# RISK/REINTEGRATION FOR FEDERALLY SENTENCED WOMEN

# THE RISK/REINTEGRATION DICHOTOMY FOR COMMUNITY BASED FEDERALLY SENTENCED WOMEN: OPPRESSION IN THE NAME OF JUSTICE

By

# DONNA FITZPATRICK-LEWIS, B.A., B.S.W.

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AUTHOR: Donna Fitzpatrick-Lewis, B.A., B.S.W., (McMaster University)

SUPERVISOR: Dr. Patricia Daenzer

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# Abstract

Legislated through the Corrections Services Canada's Corrections and Conditional Release Act (2002), individuals who receive a federal sentence are eligible to complete their sentence at the community level under the auspices of conditional release. The goal is to assist in the rehabilitation of the offender, facilitate his or her reintegration into the community and protect society by managing re-offence risk. Yet the instrument used to determine risk and reintegration needs and outcomes is an actuarial scale based on a homogeneous white Eurocentric male population which does not take into consideration differences based on race, ethnicity, gender or social disadvantage (Webster and Doob, 2004).

Research into the particular conditions experienced by Federally Sentenced Women (FSW) in Canada is a relatively new phenomenon, with the bulk emerging in the last 15 years. Research on the policy impact on service providers, namely parole officers and halfway house workers, appears to be minimal. Yet it is these workers who interpret and implement the policy. This paper contributes to this discourse through critical examination of Corrections Services Canada's (CSC) policy The Standard Operating Procedures for Community Based Supervision (SOP). The stated intent of this policy is managing risk and assisting in the reintegration into the community of all individuals under conditional release. This paper examines the impact of globalization and neoliberal politics has on crime, fear of crime and risk. It explores how the SOP, as well as other CSC policies, is embedded in racial, cultural and gendered biases. Interviews with parole officers and halfway house workers who provide service to federally sentenced women offer insight onto their understanding of risk and reintegration for FSW as well as their perceptions of how the policy helps or hinders their role in risk management and reintegration for FSW. This paper concludes with a discussion of how these findings can impact Social Work practice and policy.

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#### **Introduction**

The focus of this research is an analysis of the policy that governs the monitoring of Federally Sentenced Women (FSW) during the time they are post incarceration, living in the community and "pre-warrant expired" under the terms of conditional release. The policy document **Community Supervision – Standard Operating Practices** (SOP) is the regulatory document for the supervision of community based Federally Sentenced Women in Canada. Central to this policy are the factors of risk (to re-offend) and reintegration. Although there is substantial literature available to indicate that risk factors and reintegration potential are different for men and women, the afore mentioned policy does not take gender into consideration. With this in mind this research project will look at the following questions:

Does risk management supercede the goal of successful reintegration for Federally Sentenced Women?

Is the risk management congruent with the actual risk (of re-offending) that FSW pose?

Does the lack of gender specific policy negatively impact the successful reintegration of FSW?

When the words 'crime' and 'criminal' are introduced, chances are your mind's eye immediately focuses on a male figure. Maleness has played an instrumental role in the shaping of criminological literature, policy and practice. It has only been in the last two decades that the female figure has emerged. Early feminist researchers and advocates, who insisted that women in conflict with the law were different than the male offender population, have been instrumental in procuring changes within the justice system, including the closing of the infamous Prison for Women (P4W) in Kingston, Ontario in the mid 1990's.

While some advances have been made with respect to the manner in which Correctional Services Canada develops programs and policies that reflect the experiences of women, there remain many areas within corrections polity and practice where women's services are treated as simply an add-on to men's. The Standard Operating Procedures for Community Supervision (SOP) is the policy document that governs all people who are living in the community while still under the CSC supervision. It might be called a gender neutral document, but does neutrality benefit or hinder federally sentenced women? Federal policy cannot be examined without looking at global trends. These trends help illuminate Canada's current political and policy agenda that appear to

reduce and restrict rights while promoting profit taking and corporate growth. Global trends, if not already implemented in Canada, provide a foreshadowing of what we can expect to happen in Canada. At the same time, examining gender and race can illuminate the systemic oppression that often remains hidden behind so called neutral policies.

The respondents for this study were a group of people whose voice and experience appears to be absent from the literature. Current research appears to be focused on providing insight into the experiences of the women in conflict with the law. There is little, if any, academic research with the frontline workers in the community, namely parole officers and those working in halfway houses. This group of workers is important to our understanding of the functionality of the SOP because they are responsible for the implementation of the policy. As well, this group of workers provides the link between the institutional settings of the prison and the community. Their task is to help create a smooth transition for the women while promoting and ensuring public safety. With this research I am interested in exploring how this group of workers understands the terms 'risk' and 'reintegration' and the impact, both positive and/or negative, that the SOP has on them in managing risk and assisting in reintegration of Federally Sentenced Women.

#### **Epistemology**

Arising from the understanding that women experiencing conflict with the law have, and continue to be, silenced through their imprisonment, a flawed system that is in place to assist with their subsequent re-entry to society and the dominant discourse regarding their lives, a good epistemological entry point is feminist theory. Feminist researchers place an individual's experiences within a social context (Oakley, 1981; Finch, 1991; Neysmith, 1995). People belong to social groups from which they derive an understanding of their lived experiences and as such are the experts of those experiences. Each person exists within a social location that shapes experiences and colours perceptions. This is true for the researcher and the participant. Approaching this research from a feminist perspective challenges the researcher to examine her biases and question her assumptions that impact the research process (Oakley, 1981). Do our assumptions about criminalized women prevent us from designing a research framework that is reflective of their lived experiences? Does the language we use challenge or reinforce existing power structures based on gender?

Neysmith suggests that feminist researchers "emphasize the centrality of gender in the lives of women. This is juxtaposed against treating gender as a variable to be controlled" (110). Gender is defined as a social construction that ascribes specific characteristics that identify the social behaviour of women and men and the relationship between them (Status of Women Report, 1996). Some researchers suggest that genderneutral policies fail to meet the needs of women because they fail to take into account the economic, social and historic disadvantage experienced by women and as such they merely maintain the status quo (Thede, 2005).

Informed by critical theory, anti-oppressive theory is also influenced by feminist, anti-racist, Indigenous and queer theories (Potts and Brown, 2005). Adopting an anti-oppressive framework means that the researcher makes a personal commitment to use the research to pursue social justice. "It is about paying attention to, and shifting, how power relations work in and through the processes of doing research" (Potts and Brown, 2005, 255). According to these authors there are three basic and intersecting tenets of anti-oppressive research: (a) anti-oppressive research is committed to social justice and challenges the status quo in processes as well as outcomes (260); (b) all knowledge is socially constructed and political (261); and, (c) anti-oppressive research is about power and relationships (262).

An important consideration for feminist and anti-oppressive researchers is the relationship that develops between the researcher and the participant. Oakley (1981) suggests that it is not possible to be a feminist researcher and maintain an objective

distance between the researcher and participant. Finch (1991) states that it is "politically unacceptable when women are the subjects of the research" (201) that the researcher is in a position of taking while offering nothing in return. This is particularly salient when the research involves women marginalized to the degree of criminalized women. When trying to determine who I would approach to be research participants this weighed heavily in my decision making. How do I understand the term relationship? If I chose to interview FSW what kind of relationship could I offer or be willing to engage? Can a "relationship" last for only one hour or the time it took to complete an interview? Some may be able to ascertain the positive position in answering those questions – I had difficulty. I believe that given the time constraints of the Master's thesis I could not enter into a reciprocal relationship with FSW that would bridge the power differential between the researcher and participant. I look forward to future research projects that will provide me with this opportunity.

Having made the decision not to interview FSW, but remaining committed to exploring the policy impact on women's lives, I decided to focus my research on another group of women within the correctional system; those providing support, services and monitoring of FSW within the community. I knew that the policies that govern the lived experiences of community based FSW also impact the lives of those who are hired to implement those policies. I was also aware that my privilege due to my social location as a white, educated, middle class woman would likely be shared by this second population. The power differential could be somewhat equalized by this shared social location. At the same time, shared social location of researcher and participant can create challenges during the analysis process. These challenges will be explored during the analysis of findings in this paper.

#### **Methodology**

#### Methods

This work is a qualitative research project that is exploratory in nature. Exploratory research is undertaken when a subject of study is new or appears to be under represented in the literature. This approach is typical when, "a researcher is examining a new interest, when the subject of study is relatively new and unstudied, or when a researcher seeks to test the feasibility of undertaking a more careful study..."(Rubin and Babbie, 1993:107). The research is exploratory in nature because it investigates the policies and practices that the state imposes to manage the perceived risk posed by FSW. This will lead to a discussion of possible impacts on the lived experience of FSW as they attempt to reintegrate in the community. It explores the idea of reintegration as a contested concept that places women in a socially conscribed set of attitudes and behaviours.

The first task of sampling is defining the population of interest (Singleton and Straits, 1999). The population is the total membership of a defined group of "people, objects or events" (Ibid: 563) and the population of interest are the aggregate of the particular membership who will be studied (Rubin and Babbie, 1993). In the context of this research, the population of interest is identified as community based persons delivering services to Federally Sentenced Women (FSW) whose work, in part or full, is regulated by Correctional Services Canada in the *Standard Operating Procedures for Community Supervision*. Federally sentenced women are defined as women at or over the age of eighteen who, being sentenced by the courts, received a sentence in excess of two years. The units of analysis, or the part of the population studied and analyzed (Rubin and Babbie, 1993; Singleton and Straits, 1999) are female probation/parole officers and employees at halfway houses for FSW located in Southern Ontario.

This research was conducted using semi structured interviews and an interview guide. It was important for this research that there was a conversational flow of information from the respondents. It was hoped that this would provide an open space for them to voice their experiences in a manner that was reflective of their values (Rubin and Babbie, 1993) and how those values are expressed in their work. Unlike a structured interview with specific objectives and written questions that are asked in the same order in each interview, a semi-structured interview, while having clear objectives, has more flexibility for both the investigator and the person being interviewed (Singleton and

Straits, 1999). An interview guide includes major concepts to be discussed (often developed in the form of questions) while having the flexibility for the investigator to be responsive to the individual story presented by the participants. Themes that were included in the interview guide were the worker's perception of risk and supports/barriers within the system and the greater community that assist or impede successful reintegration on the community.

Data was collected through semi structured interviews, each having a duration of 60-90 minutes. Each interview was audio taped (with permission) and then transcribed without identifying information. Participants were recruited through the email distribution of the research interview letter to individuals working in the corrections sector either at CSC offices or halfway houses for FSW in the identified region. The potential participants were asked to contact the investigator via the telephone or email if they were interested in being part of the project. The information letter outlined the intent of the research, the expectations of their participation, an assurance of confidentiality and the voluntary nature of their participation. At the time of the interview a consent form was reviewed by the investigator and signed by the participant. The consent letter outlined confidentiality, that they were not obliged to answer questions, the option to withdraw from the research, and contact information if they had any questions or concerns about the project (i.e. McMaster University Ethics Board, Academic Supervisor).

