: US Department of Justice, August 2000, p. 2.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/iptc.pdf>

23.

(1998 - *women - in prison with children* ) Approximately 516,200 women on probation (72% of the total), 44,700 women in local jails (70% of the total), 49,200 women in State prisons (65% of the total), and 5,400 women in Federal prisons (59% of the total) have minor children.

Source:

Greenfield, Lawrence A., and Snell, Tracy L., "Women Offenders," Bureau of Justice Statistics (Washington, DC: US Department of Justice, December 1999), p. 7, Table 17.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/wo.pdf>

24.

**(1997 - women - sexual assault in prison )** "Forty-four percent of women under correctional authority [including 57% of the women in State prisons], reported that they were physically or sexually assaulted at some time during their lives. Sixty-nine percent of women reporting an assault said that it had occurred before age 18."

Source:

Greenfield, Lawrence A., and Snell, Tracy L., Bureau of Justice Statistics, Women Offenders (Washington, DC: US Department of Justice, December 1999), p. 8, Table 20.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/wo.pdf>

25.

**(1997 - women - incarcerated parents )** "In 1997 an estimated 2.8% of all children under age 18 have at least one parent in a local jail or a State or Federal prison. About 1 in 40 children have an incarcerated father, and 1 in 359 children have an incarcerated mother." A total of 194,504 children have their mothers behind bars.

Source:

Greenfield, Lawrence A., and Snell, Tracy L., Bureau of Justice Statistics, Women Offenders (Washington, DC: US Department of Justice, December 1999), p. 8, Tables 18.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/wo.pdf>

26.

**(1990 to 1996 - women - convictions for drug felonies )** Between 1990 and 1996, the number of women convicted of drug felonies increased by 37% (from 43,000 in 1990 to 59,536 in 1996). The number of convictions for simple possession increased 41% over that period, from 18,438 in 1990 to 26,022 in 1996.

Source:

Greenfield, Lawrence A., and Snell, Tracy L., Bureau of Justice Statistics, Women Offenders (Washington, DC: US Department of Justice, December 1999), p. 5, Table 11.

<http://bjs.ojp.usdoj.gov/content/pub/pdf/wo.pdf>

## 27. Women and the Drug War - Research

*(women - research - reasons for increased incarceration)* "Other efforts to explain the sharp increase in women's imprisonment have focused on the "war on drugs," with its emphasis on street-level sweeps of those engaged in the drug trade and harsh mandatory sentencing. The crackdown on drug crime was sold to the American public as the answer to an escalating epidemic of male violence. Yet despite their roles as relatively minor players in the drug trade, women – disproportionate numbers of them African American and Latina – have been "caught in the net" of increasingly punitive policing, prosecutorial, and sentencing policies. <sup>19</sup> Once in the system, women often have little choice but to accept plea bargains and then face mandatory minimum sentencing laws that restrict judges from mitigating the impact of their sentencing decisions in consideration of their family situations or their obvious need for substance abuse treatment."

Source:

Frost, Natasha A.; Greene, Judith; and Pranis, Kevin, "HARD HIT: The Growth in the Imprisonment of Women, 1977-2004," Institute on Women & Criminal Justice (New York, NY: Women's Prison Association, May 2006), p. 24.

<http://www.wpaonline.org/institute/hardhit/HardHitReport4.pdf>

## 28.

*(women - research - involvement in child protection system)* "The results of this study are important for the child protection field. They show that, rather than severity of substance use being associated with mothers' involvement with the child protection system, other factors are of greater importance. Of particular interest was the finding that having greater social support, particularly from parents, significantly reduced the likelihood of being involved with the child protection system."

Source:

Taplin, Stephanie and Mattick, Richard P., "Child Protection and Mothers in Substance Abuse Treatment," National Drug and Alcohol Research Centre (Sydney, Australia: University of New South Wales, November 2011), p. 9.

<http://www.idpc.net/sites/default/files/library/child-protection-and-mot...>

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