

RACE, GENDER, AND CRIMINAL JUSTICE REFORM

Joint Stakeholder Summary Report



Submitted for the 36th Session of the
Universal Periodic Review



UNITED NATIONS ASSOCIATION
OF THE UNITED STATES OF AMERICA



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OF THE UNITED STATES OF AMERICA

Saint Louis Chapter



UNA ★ USA

Southern New York State Division

UN Universal Periodic Review: Third Cycle Summary of Joint Stakeholder Report: Race, Gender, and Criminal Justice Reform

This joint UPR shadow report submitted from the United Nations Association of Saint Louis (UNA-St. Louis) and the United Nations Association Southern New York Division (UNA-SNY) consultations assessed current standards, gaps, and needs on seven different issues affecting women who are incarcerated:

- Drug Addiction and Treatment;
- Reentry and Recidivism;
- Children/Teen issues of Incarcerated Mothers;
- Parenting from Prison (Expectant Inmates Rights);
- Education and Training Opportunities for Female Inmates;
- Incarceration of Girls.

This stakeholders report was compiled through a consultation process that took place from July to August 2019 in Saint Louis and Southern New York State. The consultation included experts, community partners, youth, non-profits, legal professionals, and others.

A. Drug Addiction and Treatment

In the U.S. the overcriminalization of drug use and possession contributes to 1 million arrests each year. Despite the availability of effective drug treatments in prisons, very few of these programs are available to large number of offenders. Furthermore, prison medical treatments are not free, and they come at a cost to inmates who are too poor to afford it or who have no health insurance.

B. Reentry and Recidivism

The U.S. jails 2.9 million women each year. Many of them face significant struggles after incarceration, specifically access to employment, housing, education, and readiness to acclimate back to their families and society. The criminal justice system has rehabilitation programs that were developed for male inmates. Without programs that are gender specific, these women have increased risk of getting caught in the vicious cycle of reoffending and reconviction once they are released.

C. Children/Teen Issues of Incarcerated Mothers

Estimates indicate that 80% of incarcerated women are mothers to children under age 18. Parental incarceration has a negative effect not just on the children left behind but on the entire

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family unit. Between 1991 and 2007, the number of children with incarcerated parents increased by 80%.

D. Parenting from Prison (Expectant Inmates Rights)

The topic of the rights of expectant inmates was discussed by Missouri State Senator Jamilah Nasheed at the UPR consultation in St. Louis. She denounced the shackling of pregnant incarcerated women which is a practice that has long been used for inmates while being transported for medical care and before labor, during labor, and immediately after labor. In the U.S., 22 states prohibit the practice of shackling pregnant prisoners, but the practice continues in most correctional facilities. The practice is inhumane and unnecessarily dangerous for both mother and child.

E. Education & Training Opportunities for Female Inmates

In 2013, the U.S. Department of Corrections partnered with the U.S. Department of Labor which offers apprenticeship programs for offenders in federal and state correctional institutions. The program combines paid work in a structured on-the-job training with classroom-based technical instruction. Studies have shown that inmates who participate in correctional education programs have 43% less chance of recidivating and are better equipped to reenter society.

“No pregnant women should ever be shackled ... [it] is a form of slavery... This horrible practice must end now.”
-Missouri State Senator, Jamilah Nasheed, September 12, 2019

F. Bias in Incarceration of Girls

Studies indicate that incarceration rates for girls of color; African American girls are more than three times as likely to be incarcerated as white girls.

Recommendations to the United States:

- Decriminalize drug addiction in order to treat it as a public health issue;
- Evaluate decriminalization programs that have worked in other parts of the world to offer rehabilitation treatment and counseling rather than jail time.
- Provide adequate resources for skills training that is applicable to the job market and prepares inmates for jobs with higher wages.
- Support and collaborate with civil society programs that allow children to stay connected to their mothers or grandmothers when they are incarcerated;
- Institute standards that allow more visiting hours, free phone calls, and partnerships with school programs and non-profit organizations to support the children of incarcerated mothers.
- Support education, vocational training, and other programs designed for incarcerated women;
- Form partnerships with other grassroots organizations, health service providers, and universities to work on education and the reentry processes.
- Support research into social issues behind the increased incarceration of girls of color, including cases pertaining to sex-trafficking.