# Analysis

Feminist analysis is a framework for presenting the lives of women from the perspective of their lived experiences and providing a voice for women who have been silenced within society (Finch, 1991, Mauther and Doucet, 1998). It is concerned with the construction and ownership of knowledge. It challenges the researcher to be reflexive about power, position, voice and authority in all stages of the research process (Mauther and Doucet, 1998). Analysis was conducted using an inductive approach. Inductive theory suggests that through observation of events and/or people social theory will emerge (Rubin and Babbie, 1999). The analysis involved examining the data on a line by line basis (Connolly, 2003) to uncover and develop a list of meanings embedded in the transcript. These meanings were then coded into thematic groupings. From the general themes conceptual categories emerged and meaning was explored (Connelly, 2003).

# Historical Background

# **Canadian Penal Policy and Governance**

In order to grasp women's issues within the corrections setting it will be helpful to have a brief historical overview of Canada's criminal justice system. Canada's penal system has been influenced, at various junctures, by the British and American systems. During our early history we followed the system of our English 'forefathers' and prisons, a place for punishment, had large, communal cells where prisoners were kept for long periods of time. It is interesting to note that until the 15<sup>th</sup> century prisons were uncommon. Most crimes, whether against the state or individual, tended to be handled privately under the principle of *lex talionis* or the law of retaliation. Most often this retaliation took the form of maining, torture or death (MSN Encarta 2005). It was during the 15<sup>th</sup> century that the first prisons were built in England. They tended to be used for social isolation of misfits, the poor and those who owed debts. Serious crime was most often punishable by death. Canada's first prison was built in 1835 at Kingston and Kingston Penitentiary of Upper Canada was one of the first federal prisons post confederation in 1867. The Prison for Women was operational in 1934 as Canada's first women's only facility housing federally sentenced women or, in other words, women who received a sentence of two years plus a day (www.cscscc.gc.ca/history/index\_e.shtml)

Traditionally, policies governing the penalizing of women have simply been adopted from systems designed by and for (predominantly) white males. The Criminal Code of Canada, was "conceptualized, drafted, debated and passed exclusively by and for white men of property" (Sheehy, 2004: 7). As a group, women have been and continue to be underrepresented in Canada's prison system, with women accounting for approximately 2.5% of the total penal population. This small number meant that women were often housed in male facilities in whatever manner was convenient for the male administrator (Arbour, 1996). As well, women were neglected by researchers and policy makers in favour of the larger male population. This resulted in few options that dealt with the specific gender problems experienced by criminalized women. "Theoretically, this neglect resulted in the marginalization of gender as well as cultural diversity from criminological theory" (Hannah-Moffat and Shaw, 2001: 14).

Recently, Canadian penal policy has been shaped by a societal concern with public safety and the widely held belief that criminals need to be punished for their

crimes. The popular and public discourse<sup>1</sup> is that sentences are, in fact, too lenient which in turn causes an increase in criminal activity. Governments are pressured to increase the length of sentencing, with crime and public safety being key issues in some recent elections. Special interest groups advocate for a tougher criminal justice system with a focus on incarceration. Framed in terms of 'risk reduction', these groups claim that more stringent sentencing will help keep society safe. Combined with a media message (especially out of the United States) that crime is increasing – although studies have shown that violent crime is actually on the decrease (Roberts, 1998; Hannah-Moffat, 2000) – this intensifies the public's demand for law and order in which sentencing is increasingly harsh and aimed at retribution. Advocacy groups such as the *Canadian Association of Elizabeth Fry Societies* struggle to bring issues such as restorative or transformative justice to the policy table. Restorative or transformative justice has the potential of diverting people from the prison setting to the community where offender and victim work together to address the harm done.

#### **Federally Sentenced Women**

Concerns with the treatment and outcomes for women sentenced within the federal prison system in Canada began to emerge within four years of the opening Canada's first Prison for Women (P4W) in Kingston Ontario in 1934. "The history of Canada's treatment of women prisoners has been described as an amalgam of: stereotypical views of women; neglect; outright barbarism and well meaning paternalism" (Arbour, 1996: 239). Between the years 1938 and 1990 there were 15 governmental reports and numerous private sector reports that indicated that the conditions for federally sentenced women were not acceptable and that significant penal reform needed to occur (Arbour, 1996; Hannah-Moffat and Shaw, 2001). Therefore, it cannot be argued that Correctional Services Canada (CSC) was not adequately informed that "programs and accommodations for women have been largely unsatisfactory and inferior in quality, quality and variety to those of male offenders; and, that women prisoners have been denied equal treatment" (Arbour, 1996: 241).

The establishment of the *Task Force for Federally Sentenced Women* (TFFSW) during the late 1980's suggested a change in the wind with regards to the development of policy and practice within CSC that impacted (FSW). For the first time in the Canadian judicial system women; other than those employed within the system, were included as part of the planning body (Arbour, 1996; Hannah-Moffatt, 2000, 2004). The task force had a total of 42 members, two-thirds of whom were women. The membership contained

<sup>&</sup>lt;sup>1</sup> I am using the term "discourse" to refer to a "set of material and symbolic practices, a forceful field of restrictive communication rituals that positions both subjects and objects that operate within it. The boundaries of the field of discourse are marked by powerful, taken for granted assumptions about the characteristics of moral citizens...that shape the field of discourse in such a way that [criminalized women] who are unable to successfully compete in the [market economy] are located as outside the boundaries and are positioned as deviant others" (McCormack, 2005: 663).

two women who were federally sentenced and five Aboriginal women. One half of the membership came from nongovernmental and voluntary agencies. "No previous government inquiry into women's imprisonment had included so many voluntary sector representatives, or Aboriginal or minority groups, and certainly no women who had personal experience of prison" (Shaw, 1993: 53). As well, it has been suggested that many of the task force members came to the table with a feminist perspective and a deep commitment to social justice and change (Hannah-Moffat, 2004).

In 1990 the Correctional Services Canada released its first "women's centred" governance model entitled "Creating Choices". This governance model held great hope for those working with and for women in conflict with the law. It signified a shift in penalty which appeared to be more in tune with what research had consistently proclaimed, namely: while female offenders commit the same crimes as male offenders, they commit fewer violent crimes than men and "even when they are convicted of the same crime as a man, the factual underpinning of the offence is often considerably different, and tends to point to a much lower risk of re-offending" (Arbour, 1996: 199). As well, *Creating Choices* acknowledged the need to address the "unique realities" (Creating Choices, 1990) facing federally sentenced Aboriginal Women. Yet during the years following the *Creating Choices* document women continue to be statistically classified for risk based on an actuarial scale that reflects male factors of recidivism that may not be appropriate for females (Chan and Rigakos, 2002; Blanchette, 2004; Hannah-Moffat, 2004; Webster and Doob, 2004).

#### **Globalization, Crime, and the Culture of Fear**

#### **Globalization and the Neoliberal Agenda**

The globalization movement has been created to promote the interests of large corporations while stripping citizenship entitlement and reducing the power of the state. Economic globalization is not a product of social evolution, rather it was created specifically to give "primacy to economic – that is, corporate – values above all other values and to aggressively install and codify those values globally" (The Report of the International Forum on Globalization, 2002: 25). Citizenship no longer carries with it the expectation of rights provided by, and obligations to, the state but is measured as units of production and consumption. "Within the discourse of neo-liberalism, the notion of the public good is devalued and, where possible, eliminated as part of a wider rationale for a handful of private interests to control as much of social life as possible in order to maximize their personal profit" (Giroux, 2004: 3). The welfare state has been denounced as interfering with the corporate agenda of profit taking and citizens are left with a mere remnant of a social safety net.

Where the neo-liberal ideology of submission to the 'free market' has spread, we observe a spectacular rise in the number of people being put behind bars as the state relies increasingly on the police and penal institutions to contain the disorders produced by mass unemployment, the imposition of precarious wage work and the shrinking of social protection. (Wacquant, 2001: 404)

The core of the welfare state has shrunk while simultaneously, and inevitably, the margins of society have broadened. It appears the only time that it is acceptable practice for the state to provide handouts is when those handouts are going to large corporations in the form of tax reductions, subsidies or as aids to corporate investment (Wacquant, 2001; Giroux, 2004). Social service provision has been greatly reduced under the guise that the public purse is near empty:

As the state abandons its social investments...it increasingly takes on the functions of an enhanced police or security state, the signs of which are most visible in the increasing use of the state apparatus to spy on and arrest its subjects, the incarceration of individuals [considered] disposable...and the ongoing criminalization of social policies" (Giroux, 2004: 6)

Globalization and neo-liberal politics have been particularly harsh on women, children and those of visible minorities. While some (Hoijer, 2004) suggest that women, children and the elderly make the ideal victim, especially as recipients of distant compassion in the local context, women, children, and minorities are demonized and dehumanized (Martin, 2002). "Gender, race and class are established in many ways, and the practices by which crimes are defined and managed" (Ibid: 96). Economically, these groups represent a perceived threat to white male privilege and any gains they have made come with an accompanying backlash by those who feel threatened. The backlash often consists of the creation of laws that challenge previously hard fought gains, for instance a woman's right to abortions; or policies that favour the rich and punish the poor such as the Safe Streets Act in Ontario enacted by the Conservative government under Premier Mike Harris in 1999 that criminalized squeegee kids, pan handlers and the homeless (Schneiderman, 2002). While the Act does not specifically name those groups it is clear that those groups are being targeted for surveillance and regulation. "Significantly, then, the Act regulates the use of public spaces in ways that proscribe the activities of those who are economically marginalized" (Mosher, 2002: 50).

An important goal of the corporate sector is to pay little or no taxes. The achievement of this goal greatly impacts the state's ability to provide social welfare programs. "The corporate sector's solution to this problem is to reduce the size of government and shift as much as possible of the services government provides to the private sector" (Cohen, 1997: 34). A myth has been created that suggests that the state can no longer afford to pay for social services and that those who are costing the system need to take personal responsibility for their own wellbeing. One time social issues such as poverty have become private problems of the individual and those individuals are increasingly pathologized and criminalized by the policies and agents of the state. "Most vulnerable to poverty are women who are single parents (54.2 per cent), most of whom are under 25 years old (85 per cent)" (Lundy, 2004: 10). Legislation governing the administration of welfare provisions restricts eligibility, reduces entitlements and criminalizes people who have been deemed to have committed welfare fraud (Ibid). Punishment for being poor and stepping outside the constructed boundaries is severe, including life time bans from receiving social assistance and house arrest. The punitive nature of this legislation is best illustrated by the case of Kimberly Rogers<sup>2</sup> who, having been convicted of welfare fraud for receiving both a student loan and welfare, died while serving her sentence of house arrest.

