

GTU - Graduate Student Conference - Women and Religion, 28 April 2023

Theme: Embracing Women's Bodies as Intersections of Identities, Theologies, and Justice Roles

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Title: “Women of Faith in Jail”

Abstract:

This presents a jail chaplain’s view on how women prisoners’s experience, especially their faith experience, is different from that of men in the American justice system. In many ways, the lives of American women and men prisoners are similarly marginalized; however, the systemic social and economic disadvantages of women in our society are reflected in the lives of female inmates. For example, women are usually the primary caretakers for children from whom incarceration separates them, women often enter the carceral system having had more traumatic experiences, and all-too-often women undergo more trauma in jail and prison. As a result, working with women inmates as a chaplain or officer can be more complex and emotionally intense compared to working with male prisoners. While some avoid working with women, others find special satisfaction in supporting female prisoners. A groundbreaking report has just been published about women prisoners and their unique challenges and patterns.

Overview:

Prisoners have time on their hands and often use it to explore and deepen their spiritual or religious faith. Prayer and faith may be some of the few comforts reliably available in a stressful carceral setting. I have been honored to walk alongside women and men prisoners as a county jail chaplain with the Correctional Institutions Chaplaincy of Santa Clara County (CIC) since 2015. I have served CIC as both a volunteer and paid Relief Chaplain at Elmwood men’s jail, the Correctional Center for Women - CCW, and Main Jail, and I am training to work as a chaplain in the youth facility. I hold a Graduate Theological Union - Master of Theology, Pacific School of

Religion - Certificate in Spirituality and Social Change, and GTU - Interreligious Chaplaincy Certificate. I am now in the Berkeley School of Theology - Doctor of Ministry program.¹

In many ways, the lives of American women and men prisoners are similarly marginalized; however, the systemic social and economic disadvantages of women in our society are reflected in the lives of female inmates. The Prison Policy Institute has issued an annual “Mass Incarceration: the Whole Pie” report since 2014. A groundbreaking report was just issued called “Women’s Mass Incarceration: The Whole Pie 2023” that focuses on women prisoners for the first time. Kajstura and Sawyer write, “80% of women in jails are mothers, and most of them are primary caretakers of their children.” In addition to disadvantages that include 53% joblessness before arrest, and greater rates of homelessness, disability, health challenges, and substance abuse than male prisoners, Kajstura and Sawyer also report, “women are 3 times as likely as men to be sexually victimized by prison or jail staff.” Also, about 4% of Women are pregnant when they go to prison.² In an earlier report, it was estimated that 58,000 people each year are pregnant when they enter incarceration.³

Data about women prisoners are often hard to find on the 172,700 women and girls incarcerated in the USA.⁴ There are about 250 women prisoners in Santa Clara County jails, about 10% of the jail population of 2,886.⁵ In California, about 3,700 prisoners are women, that is 4% of the 95,556 in state prisons.⁶ Women make up about 7% of federal offenders.⁷ Women

¹ “About Katy Dickinson,” *Katysblog*, accessed 11 March 2023, <https://katysblog.wordpress.com/about/>.

² Aleks Kajstura and Wendy Sawyer, “Women’s Mass Incarceration: The Whole Pie 2023,” *Prison Policy Initiative*, 1 March 2023, <https://www.prisonpolicy.org/reports/pie2023women.html>.

³ Wendy Sawyer and Wanda Bertram, “Prisons and Jails Will Separate Millions of Mothers from their Children in 2022,” *Prison Policy Initiative*, 4 May 2022, https://www.prisonpolicy.org/blog/2022/05/04/mothers_day/.

⁴ Kajstura and Sawyer.

⁵ “Department of Correction - Daily Jail Population Statistics,” *Office of the Sheriff - Santa Clara County*, 11 March 2023, https://www.sccgov.org/doc/Doc_daily_pop.pdf.

⁶ “Daily Report of Population,” *California Department of Corrections and Rehabilitation - CDCR*, 8 March 2023,

⁷ “Female Offenders,” *Federal Bureau of Prisons*, accessed 11 March 2023, https://www.bop.gov/inmates/custody_and_care/female_offenders.jsp.

are held for less time than men in county jail; however, women's rate of incarceration is growing twice as fast as men's, and women die in jail at a higher rate than men. One of the differences between (state and federal) prison and (local) jail is that in prison, inmates are convicted and know their sentence. Kajstura and Sawyer write that more women are held in jails than state prisons, and "60% of women in jails under local control have not been convicted of a crime and are awaiting trial."⁸ While 60% is disturbing, it is better than the 80% of jail prisoners overall still in the justice process.⁹ The great majority of all jail prisoners are unsentenced, meaning that they are legally innocent, unconvicted, and in a justice process that may take years to complete.