<sup>&</sup>lt;sup>2</sup>Kimberly Rogers was charged with welfare fraud after collecting both social assistance and student loans to help cover the costs of attending community college for four years. She was convicted in 2001 receiving six months house arrest (with allowances to leave her apartment for only 3 hours per week), a requirement to repay in excess of \$13 thousand dollars in benefits, 18 months probation and loss of the right to have part of her student load forgiven. At the time of her convictions, Ontario Works regulations meant an automatic 3 month suspension of benefits. In Roger's case this suspension meant that she was confined to her apartment with no means of income to cover her rent, food or other basic necessities. (Keck, 2002)

While homelessness is not yet a criminal act in Canada, public debate about the "homelessness problem" continues. The debate suggests that the homeless pose a serious threat to public safety and interfere with retailer's ability to make a profit. Caring for the homeless is not a desirable option because not only is it perceived that the homeless have voluntarily opted out of public life, but they are not needed within society, they are considered "surplus population existing outside the generative structures of society" (Mosher, 2002: 56). They are neither producers nor consumers; they exist on the fringe of the market economy. Their unwillingness to conform to social norms places them in the position of being a problem that 'needs to be dealt with'. There is no room on the neo-liberal agenda to explore structural reasons behind homelessness; there is only room for getting 'those people' out of the sight of law abiding, tax paying, good citizens. With the stripping of the social safety net the corporate answer to the 'homelessness problem' is to push them off the streets while commodifying the streets through the expansion of downtown condos, large retail outlets and commercial development. This redesigning of public space is a purposeful eviction of the homeless (Mosher, 2002). The activities of the homeless such as panhandling are turned into near criminal acts and "transforms small acts [by others] of open-mindedness, whether in charitable giving or market exchange, into criminal complicity" (Mosher, 2002: 63).

An examination of the globalization and the neo-liberal agenda suggests that the available gains are to a select few. The beneficiaries of globalization are the transnational corporations whose profit taking extracts a tremendous toll on local populations. "The people who used to feed themselves become landless, cashless, homeless, dependent and hungry. Communities that were once self-sustaining disappear; still intact cultures are decimated" (A Report of the International Forum for Globalization, 2002). On the local level the cost of the neo-liberal agenda is reduced citizenship, fewer entitlements, a chipping away of social supports and people's worth measured in terms of commerce and accumulation of wealth. This message is often delivered through political rhetoric and media sound bites.

# The Role of Media

It is quite apparent that for most of us information, knowledge and understanding of global events are hugely dependent on the images we receive through various forms of media. We place a sometimes unearned amount of trust in these information sources. Hidden behind the glossy images in our magazines, newspapers and, especially, our television screens are the interests of big business and neo-liberal political machines. The media that we so trust is actually owned by a small number of corporations such as Time Warner, Fox News and Disney whose purpose of creating profit is often at the cost of providing the truth. Not only do these corporations seek profit over truth they also have a virtual monopoly, in the popular media, over determining what information becomes news. "There is an…assumption that what is not reported is not significant. Major

events are newsworthy; minor events are not. This assumption cloaks the disturbing reality: that what is not reported can be carefully negotiated – in Machiavellian fashion – to appear not to exist" (Nordstrom, 1999: 20). The converse can also be true in that, what is reported has also been carefully negotiated and controlled.

Hoijer (2004) suggests that global compassion is directly affected by the images of victims portrayed in the media. She argues that the visual media of television has a particularly strong impact due to the fact that with 24 hour news networks' audiences receive information; and sometimes disinformation, almost instantaneously when events occur anywhere on the globe. The images are presented as truth and accepted as such. "The audience rarely questions the reality status of documentary pictures, or sees them as constructions of situations or events...[the images] are experienced as if they give direct access to reality..." (Hoijer, 2004: 521). From the images presented we construct the ideal victim, those who are worthy of our sympathy and compassion. Yet, what about the places and people whose suffering holds little interest for the media? If the media is in business of knowledge building why is there so much that we do not know?

It appears that the media is accountable to the bottom line profit making over the ethical gathering and dissemination of information. It has been suggested by some media analysts (Giroux, 2004, Kennedy, 2005, McChesney, 2005) that the neo-liberal agenda and politics has taken control of the media is such a way the as to squelch critical discourse and put profits ahead of investigative journalism. The media have been reduced to commercialism, propaganda and entertainment. In order to sell more commercial time, news has become entertainment. Stories and news reports must capture the attention of the audience while generating a profit for the corporations. "Rather than perform an essential public service, they have become the primary pedagogical tool for promoting a culture of consent and conformity in which citizens are misinformed and public discourse is debased" (Giroux, 2006: 4). On the occasions that the media report on the effects of globalization rarely is it accompanied by the type of analysis that would help the public develop a better understanding of the root cause of those problems is in fact globalization (A Report of the International Forum on Globalization, 2002). Political leaders control sound bites and feed the media images and information that greatly impacts what citizens know about their political activities. McChesney claims that under the Bush administration scores of bogus video news clips have been distributed; "These bogus and deceptive stories have been broadcast on TV stations nationwide without any acknowledgement that they were prepared by the government rather than local journalists" (McChesney, 2005: 2).

The media plays an influential role at the local level and citizens' perception of crime and the culture of fear. "If the media are to be believed, every aspect of life...increasingly appears as a workstation in the mass production line of fear" (Giroux, 2006: 22). Whether offered fictitious versions through crime shows such as CSI and Criminal Mind or the "real thing" of Court TV and America's Most Wanted, Western viewers appear to have an insatiable appetite for criminal drama. News reports often

feature the most bloody and gory crimes. American news networks captivate audiences with their prolonged analysis [read opinion] by so called experts who discuss and debate the potential dangers society holds. It is through these lenses that the general public is fed a constant message that there are many bad people out there who want to hurt you – you need to be afraid. It would be an incorrect assumption to suggest that all people respond to crime reports in the same manner; however media does play an important role in the development of social discourse about issues. "Whether rejected, accepted, or modified, comments by expert risk definers contained in news accounts serve a points of departure for personal conversations" (Stalling, 1990: 81). The media not only reflect society's values, they can be instrumental in shaping those values (Giroux, 2004; Banks, 2005).

# Privatization

Another key component of globalization is privatization. One means of achieving this is by creating emerging markets from most aspects of public life. The public sector is downsized, restructured and sold off to the highest bidder. Everything has the potential of becoming a commodity to be bought, sold and traded. Introduced slowly, the commodification of public services such as education, health care, welfare and prisons, has, or will have, dramatically altered service planning, delivery and outcomes. "These may all soon be commodified, privatized, opened to foreign investment and domination, and eventually available only to those people who will be able to pay commercial rates for them" (A Report of the International Forum on Globalization, 2002).

Although privatization appears to be merely creeping into Canadian social service provision the privatization of our penal system has begun. Ontario has a "super jail" in Penetanguishene, opened in 2001, that heavily relies on reduced staffing, increased electronic surveillance and fewer parole releases (Moore and Hannah-Moffat, 2002). This new type of prison emphasizes that offenders are sent to prison to be punished, not rehabilitated and signifies Ontario's commitment to the "get tough with crime" agenda. In order to fill this new prison, smaller regional jails were closed and inmates relocated hundreds of miles away from family and community support. Within the prisons "humanity has been removed and replaced by technology. Those incarcerated in such veritable warehouses are rendered unknowable due to the high numbers of inmates and low numbers of staff" (Ibid, 2002: 113). The privatization of prisons is complementary to the state's desire to create safer public spaces while doing so in the most fiscally responsible means possible (Ibid).

It is interesting to note that the facility at Penetanguishene remains Ontario's only for profit prison. When opened in 2001 it was operating as a pilot project to determine how well the private system worked. Sometime during 2006 an evaluation of the prison's performance is planned (the evaluation criterion has not been publicly disclosed) to determine whether the operations remain in private hands or are returned to the province. If the private model receives a favourable judgement this will be a signal to transform other facilities to similar models. As this prison is a provincial facility it will be of particular interest to observe how the evaluation impacts the governance of Corrections Services Canada who has often been criticized for being soft toward those who are incarcerated and providing an environment in which inmate's experiences are more like a holiday than a punishment. If this review suggests that privatization has been successful the implications for FSW could be that the small regional prisons, being seen as not cost effective, would close meaning that women from across Canada would once again be centrally located, thus dislocating them from their families and other sources of support.

#### Commodification

The above suggests that crime as a commodity is not a new concept. Crime has been used to sell newspapers, items intended to promote personal safety and as a teaching tool. It is not a surprise, therefore, that in the new market economy crime and crime control are being used as marketing tools. Crime is a major source of entertainment. It is on the New York Times Best Seller's List; the movie billboards; in popular music; and on television. Crime sells products such as personal safety devices, home alarms and, as at least one scholar suggests (Lauer, 2005) the North American attraction to SUV's can be linked to desire for personal safety and social space. "To appreciate the marketing power of crime one need only reflect on the remarkably successful campaign that persuaded millions of women...that a cell phone for the car was essential to their safety in a country where crime against occupants of motor vehicles is almost non-existent" (Martin, 2002: 95).

Yet the marketing of crime is more than merely a means of promoting goods and services. The public demand protection from crime and the politicians use fear of crime as a vehicle to market their political agenda. "Crime has become a valuable political commodity. Crime-control strategies have always operated to serve privilege, control dissent and construct paradigms to explain social dysfunction" (Martin, 2002: 95) Promoting the concept of increased public safety by tapping the deep seated fear of crime helps politicians win votes representing another layer of the commodification of crime. It also helps politicians divert the public's attention away from more substantive issues such as the environment, housing and poverty (Giroux, 2002, Martin, 2002). "Crime sells because it salves the conscience of the middle class, transforms decisions to send children

to private schools, to move to gated communities...from a matter of elite privilege to one of justified concern for family" (Martin, 2002: 101).

As previously stated, women and children are often represented as the 'ideal victim' (Hoijer, 2004) in the global arena. At the local level, and within the commodification of crime, there has been a significant amount of private and public dollars spent of reinforcing and maintaining the role of women as victims. "Good' women and 'innocent' children (the pairing and depiction are deliberate) are represented as the ultimate beneficiaries of the protection and safety that the criminal justice system promises" (Martin, 2002: 96). While it is not this author's intention to dismiss or condone any violence perpetrated toward women it is important to analyze the 'victim' state in light of a neo-liberal agenda and backlash that helps to maintain the hierarchical/patriarchal social order. Through this representation of women as victims, society is constantly reinforcing the image of women as powerless. Women as victims cannot stand alone but must depend on the system, the state and their male counterparts to defend and protect them. In the criminal justice system this creates a double edged sword for women in that they are either helpless or hopeless. They are helpless when they have been victimized and hopeless when they become criminalized. Women with whom the law is in conflict are abnormal, deviant and a subject to scorn. The label of victim carries over to disadvantage criminalized women through lack of public or academic discourse and programming that reinforces dependency issues. This while neglecting women as agents who have choices and make decisions.

# The State and Public Safety

The global pursuit of markets and profit has decimated the labour market and fostering insecurity and fear within the minds of workers. "Job security, always fragile at best, came under attack as deregulation, competitiveness, downsizing, and flexibility reduced work everywhere to part-time and minimum wage jobs, and a future without a vestige of security" (Giroux, 2003: 47). It is in this atmosphere of general malaise that the right wing neo-liberal agenda has been able to infiltrate, transforming a general unease into near hysteria that fuels fear and insinuates that risk is not a collective problem but one of individual responsibility (Lauer, 2005). The fostering of individual responsibility creates a national consciousness in which a weakened welfare state gets little attention. In fact, the emphasis on rugged individualism masks the underlying systemic causes of risk – namely economic insecurity and growing inequality – by suggesting that people simply need to pull up their boot straps in order to succeed in today's society.

The culture of fear has a tremendous impact on the daily lives of people at the local level. While concern over public safety is not a new concept, fear of crime as opposed to actual crime victimization "did not exist as an articulated social problem until

the late 1960's" (Lauer, 2005: 154). "...the empirical 'discovery' of fear of crime was invoked to support 'tougher' [neo-liberal] political agendas and policies, exemplified by the vast increase in the funding of the criminal justice system" (Jackson, 2006: 255). It is important to remember that the classification of what constitutes criminal activity is a social construct that exists through the codification of social norms as rules of behaviour. At the same time the general understand of the meaning of "fear" of crime is not clearly defined. For instance, survey data used to determine levels of public fear do not differentiate between concepts such as "concerned about", "aware of", "worried about" or "feel an imminent threat of" (Jackson, 2006). Yet the perceived fear of crime has a significant impact in the policy arena. Hyper punitive legislation is conveniently framed as a response to the public outcry to be protected from crime and the criminal element. The increased demand for more police, control over those exhibiting anti-social behaviour, get tough on criminals is indicative of a society that refuses to believe that their fears are not founded in real crime rates.

#### **Risk, Reintegration and Social Inclusion/Exclusion for FSW**

#### **Assessing and Managing Risk**

Within Correctional Services Canada's policy documents the management of risk to re-offend and to public safety is a key indicator of an offender's successful reintegration in the community. Risk has traditionally been a neutral term that indicated a potential or chance for loss or gain. "Increasingly, however, risk has become associated with notions of hazard, danger or harm" (Kemshall, 2001: 11). Generally, risk is no longer thought of in terms of 'if' but delineated in terms of 'when', 'where', 'how' and 'by whom'. In criminal justice, risk and risk assessment entails a probability calculation that a harmful event or behaviour will occur (Kemshall, 1997; Kemshall, et al, 1997; Pease, 2001; Gerber and Neeley, 2001; Hannah-Moffat, 2001; Albrecht and Kilchling, 2002; Jackson, 2006). Currently in Canada, risk assessment is based on an actuarial assessment that provides a statistical calculation of the probability of the future possibility of an individual causing harm. Within the criminal justice system risk assessment; and ultimately risk management, involves determining whether a individual is likely to commit a crime and the impact on individuals and/or society at large (Kemshall, 1997; Kemshall, et al, 1997; Hannah-Moffat, 2001, Blanchette, 2004; Webster and Doob, 2004).

In Canada, CSC under the Corrections and Conditional Release Act (CCRA 1992) employ a risk-based determination of recidivism to establish parole eligibility and programming for offenders (Hannah-Moffat and Shaw 2001; Hannah-Moffat, 2001; Correctional Services Canada, 2002; Hannah-Moffat, 2004; Webster and Doob, 2004). While proponents of the efficacy of risk assessments suggest that they are amoral and apolitical, in reality they are neither because within these assessment tools are encoded the norms and expectations of a Eurocentric society (Ibid). In criminal justice, actuarial risk assessment determines the likelihood recidivism or the chances of a particular individual re-offending. It determines where money is spent and where resources should be placed. Yet, the system is flawed because the "empirical evidence from one population does not necessarily translate to another…" (Kemshall, 2001: 15).

The classification of risk within the Canadian correctional context is discriminatory from both a gender and race perspective. It is generally accepted that a classification system provides good outcomes when it is based on a representative sample from a population, is reliable and valid and can be easily administered (Hannah-Moffat and Shaw, 2001). Yet these systems are constructed reflecting large populations. In the case of corrections this means a male population. In Canada, and similarly around the world, men represent approximately 95% of people currently incarcerated. Reliance on data drawn from this large population can be problematic when translated for the small groups of female and/or racialized people. In Canada, women constitute less than five percent of the total numbers of persons currently sentenced within both the federal and provincial justice systems. At the same time First Nations people are over represented in that they comprise approximately 3% of the total general population while they represent 10% of those who are sentenced within the federal justice system. First Nations women represent 31% of women serving federal sentences. "If the primary requirement of a system is based on expectations about the majority population, this may be inappropriate for minority populations with diverse background and experiences" (Native Women's Association of Canada, 2006).

Correctional Services Canada has long argued that the classification system being utilized is gender neutral (Arbour, 1996; Hannah-Moffat, 2001; Hannah-Moffat and Shaw, 2001; Webster and Doob, 2004). The concept of gender neutrality is problematic because it tends to underestimate and oversimplify differences of the lived experiences of women and does not address the economic and structural realities of women's lives. Gender neutral policies are often based on an "add women and stir' (Chesney-Lind, 2004: 8) formula that simply reinstate and reinforce historically patriarchal systems. "Patriarchy is a system of social stratification, which means that it uses a wide array of social control policies and practices to ratify male power and to keep women and girls subordinate to men" (Chesney-Lind, 2006: 9). There have been, and remain, significant differences between male and female offending, recidivism and risk of re-offending or to public safety. As previously stated, women offend less and their crimes are less serious than male offenders, and a large percentage of offences by females are non violent and property related (Arbour, 1996, Hannah-Moffat, 2001, Kemshall, 2004; Steffenmeier and Allan, 2004). Once in the community women present a lower risk to public safety. A CSC funded survey in 1995 indicated that 92% of the paroled women offenders were considered to represent a low or moderate risk of re-offending (CSC, 2005: 2). Therefore, creating policies that are gender neutral do not mean equality is achieved. In fact, inequality may be perpetuated when economic and structural barriers are present in the discourse or not addressed by policy implementation (Thede, 2005).

First Nations women have found their experiences within the Canadian criminal justice system particularly oppressive, and they are doubly disadvantaged due to their gender and race. Risk and risk management are Western terms that are not compatible with First Nations culture and tradition. First Nations' writer Patricia Monture-Angus explains that within First Nations peoples there is an emphasis placed on relationships. People exist in relationship with their Creator, the land and each other. People have a spirit and anything with a spirit is not meant to be managed but respected (2000). She is also critical of the instrument used to determine risk as it "absolutely fails to take into account the impact of colonial oppression on the lives of Aboriginal men and women" (Monture-Angus, 2000: 56). Another characteristic of the correctional system that is

incompatible with First Nations is the individualization of risk and criminal responsibility. First Nations People believe that the individual and community are interconnected so that the pain of one is felt by the other. The impact of colonization is experienced and expressed at the individual and community level. A forced separation of the two is seen as a further attempt to assimilate and colonize, and ultimately destroy, First Nations People.

When examining the risk assessment predictability factors including employment, martial/family, substance abuse, community functioning, personal/emotional and attitude (Monture-Angus, 2000) there are many components in which Aboriginal people will receive a low score. The health and functionality of Aboriginal communities has been negatively impacted by past (and present) colonization. To include community functioning in the assessment ensures that individual Aboriginal people bear the brunt of responsibility for something that is not within the control of that individual. Monture-Angus (2000) suggests that this is not an appropriate measure of risk, rather it is a measure of the impact of colonization.

# Reintegration

One of the stated goals of Correctional Services Canada policies is to assist those emerging from the correctional system to successfully reintegrate back into the community. Outside of the caveat of "as law abiding citizens" the policy is silent regarding the interpretation of reintegration. Successful reintegration appears to be measured by the same standards of integration that are applied to new immigrants, namely: "it upholds the notions of conformity and compliance as yardsticks in evaluating immigrants [or anyone who is "Other"], and expects... [same] to accept the prevailing values and beliefs and to acquire...behaviour patterns similar to majority Canadians" (Li, 2003: 4). Based on this definition one must question to what extent Federally Sentenced Women were integrated in the mainstream Canadian society prior to their involvement with Correctional Services Canada? Can a woman who is a single parent, who is under/unemployed, who has low educational attainment, who may not be white, be said to be integrated in society? To what are these women being reintegrated? These questions are much more pronounced when asked of First Nations FSW who have experienced 500 years of attempted state assimilation and aggressive attacks on their culture, language, communities and persons.

Similar to the academic discourse on immigration, academics working the field of criminology appear to "seldom interrogate the notion of [re]integration as a theoretical concept...in doing so; the academic discourse has unwittingly accepted the conformity premise of [re]integration..." (Li, 2003: 8). A small amount of criminology literature comes from the margins – that is, women who have been criminalized. For the most part criminology research has been undertaken by white feminist scholars. Feminist

scholarship has called our attention to the different realities for women offenders and questioned the ultimate good and effectiveness, as well as social cost of imprisoning women, many of whom are sole support parents. Yet, perhaps it is their position of privilege that causes them to ignore the hegemony of the dominant definition of [re]integration. Living in "whiteness" or from a "location of structural advantage, of race privilege" (Frankenberg, 1993: 1) allows those with otherwise critical lenses to be blinded to the normative interpretation of reintegration.

# **Findings**

Participants were asked to discuss their understanding of risk, risk management and successful reintegration for Federally Sentenced Women. The researcher was particularly interested in exploring how workers within the correctional system understood these terms, how that understanding impacted their work and the impact of the Standard Operating Procedures on their ability to manage risk and help the women to reintegrate in the community. The findings are presented in themes. Four major themes emerged in the analysis: risk, risk management, reintegration and the impact of CSC policies. Quotes from the interviews have been included to illustrate the themes. In order to preserve confidentiality, details that might lead to the identities of the respondents have been omitted from the quotes, at the same time, every effort has been made to maintain the integrity of the responses. Within the quotes, contextual material placed in square brackets has been added in order to provide clarity to references to agencies, people, or historical material.