The lives of county jail prisoners, including their faith lives, are managed by a variety of laws and policies, including a Sheriff's "Inmate Rulebook."¹⁰ Interaction points between prisoners and chaplains are detailed in this rulebook. This includes requests for non-medical special diets (Kosher, Halal, or Vegetarian), some educational and spiritual programs (including worship services, and religious life-skills classes), individual pastoral care visits, and access to religious and secular items (such as scriptures and religious prayer or study materials, hijab, or kippah or kufi head coverings, prayer rugs, rosaries, novels and art supplies).

Most jail chaplain volunteers in our county are from mainline Protestant denominations, or nondenominational Protestant churches. CIC has Christian, Muslim, and Buddhist staff chaplains, five male and three female. The Roman Catholic Diocese of San José provides a (male) Catholic priest as well as volunteer chaplains. Our county does not publish information about inmate religious affiliations but the Pew Research Center's *Religion in Prisons: A 50-State*

⁸ Kajstura and Sawyer.

⁹ Wendy Sawyer and Peter Wagner, "Mass Incarceration: The Whole Pie 2023," *Prison Policy Initiative*, 14 March 2023, <https://www.prisonpolicy.org/reports/pie2023.html>.

¹⁰ "Inmate Rulebook," Custody Bureau, *Office of the Sheriff - Santa Clara County*, July 2018, <https://countysheriff.sccgov.org/sites/g/files/exjcpb406/files/Inmate%20Rulebook.pdf>.

Survey of Prison Chaplains reported about 51% of prisoners were Protestant or Evangelical Christian, 15% Catholic Christian, 9% Muslim, 3% Native American spiritual practices, 2% Jewish, 2% pagan or Earth-based religion, and 11% stated no religious preference.¹¹

Percentages are dropping¹² but people of color continue to be disproportionately represented among America's 1.9 million prisoners. In Santa Clara County, about 53% of felony and misdemeanor defendants are Latino, compared with about 21% White, 12% African American, and 9% Asian / Pacific Islander.¹³ Color has another meaning in jail, because "The color and type of clothing you receive will vary based on your classification, gender, and inmate worker status."¹⁴ Pregnant inmates and those under medical care each wear a special shirt or sleeve color, so that officers can identify and care for them appropriately. When needed, pregnant prisoners are shackled differently. They also have two foam mattresses, and a pregnancy diet.

Prisoners who identify as men and women are housed in separate jail dorms. Both men's and women's dorms also include prisoners who are in gender transition. As a chaplain, I may visit inmates inside a dorm (as when bringing in a worship service), in a visit room (for pastoral care, discussion about religious diet, or when conveying a family death notice), in a common area (when visit rooms are full), or outside their cell door (for prisoners under medical quarantine, or those with higher security status). I have often led group classes inside a multipurpose room, which may be either inside or adjacent to a dorm. Inmates who are

¹¹ Stephanie C. Boddie and Cary Funk, *Religion in Prisons: A 50-State Survey of Prison Chaplains*, Pew Research Center, 22 March 2012, <https://static.prisonpolicy.org/scans/ReligionInPrisons.pdf>.

¹² John Gramlich, "America's Incarceration Rate Falls to Lowest Level Since 1995," *Pew Research Center*, 16 August 2021, <https://www.pewresearch.org/fact-tank/2021/08/16/americas-incarceration-rate-lowest-since-1995/>.

¹³ Jeff Rosen - District Attorney, "Race and Prosecutions - 2022 Update," *District Attorney's Office - Santa Clara County*, accessed 11 March 2023, 5, <https://countyda.sccgov.org/sites/g/files/exjcpb1121/files/documents/Race%20Prosecutions%202022%20Report%20-%20Combined%20with%20Appendix.pdf>.

¹⁴ "Inmate Rulebook," 19.

considered higher risk may be shackled to a chair during their pastoral visit but privacy, and often extended amounts of time, is allowed by the officers.