#### Risk

# Recognizing that there is always an element of risk of re-offending associated with the release of an offender, supervision shall strive to support offender reintegration and by so doing, minimize and manage the risk of the offender committing another crime. (CSC-SOP, 2002: 2)

The respondents work in the community, and much of their work is governed by *The Standard Operating Procedures for Community Supervision*. Mandated within the *Corrections and Conditional Release Act* (1996) Correctional Services Canada's stated goal for all federally sentenced people is the management of risk and the reintegration of individuals as law-abiding citizens. It is, therefore no surprise that when asked to talk about the way that they understand the word "risk", the overwhelming initial response was the risk of re-offending. While it is an important principle for both groups of workers it appeared to be the paramount concern for parole officers. As one parole officer stated: *"Everything I do during my day comes back to risk and managing the offender's risk of re-offending"(R2)* 

The ability to manage offender risk is not an abstract concept for these workers. They understand the public discourse of 'crime and punishment' and feel that there is an omnipresent watchful eye of the community, politicians and policy makers who see federally sentenced women in a more negative light than their male counterparts. While certain crimes are, if not accepted, at least expected from the male population, female offenders seem to be more harshly judged,

It is almost expected on a certain group of men...'Boys will be boys'...but there is no real emotion behind it, it's sort of like you're always going to have a few like that. But the women are held to a higher standard. No matter what level of income they've come from or what history they've had, we're all held to a certain level that we should be, if nothing else, we should be productive citizens and good mothers...I think that women who have offended are seen in a harsher light, for sure. (R3)

It is their ability to successfully manage the (perceived or real) risk to community safety by which these workers feel their work is evaluated at the community level. As the following quote illustrates, the workers feel that their work is valued to the degree that they prevent the offender from bringing new harm to the community;

When you look at crack use versus marijuana use, marijuana does not tend to impact society, it tends to impact the individual. So we tend not to worry about marijuana...because if crack cocaine is more likely to lead to hurting someone in the community or committing a crime in the community, that is what we are judged on. (R5)

# **Risk factors**

The seven criminogenic need domains from the Community Intervention Scale - associates, attitudes, community functioning, employment, marital/family, personal/emotional, and substance abuse - serve as the dynamic risk predictors. (CSC, 2005)

In defining the word "risk" many of the workers also spoke of the risk factors that "make it more likely for them [FSW] to re-offend."(R5) The presence of these risk factors also suggests to the workers the level of intervention and supervision the woman requires. The assessment of high risk can indicate "addressing more issues with that woman, or assessing what issues we need to look at to help them in more of a proactive manner than just if someone came with a low risk, maybe we wouldn't be as interactive with that individual."(R4) Consistent with CSC findings that the risk factors are "predictive of future behaviours"(CSC, 2005) workers spoke to the value they place on

the women working on those issues, "to me risk is, you go in with those need areas, and your risk is either increased or decreased whether you address those factors or not." (R1)

Responding to a query as to whether, in her experience, the risk factors are the same for men and women one parole officer stated:

you can put the same labels but they are different. Associates for men as a risk factor would be other men, and associates for women often are also men. And I think when you think of personal emotional issues, a lot of women have experienced a lot more victimization than the men. So where men have anger issues, women have victimization they are dealing with, trying to cope with. Same titles, different issues underneath. (R5)

# Personal Risk

As well as the dynamic risk factors outlined by CSC, workers have an understanding that women experience risk which does not directly relate to criminal activities,

We have to deal with risk that is completely unrelated to the person's criminal history. For instance, if they've never been suicidal before and that is not related to their offence history, but then somewhere they become suicidal then there's a risk to themselves that we need to deal with.(R3)

For other FSW in the community some so called 'normal activities of life' elevate their risk,

One girl right now, she had an argument with her husband and she was going to go and use because she was so pissed off with him. You know, for most of the general population would not think to go and take substances to get back at him but for her that is her reality. Even talking to her husband is a risk for her, even leaving a halfway house is a risk – she never knows who she is going to meet down the street that she trafficked drugs with. (R2)

# Right to Risk

For one respondent who works in a halfway house an important component of her understanding of risk was the 'right to risk',

The clients have the right to risk, to make choices, and to experience those choices...like the consequences and experiences of those risks. It is important to take risks, those are learning lessons. I always think about their right to risk. I may not like it – their choices, but those are their choices. (R6)

# **Risk Management**

Management of risk and reintegration is the focus of work for the Correctional Service of Canada. Our reintegration effort with the offender commences the day the offender receives a federal sentence and remains to the day the warrant expires. Therefore, it is important that correctional workers understand the principles of risk/reintegration management in order to effectively reduce the chance of recidivism and allow for a well-developed risk management and reintegration plan. (CSC-SOP, 2002)

Risk management is an important component of the work for both parole officers and half way house workers. Risk management begins with risk assessment. A formalized risk assessment is first completed at the federal institution upon admission of the woman and although it moves with her as she travels through the system, evaluation of risk is an ongoing process. Those evaluations are characterized by three levels: assessment tools "psychologists do a risk analysis, which is the federal psychological tools which will give up numbers and statistics and things about what the person's risk looks like" (R3);

#### case management

we have a team of people that often are working with each individual, so depending on what their history is like and what their needs are they might be involved with a case worker at a halfway house. They might have a psychologist or a program officer or other people that are involved with them. All those person's opinions would be, um, solicited when it comes to managing the person's risk (R3);

#### and, professional judgment

It is pretty much all we have. I mean we have the opinions of psychologists, and their numbers that they get off their risk management tools, but a lot of times it's simply a feeling that you have that something is not right, or not going well for that person or perhaps they are keeping something from you (R3)

#### Monitoring

A large proportion of risk management is monitoring the activities and relationships of the women. Halfway house staff is concerned with monitoring the woman's daily activities including going to and going from the residence, substance use (through urinalysis), and her associates, especially those linked with her criminogenic behaviour: "*if their risk factors are drugs and hanging out with the old boyfriend who is into drugs, we manage her risk by making sure that she is not hanging out with an exboyfriend or partner that is into that"(R1).* Staff looks for patterns of behaviour that are indications of an increase in risky attitudes and actions in order to be able implement a plan of action that will help that women address her heightened risk. As one worker explained,

If there is a pattern we've had case conferences...and try to come up with a plan. If a woman is at risk of using substances again, which puts her at risk of being revoked, we try to get her into a treatment program. Hopefully being engaged in a treatment program will help her to manage re own risk. (R6)

# Self Monitoring

An important goal in risk management is to help the woman begin to manage her own risk. From the respondent's perspective risk for FSW is well managed when the woman herself develops an understanding of her offense, the issues and triggers that might lead her to re-offend and is actively gaining insight that will allow her to chose to take a different path, "She is learning to manage her own risky behaviours: she has been actively engaged in a programming...they've gotten insights, they have been open to the process, they've done well. They have successfully reintegrated."(R6) It is the women who do not gain insight to their risk factors and issues that appear to be less successful reintegrating. As one parole officer stated, "If they don't see a problem, its hard to identify risk factors for problems that do not exist."(R5)

# Breaching/pulling support

There are times during the conditional release period that a woman's risk is elevating or she is not adequately addressing her risk factors that it may be deemed necessary for her to be removed from the community either for her own or for public safety. She may be 'breached' by the parole officer or the halfway house will 'pull support', either of which means that she will be sent back to the institution for a period of time.

If at any time we feel, we feel that she, her criminogenic factors are reemerging, and that's when we might pull support. When we decide to pull support it means that we no longer want her living at the halfway house, because we feel that her risk has increased. (R1)

The respondents offered various suggestions as to the benefit to the woman if she was sent back including, "giving them a shake up, because sometimes they forget that parole is a privilege"(R1), it can be used as a time for the woman to attend additional programming, "so you thought everything was really good, but clearly you didn't deal with your risk factors"(R5), and at least one respondent suggested that the benefit to the woman was actually minimal, "usually, there are not a lot of benefits to going back other than protection of society, often we will issue a warrant based on the protection of society."(R2)

# Reintegration

Reintegration of offender into the community is a key concept within corrections discourse. The policy document under consideration for this research provides a very narrow definition of reintegration in that, apparently, the sole concern is "**reintegration into the community as law-abiding citizens**"(CSC-SOP, 2002: 1).

# Law abiding and pro-social

Many of the workers spoke to the idea that reintegration meant the women would be law abiding and lead pro-social lives. "Pro-social" an often used term, but what does it mean? One halfway house worker offered the following definition:

Pro-social is a big word in CSC, it is a big word. Pro-social, law-abiding, contributing citizen...in terms of taking responsibility for what you have done, moving on, paying your retribution, whatever that might be, being independent, feeling that you have choices in your life, taking control. (R1)

The respondents also saw successful reintegration in much broader terms. They questioned how truly integrated these women were in the first place. They wonder if the ideal of the "white, middle class, mother"(R5) which appeared to be the norm to which the FSW should strive was, in fact, realistic or even desirable. They understand that there are barriers to reintegration that are sometimes structural and other times personal. Reintegration can be hindered when a woman cannot fulfill her instrumental needs for safe affordable housing, "speaking of this area, our wait list for subsidized housing is over 7 years"(R4); employment, "many of them (FSW) are employed but they are employed in temporary positions, it is very tenuous"(R4); and/or lack of access to children and a system that only provides parenting classes to people who actually have custody of the children,

What about those who do not have custody? They are struggling to regain custody of their kids and they are being told they need parenting programs but no one will offer them parenting programs until they have custody. That's a huge barrier. (R2)

Reintegration can also be hindered when their reintegration needs go beyond the mandate of CSC, as expressed parole officer, "I think that there are times when we end up hindering someone's ability to reintegrate for issues that are not related to their risk"(R3). Also affecting reintegration is the lack of community resources such as "substance abuse programming that is aimed toward the females just focusing on women"(R2) and lack of community based programs for those with mental illness, "Others...have serious mental health issues...are not getting the help they need out here"(R3).

# **Impact of CSC-SOP Policies**

# Risk

#### Effectiveness for managing risk

All the workers reported that they felt that the SOP was an effective tool in assisting them in managing risk. The parole officers, however, felt that the rigid timelines for report writing negatively impacted their ability to successfully manage the risk to reoffend. This frustration was captured in the thoughts of one parole officer:

I think that some of them [SOP] are kind of cover your butt kind of standards. If I get my case records done in one week or two weeks, that's not going to make a difference in terms of whether a person goes out and commits a robbery or something...if I'm sitting writing reports all the time, because that's the SOP, and I am not spending time with the offender...that's a problem.(R5)

Those working in the halfway houses felt that the policy fell short in defining 'risk' only in terms of re-offending. It was felt that for FSW risk is much broader and that there are underlying structural and personal issues for women that are not adequately explored or addressed in the policy. "*There are issues of single parenting and socio-economic background that I do think needs to play a role in the assessment. I think it is different for women than it is for men.*"(*R4*)

# Reintegration

# Effectiveness for aiding in reintegration

The parole officers felt that the SOP was less effective at helping them assist the women to reintegrate in the community. The demands of the paperwork are great and timelines for completion are inflexible. These demands create a substantial barrier to the parole officers' ability to effective and meaningful interaction with their clients.

There's timeframes for every report and there's very little flexibility...so I've had times when I've had to cancel appointments with people just because I have to get this report done and it is due tomorrow...even if that person is not doing so well...I mean that [report writing] is how they monitor how we've been doing."(R3)

It was felt that the time demands of the paperwork might have a greater negative impact on the successful reintegration of FSW because unlike the male population who tend to want to, "come in, check in and get out"(R2), woman tend to want a relationship with the parole officer. They are inclined engage in frequent contact with their parole officer and their interaction tends to be more conversational. Women are more likely to phone their parole officer to ask advice, "On the phone a lot and it's not just I need a travel pass...it's this thing has happened to me and I don't know how to handle it, what do you think, should I do this or do that..."(R5). It was observed by those interviewed that not all parole officers like to work with women, "I have had other parole officers say to me 'I don't know how you do it [working with FSW], I just couldn't because they are so needy""(R2). Another respondent linked that perception of neediness with the demands of the paperwork, "the people that say the women are too needy, maybe it's because their obligation to the computer is maybe a little more overwhelming"(R5).

# Discussion

#### Risk

Overwhelmingly (5 of 6) the practitioners interviewed indicated that risk and risk management are a primary component of their job and/or job description. They understand that, as mandated by CSC, their job is to protect society by helping to ensure that the FSW living in the community do not commit any new offences, at least until their sentence is complete and their warrant expired. When asked "what does the word 'risk' mean to you?" the respondents provided their interpretation of the components of risk over a dictionary style definition. They understood risk in terms of "*risk to re-offend; risk to the community; risk factors*" which emerged in the form of jargon that would be implicitly understood by their peers and other colleagues. Flowing from the CSC policies that govern their work many of the responses indicate a congruency between what the policy states:

# The purpose of conditional release supervision is to protect society by helping offenders become law abiding citizens...in order to minimize the risk of their committing new offenses. (CSC-SOP, 2002:1)

and the respondents' understanding of the term. There is the perception that risk is primarily directed from the offender toward the community. As one respondent stated, "*I understand an offender being a risk to the community…their risk is high if they're likely to re-offend.*"(R1). This policy, which is apparently gender neutral, is not consistent with either academic research that finds women do not pose a threat to the general public (Arbour, 1996; Hannah-Moffat, 2000, 2004; Hannah-Moffat and Shaw, 2000; Kemshall, 2004) or CSC's own research that shows that "92% of paroled women offenders were considered a low or moderate risk of re-offending" (CSC-Community Strategy for Women Offenders, 2005:2).

Despite this a great deal of emphasis is placed on the woman to develop an understanding of her problems in order for her to be able to self monitor her risk. It is important that a woman be reflective about her risk factors in order to help her lessen the chances of re-offending. It is the woman who keeps things hidden and to herself who is perceived as having the lowest chance of successful reintegration. "It is the women who don't talk, who keep their issues hidden, that I most worry about" (R6). From the workers' perspective helping the women achieve self awareness or self understanding is
key to successful risk management. They believe that improved cognition will assist the woman to reach warrant expiry without committing any new offences. At the same time improved thinking will help her in the development of life skills to assist her beyond that time in leading a pro social life. "One of the goals is that when you're [the worker] no longer in the picture, that they now have a set of skills that they did not have in the past that would help them deal with risk…"(R5). It is their position that when a woman understands her own risk factors and the role she played in her crime she will be responsible for managing her own risk.

It is important to analyze the workers' responses while remembering that their views are expressions of their interpretation of CSC policy which is itself influenced and shaped by globalization and neo-liberalism. The goal of self-monitoring reflects the emphasis CSC places on making the offender be responsible and take ownership of their actions. One goal of CSC is to empower women so that they "gain insight into their situation, identify their strengths, and are supported and challenged to take positive action to gain control of their lives", (CSC in Hannah-Moffat, 2004:310). This fits neatly into the neo-liberal agenda of reducing the state's responsibility over one time social issues by placing them squarely on the shoulders of the individual. When deviant people are responsible for crime the structures and institutions remain unexamined and unblemished. The state's welfare responsibility is shifted and replaced by individual rights and responsibilities (Cerby & Evans, 2004). Yet the state is continually constraining rights while expanding responsibility. The state constrains the women through lengthier sentences, "They've [sentences] become a lot longer...[a few years ago] you would look at someone's sentence for importing [bringing drugs across borders] of 2 or 3 years...now it can be 7 or 8 years for the first import" (R4). For the community based FSW the state uses frontline parole officers and halfway house workers to constrain the liberty of the women through monitoring their actions. Monitoring the women means extending control over their behaviours, their relationships and to some extent their thinking. As one halfway house worker indicated monitoring is an important function of her work,

Monitoring where the women are going when they leave the halfway house, monitoring their call-ins...I need to know their whereabouts at all times...random security checks to make sure that everyone that's there is supposed to be there. (R1)

The social control evident in this degree of monitoring is elevated to the next level when it is determined that that the woman is not managing expectations to the point that she is pulled from the community and sent back to prison. One parole officer indicated that CSC has identified a trend in which higher numbers of FSW are having their parole revoked without having incurred any new charges, "*There are so many revocations, so many women went back to jail without new offences.* Why so many women sent back without new offences?" (R5).

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The neo-liberal agenda is carried out by the parole officers who felt that the management imperative to complete paperwork and reports interfered with their ability to successfully interact with their clients in a manner that promoted either risk reduction or successful reintegration. "The majority of our time is more often spent doing paperwork than it is doing [risk] management and interaction with the offender" (R3). The workers expressed frustration that their job performance was measured by the successful completion of all required reports while they were harshly judged by society if someone under their care re-offended. "CSC looks at workload formulas. And you get points for every report you write and how many offenders are on your caseload."(R5) Workload formula is consistent with managerialism. "Managerialism is a set of beliefs and practices that assumes better management will resolve a wide range of economic and social problems" (Tsui and Cheung, 2004:437) This neo-liberal strategy impacts on risk management and ultimately on successful reintegration because the emphasis is placed on efficiency over effectiveness and measured by increased volumes of paperwork over direct client interaction or services (Ibid). As one parole officer expressed, "In terms of management...that's how they monitor how we've been doing, it's not so much whether people are-re-offending, it's whether our reports are done on time."(R3)

When asked what the women need to help them successfully integrate one worker stated, "*support, support, support*". (*R2*) The need for support is also recognized by CSC, "The parole officers also indicated supervising women offenders requires more time than supervising men offenders...furthermore, the support requested or provided was not always related to the criminogenic factor...."(CSC, CSWO,2005: 2). Yet under managerialism there is reduced time allotment to offer or provide this important component of service delivery. Instead the workload formula provides performance targets which inhibit the worker's ability to fulfill what they perceive to be meaningful in their job, namely the interaction and support given to their clients. "Human service professionals are required to take time from direct service and devote it to paperwork...which may not result in higher output, nor in better outcomes"(Tsui and Cheung, 2004: 440).

#### Reintegration

Respondents proposed the "ideal" of successful reintegration as a woman who completes her *education (perhaps gets a PhD), has a job, pays taxes and has good family functioning*. While all the respondents who suggested this ideal would later provide a disclaimer stating this is probably not attainable for most of the women, it is interesting to ponder this ideal for a few moments. The workers interviewed were women, white, having at least some college and/or university education and were employed at the time of the interviews. It is from a position of power and privilege that an 'ideal reintegration' emerges. For most FSW their lives look much different from the ideal. It is by measuring the reality against the ideal that success is often, consciously or unconsciously, appraised. By suggesting the "white, middle class" women as the ideal we recreate and

reinforce patriarchal notions of who is good, worthy and deserving versus who is bad, unworthy and undeserving. As well, it perpetuates the myth that 'women' are a homogeneous group which denies the intersectional nature of various oppressions such as race, class, sexual orientation and socio-economic status.

This 'ideal' is unattainable for many FSW for two reasons. Firstly, the construct of criminalized women erects boundaries that solidly keep women in conflict with the law physically and psychologically separate from the morally good and upright citizens even upon their release from incarceration (McCormack, 2005). Secondly, the diminished welfare state is unwilling to redistribute wealth resources that would assist the women to reach these benchmarks or even their personal benchmarks for that matter. "It would be too costly in terms of dollars that are required to private wealth accumulation. So these women (and others) are the collateral damage caused by the global war on welfare" (Daenzer, personal communication, 2006). The workers also suggested that the women would probably measure success from a different position. It was felt that the women might say they were successful if they could, "be reunited with their children" (R2), "have a decent roof over their heads" (R6), or simply continue "staying out of trouble" (R3). Our understanding of 'what the women might say' can only be conjecture due to the fact that FSW were not interviewed for this research project. As women of privilege<sup>3</sup> we should strive to be cognizant of the ways in which issues of power and gender are submerged in our consciousness and revealed in our [questions] and answers (Kimpson, 2005).

The white middle class sensibility is an underlying assumption within the very term "reintegration". In order to have a better understanding of reintegration it is first necessary to look at what it means to be integrated. The corrections material available appears to make an assumption that we implicitly understand what is meant by [re]integration. It was, therefore, necessary to look at other literature that explores integration. In the immigration literature, successful integration is measured by how well people conform to the ideology, customs and character of the dominant culture (Li, 2003). According to Li new immigrants have successfully integrated economically when they earn as much as native born Canadians, socially when they have mastered one or both of the official languages and politically when they engage in the social and political activities of the mainstream society. Extending that thinking to FSW, successful reintegration is achieved economically through *employment and paying taxes*, socially through increased *education* and politically when a woman becomes engaged more fully as a *contributing citizen*. Women's successful integration depends on them being good mothers and passive wives who are nurturing, sensitive and responsive to the needs of their family and community. These 'ideals' of womanhood, perpetuated since the 19<sup>th</sup> century and before, are incongruous with the lives of many women in the current Canadian context (Hannah-Moffat, 2001; Robinson, 2005). For FSW this incongruity is

<sup>&</sup>lt;sup>3</sup> I include myself in the category of privilege. Perhaps my privileged position as researcher inadvertently set up the respondents to provide answers to a question of which they really did not have "knowledge".

abetted by a system that removes and imprisons women, many of whom are sole support parents, who upon their release (and if they have access to their children) must try to rebuild a fractured family. This while trying to work in jobs that are often low paying and insecure.

The Standard Operating Procedures appear to remain silent on how CSC envisions successful reintegration outside of the **"reintegration into the community as law-abiding citizens"**(CSC-SOP, 2002:1). This silence means that most workers use individual interpretation and personal judgment to determine the ingredients of successful reintegration. This is especially problematic within a service organization such as a halfway house where more than one individual is assisting with reintegration. There can be clashes and variations in service based on individual personal preferences rather than what is in the best interest of the client. As one halfway house worker observed of [how decisions are made in that setting], *"If they like somebody, they will bend over backwards getting them what they want...but if they don't like someone that person gets ignored...but the people they tend to like are the normal people"*(R1). Another worker suggested that this silence is indicative of an attitude present in CSC that their concern for the women extends only to the point of their warrant expiry. The women are successfully reintegrated when they remain free of new offences until their warrant expires and they are no longer the concern of CSC,

It all deals with risk. But it doesn't set out any expectations for a worker to know what to do to support and help somebody...CSC policies and procedures are all about getting the woman to warrant expired...after that, they don't care any more. (R6)

# "Flying under the radar" - lessons learned

I was struck by this phrase when it emerged in one of my interviews. It was used to suggest that some community based FSW are able to engage in 'risky' behaviours while remaining undetected. The question that emerges for me is who, in our society, really flies under the radar? Is it the women who are criminalized or is it women (people) like me who have the resources, social capital and privilege to really fly under the radar? Could it be possible that I never break the law? Possible, but not probable. The potential exists for me to break the law everyday in one fashion or another. Yet I can easily 'pass' as a law abiding citizen. We often speak of gay or lesbian people passing as straight or people of colour passing as white but we rarely extend that to the law. I can go undetected because my social location suggests to the world that I am good and lead a pro-social life. My law breaking is unnoticed because the radar beam is set a lot higher for people who are white, educated and middle/upper class.

#### **Implications for Social Work Practice and Policy**

In her article Sisterhood: Political Solidarity Between Women 1984, bell hooks suggested that "Feminist theory would have much to offer if it showed women ways in which racism and sexism are immutably connected..." (52). She was bemoaning the supremacy in feminist writing of sexism over racism. She understood that these oppressions intersect making it near impossible to analyze one while ignoring the other. In criminology scholarship gender and race have often been viewed as separate spheres of inquiry with race often receiving only marginal attention. However, Chesney-Lind (2006) suggests that in order to understand "patriarchal control mechanisms" (10) and criminal justice, analysis needs to be centred on the race/gender/punishment nexus. Canada's long history of colonial racism and imprisonment as social control is intertwined having an enormous impact on women in general and First Nations women in particular. As women move out of the private sphere of the home and Aboriginal and people of colour make advancements that can be perceived as a threat to white male privilege there appears to be a need to contain these gains. Laws and policing have been instrumental tools in providing social control and containment. Laws that decrease individual rights while increasing surveillance receive greater support when there is the perception of increased risk and reduced public safety (Stalling, 1990; Martin, 2002).