The Prison Policy Institute writes, “Prison is no answer for marginalized, traumatized women.”¹⁵ Because women are usually the primary caretakers for children from whom incarceration separates them, women often enter the carceral system having experienced more traumatic experiences, and all-too-often women undergo more trauma in jail and prison. When a mother of younger children is incarcerated, her whole family shares in her punishment. Sapkota, Dennison, et al. write, “Children often suffer collateral and damaging consequences of maternal incarceration that can impact their health and wellbeing, behaviour, and educational prospects.”¹⁶

Most jail officers are supportive of the chaplains, sometimes asking us to check in with prisoners about whom they are worried. Working with women inmates as a chaplain or officer can be more complex and emotionally intense compared to working with male prisoners. Because there are fewer women prisoners, officers in the women’s dorms may be more likely to know the inmates as individuals. I have heard some officers say that they would rather not be assigned to the women’s side because the emotionally intense environment makes a difficult job even harder. All officers are rotated from dorm to dorm over time but there are some who seem to prefer to work on the women’s side. There are also chaplains who find special satisfaction supporting women inmates. CIC chaplains work with both men and women but the regular chaplains for the Correctional Center for Women are women. Chaplains get regular training,

¹⁵ Kajstura and Sawyer.

¹⁶ Diksha Sapkota, Susan Dennison, Jyai Allen, Jenny Gamble et al., “Navigating Pregnancy and Early Motherhood in Prison: a Thematic Analysis of Mother’s Experiences,” *Health & Justice Journal* 10, no 32 (2022), <https://healthandjusticejournal.biomedcentral.com/articles/10.1186/s40352-022-00196-4>.

including in Trauma Informed Pastoral Care. We are asked to consider using non-gendered language for God, to be respectful of a potential for triggering trauma.

Occasionally, chaplains are presented with circumstances that seem to be uniquely female and religious. For example, while in training, I shadowed a senior woman chaplain in the maximum security dorm on the women's side. We spoke at length with an inmate who was distraught because her religious garment had been removed by men during the arrest process. The garment had been restored by the time of our visit but for her, that violation of modesty seemed more traumatic than imprisonment. After we spoke for an hour, my colleague was able to arrange for more mental healthcare and legal support for this inmate.

Prayers and faith may be one of the few comforts available to women prisoners mourning the loss of regular contact with their children. In a report issued just before Mother's Day in 2022, the Prison Policy Initiative wrote, "nearly 150,000 incarcerated mothers will spend the day apart from their children. Over half (58%) of all women in U.S. prisons are mothers, as are 80% of women in jails, including many who are incarcerated awaiting trial simply because they can't afford bail."¹⁷ Pastoral conversations with women inmates are often about their worry for children and families, anxiety because they are locked away where they cannot help, and include prayer requests for God's intervention, peace, and strength in this stressful circumstance.

Being a jail chaplain requires a special dedication, but we always need more volunteers. A recent meditation at one of our CIC training sessions was called "Choosing to Incarcerate Yourself." Chaplain Angel Hernandez said,

We have these ministry trainings so that as Chaplains, you need to choose incarceration as well. Not like those that are incarcerated, and not like those who have families inside. You choose the surroundings of incarceration in order to be with those inside.... We are a ministry that seeks out people that choose incarceration. That know that their rights are

¹⁷ Sawyer and Bertram.

left, like their phones, like their smart watches, their rights are left in the car. We look for people that allow the direction of the law inside to have the authority, regardless of the title you have worked so hard to attain on the outside. We look for people who are willing to humble themselves.... we ask that you understand that you choose incarceration to then be an inspiration to those inside. Hebrews 13:3: "Remember those in prison as if you were there yourself. Remember also those being mistreated, as if you felt their pain in your own bodies."¹⁸

Every week when I go into jail as a chaplain, I am reminded of Exodus 3:5 and feel I am on holy ground. I try to bear in mind during each interaction what I have in common with the inmates, to be open to what they can teach me, and to remember while I get to go home, and they cannot.

¹⁸ Angel Hernandez, "Choosing to Incarcerate Yourself," *Katysblog*, 12 September 2022, <https://katysblog.files.wordpress.com/2022/09/choosing-to-incarcerate-yourself-angel-hernandez-cic-10-sep-2022.pdf>.