Since *Creating Choices* some small gains have been made in the lives of federally sentenced women. However, oppression in the name of 'justice' continues when we fail to ask why women receive longer sentences than men for similar crimes? Why are women sent back to prison without receiving new charges? Why do Aboriginal women remain overrepresented in the criminal justice system and classified more often at maximum risk? Why, in CSC documents, do discussions of race or cultural relevance refer almost exclusively to Aboriginal people? What role does class play within criminal justice, such as the role of class on the 'offender's' behaviour, on the creation and implementation of laws and on 'successful reintegration'? We must take care that in trying to make things better for women we remember that oppression is often multilayered and intersectional. "A related point is that the language of *woman centred* has the capacity to deny other forms of oppression...an emphasis on gender-based oppression minimizes and obscures other forms of oppression such as race and class"(Hannah-Moffat, 2004: 299).

It appears that a great deal of work being done with FSW is centred on addressing their individual areas of perceived need or risk. As social workers we want to be able to help with instrumental needs such as housing and food. The literature supports that women emerging from prisons do better when their instrumental needs are satisfied (O'Brien, 2001; Wilkinson, 2004). Social workers should not stop assisting women meet those goals. We can use our skills to assist with difficult and painful emotional issues

experienced by federally sentenced women, including the emotional turmoil associated with incarceration. Yet, if we are only concerned with the individual 'problem' then we fail to help address the oppressive conditions that exist as the underpinning of the problem. By centering our focus on the individual we continue to blame the victim. "Whereas the general purpose of the criminal justice system is to punish offenders and deter others from lawbreaking behaviours by setting a harsh example, social work's mission...is to help people help themselves and challenge social injustice" (van Wormer, 2005: 7). If we are to be true to the social work value of promoting social justice we must explore, expose and explode systems that continue to subjugate women.

Another possible approach for social work practitioners and policy makers/critics working for justice in the field of criminology is to change the meaning that is ascribed to criminalized behaviour and people. Gingrich (2003) suggests that "difference in and of itself does not constitute exclusion, and not all difference counts. It is the *meaning* (italics original) that is attributed to difference..."(11) that creates social division. Bridging that division may occur if we begin to reframe criminality from hostile and deviant actions perpetrated against a good or benign social structure to those actions being forms of resistance delivered by people who have experienced social oppression. We can give new meaning to the discourse when we shift our focus from women who are in conflict with the law to a discourse about women with whom the law is in conflict<sup>4</sup>. To understand this we need only to look at the case of Kimberly Rogers<sup>5</sup> who was convicted of welfare fraud because she continued to collect welfare while receiving a student loan. Nine months pregnant and under house arrest Kimberly died in her over heated apartment during one of Ontario's extreme heat alerts. The law requires that those receiving welfare must report any other form of income with the intent being that the welfare payment will be reduced by that amount. This requirement punishes anyone who wants to earn extra income which is often needed to supplement the meager provisions extended by the state. In Ms. Roger's case she was punished for not reporting income that she was using to get more education which could lead to a source of steady income which in turn would take her off welfare and make her a tax paying citizen.

<sup>&</sup>lt;sup>4</sup> This phrase emerged during a discussion with my partner. I thought that it was important to include because it reflects both social work values and feminism that we should be always cognizant of how the personal is political.

<sup>&</sup>lt;sup>5</sup> The case of Kimberly Rogers was under provincial rather than federal jurisdiction. However, I believe that this example is transferable because in Canadian jurisprudence it is the length of sentence that designates a crime federal or provincial rather than the severity of the crime.

### **Limitations**

For one Master's of Social Work student to suggest changes to the correctional system without having entered into a dialogue with the women who are criminalized by and within it would be arrogant and replicating the mistakes and oppressions of the past. I do not want to risk, as one located differently, to speak on behalf of federally sentenced women (Sheth & Dei, 1997). I felt that the data that I gathered was rich and complex. However, I also felt constrained by the fact that each person was interviewed only once. With each reading of the interviews more questions emerged, questions that had I had more time I would have pursued. As well, I would have liked to have interviewed at least one bureaucrat involved in writing correctional policies. While I was in email contact with an individual at CSC National Headquarters time constraints and other challenges emerged that made it impossible or impractical to meet. Yet within the field of social work, both those who practice with and those who write policy that impact FSW, there are possibilities for change suggested through the data collected for this research.

### **Conclusion**

Rubin and Babbie (1993) challenge social workers engaged in research to ask "what difference the answer to your research would make to others concerned about social work practice or social welfare?"(101). They call this the "so what" factor. They suggest that this question be asked before we even begin our research. One starting point for social change is the critical examination of extant policies and practices with which we engage and are engaged. Using the example of classification (a system by which an incarcerated person is deemed a minimum, medium or maximum risk, a assessment that can impact their placement in the community) Hannah-Moffat and Shaw (2001) found that while such systems are identified as gender neutral, they are, in actuality, based on a "male normative standard" (13). Gender neutral policies imply that women will be given the same treatment as men, thereby, ensuring equal outcomes (Status of Women, 1996). Yet equal treatment does not necessarily produce equality; which means that women may, in fact, need to be treated differently in order to achieve similar results. Gender-based analysis of criminalized women would take into consideration family responsibility, criminal history, educational attainment and employment skills; all significant factors in the lives of women that have shown to be different from the male cohort (Hannah-Moffat and Shaw, 2001).

Shoshana Pollock (2004) explores how social workers can implement an Anti-Oppressive Framework when working in a corrections setting. She states, "this framework attempts to move away from an 'expert' model of service delivery towards one that is more inclusive of client's experiences and that incorporates a recognition of coping and resistance to oppression" (Pollack, 2004, 693). Like many authors concerned with anti-oppressive practice that I have been exposed to throughout this academic program, Pollack is challenging us to explore alternatives, to recognize, and shift, power imbalances and to confront a patriarchal system that oppresses and marginalizes people. Women with whom the law is in conflict deserve no less.

Appendix i

## **Letter of Information**

I am a MSW student at the McMaster University School of Social Work. In fulfillment of the MSW program, I will be conducting a research project, and Dr. Patricia Daenzer will supervise my work.

The purpose of this research project is to learn more about the Standard Operating Procedures for community based federally sentenced women. In particular this research will address the issues of risk and reintegration for federally sentenced women.

I am seeking to interview both those involved in policy development within Correctional Services Canada and frontline workers including parole officers and case managers in halfway houses for federally sentenced women. In participating in this study you will be asked to meet with me for one session that will last approximately one hour. You may choose the meeting location that is most preferable to you, and that will safeguard your confidentiality and anonymity. The interview session will be audio taped and transcribed without any identifying information.

Your participation in this research is voluntary and confidential. Every care will be take to respect your privacy. No identifying information or identifying quotes will be included in any of the written reports generated from this study, comments that may be construed as critical of the policy or program will not be traceable to the speaker. All information you provide will be locked in a filing cabinet at my home to which only I have access. You may choose not to answer some of the questions. You may choose to withdraw from the study at any time without consequences. If you choose to withdraw, all information you have provided will be destroyed.

You will receive a written report of the findings of this research. This project has been reviewed and received ethics clearance by the McMaster Research Ethics Board. Should you have any concerns or questions in regards to your participation in this study, you may contact:

The McMaster Research Ethics Board Secretariat c/o the Office of Research Ethics Telephone: 905-525-9140 ext. 23142 E-mail: <u>ethicsoffice@mcmaster.ca</u>

I will be conducting the interviews in April/May. To participate please contact Donna Fitzpatrick-Lewis at <u>fitzpadj@mcmaster.ca</u> or by phone at 905-318-0069. You can also contact Dr. Patricia Daenzer at <u>pdaenzer@sympatico.ca</u> or by phone at 905-525-9140.

Thank you for your help.

# Appendix ii **Project Title: The risk/reintegration dichotomy for Community Based Federally Sentenced Women**

#### Consent Form

I agree to take part in this study. I have been fully informed about this study and I understand that its purpose is to explore the issues of risk and reintegration as they apply to the lives of federally sentence women who are residing in the community.

I understand that Donna Fitzpatrick-Lewis is the principle investigator of this study, and that her work will be supervised by Dr. Patricia Daenzer (faculty member of the McMaster School of Social Work).

I am willing to take part in one interview that will last approximately one hour and will agree to have the interview audio-taped and transcribed. No identifying information will be included in the transcripts. I understand I may choose not to answer any particular question and/or may choose to withdraw from participating in this study at any time without consequence. I understand if I choose to withdraw, any information I have provided, including audio-tapes, transcripts or notes will be destroyed.

I understand I will not receive any direct benefit from taking part in this project.

I understand that my anonymity and confidentiality is assured. Any negative comments made about the policy will not be traceable to me. Any information I have provided, and that can be identified with me, will remain confidential.

I understand if I have further concerns and questions regarding my rights as a research participant, I can contact:

The McMaster Research Ethics Board Secretariat c/o the Office of Research Ethics 1280 Main Street W., GH-306 Hamilton, ON L8S 4L9 Telephone: 905-525-9140 ext. 23142 Email: <u>ethicsoffice@mcmaster.ca</u> Fax: 905-540-8019

Or

The Principle Investigator: Donna Fitzpatrick-Lewis Email: <u>fitzpadj@mcmaster.ca</u> Phone: 905-318-0069 The Faculty Thesis Supervior Patricia Daenzer Email: <u>pdaenzer@sympatico.ca</u> Phone: 905-525-9140.

# **<u>References</u>**

Albrecht, Hans-Jorg and Michael Kilchling. 2002 Crime risk assessment, legislation, and the prevention of serious crime – comparative perspectives. European Journal of Crime, Criminal Law and Criminal Justice, 10,1, 23-38.

Arbour, Louise. 1996. Commission of inquiry into certain events at the Prison for Women in Kingston. Ottawa: Canadian Communication Group.

Banks, Mark. 2005. Spaces of (in)security: media and fear of crime in the local context. Crime Media Culture, 1, 2: 169-187.

Blanchette, Kelley. 2004 Revisiting effective classification strategies for women offenders in Canada. Feminism and Psychology, 14, 1, 231-236.

Chan, Wendy and George S. Rigakos. 2002 Risk, gender and crime. British Journal of Crinimology, 42: 743-761.

Chesney-Lind, Meda. 2006 Patriarchy, crime, and justice. Feminist Criminology, 1,1: 6-26.

Chesney-Lind, Meda and Michele Eliason. 2006. From invisible to incorrigible: the demonization of marginalized women and girls. Crime Media Culture, 2, 1:29-47.

Cohen, M. 1997. From welfare state to vampire capitalism. In <u>Women and the</u> <u>Canadian welfare state challenges and change</u>. University of Toronto Press: Toronto.

Connelly, M. 2003. Qualitative Analysis: A teaching tool for social work research. Qualitative Social Work, 2, 1: 103-112.

Correctional Services Canada. <u>Standard operating procedures for community based</u> <u>offenders</u>. <u>www.csc.gc.ca</u>. Downloaded December 09, 2005.

Correctional Services Canada. <u>Community strategy for women offenders</u>. <u>www.csc-scc.gc.ca/text/prgrm/fse/wos22/wos22\_e.shtml</u>. Downloaded January 1, 2006.

Daenzer, Patricia. 2006. Personal Communication. McMaster University, Hamilton.

Encarta Encyclopedia. 2005. Microsoft.

Frankenberg, Ruth. 1993. <u>White women, race matters the social construction of whiteness</u>. Minneapolis: University of Minnesota Press.

Finch, J. 1991. Feminist research in social policy. In <u>Women's issues in social policy</u>. (eds) Maclean, M and Groves, D.

Gerber, Brian J. and Grant W. Neeley. 2005. Perceived risk and citizen preferences for government management of routine hazards. The Policy Studies Journal, 33, 3, 395-418.

Gingrich, Luann Good. 2002. Theorizing social exclusion: Determinants, mechanisms, dimensions, forms, and acts of resistance. <u>Emerging perspectives on anti-oppressive practices.</u> S. Wes. Toronto, Canadian Scholars' Press Inc.: 3-24.

Giroux, Henry. 2006. <u>Beyond the spectacle of terrorism global uncertainty and the challenge fo the new media</u>. Paradigm Publishers: London.

Giroux, Henry, 2004. Neo-liberalism and the demise of democracy: resurrecting hope in dark times. (www.dissendentvoice.org/aug04/giroux087.htm).

Giroux, Henry. 2003. <u>The abandoned generation: democracy beyond the culture of fear</u>. Palgrave MacMillan: New York.

Hannah-Moffat, Kelly. 2004. Feminine fortresses woman centered prisons. In Pamela J. Schram & Barabara Koons-Witt (Eds.), <u>Gendered (In)Justice</u> (290-317),Long Grove, IL: Waveland Press.

Hannah-Moffat, Kelly. 2004. Gendering risk at what cost: negotiations of gender and risk in Canadian women's prisons. Feminism & Psychology, 14, 2: 243-249.

Hannah-Moffat, Kelly. 2001. <u>Punishment in Disguise</u>. Toronto: University of Toronto Press.

Hannah-Moffat, Kelly. 2000. Prisons that empower neo-liberal governance in Canadian women's prisons. British Journal of Criminology, 40, 3: 510-531.

Hannah-Moffat, Kelly and Margaret Shaw. 2001. Taking risk: incorporating gender and culture into the classification and assessment of federally sentenced women in Canada. Status of Women Canada: Ottawa.

Hoijer, B. 2004. The discourse of global compassion: The audience and media reporting of human suffering. <u>Media, Culture and Society</u>. 26, 4: 513-531.

hooks, bell. 1984. "Sisterhood: political solidarity between women," <u>Feminist Theory:</u> <u>from margins to center</u>. Boston, MA: South End Press, 43-65.

Jackson, Jonathon. 2006. Introducing fear of crime to risk research. Risk Analysis, 26, 1: 253-264.

Keck, Jennifer. 2002. Remembering Kimberly Rogers. Canadian Council of Social Development. Perception, 25, 3/4.

Kemshall, Hazel. 2004. Risk, dangerousness and female offenders. <u>Women who offend</u>, Gill McIvor (Ed.)London: Jessica Kingsley Publishers.

Kemshall, Hazel. 2001. Risk assessment and management of known sexual and violent offenders: A review of current issues. London, UK., Home Office.

Kemhall, Hazel. 1997. Sleep safely: Crime risk may be smaller than you think. Social Policy and Administration, 31, 3: 247-259.

Kemshall, Hazel, Nigel Parton, Mike Walsh and Jan Waterson. 1997. Concepts of risk in relation to organizational structures and functioning within the personal social services and probation. Social Policy and Administration, 31, 3: 213-232.

Kennedy, Robert F. Jr. 2005. The disinformation society. Sentient Times: Ashland, Oregon.

Kimpson, Sally A. 2005. Stepping off the road: a narrative (of) inquiry. In: <u>Research</u> as <u>Resistance</u>. (eds) Leslie Brown & Susan Strega. Canadian Scholar's Press: Toronto.

Lauer, Josh. 2005. Driven to extremes: fear of crime and the rise of the sports utility vehicle in the United States. Crime Media Culture, 1, 2: 149-168.

Li. P. 2003. Deconstructing Canada's discourse of immigration integration. <u>PCERII</u> working paper series: 1-16.

Lundy, C. 2004. <u>Social work and social justice</u>. A structural approach to practice. Broadview Press: Peterborough, ON.

Luxton, Meg. 2002. Feminist perspectives on social inclusion and children's well-being. In Laidlaw Foundation's Working Paper Series: Perspectives on Social Inclusion. Toronto: Laidlaw Foundation.

Martin, Diane. 2002. Demonizing youth, marketing fear: the new politics of crime. In Disorderly people law and the politics of exclusion in Ontario. (eds) Hermer, Joe and Janet Mosher. Fernwood Publishers: Halifax.

McChesney, Robert. 2005. Bush's war on the press. The National Magazine. (www.thirdworldtraveler.com.McChesney/Bush\_War\_On\_Press.html).

McCormack, Karen. 2005. Stratified reproduction and poor women's resistance. Gender & Society, 19, 5: 660-679.

Monture-Angus, Patricia. 2000. Aboriginal women and correctional practice: reflections on the Task Force on Federally Sentenced Women. In: <u>An ideal prison?</u> <u>Critical essays on women's imprisonment in Canada</u>. (eds) Kelly Hannah-Moffat and Margaret Shaw. Fernwood Publishing: Halifax.

Moore, Dawn and Kelly Hannah-Moffat. 2002. Correctional renewal without the frills: the politics of "get tough" punishment in Ontario. In <u>Disorderly people law and the politics of exclusion in Ontario</u>. (eds) Hermer, Joe and Janet Mosher. Fernwood Publishers: Halifax.

Mosher, Janet. 2002. The shrinking of private and public spaces of the poor. In <u>Disorderly people law and the politics of exclusion in Ontario</u>. (eds) Hermer, Joe and Janet Mosher. Fernwood Publishers: Halifax.

Native Women's Association of Canada. The Arbour Report – Press Conference. <u>www.nwac-hq.org/news.htm</u>. May, 2006.

Nordstrom, C. 1999. Visible wars & invisible girls, shadow industries, and the politics of not-knowing. <u>International Feminist Journal of Politics</u>. 1 (1): 14-33.

O'Brien, Patricia. 2001. Back to the community. "Just like baking a cake": women describe the necessary ingredients for successful reentry after incarceration. Families in Society: The Journal of Contemporary Human Services: 287-295.

Oakley, Anne. 1981. Interviewing women: a contradiction in terms. In: <u>Doing feminist</u> research. (ed) Helen Roberts. Routlege & Kegan Paul: London.

Pollack, Shoshana. 2004. Anti-oppressive social work practice with women in prisons: discursive reconstructions and alternative practices. British Journal of Social Work, 34, 5: 693-707.

Potts, Karen and Leslie Brown. 2005. <u>Research as Resistance</u>. (ed) Leslie Brown and Susan Strega. Canadian Scholar's Press: Toronto.

A Report of the international forum on globalization. 2002. <u>Alternatives to economic</u> <u>globalization</u>. <u>A better world is possible</u>. Berrett-Koehler Publishers: San Francisco.

Pease, Ken. 2001. Distributive Justice and Crime. European Journal on Criminal Policy and Research, 9: 413-425.

Robinson, Robin. 2005. "Crystal virtues": Seeking reconciliation between ideals and violations of girlhood. Contemporary Justice Review, 8, 1: 59-73.

Roberts, Julian V. 1998. The evolution of penal policy in Canada. Social Policy & Administration. 32, 4: 420-437.

Rubin, Allen and Earl Babbie. 1993. <u>Research methods for Social Work</u> (2<sup>nd</sup> Ed.). Brooks/Cole Publishing Company: California.

Schneiderman, David. 2002. The constitutional disorder of the Safe Streets Act. In <u>Disorderly people law and the politics of exclusion in Ontario</u>. (eds) Hermer, Joe and Janet Mosher. Fernwood Publishers: Halifax.

Schrecker, Ted. 2001. From the welfare state to the no-second-chance state. In: [Ab]using power the Canadian experience. (eds) Susan Boyd, Dorothy E. Chunn and Robert Menzies. Fernwood Publishing: Halifax.

Shaw, Margaret. 1993. Reforming federal women's imprisonment. In E. Adelberg & C. Currie (Eds.), <u>In conflict with the law</u> (50-75). Vancouver: Press Gang.

Sheely, Elizabeth. 2004. Advancing social inclusion: the implications for criminal law and policy. Canadian Journal of Criminology and Criminal Justice. 46, 1.

Sheth A. & G.J.S. Dei. 1997. Limiting the academics of possibility – a self-reflective exercise in Freirian politics. <u>Mentoring the mentor: a critical dialogue with Paulo Freire</u>. P. Freire. New York, P. Lang: 143-173.

Singleton, Royce A. and Bruce C. Straits. 1999. <u>Approaches to social research</u>. (3<sup>rd</sup> Ed.) Oxford University Press: New York.

Snider, Lareen. 2003. Constituting the punishable woman: atavistic man incarcerates postmodern woman. British Journal of Criminology 43, 2: 354-378.

Stalling, Robert A. 1990. Media discourse and the social construction of risk. Social Problems, 31, 1: 80-95.

Status of Women Report. 1996. Gender-based analysis: a guide for policy making. Canadian Cataloguing on Publication Data: Ottawa.

Steffenmeier & Allan. 2004. Gender and Crime: Toward a gendered theory of female offending. In Pamela J. Schram & Barbara Koons-Witt (Eds.), <u>Gendered (In)Justice</u> (290-317), Long Grove, IL: Waveland Press.

Thede, N. 2005. Human rights and democracy: issues for Canadian policy in democracy. IRPP Policy Matters. 6, 3.

Tsui, Ming-Sum and Cheung, F.C.H. 2004 Gone with the wind: the impacts of managerialism on human services. British Journal of Social Work. 34, 3: 437-442.

Van Wormer, Katherine. 2005. Concepts for contemporary social work: globalization, oppression, social exclusion, human rights, etc. Social Work & Society. 3, 1:1-10.

Wacquant, Loic. 2001. The Penalization of poverty and the rise of neo-liberalism. European Journal on Criminal Policy and Research. 9: 401-412.

Webster, Cheryl M. and Anthony N. Doob. 2004. Classification without validity or equity: An empirical examination of the Custody Rating Scale for Federally Sentenced Women Offenders in Canada. Canadian Journal of Criminology and Criminal Justice: 396-421.

Wilkinson, Christine. 2004. Women's release from prison: the case for change. In <u>Women who offend</u>. Gill McIvor (ed). Jessica Kingsley Publishers: London and New York.